



City of Perth

Ordinary Council Meeting

Minutes

**14 March 2017
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Lord Mayor, Lisa-M. Scaffidi
Deputy Lord Mayor, James Limnios
Councillor Jim Adamos
Councillor Lily Chen
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: *11 April 2017*



City of Perth

Ordinary Council Meeting

Minutes

**14 March 2017
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**

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 14 March 2017.

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

Councillors Present: **Adamos, Davidson, Chen, Green, Harley, Limnios, McEvoy and Yong**

In Attendance:

Martin Mileham	- Chief Executive Officer
Robert Mianich	- Director Corporate Services
Paul Crosetta	- Director Construction and Maintenance
Rebecca Moore	- Director Community and Commercial Services
Erica Barrenger	- Acting Director City Planning and Development
Annaliese Battista	- Acting Director Economic Development and Activation
Margaret Smith	- Manager Development Approvals
Mark Ridgwell	- Manager Governance
Paul Anastas	- Personal Aide to the Lord Mayor
Cathryn Clayton	- Governance Electoral Officer

Observers:

Twenty-one members of the public.
One member of the press.
Six members of the staff.

1. Prayer

The Lord Mayor took the Chair and the prayer was read by the Chief Executive Officer.

2. Declaration of Opening

6.04pm The Lord Mayor declared the meeting open.

3. Apologies

Nil

6.04pm Cr Green departed the meeting.

6.06pm Cr Green returned to the meeting.

4. Question Time for the Public

4.1 - Questions Received

The Chief Executive Officer advised that the following questions had been received:

Questions from Ms Emely Maas, Unit 101 / 108 Bennett Street, East Perth WA 6004 (TRIM 50733/17) in relation to Wellington Square:

Question :	Daily public urination and defecation on park trees is occurring at Wellington Square and some of the park visitors are now using the properties around the park as locations for relieving themselves. How will this be addressed? Expecting residents to phone the police is not reasonable, since this is happening multiple times a day and the police never come when called.
Response:	<i>The Rangers patrol on a regular basis as do the Police and CCTV cameras also record anti-social behaviour.</i> <i>The City is currently developing a masterplan for Wellington Square which seeks to address some of these issues through activation and increased utilisation.</i>
Question :	The Council clearly understand the health concerns around the amount of rubbish/litter and defecation in Wellington Square, since they are sending out cleaning crews twice a day. This, however, is only dealing with the symptoms, how will the cause be addressed?
Response:	<i>The City has established a regular meeting with key service providers providing outreach and services from Wellington Square.</i> <i>Wellington Square is a complex issue with many visitors to the area attending or accompanying persons to the nearby Royal Perth Hospital.</i> <i>As above, the City is currently developing a masterplan for Wellington Square which seeks to address some of these issues through activation and increased utilisation.</i>
Question :	Wellington Square area has become unsafe recently people have been verbally accosted by park visitors. What safety measures are being considered?
Response:	<i>In response to recent complaints and observations of the area, the City of Perth conducted a joint operation with the Perth Police Station. Regular patrols by Police and the Rangers are ongoing and CCTV cameras remain in place in the Park.</i> <i>Safety is being considered in the masterplan currently being developed.</i>

Question received from Drew Bower, Unit 307 / 108 Bennett Street, East Perth WA 6004 (TRIM 50735/17) in relation to Wellington Square:

Question :	What is the short term and long term solution to make Wellington Square Park a safe and clean place for residents to use, and while it is currently not safe and clean what alternative park in East Perth can dog owners use where their dogs can be let off the lead?
Response:	<i>As addressed in questions raised this evening the City is currently developing a masterplan for Wellington Square. Dog off lead areas within the City of Perth are: - Totterdell Park - JH Abrahams Reserve</i>

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

Nil

6. Confirmation of Minutes

The minutes of the Ordinary Meeting of the Council held on 14 February 2017 were submitted for consideration.

Moved by Cr Davidson, seconded by Cr Yong

That the minutes of the Ordinary Meeting of the Council held on 14 February 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, Chen, Davidson, Green, Harley, Limnios, McEvoy and Yong

Against: Nil

7. Announcements by the Lord Mayor

Nil

8. Disclosures of Members' Interests

The following Members disclosed an interest:

Member / Officer	Item No.	Item Title.	Nature / Extent of Interest
Lord Mayor, Scaffidi	13.3	379 (Lot 31) Wellington Street, Perth – Proposed Third Party Variable Content Wall Sign	Nature – Direct Financial Interest Extent – Property owner of the subject site
Cr Adamos	13.11	Tender 043-16/17 – Provision of Engineering Consultancy Services and Associated Professional Services	Nature – Impartiality Interest – Extent – Cr Adamos is a board member of the Perth Public Art Foundation and has an association with an employee of Cox Howlett & Bailey Woodland. (TRIM 51494/17)
Martin Mileham, Chief Executive Officer	13.20	CEO Probation Review	Nature - Direct Financial Interest – Decision affects Mr Mileham’s personal employ and remuneration. Extent – CEO Annual Salary package circa \$350,000 per annum (up to a maximum of five years) (TRIM 50785/17)

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 13.16 & Attachment 13.16A	Appointment of External Member – Audit and Risk Committee	s5.23(2)(e)(iii)

Item No.	Item Title	Reason
Confidential Item 13.17 & Attachment 13.17A	2016 Compliance Audit Return	s5.23(2)(e)(iii)
Confidential Item 13.18 & Attachment 13.18A	Outstanding Internal Audit Recommendations – February 2017	s5.23(2)(a)
Confidential Item 13.19 & Attachment 13.19A	Outcome of the January 2017 Parking Promotion	s 5.23(2)(e)(ii)
Confidential Item 13.20 and Attachments 13.20A & B	CEO Probation Review	s5.23(2)(e)(iii)

In addition the Chief Executive Officer advised should an Elected Member wish to discuss the content of the confidential attachment/s listed below; it is recommended that Council resolve to close the meeting prior to their discussion.

Attachment No.	Item No. and Title	Reason
Confidential Attachments 13.5B - F	Item 13.5 - Commercial Events Sponsorship – Mellen Events – Piccadilly Theatre, Hay Street Mall, Perth	s5.23(2)(e)(iii)
Confidential Attachments 13.9A, B & C	Item 13.9 - Tender 074-16/17 - Office Cleaning and Lock Up Services	s 5.23(2)(e)(ii)
Confidential Attachment 13.10A & B	Item 13.10 - Tender 095-16/17 Counting and Banking of Monies from Car Park Facilities	s 5.23(2)(e)(ii)
Confidential Attachments 13.11 A & B	Item 13.11 - Tender 043-16/17 – Provision of Engineering Consultancy Services and Associated Professional Services	s5.23(2)(e)(ii)
Confidential Attachment 13.12C	Item 13.12 - Tender 093-16/17 Mclean Lane Enhancement Project Including Prefabricated Art Work Installation	s5.23(2)(e)(ii)
Confidential Attachment 13.13B	Item 13.13 - Tender 087-16/17 Perth Town Hall Bin Enclosure	s5.23(2)(e)(ii)
Confidential Attachments 13.14C & D	Item 13.14 – Risk Management, and Crisis and Business Continuity Management Framework	s5.23(2)(e)(iii)
Confidential Attachment 13.15A	Item 13.15 – Internal Audit 2016/17 – Contract Payment Review	s5.23(2)(e)(iii)

13. Reports

Planning Committee Reports**13.1 65, 76, 78 And 79-81 (Lots 2, 14, 15 And Y148) John Street and Adjacent Graham Farmer Freeway Road Reserve – Proposed Charles Street Bus Bridges Layover Area**

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 March 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:

- 1. *in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for the Charles Street bus bridges layover area at 65, 76, 78 and 79-81 (Lots 2, 14, 15 and Y148) John Street and Adjacent Graham Farmer Freeway Road Reserve as indicated on the Metropolitan Region Scheme Form One dated 16 January 2017 and as shown on the plans received on 18 January 2017 subject to:***
 - 1.1 *increased perimeter landscaping including reticulation and/or alternative fencing to appropriately screen the bus layover area from view being submitted for approval by the City prior to the commencement of construction works;***
 - 1.2 *mature trees being incorporated into perimeter landscaping and non-trafficable internal areas to provide screening from above and reduce heat within the bus layover area, with a detailed landscaping plan being submitted for approval by the City prior to the commencement of construction works;***
 - 1.3 *acoustic attenuation measures to minimise nuisance and impacts on adjoining properties being incorporated into the design of the bus layover area with an acoustic report and final details of attenuation being submitted for approval by the City prior to the commencement of construction works;***
 - 1.4 *final details and plans of the design of the amenities building, demonstrating an improved external appearance and presentation to the street being submitted for approval by the City prior to the commencement of construction works;***

(Cont'd)

- 1.5 final details of the location, orientation and intensity of lighting demonstrating appropriate levels of security for the bus layover area and minimising nuisance and impacts on adjoining properties, being submitted for approval by the City prior to the commencement of construction works;**
 - 1.6 any changes to the operation of the bus layover area being subject to a separate approval with any upgrades required to the surrounding road network being the responsibility of the applicant;**
 - 1.7 an updated Transport Assessment including analysis and evidence and management plans for the use and operation of the bus layover area which confirms the proposed development will result in less empty buses operating through city streets to the City's satisfaction being submitted for approval by the City prior to the commencement of construction works;**
 - 1.8 the design of the adjacent James Street rotary access point from the road network to the bus layover area being finalised and approval to the City's satisfaction prior to the commencement of operation of the bus layover area;**
 - 1.9 redesign of the John Street cul-de-sac to accommodate the City's standard street sweeping vehicle including relevant modifications to the stormwater infrastructure, crossovers and parking/loading bays resulting from the redesign with final details being submitted for approval by the City prior to the commencement of construction works;**
 - 1.10 details of on-site stormwater disposal/management being to the City's specifications and submitted for approval by the City prior to the commencement of construction works; and**
 - 1.11 a construction management plan for the proposal being submitted for approval by the City prior to the commencement of construction works, detailing how it is proposed to manage:
 - a) the delivery of materials and equipment to the site;**
 - b) the storage of materials and equipment on the site;**
 - c) the parking arrangements for the contractors and subcontractors; and**
 - d) other matters likely to impact on the surrounding properties.****
- 2. the applicant be advised of the following technical design matters which will need to be addressed to the City's satisfaction prior to the commencement of construction works:
 - 2.1 clarification in relation to asset ownership within the James Street and John Street road reserves including drainage infrastructure;****

(Cont'd)

2.2 review of sight distances within James Street; and

2.3 detailed directional road signage layout to be provided.

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.2 93-101 (Lot 123) Milligan Street, Northbridge - Reconsideration of Conditions for Approved Telecommunications Tower and Associated Infrastructure ('Unlisted Use') for 'Vodafone'

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 March 2017.

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

Moved by Cr Adamos, seconded by Cr McEvoy

That:

1. in accordance with Clause 77 of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Scheme) Regulations 2015 and as detailed on the written request dated 13 February 2017, Council reconsiders its decision of 13 December 2016 relating to conditional approval for a telecommunications tower and associated infrastructure ('Unlisted Use') for 'Vodafone' at 93-101 (Lot 123) Milligan Street, Northbridge, and resolves to AMEND THE APPROVAL BY:

1.1 deleting Conditions 1 and 2; and

1.2 replacing Condition 3 with the following:

“final details of the design, materials, colours and finishes of the telecommunications tower and screening element being submitted by the applicant to the City for approval prior to applying for a building permit”;

(Cont'd)

2. the applicant be advised that:

2.1 all other conditions, with the exception of conditions 1, 2 and 3, and requirements as detailed on the previous approval dated 20 December 2016 shall remain; and

2.2 they will be required to enter into an appropriate lease agreement with the City in relation to the use and development of the subject site and that this development approval should not be construed as approval to enter into a lease.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

6.11pm The Lord Mayor disclosed a Financial Interest in Item 13.3 (as detailed at Item 8) and departed the meeting. The Deputy Lord Mayor, Cr Limnios assumed the Chair.

13.3 379 (Lot 31) Wellington Street, Perth – Proposed Third Party Variable Content Wall Sign

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 March 2017.

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

Moved by Cr McEvoy, seconded by Cr Yong

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, Council REFUSES the application for the proposed third party variable content sign at 379 (Lot 31) Wellington Street, Perth as indicated on the Metropolitan Region Scheme Form One dated 8 November 2016 and as shown on the plans received on 21 December 2016 for the following reasons:

1. the proposed sign does not comply with City Planning Scheme No. 2 Policy 4.6 Signs given that:

(Cont'd)

- 1.1** *'variable content' signs shall only be considered for approval where they face or are in a public space where the viewing area is designed and intended for pedestrians to linger for an extended period of time, oriented for viewing within the public space and not from adjacent streets;*
- 1.2** *the 'variable content' sign will detrimentally impact on local amenity, the streetscape and the adjacent Barrack Street Conservation Area;*
- 1.3** *the 'variable content' sign is considered to be inappropriately located as it is intended to be viewed by passing motorists and pedestrians entering an intersection, where it could create a safety hazard; and*
- 1.4** *the 'variable content' sign will result in increased visual clutter on the building and within the streetscape as a result of frequently changing imagery associated with the sign.*

The motion was put and carried

The votes were recorded as follows:

For: Crs Adamos, Chen, Davidson, Green, Harley, Limnios, McEvoy and Yong

Against: Nil

6.12pm The Lord Mayor returned to the meeting and resumed the Chair.

13.4 City of Perth Submission - Design WA

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 March 2017.

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

Moved by Cr Adamos, seconded by Cr McEvoy

That Council endorses the submission to the Western Australian Planning Commission on the draft Design WA initiatives advising that:

- 1.** *it supports their intent to promote the importance of design quality of the built environment in the planning process across the state;*
- 2.** *it supports the introduction of State Planning Policy 7 – Design of the Built Environment subject to it being amended to:*

(Cont'd)

- 2.1 *apply to the development of all buildings including alterations and additions;*
 - 2.2 *provide objectives which focus on the goal of delivering good design; and*
 - 2.3 *refine the design principles as outlined in Attachment 13.4A,*
3. *in relation to the Apartment Design Policy it:*
 - 3.1 *seeks confirmation that it will apply to the areas of the City of Perth in the same way as the Residential Design Codes at present, or otherwise the Department of Planning works with the City to ensure any alternative approach has positive and practical applications for the city;*
 - 3.2 *seeks clarification on how it will affect existing local planning policies and provisions, that apply varying built form controls responding to precinct planning and context;*
 - 3.3 *considers that the proposed Primary Controls are not appropriate for high density and mixed use areas such as the city centre and should not be applied to these areas;*
 - 3.4 *recommends that it be refined and modified to address the issues outlined in Attachment 13.4A; and*
 - 3.5 *recommends that Clause 61(1)(b) of the Deemed Provisions be amended to ensure that development approval is required for internal building works that are not consistent with the requirements and standards of local planning schemes as in its current form it will compromise interior design measures as proposed within the Policy and applied through those schemes,*
4. *it supports the introduction of state wide guidance on design review but seeks flexibility within this guidance for variations depending upon the nature and size of developments and Local Governments, noting that the City currently has a design review model in place that is efficient and effective;*
5. *it recommends that the Design Review Guide be modified to address the issues outlined Attachment 13.4A;*
6. *it supports in principle the introduction of policy/legislation to require designers of new buildings and additions or alterations over a certain threshold in the city to be qualified architects or have equivalent qualifications and industry based expertise as agreed in consultation with the Australian Institute of Architects to assist the delivery of the State Planning Policy 7 objectives; and*
7. *seeks the opportunity for its Officers to discuss the issues raised in this report and Attachment 13.4A with the Department of Planning prior to any of the initiatives being finalised and implemented.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Marketing, Sponsorship and International Engagement Committee Reports

13.5 Commercial Events Sponsorship – Mellen Events – Piccadilly Theatre, Hay Street Mall, Perth

At the Marketing, Sponsorship and International Engagement Committee meeting held on 28 February 2017 the Committee resolved to adopt an alternative recommendation as follows:

“That the Marketing, Sponsorship and International Engagement Committee refuses the application of Commercial Events Sponsorship – Mellen Events – Piccadilly Theatre, Hay Street Mall, Perth.”

Reason: Due to insufficient information regarding the financial viability of both the developer and the operator.

Original Officer Recommendation:

That Council:

1. approves cash Events Sponsorship of \$170,000 annually, over a period of 10 years, commencing in the 2018/19 financial year, for Mellen Events, within the Piccadilly Theatre at 700 – 704 Hay Street Mall, Perth;
2. notes that Mellen Events will provide the following sponsorship benefits to the City of Perth:
 - 2.1 inclusion of the City of Perth crest on the Mellen Events web site or specific web site(s) associated with the venue and registration page including a link to the City of Perth website;
 - 2.2 acknowledgement of the City of Perth in all Mellen Events promotions, advertising and ticketing pertaining to the Piccadilly Theatre;
 - 2.3 all event space signage at the site including “sponsored by the City of Perth” and the City of Perth crest in a prominent location;
 - 2.4 a welcome from the Lord Mayor in promotional or booking material for the Piccadilly Theatre;
 - 2.5 a speaking opportunity for the Lord Mayor (or nominated representative) at the opening of the Piccadilly Theatre;

- 2.6 dedicated social media promotion of City of Perth events taking place in conjunction with Mellen Events; and
 - 2.7 the space being made available to the City of Perth, free of cost, for up to four events a year, subject to prior agreement with Mellen Events;
3. notes that an annual acquittal report, including itemised and annualised details of events; attendance; timing; and promotional spend for events held in the Piccadilly Theatre, measured against the targets contained within Mellen Events Sponsorship Application – Economic Development dated 16 January 2017, will be presented annually to Council;
4. notes that if Mellen Events:
- 4.1 fails to provide the agreed events, marketing spend and activities;
 - 4.2 breaches its lease;
 - 4.3 becomes insolvent; or
 - 4.4 abandons the space;
- then the funding would cease to be payable, or varied accordingly to the terms of the sponsorship agreement to the satisfaction of Council;
5. authorises the Chief Executive Officer to negotiate and authorise a legal agreement between the City of Perth, Mellen Events and the owners of the Piccadilly 700-704 Hay Street Mall, Perth (if applicable), based on the above terms addressing: Events sponsorship benefits; KPIs; payments; and contingencies to the satisfaction of the CEO.

Moved by Cr Davidson, seconded by Cr McEvoy

That the Council¹ refuses the application of Commercial Events Sponsorship – Mellen Events – Piccadilly Theatre, Hay Street Mall, Perth.

Motion to amend

Moved by Cr Green

That Council approves the original officer recommendation as considered by the Marketing, Sponsorship and International Engagement Committee.

Motion lapsed for want of a seconder

The primary motion was put and carried

¹ ~~Marketing, Sponsorship and International Engagement Committee~~ amended to read Council

The votes were recorded as follows:

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

Against: Crs Green, Harley and Limnios

Finance and Administration Committee Reports

13.6 Payments from Municipal and Trust Funds – January 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 March 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 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 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>\$ 14,510,159.59</i>
<i>Trust Fund</i>	<i>\$ 115,049.48</i>
<i>TOTAL:</i>	<i>\$ 14,625,209.07</i>

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.7 Financial Statements and Financial Activity Statement for the Period Ended 31 January 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 March 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 approves the Financial Statements and the Financial Activity Statement for the period ended 31 January 2017 as detailed in Attachment 13.7A of this Report.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.8 Budget Review 2016/17 – Forecast of the Operating and Capital Budget for the Year Ending 30 June 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 March 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:

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 2016/17 as detailed in Attachment 13.8A, 13.8B, 13.8C, 13.8D and 13.8E noting the reduction in net result from operations of \$2,910,994;

1.2 net capital expenditure reduction of \$15,122,476 as listed in Attachment 13.8C;
(Cont'd)

1.3 the increase in transfers to reserves of \$200,000 related to an allocation to the Public Art Reserve; and

1.4 the decrease in transfers from reserves of \$6,806,386 related to reductions in the capital works program;

2. notes that:

2.1 the net reduction of \$15,122,476 on capital projects; reduced funding required from reserves of \$6,806,386; capital grants of \$1,558,113; contributions of \$2,064,291 and Municipal funds of \$4,693,687 required; and

2.2 the closing funds position in accordance with the revised Budget has been reduced by (\$4,720,706) to \$2,777,559 and this will be carried in the Accumulated Surplus.

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.9 Tender 074-16/17 - Office Cleaning and Lock Up Services

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 March 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 accepts the most suitable tender, being that submitted by Iconic Property Services (Tender 074-16/17 Office Cleaning and Lock Up Services), to provide:

- 1. cleaning services at various properties owned by the City; and**
- 2. cleaning and lock up services to public toilets at various city locations,**

for a period of three years, with the option to extend for a further two years in accordance with the Schedule of Rates in Confidential Attachment 13.9C and subject to annual CPI indexation

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.10 Tender 095-16/17 Counting and Banking of Monies from Car Park Facilities

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 March 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 accepts the most suitable tender, being that submitted by Prosegur Australia Pty Ltd for Counting and Banking of Monies from Car Park Facilities (Tender 095-16/17), for a period of three years with an option to extend for a further period of two years, as per the schedule of rates detailed in Confidential Attachment 13.10B including CPI increases.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Cr Adamos previously disclosed an Impartiality Interest in Item 13.11 (detailed at Item 8).

Works and Urban Development Committee Reports**13.11 Tender 043-16/17 – Provision of Engineering Consultancy Services and Associated Professional Services**

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 28 February 2017.

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

Moved by Cr Limnios, seconded by Cr McEvoy

That Council;

1. *accepts the following tenders to form a panel of pre-qualified suppliers in various disciplines, for the provision of various engineering consultancy services and associated professional services (Tender No 043-16/17) commencing from 15 March 2017 for a period of three years with an option to extend for two years, based on the tendered rates in the attached as Confidential Attachment 13.11A and subject to annual CPI Increases:*

Civil Engineering

- 1.1 *Parsons Brinckerhoff Australia Pty Ltd;*
- 1.2 *GHD Pty Ltd;*
- 1.3 *BG & E Pty Ltd;*

Environmental Engineering

- 1.4 *GHD Pty Ltd;*
- 1.5 *SMEC Australia Pty Ltd;*
- 1.6 *360 Environmental Pty Ltd;*

Fire Engineering

- 1.7 *Arup Pty Ltd;*
- 1.8 *GHD Pty Ltd;*
- 1.9 *Parsons Brinckerhoff Australia Pty Ltd;*

Geotechnical Engineering

- 1.10 *Douglas Partners Pty Ltd;*
- 1.11 *Aurecon Australasia Pty Ltd;*
- 1.12 *CMW Geosciences Pty Ltd;*

Hydraulic Engineering

- 1.13 *Arup Pty Ltd;*
- 1.14 *Cardno Pty Ltd;*
- 1.15 *Wood & Grieve Engineers Limited;*

(Cont'd)

Lift Engineering

- 1.16 Parsons Brinckerhoff Australia Pty Ltd;**
- 1.17 NDY Management Pty Ltd;**
- 1.18 Wood & Grieve Engineers Limited;**

Lighting & Electrical Engineering

- 1.19 Engineering Technology Consultants Pty Ltd;**
- 1.20 Sage Consulting Engineers Pty Ltd;**
- 1.21 LVX Installation & Maintenance Pty Ltd;**

Marine Engineering

- 1.22 MP Rogers & Associates Pty Ltd;**
- 1.23 GHD Pty Ltd;**
- 1.24 SMEC Australia Pty Ltd;**

Mechanical Engineering

- 1.25 Arup Pty Ltd;**
- 1.26 GHD Pty Ltd;**
- 1.27 Parsons Brinckerhoff Australia Pty Ltd;**

Structural Engineering

- 1.28 BG & E Pty Ltd;**
- 1.29 Wood & Grieve Engineers Limited;**
- 1.30 McDowell Affleck Pty Ltd;**

Project Management Services

- 1.31 Setu Infratech Pty Ltd;**
- 1.32 Savills Project Management Pty Ltd;**
- 1.33 Project Directors Australia Pty Ltd;**

Quantity Surveying

- 1.34 Ralph & Beattie Bosworth Pty Ltd;**
- 1.35 Rider Levett Bucknall WA Pty Ltd;**
- 1.36 McGarry Associates Pty Ltd;**

Asbestos Consultant

- 1.37 Western Environmental Pty Ltd;**
- 1.38 Cardno Pty Ltd;**
- 1.39 360 Environmental Pty Ltd;**

Universal Access Consultant

- 1.40 Elite Compliance Pty Ltd;**
- 1.41 SMEC Australia Pty Ltd;**
- 1.42 KPMG Australian Services Pty Ltd;**

(Cont'd)

Landscape Architectural and Urban Services**1.43 Place Laboratory Pty Ltd;****1.44 Blackwell & Associates Pty Ltd;****1.45 Cardno Pty Ltd;****Architectural Services****1.46 MPS Architects;****1.47 Hames Sharley (WA) Pty Ltd; and****1.48 Cox Howlett & Bailey Woodland.**

- 2. notes that the engagement of a panel member for specific projects will be in accordance with City of Perth Policies and Procedures;**
- 3. notes that expenditure in part 1 above, be charged to various budget items as part of specific projects and programmes on an 'as needs' basis.**

The motion was put and carried**The votes were recorded as follows:****For: The Lord Mayor, Crs Adamos, Chen, Davidson, Green, Harley, Limnios, McEvoy and Yong****Against: Nil****13.12 Tender 093-16/17 Mclean Lane Enhancement Project Including Prefabricated Art Work Installation**

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 28 February 2017.

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

Moved by Cr Limnios, seconded by Cr McEvoy

That Council accepts the most suitable tender, being that submitted by CQ & JM DOWSING PL ATF The Dowsing Family Trust T/As Dowsing Group, for the Mclean Lane Enhancement Project Including Prefabricated Art Work Installation (Tender 093-16/17) at a lump sum price of \$702,490.08 (excluding GST).

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.13 Tender 087-16/17 Perth Town Hall Bin Enclosure

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 28 February 2017.

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

Moved by Cr Limnios, seconded by Cr McEvoy

That Council:

- 1. accepts the most suitable tender, being that submitted by M Construction (WA) Pty Ltd, for the Perth Town Hall Bin Enclosure (Tender no. 087-16/17) at a lump sum price of \$64,647.83 (excluding GST);*
- 2. notes that the expenditure in part 1 above will be charged to the account number CW 1882;*
- 3. notes that the allocated budget is insufficient, additional funds of \$28,000 (exc. GST) are necessary to undertake the works as per attached architectural plans Attachment 13.13A;*
- 4. approves that additional expenditure for the part 3 above be transferred from account CW 2002 Roads & Movement – Parliament Place – Harvest Terrace – Havelock Street identified as having surplus funds; and*
- 5. notes that the construction is anticipated to commence in early May 2017.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Audit and Risk Committee Reports**13.14 Risk Management, and Crisis and Business Continuity Management Framework**

The Committee recommendation to the Council for this report was resolved by the Audit and Risk Committee at its meeting held on 27 February 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:

- 1. approves the amended Risk Management Framework detailed in Attachment 13.14B;*
- 2. approves the Crisis and Business Continuity Management Framework detailed in Confidential Attachment 13.14C; and*
- 3. notes the update on High and Extreme Risks detailed in Confidential Attachment 13.14D.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Cr Green

13.15 Internal Audit 2016/17 – Contract Payment Review

The Committee recommendation to the Council for this report was resolved by the Audit and Risk Committee at its meeting held on 27 February 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 approves the Contract Payment Review as part of the Internal Audit Plan 2016/17 as detailed in Confidential Attachment 13.15A.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Council agreed not to discuss Confidential Items 13.16, 13.17 and 13.18 therefore the meeting remained open to the public for the voting on these Items.

Confidential 13.16 Appointment of External Member – Audit and Risk Committee

The Committee recommendation to the Council for this report was resolved by the Audit and Risk Committee at its meeting held on 27 February 2017.

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

In accordance with Section 5.23 (2)(e)(iii) of the *Local Government Act 1995*, this item is confidential and was distributed to the Elected Members under separate cover.

Confidential Item 13.16 is bound in Confidential Council Minute Book Volume 1 2017.

Moved by Cr Davidson, seconded by Cr Adamos

The Council approves the appointment of Mr Rob Maurich as the external member to the Audit and Risk Committee.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Confidential 13.17 2016 Compliance Audit Return

The Committee recommendation to the Council for this report was resolved by the Audit and Risk Committee at its meeting held on 27 February 2017.

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

In accordance with Section 5.23(2)(e)(iii) of the *Local Government Act 1995*, this item is confidential and was distributed to the Elected Members under separate cover.

Confidential Item 13.17 is bound in Confidential Council Minute Book Volume 1 2017

Moved by Cr Davidson, seconded by Cr Adamos

That Council adopts the completed 2016 Compliance Audit Return as detailed in Confidential Attachment 13.17A for certification by the Lord Mayor 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: The Lord Mayor, Crs Adamos, Chen, Davidson, Green, Harley, Limnios, McEvoy and Yong

Against: Nil

Confidential 13.18 Outstanding Internal Audit Recommendations – February 2017

The Committee recommendation to the Council for this report was resolved by the Audit and Risk Committee at its meeting held on 27 February 2017.

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

In accordance with Section 5.23 (2)(a) of the *Local Government Act 1995*, this item is confidential and was distributed to the Elected Members under separate cover.

Confidential Item 13.18 is bound in Confidential Council Minute Book Volume 1 2017.

Moved by Cr Davidson, seconded by Cr Yong

That Council receives the report summarising the status of outstanding internal audit recommendations as at February 2017.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Motion to close the meeting to the public

Moved by Cr Adamos, seconded by Cr Green

That Council resolves to close the meeting to the public to consider Confidential matters in accordance with Section 5.23(2)(a), (e)(ii) and (e)(iii) of the Local Government Act 1995.

The motion to close the meeting was put and carried

The votes were recorded as follows:

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

Against: Nil

6.43pm The meeting was closed to the public.

Other Reports – Confidential

Confidential 13.19 Outcome of the January 2017 Parking Promotion

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 March 2017.

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

In accordance with Section 5.23(2)(e)(ii) of the *Local Government Act 1995*, this item is confidential and was distributed to the Elected Members under separate cover.

Confidential Item 13.19 is bound in Confidential Council Minute Book Volume 1 2017.

Moved by Cr Limnios, seconded by Cr Davidson

That Council notes the outcome of the City of Perth Parking Promotion conducted in January 2017.

The motion was put and carried

The votes were recorded as follows:

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

Against: Crs Green, Harley and Limnios

6.54pm The Chief Executive Officer, Martin Mileham disclosed a Direct Financial Interest in Item 13.20 (as detailed at Item 8) and departed the meeting.

6.54pm Council agreed that all remaining Executive Staff and Officers depart the meeting for the debate on Item 13.20, with the exception of Manager Governance, Mark Ridgwell.

The following staff departed the meeting:

Robert Mianich	- Director Corporate Services
Paul Crosetta	- Director Construction and Maintenance
Rebecca Moore	- Director Community and Commercial Services
Erica Barrenger	- Acting Director City Planning and Development
Annaliese Battista	- Acting Director Economic Development and Activation
Margaret Smith	- Manager Development Approvals
Paul Anastas	- Personal Aide to the Lord Mayor
Cathryn Clayton	- Governance Electoral Officer

Confidential 13.20 CEO Probation Review

At the CEO Performance Review Committee meeting held on 8 March 2017 the Committee resolved to adopt an alternative recommendation as follows:

“That Council approves the satisfactory conclusion of the review period of six months for Martin Mileham, Chief Executive Officer.”

Original Officer Recommendation:

That the CEO Performance Review Committee considers the completion of the probationary period of the Chief Executive Officer.

In accordance with Section 5.23 (2)(e)(iii) of the *Local Government Act 1995*, this item is confidential and was distributed to the Elected Members under separate cover.

Confidential Item 13.20 is bound in Confidential Council Minute Book Volume 1 2017.

Moved by Cr Davidson, seconded by Cr McEvoy

That Council approves the satisfactory conclusion of the review period of six months for Martin Mileham, Chief Executive Officer.

Motion to amend

Moved by Cr Harley, seconded by Cr Limnios

That Council notes the initial probationary review period and extends the probationary period for up to a further six months to allow for the satisfactory completion of all KPI's.

Motion was put and lost

The votes were recorded as follows:

For: Crs Green, Harley and Limnios,

Against: The Lord Mayor, Crs Adamos, Chen, Davidson, McEvoy and Yong

The primary motion was put and carried

The votes were recorded as follows:

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

Against: Crs Green, Harley and Limnios

Motion to re-open the meeting to the public

Moved by Cr Davidson, seconded by Cr McEvoy

That the Council re-opens the meeting to members of the public.

The motion to re-open the meeting was put and carried

The votes were recorded as follows:

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

Against: Nil

7.43pm The meeting was re-opened to the public, Executive and Officers. The Manager Governance advised the public gallery of the decision made on the Confidential Items as detailed above.

Other Reports – Report Direct to Council**13.21 Third Party Travel Contribution – Site Reference checks for the Mindarie Regional Council Tender Evaluation Panel**

This report was submitted direct to Council due to limited time being available to consider the matter.

Moved by Cr Davidson, seconded by Cr Adamos

That Council:

- 1. notes that the City of Perth Manager, Waste and Cleansing has been representing the City as a member of the Mindarie Regional Council Tender Evaluation Panel for an Energy from Waste solution; and*
- 2. notes acceptance of third party travel contribution (from Mindarie Regional Council) to travel to Europe (for 7 to 10 days) to visit tenderers Energy from Waste reference sites.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

14. Motions of which Previous Notice has been given

The Chief Executive Officer advised that in accordance with Clause 4.12 of the *City of Perth Standing Orders Local Law 2009* a notice of motion was received for consideration by Council as follows:

The following notice of motion was received from Cr Green. (TRIM 46999/17)

Background:

“Presently applications at the City of Perth are only available by visiting the council office within office hours to view the planning applications. Applications cannot presently be copied and taken out of Council House.

This means people working full time in other areas, or who are based outside of Perth, or who are disabled, cannot get access to plans to make public comment.

The state legislation of Western Australia, The Planning and Development Regulations 2015, Section 64.5 says that the local government:

'may publish the application and the material accompanying it on the website of the local government.'

Other capital cities in Australia such as the City of Melbourne make the plans available online for viewing and download.

NSW legislation actually prescribes that the plans must be made available and copies must be made available.

At the City of Perth, we are presently lagging behind in this process and this something simple we can do to make the life easier for the public interacting with our organization.

In preparing this motion, I, Cr Green, spoke with a planning officer at the City of Melbourne who said that he thought this was a very good thing to pursue from an administrative point of view as they regularly get comments from the public saying how helpful it is and it also saves on council resources as an officer doesn't need to be tied up while the public views plans and also it means the comments received from the public are coming from a more informed point of view.

Given that the City of Perth has adopted an open government policy, that the Western Australian state legislation says we may do this, and that other capital cities around Australia already do this, I commend this motion to council for approval."

Moved by Cr Green, seconded by Cr Harley

'That the City of Perth publishes on its website all development applications that are requiring community consultation, including details and plans of the application and consultation and including capability to submit responses online.

That this resolution acknowledges the intended development of e-lodgement by the administration but recognises the importance of an important front end customer engagement process and that this commence by no later than 1 May 2017'

Procedural Motion to refer back to the Planning Committee

Moved by the Lord Mayor, seconded by Cr Adamos

That Council refer consideration of the notice of motion received from Cr Green to the Planning Committee for further consideration.

The motion was put and carried

The votes were recorded as follows:

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

Against: Crs Green, Harley and Limnios

15. Urgent Business

Nil

16. Closure

7.50pm The Lord Mayor declared the meeting closed.