



City of Perth

**Ordinary Council Meeting
Minutes**

**24 April 2018
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**ROBERT MIANICH
ACTING CHIEF EXECUTIVE OFFICER**



City of Perth

**Ordinary Council Meeting
Minutes**

**24 April 2018
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Chair of Commissioners Eric Lumsden
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, 24 April 2018.

Presiding: **Chair of Commissioners, Mr Eric Lumsden**

Commissioners in Attendance:

Commissioner Gaye McMath
Commissioner Andrew Hammond

Officers in Attendance:

| | |
|---------------|--|
| Mr Mileham | Chief Executive Officer |
| Ms Battista | Director Economic Development and Activation |
| Mr Crosetta | Director Construction and Maintenance |
| Mr Mianich | Director Corporate Services |
| Mr Watts | Acting Director Planning and Development |
| Ms Smith | Manager Development Approvals |
| Mr Ridgwell | Manager Governance |
| Mr Anastas | Personal Aide |
| Ms Rippington | Governance Coordinator |
| Ms Rutigliano | Governance Officer |

Observers:

26 members of the public.
7 members of the press.
4 members of staff.

1. Prayer / Acknowledgment of Country

The Chief Executive Officer read the prayer.

The Chair of Commissioners read the Acknowledgement of Country.

2. Declaration of Opening

6.00pm The Chair of Commissioners declared the meeting open.

3. Apologies

Ms Moore – Director Community and Commercial Services

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

Nil

4.2 Notification of Deputations

Item 13.5 – Initiation of Amendment No. 3 to Local Planning Scheme No. 26 (Normalised Redevelopment Areas) and East Perth - South Cove Area 20 Design Guidelines to Introduce Development Standards for 75 (Lot 70) Haig Park Circle, East Perth

The Presiding Member approved a Deputation from Mr Charles Foti with regards to Item 13.5 (CM 100713/18).

Item 13.6 – 46 (Lot 2) Wickham Street, East Perth – Proposed Six Level Residential Development Containing Eight Multiple Dwellings and Eight Car Parking Bays

The Presiding Member approved a Deputation from Mr Scott Vincent with regards to Item 13.6 (CM100701/18).

Item 13.31 – Request for Reimbursement of Legal Expenses – Panel Inquiry

Item 13.32 – Request for Reimbursement of Legal Expenses – Councillor James Limnios

Item 13.33 – Request for Reimbursement of Legal Expenses – Councillor Jemma Green

The Presiding Member approved a Deputation from Mr Timothy Houweling with regards to Items 13.31, 13.32 and 13.33 (CM 100716/18)

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

Nil

The Chair of Commissioners advised he will be an apology for the next Council meeting to be held on 29 May 2018.

6. Confirmation of Minutes

Moved Commissioner Hammond, seconded Commissioner McMath

That the minutes of the following meetings are noted:

- ***Annual General Meeting of Electors held on 6 February 2018;***
- ***Marketing, Sponsorship and International Engagement Committee held on 30 January 2018;***
- ***Works and Urban Development Committee held on 30 January 2018;***
- ***Finance and Administration Committee held on 6 February 2018;***
- ***Planning Committee held on 6 February 2018;***
- ***Ordinary Meeting of the Council held on 13 February 2018; and***
- ***Special Council Meeting held on 27 February 2018.***

(Cont'd)

as a true and correct record”

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Moved Commissioner Lumsden, seconded Commissioner McMath

That the minutes of the following meetings are confirmed:

- *Special Council Meeting held on 15 March 2018;*
- *Special Council Meeting held on 27 March 2018; and*
- *Agenda Briefing Session held on 17 April 2018.*

as a true and correct record”

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

7. Announcements by the Chair of Commissioners

1. The Chair of Commissioners provided a summary on the process of Agenda Briefing Sessions.
2. The Chair of Commissioners advised that matters which Council agree with the Officer Recommendations will be moved on en bloc to ensure an efficient Council meeting.
3. The Chair of Commissioners stated that:

“There has been a high level of media interest in the Herbert Smith Freehills report titled ‘Project Percy’ and another report by McLeods titled ‘Report to the CEO concerning ‘Project Percy’, this has included numerous requests for the documents to be made publicly available.

After careful consideration, it is the Commissioner’s position that;

- a) Each report was completed without giving an opportunity to respond to those who may be adversely affected by comments or information in the report;
- b) It would be unfair and inappropriate for the City to give public access to the reports in these circumstances;
- c) The City proposes to waive its legal professional privilege and to give a copy of each report to the Inquiry Panel (Noting this is subject to a separate report to Council this evening); and
- d) It would be appropriate for the Inquiry Panel to decide whether (and if so, when and to what extent) the reports should be released to the public, after giving each affected person the opportunity to respond.”

8. Disclosures of Members' Interests

Nil

9. Questions by Members of which due notice has been given

Nil

10. Correspondence

Nil

11. Petitions

Nil

12. Matters for which the Meeting may be Closed

The Chief Executive Officer advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting was recommended to be closed to the public prior to discussion of the following confidential attachments:

| Attachment No. | Item No. and Title | Reason |
|--------------------------------|--|-------------------|
| Confidential Attachment 13.7A | Appointment of Members and Deputy Members to the Design Advisory Committee | s 5.23(2)(e)(iii) |
| Confidential Attachment 13.13D | Industry/Sector Development – Start Something in Perth (Atomic Sky) | s 5.23(2)(e)(iii) |

| Attachment No. | Item No. and Title | Reason |
|---|--|--|
| Confidential Attachment 13.25A and 13.25C | Ground Lease Extension – 25 (Lot 306) Riverside Drive Point Fraser, East Perth - City of Perth (Sub-Landlord) to City Foreshore Investments Pty Ltd as Trustee for the City Foreshore Development Trust (Sub-Tenant) | s 5.23(2)(e)(ii) and s 5.23(2)(e)(iii) |
| Confidential Attachment 13.26A and 13.26C | Licence Extension – Perth Convention and Exhibition Centre Car Park (PCEC), Perth - City of Perth (Licensor) to Brookfield PCEC Office Pty Ltd (Licensee) | s 5.23(2)(e)(ii) and s 5.23(2)(e)(iii) |
| Confidential Attachment 13.31B and 13.31C | Request for Reimbursement of Legal Expenses – Panel Inquiry | s 5.23(2)(e)(iii) |
| Confidential Attachment 13.32C | Request for Reimbursement of Legal Expenses – Councillor James Linnios | s 5.23(2)(e)(iii) |
| Confidential Attachment 13.33B and 13.33C | Request for Reimbursement of Legal Expenses – Councillor Jemma Green | s 5.23(2)(e)(iii) |
| Confidential Attachment 13.35A and 13.35B | Risk Management Quarterly Update – February 2018 | s 5.23(2)(e)(iii) |
| Confidential Attachment 13.36C | Internal Audit 2017/18 – Validation of Critical/Major Risk Mitigation Strategies Review Part 2 | s5.23(2)(f)(i) |

13. Reports

En Bloc Motion

Moved Commissioner Hammond, seconded Commissioner McMath

That with the exception of items 13.3 to 13.13, 13.24, 13.27 to 13.34, 13.36 and 13.37, which are to be considered separately, the Officer Recommendations for the remaining items (13.1, 13.2, 13.14 to 13.23, 13.25, 13.26 and 13.35) be adopted by Council en bloc by an Absolute Majority decision.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.1 Final Adoption of Amendment No. 38 to City Planning Scheme No. 2 to Introduce a Special Control Area over 560 Hay Street and 101 Murray Street, Perth

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, ADOPTS Amendment No. 38 to City Planning Scheme No. 2 without modification as detailed in the Scheme Amendment Report – Attachment 13.1B;*
- 2. pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015, FORWARDS Amendment No. 38 to City Planning Scheme No. 2 and associated documents to the Western Australian Planning Commission for consideration and recommendation to the Minister for Planning; and*

(Cont'd)

- 3. pursuant to clause 3A of Schedule A (Supplemental Provisions) of City Planning Scheme No. 2, **ADOPTS** the amended Precinct Plan as detailed in Attachment 13.1B – Scheme Amendment Report, subject to the gazettal of Amendment No. 38 to City Planning Scheme No. 2.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.2 Final Adoption of Amendment No. 39 to City Planning Scheme No. 2 to Introduce a Special Control Area Over 553 and 565-579A Hay Street, 38A St Georges Terrace and 28 Barrack Street, Perth

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, **ADOPTS** Amendment No. 39 to City Planning Scheme No. 2 without modification as detailed in the Scheme Amendment Report – Attachment 13.2B;*
- 2. pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015, **FORWARDS** Amendment No. 39 to City Planning Scheme No. 2 and associated documents to the Western Australian Planning Commission for consideration and recommendation to the Minister for Planning; and*
- 3. pursuant to clause 3A of Schedule A (Supplemental Provisions) of City Planning Scheme No. 2, **ADOPTS** the amended Precinct Plan as detailed in Attachment 13.2B – Scheme Amendment Report, subject to the gazettal of Amendment No. 39 to City Planning Scheme No. 2.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.3 Final Adoption of Amendment No. 40 to City Planning Scheme No. 2 to Introduce a Special Control Area Over 28 (Lot 51) and 32 (Lot 52) Troode Street and 196 (Lot 200) Colin Place, West Perth

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, ADOPTS Amendment No. 40 to City Planning Scheme No. 2, with modifications, as detailed in the Scheme Amendment Report – Attachment 13.3B;*
- 2. pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015, FORWARDS Amendment No. 40 to City Planning Scheme No. 2 and associated documents to the Western Australian Planning Commission for consideration and recommendation to the Minister for Planning; and*
- 3. pursuant to clause 3A of Schedule A (Supplemental Provisions) of City Planning Scheme No. 2, ADOPTS the amended Hamilton Precinct Plan as detailed in Attachment 13.3B – Scheme Amendment Report, subject to the gazettal of Amendment No. 40 to City Planning Scheme No. 2.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.4 Review of the City of Perth's Local Planning Schemes

Moved Commissioner Lumsden, seconded Commissioner McMath

That Council:

- 1. pursuant to Regulation 66(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:*
 - 1.1. APPROVE the review of the City of Perth's Local Planning Schemes as detailed in the report forming Attachment 13.4A and 13.4B; and*

(Cont'd)

- 1.2. ***PROVIDE*** the approved report to the Western Australian Planning Commission (WAPC); and
2. ***pursuant to Regulation 66(3) RECOMMEND*** to the WAPC that upon finalisation of the City Planning Strategy, a new Local Planning Scheme (City Planning Scheme No. 3) be prepared and that upon approval of this, the current City of Perth's Local Planning Schemes as outlined below be repealed:
 - 2.1. ***City Planning Scheme No 2;***
 - 2.2. ***Minor Town Planning Schemes No's 11, 13, 14, 16, 21, 23 and 24;***
 - 2.3. ***Local Planning Scheme No. 26 – Normalised Redevelopment Areas;***
 - 2.4. ***City of Subiaco Town Planning Scheme No. 4; and***
 - 2.5. ***City of Nedlands Town Planning Scheme No. 2.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.5 Initiation of Amendment No. 3 to Local Planning Scheme No. 26 (Normalised Redevelopment Areas) and East Perth - South Cove Area 20 Design Guidelines to Introduce Development Standards for 75 (Lot 70) Haig Park Circle, East Perth

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***pursuant to section 75 of the Planning and Development Act 2005 (the Act), RESOLVES TO INITIATE*** Amendment No. 3 to Local Planning Scheme No. 26, as detailed in Attachment 13.5B – Scheme Amendment Report;
2. ***pursuant to regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), RESOLVES*** that Amendment No. 3 to Local Planning Scheme No. 26 is a standard amendment pursuant to regulation 34 of the Regulations for the following reasons:

(Cont'd)

- 2.1. *the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and*
 - 2.2. *the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*
3. *pursuant to section 81 of the Act, RESOLVES TO REFER Amendment No. 3 to Local Planning Scheme No. 26 to the Environmental Protection Authority;*
4. *pursuant to section 84 of the Act, RESOLVES TO ADVERTISE Amendment No. 3 to Local Planning Scheme No. 26 for public inspection in accordance with regulation 47 of the Regulations; and*
5. *pursuant to clause 5 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 RESOLVES TO ADVERTISE for public comment the amendments to local planning policy East Perth - South Cove Area 20 Design Guidelines as detailed in Attachment 13.5D – Proposed Amended South Cove Design Guidelines.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.6 [46 \(Lot 2\) Wickham Street, East Perth – Proposed Six Level Residential Development Containing Eight Multiple Dwellings and Eight Car Parking Bays](#)

Moved Commissioner Hammond, seconded Commissioner McMath

That, 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, the Council APPROVES BY ABSOLUTE MAJORITY the application for a six level residential development containing eight multiple dwellings and eight car parking bays at 46 (Lot 2) Wickham Street, East Perth as indicated on the Metropolitan Region Scheme Form One dated 5 February 2018 and as shown on the plans received on 19 March 2018 subject to:

(Cont'd)

1. *the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 19 March 2018, with particular attention to:*
 - *extending the quality of the materials beyond the first bay of the development fronting the street;*
 - *the finishes of the blank side boundary walls; and*
 - *greater integration of the proposed materials for the development as a whole; with the final details of the design and a sample board of the materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;*
2. *the proposed development being designed and constructed in such a manner so that existing and possible future noise levels associated with traffic and from the surrounding and nearby commercial uses, in addition to noise generated from within the development including car stackers, that could potentially affect future residents can be successfully attenuated. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted for approval by the City prior to applying for a building permit;*
3. *any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers, fire booster cabinets and fire control rooms 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, including any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for a building permit;*
4. *final details of all landscaped areas including soil depths, irrigation and plant species, ensuring appropriate levels of surveillance can be maintained between the development and the street, being submitted for approval by the City prior to applying for a building permit with the landscaping being installed prior to occupation of development and thereafter maintained to a high standard to the City's satisfaction;*
5. *the existing street tree located in the road verge on Wickham Street being retained and protected from damage throughout any development works with tree protection zones being established and maintained during the construction period in accordance with Australian Standard S4970-2009 - Protection of Trees on Development Sites to the satisfaction of the City;*

(Cont'd)

6. *the dimensions of all car parking bays, the vehicle entrance, aisle widths and circulation areas complying with the Australian Standard AS2890.1, ensuring that vehicles can enter and exit the car park in forward gear with the Traffic and Transport Impact Statement being updated to reflect these requirements or a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for a building permit;*
7. *a minimum of one car bay being allocated to each multiple dwelling within the development, with all on-site residential car bays being for the exclusive use of the residents of the development and their visitors;*
8. *a Waste Management Plan, satisfying the City's waste servicing requirements, being submitted for approval by the City prior to applying for a building permit;*
9. *the approved side and rear fences and footings abutting the lot boundaries being constructed wholly within the subject site, with the external surface of the fences being finished to a professional standard to complement the residential development to the satisfaction of the City with final details of the fences being submitted for approval by the City prior to applying for a building permit;*
10. *details of on-site stormwater disposal/management being to the City's specifications and being submitted for approval by the City prior to applying for a building permit; and*
11. *a construction and demolition management plan for the proposal being prepared in accordance with the City's 'Construction and Demolition Management Pro-Forma' and being submitted for the City's approval prior to applying for a demolition or building permit, with particular attention to 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;*
 - d) *the protection of street trees and any other City assets; and*
 - e) *other matters likely to impact on the surrounding residents and properties.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.7 Appointment of Members and Deputy Members to the Design Advisory Committee

Moved Commissioner Lumsden, seconded Commissioner McMath

That Council, in accordance with Section 5.10 of the Local Government Act 1995, APPROVES BY AN ABSOLUTE MAJORITY the appointment of the following members and deputy members to the Design Advisory Committee with the term of appointment to expire on 19 October 2019, as follows:

| <i>Organisation</i> | <i>Member</i> | <i>Deputy</i> |
|--|--|--|
| <i>Australian Institute of Architects</i> | <i>David Karotkin</i> | <i>Peter Hobbs</i> |
| | <i>Warren Kerr</i> | |
| <i>Planning Institute of Australia</i> | <i>Peter Ciemitis</i> | <i>Robina Crook</i> |
| | <i>Malcolm Mackay</i> | |
| <i>Landscape Architects Institute of Australia</i> | <i>Anthony Brookfield</i> | <i>Stuart Pullyblank</i> |
| <i>Office of the Government Architect</i> | <i>Government Architect</i> | <i>Nominee of the Government Architect</i> |
| <i>City of Perth</i> | <i>Director Planning and Development</i> | <i>City Architect</i> |

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.8 Heritage Grant – 96 William Street, Perth

Officer Recommendation

That Council APPROVES a Heritage Grant of \$38,000 (excluding GST) for the removal of the modern façade treatment and development of specifications for the restoration of the historic facades at 96 William Street, Perth.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

1. ***APPROVES a Heritage Grant of \$38,000 (excluding GST) for the removal of the modern façade treatment and development of specifications for the restoration of the historic facades at 96 William Street, Perth; and***
2. ***requests a REVIEW of the City's Heritage Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

PRIMARY MOTION AS AMENDED

That Council:

1. ***APPROVES a Heritage Grant of \$38,000 (excluding GST) for the removal of the modern façade treatment and development of specifications for the restoration of the historic facades at 96 William Street, Perth; and***
2. ***requests a REVIEW of the City's Heritage Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.

Item 13.9 Heritage Grants – 111-113 and 115-117 Barrack Street, PerthOfficer Recommendation

That Council:

1. APPROVES an amendment to the approved Heritage Grants to 111- 113 and 115-117 Barrack Street, Perth to recognise the reduced scope of the works, while still providing 50% matched funding for the façade restoration works;
2. APPROVES BY ABSOLUTE MAJORITY to DELEGATE authority to the Chief Executive Officer to approve the final matched funding amount on the basis of updated costs from the applicant and to negotiate any further amendments to the Heritage Grant required to achieve the project; and
3. APPROVES removing the condition for the applicants to submit a Heritage Assessment as part of the Heritage Grant approval.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Lumsden

That Council amend the Officer Recommendation as follows:

That Council:

1. ***APPROVES an amendment to the approved Heritage Grants to 111- 113 and 115-117 Barrack Street, Perth to recognise the reduced scope of the works, while still providing 50% matched funding for the façade restoration works;***
2. ***APPROVES BY ABSOLUTE MAJORITY to DELEGATE authority to the Chief Executive Officer to approve the final matched funding amount on the basis of updated costs from the applicant and to negotiate any further amendments to the Heritage Grant required to achieve the project;***
3. ***APPROVES removing the condition for the applicants to submit a Heritage Assessment as part of the Heritage Grant approval; and***
4. ***requests a REVIEW of the City's Heritage Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

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

- 1. APPROVES an amendment to the approved Heritage Grants to 111- 113 and 115-117 Barrack Street, Perth to recognise the reduced scope of the works, while still providing 50% matched funding for the façade restoration works;***
- 2. APPROVES BY ABSOLUTE MAJORITY to DELEGATE authority to the Chief Executive Officer to approve the final matched funding amount on the basis of updated costs from the applicant and to negotiate any further amendments to the Heritage Grant required to achieve the project;***
- 3. APPROVES removing the condition for the applicants to submit a Heritage Assessment as part of the Heritage Grant approval; and***
- 4. requests a REVIEW of the City's Heritage Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.

Item 13.10 Heritage Grant – 48 Pier Street, Perth**Officer Recommendation**

That Council APPROVES a Heritage Grant of \$82,750 (excluding GST) for the restoration of the façade at 48 Pier Street, Perth.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

- 1. APPROVES a Heritage Grant of \$82,750 (excluding GST) for the restoration of the façade at 48 Pier Street, Perth; and***
- 2. requests a REVIEW of the City's Heritage Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

PRIMARY MOTION AS AMENDED

That Council:

- 1. APPROVES a Heritage Grant of \$82,750 (excluding GST) for the restoration of the façade at 48 Pier Street, Perth; and***
- 2. requests a REVIEW of the City's Heritage Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.

Item 13.11 Event Grants Round 1 (2018/19)Officer Recommendation

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

1. ENDORSES the events grants for a total of \$170,000 (excluding GST) to the following applicants:
 - 1.1 Activ Foundation for Chevron City to Surf for Activ (\$18,000);
 - 1.2 Perth International Jazz Festival Incorporated for Perth International Jazz Festival (\$25,000);
 - 1.3 Open House Perth for Open House Perth (\$27,000);
 - 1.4 Western Australian Yachting Foundation Inc. t/a Swan River Sailing for 2019 City of Perth Festival of Sail incorporating the Warren Jones Youth Regatta (\$35,000);
 - 1.5 Saraswati Mahavidyalaya Institute Inc. for Swan Festival of Lights (\$20,000);
 - 1.6 Hellenic Community of WA Inc. for Perth Greek Festival (\$25,000)
 - 1.7 Boating Industry Association of WA Inc. for Perth International Boat Show (\$5,000);
 - 1.8 Perth Upmarket for Perth Upmarket (\$5,000);
 - 1.9 Bicycling Western Australia for Ride2Work Day Breakfast (\$5,000); and
 - 1.10 Activate Perth Inc. and East Perth Community Safety Group for East Perth Community Events (\$5,000)

2. DECLINES sponsorship to the following applicants:
 - 2.1 Noodle Palace Pty Ltd for Noodle Palace;
 - 2.2 One Big Voice Festival Inc. for One Big Voice – Australia’s Largest Children’s Choir;
 - 2.3 Activate Perth Inc. and East Perth Community Safety Group for Claisebrook Christmas Carnival ;
 - 2.4 Mr Amani Lulinda for AfriMama Music Concert Event;
 - 2.5 Perth Lighthouse Inc. for Perth Modest Fashion Premier;
 - 2.6 The Law Society for WA Inc. for 1913 Law to War to Peace

3. NOTES the provisional list of sponsorship benefits contained in the Detailed Officer Assessments in Attachment 13.11A;

4. AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amounts; and

5. NOTES that *a detailed acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project.*

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

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

1. **ENDORSES** the events grants for a total of \$170,000 (excluding GST) to the following applicants:
 - 1.1 *Activ Foundation for Chevron City to Surf for Activ (\$18,000);*
 - 1.2 *Perth International Jazz Festival Incorporated for Perth International Jazz Festival (\$25,000);*
 - 1.3 *Open House Perth for Open House Perth (\$27,000);*
 - 1.4 *Western Australian Yachting Foundation Inc. t/a Swan River Sailing for 2019 City of Perth Festival of Sail incorporating the Warren Jones Youth Regatta (\$35,000);*
 - 1.5 *Saraswati Mahavidyalaya Institute Inc. for Swan Festival of Lights (\$20,000);*
 - 1.6 *Hellenic Community of WA Inc. for Perth Greek Festival (\$25,000)*
 - 1.7 *Boating Industry Association of WA Inc. for Perth International Boat Show (\$5,000);*
 - 1.8 *Perth Upmarket for Perth Upmarket (\$5,000);*
 - 1.9 *Bicycling Western Australia for Ride2Work Day Breakfast (\$5,000); and*
 - 1.10 *Activate Perth Inc. and East Perth Community Safety Group for East Perth Community Events (\$5,000)*
2. **DECLINES** sponsorship to the following applicants:
 - 2.1 *Noodle Palace Pty Ltd for Noodle Palace;*
 - 2.2 *One Big Voice Festival Inc. for One Big Voice – Australia’s Largest Children’s Choir;*
 - 2.3 *Activate Perth Inc. and East Perth Community Safety Group for Claisebrook Christmas Carnival ;*
 - 2.4 *Mr Amani Llulinda for AfriMama Music Concert Event;*
 - 2.5 *Perth Lighthouse Inc. for Perth Modest Fashion Premier;*
 - 2.6 *The Law Society for WA Inc. for 1913 Law to War to Peace*
3. **NOTES** the provisional list of sponsorship benefits contained in the Detailed Officer Assessments in Attachment 13.11A;
4. **AUTHORISES** the Chief Executive Officer (or an appointed delegate) to negotiate with the applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amounts;

(Cont’d)

5. **NOTES** that a detailed acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project; and
6. **requests a REVIEW of the City's Arts Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.**

PRIMARY MOTION AS AMENDED

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

1. **ENDORSES** the events grants for a total of \$170,000 (excluding GST) to the following applicants:
 - 1.1 ***Activ Foundation for Chevron City to Surf for Activ (\$18,000);***
 - 1.2 ***Perth International Jazz Festival Incorporated for Perth International Jazz Festival (\$25,000);***
 - 1.3 ***Open House Perth for Open House Perth (\$27,000);***
 - 1.4 ***Western Australian Yachting Foundation Inc. t/a Swan River Sailing for 2019 City of Perth Festival of Sail incorporating the Warren Jones Youth Regatta (\$35,000);***
 - 1.5 ***Saraswati Mahavidyalaya Institute Inc. for Swan Festival of Lights (\$20,000);***
 - 1.6 ***Hellenic Community of WA Inc. for Perth Greek Festival (\$25,000)***
 - 1.7 ***Boating Industry Association of WA Inc. for Perth International Boat Show (\$5,000);***
 - 1.8 ***Perth Upmarket for Perth Upmarket (\$5,000);***
 - 1.9 ***Bicycling Western Australia for Ride2Work Day Breakfast (\$5,000); and***
 - 1.10 ***Activate Perth Inc. and East Perth Community Safety Group for East Perth Community Events (\$5,000)***
2. **DECLINES** sponsorship to the following applicants:
 - 2.1 ***Noodle Palace Pty Ltd for Noodle Palace;***
 - 2.2 ***One Big Voice Festival Inc. for One Big Voice – Australia's Largest Children's Choir;***
 - 2.3 ***Activate Perth Inc. and East Perth Community Safety Group for Claisebrook Christmas Carnival;***
 - 2.4 ***Mr Amani Llulinda for AfriMama Music Concert Event;***
 - 2.5 ***Perth Lighthouse Inc. for Perth Modest Fashion Premier;***
 - 2.6 ***The Law Society for WA Inc. for 1913 Law to War to Peace***
3. **NOTES** the provisional list of sponsorship benefits contained in the Detailed Officer Assessments in Attachment 13.11A;

(Cont'd)

4. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amounts;***
5. ***NOTES that a detailed acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project; and***
6. ***requests a REVIEW of the City's Arts Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.

Item 13.12 Arts Grants Round 1 (2018/19)

Officer Recommendation

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

1. **ENDORSES the arts grants for a total of \$77,400 (excluding GST) to the following applicants:**
 - 1.1 Propel Youth Arts WA for MOSAIC 2018 (\$8,500);
 - 1.2 Co3 Australia for Co3 Dance Access Program (\$20,000);
 - 1.3 International Art Space for spaced 3: north by southeast (\$8,000);
 - 1.4 Ms Emma Humphreys for ALL FALL DOWN (\$6,000);
 - 1.5 Nulsen Disability Services for As We Are Art Awards and Exhibition (\$8,500);
 - 1.6 Ausdance WA for MoveMe Festival 2018 (\$10,000);
 - 1.7 The Australian Short Story Festival Inc for The Australian Short Story Festival 2018 (\$5,000);
 - 1.8 WA Poets Inc for Perth Poetry Festival 2018 (\$3,500);
 - 1.9 Perth Symphony Orchestra for C.A.L.M – Rush Hour Concerts (\$4,900); and
 - 1.10 Bohemian Ceramics for Fluid State ceramic exhibition (\$3,000)

(Con'td)

2. DECLINES art grants to the following applicants:
 - 2.1 Mrs Faith Maydwell for Magellan 2018 chamber music series concert No. 3;
 - 2.2 Mr Nate Strider-Knight for Armour;
 - 2.3 Rhythm Productions for Perth Dance Festival;
 - 2.4 Mr Leon Ewing for Raised by Brutalism
 - 2.5 Miss Nicole Lovine for NINA;
 - 2.6 Pakistanis In Australia Inc for Matters of the heart; A literary festival;
 - 2.7 WA Local Government Association for the 2018 Banners in the Terrace Competition; and
 - 2.8 Mr James Palmer for Tootin' Carmen
3. NOTES the provisional list of sponsorship benefits for each application contained in the Detailed Officer Assessment in Attachment 13.12A;
4. AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the successful applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount; and
5. NOTES that a detailed grant acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

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

1. ***ENDORSES the arts grants for a total of \$77,400 (excluding GST) to the following applicants:***
 - 1.1 ***Propel Youth Arts WA for MOSAIC 2018 (\$8,500);***
 - 1.2 ***Co3 Australia for Co3 Dance Access Program (\$20,000);***
 - 1.3 ***International Art Space for spaced 3: north by southeast (\$8,000);***
 - 1.4 ***Ms Emma Humphreys for ALL FALL DOWN (\$6,000);***
 - 1.5 ***Nulsen Disability Services for As We Are Art Awards and Exhibition (\$8,500);***
 - 1.6 ***Ausdance WA for MoveMe Festival 2018 (\$10,000);***
 - 1.7 ***The Australian Short Story Festival Inc for The Australian Short Story Festival 2018 (\$5,000);***
 - 1.8 ***WA Poets Inc for Perth Poetry Festival 2018 (\$3,500);***
 - 1.9 ***Perth Symphony Orchestra for C.A.L.M – Rush Hour Concerts (\$4,900); and***
 - 1.10 ***Bohemian Ceramics for Fluid State ceramic exhibition (\$3,000)***

(Cont'd)

2. **DECLINES** art grants to the following applicants:
 - 2.1 Mrs Faith Maydwell for Magellan 2018 chamber music series concert No. 3;
 - 2.2 Mr Nate Strider-Knight for Armour;
 - 2.3 Rhythm Productions for Perth Dance Festival;
 - 2.4 Mr Leon Ewing for Raised by Brutalism
 - 2.5 Miss Nicole Lovine for NINA;
 - 2.6 Pakistanis In Australia Inc for Matters of the heart; A literary festival;
 - 2.7 WA Local Government Association for the 2018 Banners in the Terrace Competition; and
 - 2.9 Mr James Palmer for Tootin' Carmen
3. **NOTES** the provisional list of sponsorship benefits for each application contained in the Detailed Officer Assessment in Attachment 13.12A;
4. **AUTHORISES** the Chief Executive Officer (or an appointed delegate) to negotiate with the successful applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount;
5. **NOTES** that a detailed grant acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project; and
6. **requests a REVIEW of the City's Arts Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principle of equity.**

PRIMARY MOTION AS AMENDED

1. **ENDORSES** the arts grants for a total of \$77,400 (excluding GST) to the following applicants:
 - 6.1 Propel Youth Arts WA for MOSAIC 2018 (\$8,500);
 - 6.2 Co3 Australia for Co3 Dance Access Program (\$20,000);
 - 6.3 International Art Space for spaced 3: north by southeast (\$8,000);
 - 6.4 Ms Emma Humphreys for ALL FALL DOWN (\$6,000);
 - 6.5 Nulsen Disability Services for As We Are Art Awards and Exhibition (\$8,500);
 - 6.6 Ausdance WA for MoveMe Festival 2018 (\$10,000);
 - 6.7 The Australian Short Story Festival Inc for The Australian Short Story Festival 2018 (\$5,000);
 - 6.8 WA Poets Inc for Perth Poetry Festival 2018 (\$3,500);
 - 6.9 Perth Symphony Orchestra for C.A.L.M – Rush Hour Concerts (\$4,900); and
 - 6.10 Bohemian Ceramics for Fluid State ceramic exhibition (\$3,000)

(Cont'd)

2. **DECLINES art grants to the following applicants:**
 - 2.1 ***Mrs Faith Maydwell for Magellan 2018 chamber music series concert No. 3;***
 - 2.2 ***Mr Nate Strider-Knight for Armour;***
 - 2.3 ***Rhythm Productions for Perth Dance Festival;***
 - 2.4 ***Mr Leon Ewing for Raised by Brutalism***
 - 2.5 ***Miss Nicole Lovine for NINA;***
 - 2.6 ***Pakistanis In Australia Inc for Matters of the heart; A literary festival;***
 - 2.7 ***WA Local Government Association for the 2018 Banners in the Terrace Competition; and***
 - 2.10 ***Mr James Palmer for Tootin' Carmen***
3. **NOTES the provisional list of sponsorship benefits for each application contained in the Detailed Officer Assessment in Attachment 13.12A;**
4. **AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the successful applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount;**
5. **NOTES that a detailed grant acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project; and**
6. **requests a REVIEW of the City's Arts Grants Guidelines to ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principle of equity.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To ensure clear alignment of the program and selection criteria with the City's strategic objectives, effectiveness and principles of equity.

Item 13.13 Industry/Sector Development – Start Something in Perth (Atomic Sky)Officer Recommendation

That Council:

1. APPROVES cash sponsorship of \$50,000 (excluding GST) to Atomic Sky Pty Ltd, to present 'Start Something in Perth' from 1 June 2018 to 31 May 2019;
2. NOTES the list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.13A;
3. AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to Council approved funding amount; and
4. NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth by 1 July 2019.

MOTION TO DEFER

Moved Commissioner McMath, seconded Commissioner Hammond

That Council agreed to defer the item as follows:

That Council defer consideration of the report titled Industry/Sector Development – Start Something in Perth (Atomic Sky) due to its size of \$50,000, to enable time for a review of the City's Industry/Sector Development Sponsorship Guidelines and selection criteria to ensure clear alignment of the program with the City's strategic objectives, effectiveness and principles of equity.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To enable time for a review of the City's Industry/Sector Development Sponsorship Guidelines and selection criteria to ensure clear alignment of the program with the City's strategic objectives, effectiveness and principles of equity.

Item 13.14 Industry / Sector Development Sponsorship – StartSomeGood

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES*** a cash sponsorship of \$32,000 (excluding GST) to StartSomeGood for 'Pitch for Good Perth 2018';
2. ***NOTES*** the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachment 13.14A;
3. ***AUTHORISES*** the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits and key performance indicators for inclusion in the agreement according to the Council approved funding amount; and
4. ***NOTES*** that a detailed sponsorship acquittal report, including any supporting material, will be submitted to the City of Perth by 1 September 2018.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.15 Strategic Event Sponsorship – NAIDOC Week Opening Ceremony

Moved Commissioner Hammond, seconded Commissioner McMath

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

1. ***ENDORSES*** sponsorship of \$15,000 excluding GST to NAIDOC Perth Inc for the NAIDOC Week Opening Ceremony to be held at Supreme Court Gardens on 8 July 2018;
2. ***NOTES*** the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachment 13.15A;

(Cont'd)

3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount; and***
4. ***NOTES that a detailed acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of the supported project.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.16 Strategic Event Sponsorship – Make Smoking History Targa West 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to adoption of the 2018/19 and 2019/20 budget:

1. ***ENDORSES Strategic Event Sponsorship of \$70,000 (excluding GST) per annum to Targa West Pty Ltd for the Make Smoking History Targa West for the years 2018/19 and 2019/20 as well as the in-kind use of City of Perth Parking Terrace Road Car Park and grassed area at a cost of \$22,616 for 2018;***
2. ***NOTES the list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.16A;***
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 by 12 November 2018.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.17 Investments and Investment Returns for the Period Ended 31 January 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the report detailing investments and investment returns for the period ended 31 January 2018, as detailed in Attachment 13.17A of this Report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.18 Investments and Investment Returns for the Period Ended 28 February 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the report detailing investments and investment returns for the period ended 28 February 2018, as detailed in Attachment 13.18A of this Report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.19 Financial Statements and Financial Activity Statement for the Period Ended 31 January 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 January 2018, as detailed in Attachment 13.19A of this Report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.20 Financial Statements and Financial Activity Statement for the Period Ended 28 February 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 28 February 2018, as detailed in Attachment 13.20A of this Report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.21 Payments from Municipal and Trust Funds – January 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 January 2018, BE RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

(Cont'd)

| <i>FUND</i> | <i>PAID</i> |
|-----------------------|-------------------------|
| <i>Municipal Fund</i> | <i>\$ 18,299,450.33</i> |
| <i>Trust Fund</i> | <i>\$ 22,189.92</i> |
| <i>TOTAL:</i> | <i>\$ 18,321,640.25</i> |

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.22 Payments from Municipal and Trust Funds – February 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 28 February 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>\$ 15,282,833.41</i> |
| <i>Trust Fund</i> | <i>\$ 405,579.67</i> |
| <i>TOTAL:</i> | <i>\$ 15,688,413.08</i> |

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.23 Payments from Municipal and Trust Funds – March 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 March 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>\$ 21,861,754.38</i> |
| <i>Trust Fund</i> | <i>\$ 8,064.00</i> |
| <i>TOTAL:</i> | <u><u><i>\$ 21,869,818.38</i></u></u> |

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.24 New Lease - Axicom Pty Ltd – Telecommunications Base Station - Portion of Lot 9023, Marmion Avenue, Clarkson (Tamala Park)

Moved Commissioner Lumsden, seconded Commissioner McMath

That Council:

1. **APPROVES** a new lease over portion of Lot 9023, Marmion Avenue, Clarkson to Axicom Pty Ltd for a term of 10 years commencing on 1 November 2017 subject to:
 - 1.1. *The consent of the City of Joondalup, City of Stirling, City of Wanneroo, City of Vincent, Town of Cambridge and Town of Victoria Park; and*
 - 1.2. *No objections being received following statutory advertising of the above proposal;*
2. **AGREE** the City of Wanneroo be responsible for the statutory advertising of the local public notice, negotiation and preparation of the lease on behalf of the seven owner Councils;

(Cont'd)

3. ***APPROVES the Chief Executive Officer to be authorised to enter into a new lease, and any variation, extension or assignment of lease over portion of Lot 9023, Marmion Avenue, Clarkson subject to:***
- 3.1. ***The intention to dispose of the property being advertised; and***
 - 3.2. ***In the event an objecting submission is received this delegation does not apply and the proposal is presented to Council for consideration.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.25 Ground Lease Extension – 25 (Lot 306) Riverside Drive Point Fraser, East Perth - City of Perth (Sub-Landlord) to City Foreshore Investments Pty Ltd as Trustee for the City Foreshore Development Trust (Sub-Tenant)

Moved Commissioner Hammond, seconded Commissioner McMath

That Council APPROVES a lease extension between the City of Perth and City Foreshore Investments Pty Ltd over 25 (Lot 306) Riverside Drive, Point Fraser, East Perth subject to no objections being received following statutory advertising of the proposal.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.26 Licence Extension – Perth Convention and Exhibition Centre Car Park (PCEC), Perth - City of Perth (Licensor) to Brookfield PCEC Office Pty Ltd (Licensee)

Moved Commissioner Hammond, seconded Commissioner McMath

*That Council **APPROVES** a licence extension between the City of Perth and Brookfield PCEC Office Pty Ltd over Perth Convention and Exhibition Centre Car Park, Perth.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.27 Christmas 2018 – Advertising of Tenders

Moved Commissioner Hammond, seconded Commissioner McMath

*That Council **APPROVES** the advertising of the Tenders “Design, Refurbishment and Supply of Christmas Decorations”, “Architectural Decorative Projections – Christmas 2018 -2020” and “Lease of Christmas Trees” prior to the adoption of the 2018/19 Operational and Capital Budgets.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.28 Adoption of Sustainability Policy

Officer Recommendation

That Council:

1. ADOPTS the Sustainability Policy as detailed in Attachment 13.28A; and
2. NOTES the Sustainability Program Development and implementation timeline as detailed in Attachment 13.28B.

MOTION TO DEFER

Moved Commissioner McMath, seconded Commissioner Hammond

That Council agreed to defer the item as follows:

That Council defer consideration of the report titled Adoption of Sustainability Policy, to enable the Commissioners to be fully briefed by the Administration on this very important matter and to allow a Sustainability Program and Implementation Plan to be developed as soon as possible to be fully integrated into the City's Corporate Business Plan and Integrated Planning Framework to be completed by the of 2018.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To enable the Commissioners to be fully briefed by the Administration and to allow a Sustainability Program and Implementation Plan to be developed to be fully integrated into the City's Integrated Planning Framework.

Item 13.29 Nomination of Commissioners for the Library Board of Western Australia, Tamala Park Regional Council and The Whole of Royal Perth Hospital Campus Steering Committee

Officer Recommendation

That Council:

1. NOMINATES up to two Commissioners for the consideration of the Minister for Culture and the Arts to appoint one member to the Library Board of Western Australia;
2. APPOINTS one Commissioner as a deputy to the Tamala Park Regional Council;
3. APPOINTS one Commissioner to The Whole of Royal Perth Hospital Campus Steering Committee;
4. APPOINTS the Director Planning and Development as the deputy member to The Whole of Royal Perth Hospital Campus Steering Committee.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

1. ***NOMINATES ~~up to two Commissioners~~ Commissioner Hammond and Commissioner Lumsden for the consideration of the Minister for Culture and the Arts to appoint one member to the Library Board of Western Australia;***
2. ***APPOINTS ~~one Commissioner~~ Commissioner McMath as ~~a~~ deputy to the Tamala Park Regional Council;***
3. ***APPOINTS ~~one Commissioner~~ Commissioner Lumsden to The Whole of Royal Perth Hospital Campus Steering Committee;***
4. ***APPOINTS the Director Planning and Development as the deputy member to The Whole of Royal Perth Hospital Campus Steering Committee.***

PRIMARY MOTION AS AMENDED

That Council:

1. **NOMINATES** *Commissioner Hammond and Commissioner Lumsden for the consideration of the Minister for Culture and the Arts to appoint one member to the Library Board of Western Australia;*
2. **APPOINTS** *Commissioner McMath as deputy to the Tamala Park Regional Council;*
3. **APPOINTS** *Commissioner Lumsden to The Whole of Royal Perth Hospital Campus Steering Committee;*
4. **APPOINTS** *the Director Planning and Development as the deputy member to The Whole of Royal Perth Hospital Campus Steering Committee.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Meeting Note: The Library Board of Western Australia first preference is Commissioner Hammond due to the commitments of the Chair of Commissioners.

Item 13.30 Waiving of Legal Professional Privilege to enable the provision of information to an Inquiry Panel established under the Local Government Act 1995

Moved Commissioner Hammond, seconded Commissioner Lumsden

*That Council, **APPROVES BY ABSOLUTE MAJORITY**, the Chief Executive Officer be granted Delegated Authority to the waiving of legal professional privilege, where necessary, to enable the provision of any relevant information to an Inquiry Panel established under the Local Government Act 1995.*

The motion was put and carried

(Cont'd)

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

MOTION TO CHANGE THE ORDER OF BUSINESS

Moved Commissioner McMath, seconded Commissioner Hammond

That Council resolves to amend the order of business to bring forward the following items to be considered prior to closing the meeting to discuss confidential matters:

- 1. Agenda Item 13.35 – Risk Management Quarterly Update – February 2018;***
- 2. Agenda Item 13.36 – Internal Audit 2017/18 – Validation of Critical/Major Risk Mitigation Strategies Review Part 2;***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.35 Risk Management Quarterly Update – February 2018

The Committee recommendation to the Council for this report was resolved by the Audit and Risk Committee at its meeting held on 19 March 2018.

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

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Risk Management Quarterly Update for February 2018.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.36 Internal Audit 2017/18 – Validation of Critical/Major Risk Mitigation Strategies Review Part 2Officer and Committee Recommendation

That Council APPROVES the Validation of Critical/Major Risk Mitigation Strategies Review Part 2 as part of the Internal Audit Plan 2017/18 as detailed in Attachment 13.36A, 13.36B and Confidential Attachment 13.36C.

MOTION TO DEFER

Moved Commissioner Hammond, seconded Commissioner Lumsden

That Council agreed to defer the item as follows:

That Council defer consideration of the report titled Internal Audit 2017/18 – Validation of Critical/Major Risk Mitigation Strategies Review Part 2, to enable further discussion at the next Audit and Risk Committee meeting and to take a more considered approach.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: To enable further discussion at the next Audit and Risk Committee and to take a more considered approach now that the Commissioners have settled into their roles.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

Moved Commissioner Lumsden, seconded Commissioner Hammond

That Council, in accordance with the Local Government Act 1995, resolves to close the meeting to the public to consider the following:

- 1. Item 13.31 with Confidential Attachments 13.31B and 13.31C in accordance with Section 5.23(2)(iii);*
- 2. Item 13.32 with Confidential Attachments 13.32C in accordance with Section 5.23(2)(iii);*

(Cont'd)

3. ***Item 13.33 with Confidential Attachments 13.33B and 13.33C in accordance with Section 5.23(2)(e)(iii); and***
4. ***Item 13.34 with Attachments 13.34A and 13.34B in accordance with Section 5.23(2)(e)(iii).***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

6.54pm The meeting was closed to the public.

6.54pm Mr Andrew Roberts from McLeods Barristers and Solicitors remained in the Council Chamber to provide legal advice to Council.

Item 13.31 Request for Reimbursement of Legal Expenses – Panel Inquiry

Officer Recommendation

That Council:

1. REFUSES the applications by Councillor Lexi Barton, Councillor Jemma Green and Councillor James Limnios for independent legal representation;
2. APPROVES support for legal representation for City of Perth Elected Members and Employees as detailed in Council Policy '10.16 – Legal Representations for Elected Members and Employees' as it applies under clause 5.4 (Utilisation of Insurance Policy); and
3. AUTHORISES BY AN ABSOLUTE MAJORITY decision the Chief Executive Officer (or Director Corporate Services in the instance of a request from the Chief Executive Officer) Delegated Authority to determine applications for Legal Representation as they relate to the Panel Inquiry.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

1. **REFUSES** the applications by Councillor Lexi Barton, Councillor Jemma Green and Councillor James Limnios for independent legal representation;
2. **APPROVES** support for legal representation for City of Perth Elected Members and Employees as detailed in Council Policy '10.16 – Legal Representations for Elected Members and Employees' as it applies under clause 5.4 (Utilisation of Insurance Policy); and
3. **AUTHORISES BY AN ABSOLUTE MAJORITY** decision the Chief Executive Officer (or Director Corporate Services in the instance of a request from the Chief Executive Officer) Delegated Authority to determine applications for Legal Representation as they relate to the Panel Inquiry subject to the right of the applicant to seek an internal review by Council.

PRIMARY MOTION AS AMENDED

That Council:

1. **REFUSES** the applications by Councillor Lexi Barton, Councillor Jemma Green and Councillor James Limnios for independent legal representation;
2. **APPROVES** support for legal representation for City of Perth Elected Members and Employees as detailed in Council Policy '10.16 – Legal Representations for Elected Members and Employees' as it applies under clause 5.4 (Utilisation of Insurance Policy); and
3. **AUTHORISES BY AN ABSOLUTE MAJORITY** decision the Chief Executive Officer (or Director Corporate Services in the instance of a request from the Chief Executive Officer) Delegated Authority to determine applications for Legal Representation as they relate to the Panel Inquiry subject to the right of the applicant to seek an internal review by Council.

The motion was put and carried

(Cont'd)

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Reason: In response to concerns expressed regarding the Chief Executive Officer's delegated authority in relation to the matter.

Item 13.32 Request for Reimbursement of Legal Expenses – Councillor James Linnios

Moved Commissioner Hammond, seconded Commissioner Lumsden

That Council APPROVES the request dated 30 January 2018 by Councillor James Linnios for reimbursement of legal expenses incurred in his capacity as an Elected Member of the City of Perth payment subject to:

- 1. Payment being limited to \$10,000 (including GST) as detailed in Council Policy '10.16 – Legal Representations for Elected Members and Employees' as the Legal Representation Costs Limit; and*
- 2. Councillor James Linnios entering a security deed in accordance with Clause 5.3 of Council Policy '10.16 – Legal Representations for Elected Members and Employees'.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.33 Request for Reimbursement of Legal Expenses – Councillor Jemma Green

Moved Commissioner McMath, seconded Commissioner Hammond

That Council REFUSES the application dated 17 February 2018 by Councillor Jemma Green for reimbursement of legal expenses.

The motion was put and carried

(Cont'd)

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

Item 13.34 Consideration of Council Policy 10.5 - Council Member Allowance and Meeting Attendance Fees

Moved Commissioner Hammond, seconded Commissioner Lumsden

That Council:

1. **NOTES the mandatory requirement to pay the Lord Mayoral Allowance and DETERMINES the allowance to be set at the minimum amount of \$60,900 per annum;**
2. **DETERMINES that No Deputy Lord Mayoral Allowance is to be paid;**
3. **DETERMINES that Attendance Fees will be paid on attendance (s 5.98 of the Local Government Act 1995) rather than an Annual Fee for Attendance (s5.99 of the Local Government Act 1995);**
4. **REVOKE existing Council Policy 10.5 – Council Member Allowance and Meeting Attendance Fees as detailed in Attachment 13.34A; and**
5. **ADOPTS BY AN ABSOLUTE MAJORITY revised Council Policy 10.5 – Council Member Allowance and Meeting Attendance Fees as detailed in Attachment 13.34B, with effect from 25 April 2018.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

MOTION TO RE-OPEN THE MEETING

Moved Commissioner Hammond, seconded Commissioner McMath

That Council resolves to re-open the meeting to the public.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

7.28pm The meeting was re-opened to the public and the Manager Governance read aloud the resolutions.

Item 13.37 East Parade and Kensington Street Signalised Intersection Upgrade

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. ENDORSES the pedestrian crossing upgrade of Kensington Street and East Parade signalised intersection requested by Main Roads WA and supported by the City of Perth;***
- 2. APPROVES the civil modifications required by the intersection upgrade to be undertaken by the City of Perth Street Presentation and Maintenance Unit; and***
- 3. APPROVES BY AN ABSOLUTE MAJORITY re-allocation of \$85,000 from capital works project 'CW 2153 - East Perth Walkability' to 'CW2083 - Parallel Walks'.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, McMath and Hammond

Against: Nil

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Nil

16. Closure

7.34pm The Chair of Commissioners declared the meeting closed.