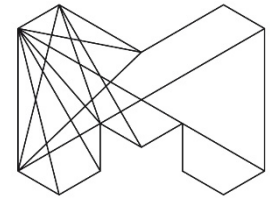


Confirmed minutes



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 29
Tuesday 28 February 2023
5.30pm**

**Council Chamber
Level 2
Melbourne Town Hall**

Present

Lord Mayor Sally Capp (Chair)
Deputy Lord Mayor Nicholas Reece
Councillor Dr Olivia Ball
Councillor Jason Chang
Councillor Elizabeth Doidge
Councillor Davydd Griffiths
Councillor Jamal Hakim
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey

Apology

Councillor Roshena Campbell

Confirmed at the meeting of Council
on Tuesday 28 March 2023

C o n f i r m e d m i n u t e s

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor Sally Capp, advised that:

- the meeting was being streamed live and that a recording will be made available on the City of Melbourne website before close of business Wednesday, 1 March 2023.
- an apology was received from Councillor Campbell.

2. Disclosures of conflicts of interest

The Lord Mayor advised that conflicts of interest should be disclosed as they arise.

3. Confirmation of minutes of the previous meeting

Moved: Cr Hakim

That the minutes of meeting No 28, held on Tuesday 13 December 2022, be confirmed.

Seconded: Cr Griffiths

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Leppert and Louey.

4. Matters arising from the minutes of the previous meeting

There were no matters arising from the minutes of the previous meeting.

Submissions/Correspondence

The Lord Mayor advised that a submission had been received from Chris Thrum in relation to Agenda item 5.1, **Protection of Exceptional Trees Melbourne Planning Scheme Amendment C379**.

5. Reports from Committee

There was one report from Committee.

The Lord Mayor called on Cr Leppert as Deputy City Planning Portfolio Lead to present agenda item 5.1.

5.1 Protection of Exceptional Trees Melbourne Planning Scheme Amendment C379

The purpose of this report was to recommend that Council, having considered the Amendment C379 Panel's report and recommendations, adopts Planning Scheme Amendment C379.

The Deputy Lord Mayor Nicholas Reece declared a Material conflict of interest in this matter pursuant to section 128(3)(d) of the *Local Government Act 2020* due to his employment by University of Melbourne, who is affected by the proposal, and left the meeting at 5.34pm.

Moved: Cr Leppert

1. *That Council:*

1.1 *Notes the recommendation of the Panel in its report at Attachment 2 of the report from management.*

C o n f i r m e d m i n u t e s

- 1.2 *Adopts Melbourne Planning Scheme Amendment C379 (the Amendment) as shown in Attachments 3 and 4 of the report from management.*
- 1.3 *Submits the adopted Amendment to the Minister for Planning for approval.*

Seconded: Cr Doidge

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Leppert and Louey.

The Deputy Lord Mayor returned to the meeting at 5.37pm.

6. Reports from Management

There were two reports from management for consideration.

6.1 Quarterly performance reporting – Council Plan Major Initiatives, Finances and Capital Program

The purpose of this report was to inform the community of the performance of the Council at the end of the second quarter of the financial year, outlining:

- Council's quarterly performance against the Council Plan 2021–2025 strategic objectives.
- The quarterly financial performance of the Council Works program, including the progress of Council's major projects.
- The quarterly financial performance of the Council and Budget, in accordance with the *Local Government Act 2020* (Act).

Moved: Deputy Lord Mayor Nicholas Reece

1. That Council:

- 1.1. *Notes the Council Plan 2021-2025 quarter two summary report and performance report (refer Attachments 2 and 3 of the report from management) and the proposal to publish this information on the City of Melbourne website, authorising the Chief Executive Officer to make any further minor editorial changes to the report prior to publication.*
- 1.2. *Notes the 2022-2023 Council Works Program quarter two summary report (Attachment 4 of the report from management).*
- 1.3. *Approves program adjustments in the Council Works Program, within the overall adopted budget funding envelope, as follows (Attachment 5 of the report from management):*
 - 1.3.1. *New budget allocation for*
 - 1.3.1.1. *Pocket Parks of \$730,000 for design and consultancy work at Bedford Street Pocket Park, Chapman Street Pocket Park as well as Miles and Dodds Reserve in 2022-23.*
 - 1.3.1.2. *New budget allocation for office accommodation fit-out project of \$542,000.*
 - 1.3.1.3. *Moonee Ponds Creek Stormwater Harvesting project of \$310,000 to utilise surplus water from Moonee Ponds Creek to irrigate Princes Park.*
 - 1.3.1.4. *Urban Renewal Open Spaces of \$240,000 for design and consultancy work at the Chelmsford Street site in 2022-23.*
 - 1.3.1.5. *University Square Stage 2 Redevelopment of \$200,000 to complete the feasibility study and concept design.*
 - 1.3.1.6. *Make Room project of \$200,000 for ongoing consultancy services.*
 - 1.3.1.7. *Powlett Reserve outdoor exercise equipment of \$100,000.*

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- 1.3.2. *Additional budget from external funding for*
 - 1.3.2.1. *Bicycle lane maintenance from \$165,000 to \$1,971,601 - transferring the capital works budget allocated to maintenance and operational activities under Cycle Infrastructure to maintenance works.*
 - 1.3.2.2. *Roadway Renewal program from \$4,300,000 to \$4,940,000 received further Federal Government grants for four additional roads under phase 3 of roadway renewal works.*
- 1.3.3. *Additional budget from internal funding for*
 - 1.3.3.1. *Munro Library and Community Hub project from \$8,772,827 to \$13,272,827 to accommodate detailed design cost, increased scope and cost escalation.*
 - 1.3.3.2. *Dodds Street linear park, Southbank project from \$4,995,467 to \$6,326,532 to accommodate higher tender costs than allowed in the approved budget due to cost escalation.*
 - 1.3.3.3. *DDA Compliance - Infrastructure project from \$500,000 to \$807,141 to pay Rail Projects Victoria for variation from ceramic to granite tactile ground surface indicators.*
 - 1.3.3.4. *Shrine of Remembrance - Drainage Upgrade project from \$28,720 to \$68,720 to facilitate design documentation.*
- 1.3.4. *Reduce budget for*
 - 1.3.4.1. *Make Room Refurbishment project from \$7,000,000 to \$4,920,000 to offset philanthropic donations received by Unison.*
 - 1.3.4.2. *City Road Masterplan project from \$2,000,000 to \$500,000 to defer funds to next financial year.*
- 1.4. *Notes funding and accounting adjustments for:*
 - 1.4.1. *Improving Pedestrian Safety (Project 22B1365N) for \$ 80,500 to recognise developer contribution.*
 - 1.4.2. *Street Furniture Renewal (Project 22B1343R) for \$ 200,739 to recognise developer contribution.*
 - 1.4.3. *Shrine Reserve - Hostile Vehicle Mitigation (Project 22B2602M) for \$ 1,100,000 to reflect funding source adjustment to grants.*
 - 1.4.4. *Cycle Infrastructure (Project 22b1305N) for \$1,065,647 to reassign the budget to a maintenance budget.*
 - 1.4.5. *Advancing Stormwater Harvesting Rollout (Project 22B1366N) for \$ 100,000 to adjust project type from "New" to "Maintenance".*
- 1.5. *Notes the 2022–23 second quarter Financial Performance Report (Attachments 6 to 9 of the report from management)*
- 1.6. *Notes, as at the end of the second quarter, as per Section 97 (3) of the Local Government Act 2020, the Chief Executive Officer is of the opinion a revised Budget is not required as our borrowing position is expected to be within budgeted expectations.*

Seconded: Lord Mayor Sally Capp

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Leppert and Louey.

C o n f i r m e d m i n u t e s

6.2 Review of Councillor Protocol

The purpose of this report was to provide for an update to the Councillor Protocol (Protocol). The Protocol provides an understanding around individual and collective responsibilities. It is structured into three sections and provides guidance on roles and responsibilities, informed decision-making and city representation roles.

Moved: Deputy Lord Mayor Nicholas Reece

1. *That Council:*

1.1 *Adopts the draft Councillor Protocol included as Attachment 2 of the report from management, with the following change to clause 4.2.3 of the Protocol:*

a monthly report will be provided to Councillors on all outstanding resolutions ~~under the current Council term.~~

1.2 *Authorises the Acting Director Governance to make any further minor editorial changes to the Protocol prior to the publication.*

Seconded: Cr Dr Ball

Cr Le Liu arrived at the meeting at 5.46pm.

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

7. General business

There were no items of general business.

8. Urgent business

8.1 Assange Campaign Exhibition

Moved: Cr Dr Ball

That the matter of the upcoming exhibition by the Assange Campaign to be held on 7 and 8 March meets the criteria for consideration as an item of urgent business as it has arisen since the distribution of the agenda, and cannot safely or conveniently be deferred until the next Committee or Council meeting.

Seconded: Lord Mayor Sally Capp

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

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Moved: Cr Dr Ball

1. *That Council:*

- 1.1. *Notes the international touring exhibition of a sculpture called Anything to Say: A Monument to Courage, being a group portrait of Walkley-award winning publisher Julian Assange, alongside whistleblowers Edward Snowden and Chelsea Manning, to be exhibited in the City of Melbourne on 7 and 8 March 2023;*
- 1.2. *Reaffirms its past two motions in support of Mr Assange and calls again for his immediate release without charge; and*
- 1.3. *Requests Cr Dr Ball speak in support of Mr Assange on behalf of Council at the opening of the exhibition, noting his exceptional courage in championing the universal right to "freedom of opinion and expression; this right includes freedom ... to seek, receive and impart information and ideas through any media and regardless of frontiers" (Article 19, Universal Declaration of Human Rights).*

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

9. Closure of meeting to the public

Moved: Lord Mayor Sally Capp

1. *That pursuant to section 66 of the Local Government Act 2020 (Act), the meeting of the Council be closed to members of the public for the consideration of the items under the following categories:*
 - 1.1 *Agenda item 14.1 as it contains private commercial information, which if released, would unreasonably expose Council to disadvantage by disclosing the proposed contract sum to the unsuccessful Tenderer prior to award.*
 - 1.2 *Agenda items 14.2 and 14.3 as they contain private commercial information, which if released, would unreasonably expose the business to disadvantage by disclosing financial information to competitors.*

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

The Lord Mayor declared the meeting closed to the public at 6.03pm.

Confirmed at the meeting of Council on Tuesday 28 March 2023.



Chair
Council