



**CITY OF MELBOURNE**

## **Council Meeting**

### **Minutes**

**Meeting Number 39  
Tuesday 28 May 2019  
5.30pm**

**Council Chambers  
Level 2  
Melbourne Town Hall**

#### **Present**

Lord Mayor, Sally Capp  
Councillor Nicolas Frances Gilley  
Councillor Rohan Leppert  
Councillor Kevin Louey  
Councillor Cathy Oke  
Councillor Beverley Pinder-Mortimer  
Councillor Nicholas Reece  
Councillor Susan Riley  
Councillor Jackie Watts

#### **Apologies**

Deputy Lord Mayor, Arron Wood  
Councillor Philip Le Liu

Confirmed at the meeting of Council  
on Tuesday 25 June 2019

## 1. Commencement of meeting and apologies

The meeting commenced at 5.32pm.

### Condolence Statement for Courtney Herron

The Lord Mayor, Sally Capp offered a condolence statement in relation to the murder of Courtney Herron.

The Chair, Lord Mayor, Sally Capp, advised that:

- the meeting was being recorded and the audio would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of one report from Committee which was confidential, 13 reports from management, of which six were confidential and one item of general business
- apologies had been received from Deputy Lord Mayor, Arron Wood and Councillor Philip Le Liu.

## 2. Disclosures of conflicts of interest

The Chair, Lord Mayor, Sally Capp, advised that conflicts of interest would be disclosed as they arose.

## 3. Confirmation of minutes of the previous meetings

Moved: Cr Oke

*That the minutes of Council meeting No 37, held on 30 April 2019 and Special Council meeting No 38, held on Thursday 9 May 2019, be confirmed.*

Seconded: Cr Frances Gilley

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

## 4. Matters arising from the minutes of the previous meetings

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

### Submissions/Correspondence

The Chair, Lord Mayor, Sally Capp, advised that the following submissions had been received in accordance with the Council's *Meeting Procedures Code*.

#### Submissions

In relation to Agenda item 6.6, '**Shrine of Remembrance request for new agreement and increased funding support**':

#### Item of correspondence:

- Dean Lee, Chief Executive Officer, Shrine of Remembrance.

In relation to Agenda item 7.1, '**Proposed attendance by Councillor Cathy Oke at the Climate Action Roundtable and Asia-Pacific Climate Leadership Forum Brisbane, and Strategic Partnership for the implementation of the Paris Agreement Canberra, in June 2019**':

#### Item of correspondence:

- Chris Thrum.

## 5. Reports from Committee

There were no reports from Committee for consideration in the open session.

## 6. Reports from management

There were seven reports from management for consideration in the open session.

### 6.1 Records of Assemblies of Councillors

The purpose of this report was to present the most recent written records of assemblies of Councillors for Council to note.

Moved: Cr Riley

*That Council notes the written records of the assemblies of Councillors as detailed in Attachment 2 of the report from management.*

Seconded: Cr Pinder-Mortimer

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

### 6.2 Queen Victoria Market Precinct Renewal (QVMPR) Program Reserve Quarterly Report

The purpose of this report was to provide a progress update to Council on the Queen Victoria Market Precinct Renewal (QVMPR) Program Reserve for the period ending 28 February 2019.

Moved: Lord Mayor, Sally Capp

*That Council accepts the Queen Victoria Market Precinct Renewal Program Reserve report as at 28 February 2019 which shows a reserve balance of \$37.329 million.*

Seconded: Cr Oke

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

### 6.3 2018–19 Council Works Program Third Quarter Report

The purpose of this report was to inform Council of the financial performance of the 2018–19 Council Works Program at the end of the third quarter, including the progress of Council's major projects.

Moved: Lord Mayor, Sally Capp

1. *That Council:*

- 1.1. *Notes the 2018–19 Council Works Program third quarter report.*
- 1.2. *Notes that the budget for Southbank Boulevard has proceeded on the basis of the final Cost Plan of 21 November 2017 at \$47 million.*
- 1.3. *Approves program adjustments to this year's allocation recommended by management based on the following categories:*
  - 1.3.1. *Returned Funds:*
    - 1.3.1.1. *Bourke Street Precinct Redevelopment has returned \$1.50 million.*
    - 1.3.1.2. *Melbourne Innovation District (MID) Digital Infrastructure has returned \$250,000.*
    - 1.3.1.3. *Melbourne Innovation District (MID) Urban Realm has returned \$200,000.*

1.3.1.4. *Melbourne Innovation District (MID) Test Sites has returned \$170,000.*

1.3.1.5. *Open Data Platform Development has returned \$50,000.*

1.3.1.6. *Smoke-free Areas Initiative has returned \$25,000.*

1.3.2. *External Contributions:*

1.3.2.1. *External contributions have been received to deliver the program works for the Melbourne CBD Protective Security Works Program at three key locations in the Melbourne CBD being: Bourke Street Mall, Flinders Street Station and Princes Bridge \$7.58 million.*

1.3.2.2. *External contributions have been received relating to City Road Enhancement Fund (CREF) contribution from Australia 108 - Section 173 Agreement, \$671,364 these were expected in 2019-20.*

1.3.2.3. *External contributions have been received for bluestone pavement works to the frontage of 55 Southbank Boulevard \$242,436.*

1.3.3. *Additional Funds:*

1.3.3.1. *Footpath Renewal has requested and additional \$672,000.*

1.3.3.2. *Christmas Festival Program - Decoration maintenance and installation has requested and additional \$42,500.*

1.3.3.3. *Parkville Tennis Club Resurfacing has requested and additional \$30,000.*

1.3.4. *Internal Transfers:*

1.3.4.1. *City Analytics has requested and additional \$87,000 which is offset by savings from project Redevelop the Census of Land Use and Employment system (CLUE).*

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

## **6.5 2018-19 Third Quarter YTD Financial Performance Report**

The purpose of this report was to inform the Committee of the financial performance of the Council for the third quarter ending 31 March 2019, in accordance with the *Local Government Act 1989* and to provide information on supplementary valuations adopted by the Chief Executive Officer under delegation (refer Attachment 3 of the report from management).

Moved: Cr Oke

1. *That Council:*

1.1. *Accepts the quarterly financial performance report as at 31 March 2019.*

1.2. *Resolves not to refer any matters to the Audit and Risk Committee.*

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

## **6.6 Shrine of Remembrance request for new agreement and increased funding support**

The purpose of this report was for the Shrine of Remembrance to seek a new five year memorandum of understanding and significant increase in the value of the Council's annual grant.

Lord Mayor, Sally Capp declared an indirect conflict of interest in this matter because of a conflicting duty under Section 78 B of the *Local Government Act 1989* as she is an appointed Trustee of the Shrine of Remembrance. Lord Mayor, Sally Capp left the meeting at 5.57pm prior to discussion taking place.

### **Election of Chair of the meeting**

In the absence of the Deputy Lord Mayor, Arron Wood, a chair of the meeting was elected by the Council.

Moved: Cr Pinder-Mortimer

*That Council appoint Cr Riley as chair of the meeting in relation to Agenda item 6.6.*

Seconded: Cr Watts

The motion was put and carried unanimously with the following Councillors present: Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

Cr Riley assumed the role of chair of the meeting.

Moved: Cr Oke

1. *That Council:*

- 1.1. *Approves a grant of \$333,000 for financial year 2019-20 to the Shrine of Remembrance trustees and pre-approves a grant \$333,000 plus Consumer Price Index (CPI) for each year to financial year 2023-24 to discharge Council's obligations for secretarial and administrative purposes pursuant to the Shrine of Remembrance Act 1978.*
- 1.2. *Notes that Council's grant will be used for staff roles that ensure Trustees receive effective governance and financial stewardship support in the delivery of their responsibilities under the Act.*
- 1.3. *Notes the Memorandum of Understanding will require the full recognition of the costs borne by Council in meeting its statutory obligations under the Act.*
- 1.4. *Notes the scope of Council's in-kind services will be negotiated and included in the Memorandum of Understanding, to ensure the Shrine complies with annual audit and reporting requirements and payroll functions.*
- 1.5. *Authorises management under delegation to prepare a new five year memorandum of understanding with Shrine of Remembrance.*

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Riley and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Watts.

Lord Mayor, Sally Capp returned to the meeting at 6.08pm after the vote had been taken and resumed the role of chair.

### **6.7 Queen Victoria Market Committee of Trustees and Management Structure**

The purpose of this report was to:

- 1.1. Update Council on the Queen Victoria Market (QVM) Committee of Trustees (the Committee) established by Council on 31 July 2018.
- 1.2. Seek approval to defer the initial six month review of the Committee, as required under the Committee of Trustees Terms of Reference, until December 2019.
- 1.3. Propose recommended changes to the QVM management structure and membership of the QVM Board (the Board) for Council approval.
- 1.4. Seek approval for administrative changes to the Committee of Trustees Terms of Reference.

Moved: Lord Mayor, Sally Capp

1. *That Council:*
  - 1.1. *Notes the update on the activities of the Queen Victoria Market Committee of Trustees.*
  - 1.2. *Agrees to defer the review of the Queen Victoria Market Committee of Trustees to December 2019.*
  - 1.3. *Approves to dissolve the Queen Victoria Market Project Control Group.*
  - 1.4. *Approves the recommended changes to the Queen Victoria Market management structure and Board membership as outlined in the report and requests a report to a future Council meeting in 2019 evaluating the governance framework for Queen Victoria Market renewal and operations management.*
  - 1.5. *Approves the revised Queen Victoria Market Committee of Trustees Terms of Reference.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

## **6.8 Review of Councillor Protocol**

The purpose of this report was to present the outcome of a review of the Councillor Protocol.

Moved: Cr Oke

1. *That Council:*
  - 1.1. *Adopts the 'Councillor Protocol' included as Attachment 2 of the report from management.*
  - 1.2. *Authorises the Manager Governance and Legal to make any further minor editorial changes to the Protocol prior to the publication.*

Seconded: Cr Frances Gilley

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

## **7. General business**

There was one item of General business for consideration in the open session.

### **7.1 Proposed attendance by Councillor Cathy Oke at the Climate Action Roundtable and Asia-Pacific Climate Leadership Forum Brisbane, and Strategic Partnerships for the implementation of the Paris Agreement meeting Canberra, in June 2019**

The purpose of this report is to seek approval for Councillor Cathy Oke to participate in the following:

- 1.1. The Climate Action Roundtable and Asia-Pacific Climate Leadership Forum in Brisbane, Queensland.
- 1.2. The Strategic Partnerships for the implementation of the Paris Agreement (SPIPA) roundtable in Canberra.

Moved: Lord Mayor, Sally Capp

*That Council approves Councillor Cathy Oke's proposal to participate in the University of Queensland breakfast reception for representatives from across Australia and the Asia-Pacific, Climate Action Roundtable and Asia-Pacific Climate Leadership Forum in Brisbane, Queensland at a cost to Council of up to \$1550 and the Strategic Partnerships for the implementation of the Paris Agreement Roundtable in Canberra, Australian Capital Territory at no cost to Council.*

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

## **8. Urgent business**

There were no items of proposed urgent business for consideration in the open session.

## **9. Closure of meeting**

Moved: Cr Pinder-Mortimer

1. *That pursuant to sections 89(2)(a), (d) and (h) of the Local Government Act 1989, 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 5.1 as it contains information about a personnel matter*
  - 1.2. *Agenda items 6.9, 6.10 and 6.11 as they contain information which if released would prejudice the Council or any person.*
  - 1.3. *Agenda items 6.4, 6.12 and 6.13 as they contain information about contractual matters.*

Seconded: Cr Riley

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 6.40pm.

Confirmed at the meeting of Council Tuesday 25 June 2019.



Chair  
Council

