



CITY OF MELBOURNE

Council Meeting

Minutes

Meeting Number 58
Tuesday 25 August 2020
5.30pm

Virtual Meeting

Present

Lord Mayor, Sally Capp
Deputy Lord Mayor, Arron Wood
Councillors Nicolas Frances Gilley
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Beverley Pinder-Mortimer
Councillor Nicholas Reece
Councillor Susan Riley
Councillor Jackie Watts

Confirmed at the meeting of Council
on Tuesday 29 September 2020

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 an audio and video recording would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of 12 reports from management, of which five were confidential, and two items of general business
- no apologies had been received.

Deputy Lord Mayor, Arron Wood arrived at the meeting at 5.31pm.

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 meeting

Moved: Cr Pinder-Mortimer

That the minutes of meeting No 57, held on Tuesday 28 July 2020, be confirmed.

Seconded: Cr Riley

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

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 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 6.4, '**Chief Executive Officer Employment Matters Committee**':

Item of correspondence:

- Stephen Mayne.

In relation to Agenda item 7.1, '**Notice of Motion: Cr Jackie Watts, Electoral Transparency, Disclosure of positions and beneficial interests**':

Items of correspondence:

- Yolande Leonardi
- Chris Thrum.

In relation to Agenda item 7.2, '**Notice of Motion: Cr Jackie Watts, Electoral Transparency, Donations**':

Items of correspondence:

- Yolande Leonardi
- Stephen Mayne.
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C o n f i r m e d m i n u t e s

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 present the most recent written records of assemblies of Councillors for Council to note.

Moved: Cr Pinder-Mortimer

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

Seconded: Cr Oke

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

Deputy Lord Mayor Arron Wood left the meeting at 5.35pm and returned at 5.35pm.

6.2 Draft Governance Rules and Public Transparency Policy

The purpose of this report was to seek Council endorsement of the attached Governance Rules and Public Transparency Policy.

Moved: Lord Mayor, Sally Capp

1. That Council:

- 1.1. Adopts the Governance Rules (as amended) at Attachment 2 of the report from management.*
- 1.2. Adopts the Public Transparency Policy at Attachment 3 of the report from management.*
- 1.3. Approves the livestreaming of open Council meetings and associated budget.*
- 1.4. Revokes the Conduct of Meetings Local Law 2019 and the incorporated Meeting Procedures Code.*

Seconded: Cr Reece

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

Deputy Lord Mayor, Arron Wood left the meeting at 5.39pm and returned at 5.40pm.

Lord Mayor, Sally Capp moved a motion to adjourn the meeting for a period of 5 minutes due to the Deputy Lord Mayor experiencing technical issues. The motion was seconded by Cr Leppert.

The technical issues were however promptly resolved, so the Lord Mayor, Sally Capp, with the consent of other Councillors, withdrew her motion to adjourn the meeting.

Cr Frances Gilley left the meeting at 5.42pm and returned at 5.44pm.

Confirmed minutes

6.3 Delegated committees of Council

The purpose of this report was to create new delegations to delegated committees of Council under the *Local Government Act 2020*.

Cr Pinder-Mortimer left the meeting at 5.49pm and returned at 5.50pm.

Moved: Cr Reece

1. *That Council:*

- 1.1. *Resolves to continue the Future Melbourne Committee, the Gaming Planning Provisions Committee and the Amendment C309 West Melbourne Structure Plan Committee as delegated committees of Council under section 63 of the Local Government Act 2020 (LGA 2020).*
- 1.2. *By instrument of delegation sealed by the Council under section 11(1) of the LGA 2020, delegates to the members of the Future Melbourne Committee, Council's powers, duties and functions pursuant to the LGA 2020 and any other Act in accordance with its existing terms of reference as detailed in Attachment 2 of the management report, subject to:*
 - 1.2.1. *the delegation not extending to decision making in respect of:*
 - 1.2.1.1. *governance matters*
 - 1.2.1.2. *Councillor Code of Conduct and operating protocols*
 - 1.2.1.3. *Councillor expenses and resources guidelines*
 - 1.2.1.4. *electoral matters*
 - 1.2.2. *the restrictions contained in section 11(2) of the LGA 2020.*
- 1.3. *By instrument of delegation sealed by the Council under section 11(1) of the LGA 2020, delegates to the members of the Gaming Planning Provisions Committee, Council's powers, duties and functions to make decisions of an advisory nature in respect to planning scheme amendment C307, subject to the restrictions contained in section 11(2) of the LGA 2020 and section 188(2) of the Planning and Environment Act 1987.*
- 1.4. *By instrument of delegation sealed by the Council under section 11(1) of the LGA 2020, delegates to the members of the Amendment C309 West Melbourne Structure Plan Committee, Council's powers, duties and functions to make decisions of an advisory nature in respect to Planning Scheme Amendment C309, subject to the restrictions contained in section 11(2) of the LGA 2020 and section 188(2) of the Planning and Environment Act 1987.*
- 1.5. *Approves the establishment of the Inner Melbourne Action Plan (IMAP) Implementation Committee as a joint delegated committee pursuant to section 64 of the LGA 2020 jointly with the City of Port Phillip, City of Yarra, City of Stonnington and Maribyrnong City Council.*
- 1.6. *By instrument of delegation sealed by the Council under section 11(1) of the LGA 2020, delegates to the members of the IMAP Implementation Committee, Council's powers and functions as detailed in Attachment 3 of the report from management, subject to the conditions and limitations in section 11 of the LGA 2020.*
- 1.7. *Adopts the amended terms of reference for the IMAP Implementation Committee as detailed in Attachment 4 of the report from management.*
- 1.8. *Resolves that the instruments of delegation in paragraphs 1.2, 1.3, 1.4 and 1.6 come into effect on 1 September 2020.*

Confirmed minutes

1.9. *Appoints as voting members of the IMAP Implementation Committee, the persons from time to time holding the positions of:*

1.9.1. *Chair of Council's Future Melbourne (Planning) Committee*

1.9.2. *Council's Chief Executive Officer*

1.9.3. *Mayor and Chief Executive Officer of:*

1.9.3.1. *the City of Port Phillip*

1.9.3.2. *the City of Yarra*

1.9.3.3. *the City of Stonnington*

1.9.3.4. *the Maribyrnong City Council.*

Seconded: Deputy Lord Mayor, Arron Wood

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

6.4 Chief Executive Officer Employment Matters Committee

The purpose of this report was to re-constitute the Chief Executive Officer Employment Matters Committee as an advisory Committee of Council and recommend the reappointment of Jude Munro as the independent Chair.

Moved: Lord Mayor, Sally Capp

1. *That Council:*

1.1. *Reconstitutes the Chief Executive Officer Employment Matters Committee (CEOEMC) as an advisory Committee of Council with the duties and functions identified in Attachment 2 to the management report.*

1.2. *Reappoints Councillors Pinder-Mortimer and Reece as members of the CEOEMC.*

1.3. *Revokes instrument of delegation CCL-2018-1 dated 30 August 2018 to the CEOEMC.*

1.4. *Adopts the amended terms of reference of the CEOEMC as identified in Attachment 3 to the management report.*

1.5. *Reappoints Jude Munro as the independent Chair of the CEOEMC until 30 September 2021.*

1.6. *Cancels future meetings of the CEOEMC, noting the independent Chair will call future meetings following the Council elections.*

Seconded: Deputy Lord Mayor, Arron Wood

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

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6.5 Endorsement of Assessors for Creative City, Economic Development and Community Services Grants Panels

The purpose of this report was to seek Council endorsement of a new panel of external assessors of grants for Creative City, Economic Development and Community Services for four years.

Moved: Cr Leppert

1. *That Council endorses:*

1.1. *The recommended external assessment panel members to be used for Council's Creative City, Economic Development and Community Services grants panels for a four year term that expires September 2024.*

1.2. *A second expression of interest to refresh membership in February 2022.*

Seconded: Cr Le Liu

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

6.6 Council Works 2019–20 Quarter 4 Report

The purpose of this report was to inform Council of the financial performance of the 2019–20 Council Works Program.

Cr Frances Gilley left the meeting at 6.11pm and returned at 6.11pm.

Moved: Lord Mayor, Sally Capp

1. *That Council:*

1.1. *Notes the 2019–20 Council Works Program fourth quarter report.*

1.2. *Approves program adjustments to this year's allocation recommended by management based on the following categories:*

1.2.1. *Returned Funds:*

1.2.1.1. *Melbourne CBD Protective Security Works Program returned \$4,078,803.*

1.2.1.2. *Southbank Promenade Stage 1 returned \$3,225,928.*

1.2.1.3. *Exhibition Street Bike Lane returned \$2,375,000.*

1.2.1.4. *Major Streetscape Improvements returned \$1,675,000.*

1.2.1.5. *Pump Station Upgrade - Stubbs Street returned \$1,540,000.*

1.2.1.6. *Bourke Street Precinct Redevelopment (BSPR) returned \$983,181.*

1.2.1.7. *Fawkner Park Pasley Street North Entrance Improvement Works returned \$840,600.*

1.2.1.8. *Climate Adaptation Urban Landscapes Renewal Works returned \$380,000.*

1.2.1.9. *Elizabeth Street Streetscape Improvements returned \$300,000.*

1.2.1.10. *Property Services Sustainability New Works returned \$293,372.*

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1.2.1.11. *Community Sporting Pavilion Design Works returned \$270,000.*

1.2.1.12. *Traffic Signal installations returned \$115,000.*

1.2.1.13. *City Road Improvement returned \$77,207.*

1.2.1.14. *Accommodation Modifications returned \$74,836.*

1.2.1.15. *GIS Platform and System upgrade returned \$60,000.*

1.2.1.16. *Radio Frequency Identification (RFID) for Furniture and Whitegoods returned \$56,680.*

1.2.2. *External Contributions:*

1.2.2.1. *External contributions of \$207,433 for Victoria Emergency Services Memorial in Treasury Gardens were received in 2019–20.*

1.2.3. *Additional Funds:*

1.2.3.1. *Street Lighting Upgrade an additional \$250,000.*

1.2.3.2. *City Road Master Plan an additional \$227,000.*

1.2.3.3. *Chinatown Precinct Catenary Lanterns an additional \$90,000.*

1.2.3.4. *Lygon Street Median Lighting an additional \$11,775.*

1.2.4. *Notes that with the above mentioned adjustments the capital works budget has been revised from \$205,388,055 to \$169,073,867.*

1.2.5. *The difference between the adjusted council works budget of \$169 million and the \$138 million value of work is made up of carry forward of \$23 million and write offs of \$8 million.*

Seconded: Cr Reece

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

6.7 Queen Victoria Market Precinct Renewal (QVMPR) Program – Quarterly Report

The purpose of this report was to provide Council with a progress update and expenditure breakdown of the Queen Victoria Market Precinct Renewal (QVMPR) Program for the financial year ending 30 June 2020.

Moved: Lord Mayor, Sally Capp

That Council accepts the Queen Victoria Market Precinct Renewal Program quarterly report which confirms a total program expenditure of \$39.6 million as at 30 June 2020.

Seconded: Deputy Lord Mayor, Arron Wood

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

6.8 Withdrawn

This item was withdrawn prior to the meeting.

Confirmed minutes

7. General business

There were two items of General business for consideration in the open session.

7.1 Notice of Motion: Cr Jackie Watts, Electoral Transparency, Disclosure of positions and beneficial interests

Moved: Cr Watts

1. *That Council:*

- 1.1. *Recommends that candidates in the 2020 City of Melbourne Council elections voluntarily disclose the following information for publication.*
 - 1.1.1. *The name of any company or other body corporate or un-incorporated in which the candidate holds an office as a director or otherwise.*
 - 1.1.2. *The name or description of any company or body in which the candidate hold a beneficial interest.*
- 1.2. *Notes that as a service to constituents, the publisher of Docklands News/CBD News/Southbank News has agreed to accurately record disclosed information provided by candidates via the email address admin@hyperlocalnews.com.au. The publisher has undertaken to remove the registers from the website 40 day after the election.*

Seconded: Deputy Lord Mayor, Arron Wood

The motion was put and carried with the following Councillors voting for the motion: Deputy Lord Mayor, Arron Wood and Councillors Leppert, Oke, Pinder-Mortimer, Riley and Watts; and the following Councillors abstaining from the vote: Lord Mayor, Sally Capp and Councillors Frances Gilley, Le Liu, Louey and Reece.

7.2 Notice of Motion: Cr Jackie Watts, Electoral Transparency, Donations

Moved: Cr Watts

1. *That Council:*

- 1.1. *Acknowledges that in order to promote greater transparency and public confidence in Council decision making post-election, it encourages all candidates seeking election to undertake the following voluntary steps prior to the 2020 elections:*
 - 1.1.1. *Decline to accept donations, either in cash or in-kind, from persons who personally own or hold controlling interests in companies that actively engage in the property development industry or derive gambling income in Victoria or any entity trading in the tobacco or gambling industry sectors.*
 - 1.1.2. *Disclose any donation and/or in-kind gift of a value of \$500 (cumulatively) or more within five business days of receipt to counter the lack of transparency within the current legislation that mandates candidate donations are only disclosed 40 days after the election.*
- 1.2. *Notes that as a service to constituents, the publisher of Docklands News/CBD News/Southbank News has agreed to accurately record disclosed information provided by candidates via the email address admin@hyperlocalnews.com.au. The publisher has undertaken to remove the registers from the website 40 day after the election.*

Seconded: Deputy Lord Mayor, Arron Wood

The motion was put and carried with the following Councillors voting for the motion: Deputy Lord Mayor, Arron Wood and Councillors Leppert, Oke, Pinder-Mortimer, Riley and Watts; and the following Councillors abstaining from the vote: Lord Mayor, Sally Capp and Councillors Frances Gilley, Le Liu, Louey and Reece.

Confirmed minutes

8. Urgent business

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

9. Closure of meeting

Moved: Deputy Lord Mayor, Arron Wood

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 items 14.1, 14.3 and 14.4 as they contain private commercial information which if released would unreasonably expose private businesses to disadvantage by disclosing financial information to competitors.*
 - 1.2 *Agenda item 14.2 as it contains council business information which if released would prejudice the Council's position in commercial negotiations if prematurely released.*
 - 1.3 *Agenda items 14.5 as it contains confidential meeting information because it contains the record of a meeting of the CEOEMC which was closed to the public.*

Seconded: Cr Frances Gilley

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

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 7.29 pm.

Confirmed at the meeting of Council on Tuesday 29 September 2020.



Chair
Council

