



Council Meeting

Minutes

**Meeting Number 36
Tuesday 28 July 2015
5.30pm**

**Council Chamber
Level 2
Melbourne Town Hall**

Present

Lord Mayor, Robert Doyle
Deputy Lord Mayor, Susan Riley
Councillor Richard Foster
Councillor Rohan Leppert
Councillor Kevin Louey
Councillor Stephen Mayne
Councillor Cathy Oke
Councillor Ken Ong
Councillor Jackie Watts
Councillor Arron Wood

Apology

Councillor Beverley Pinder-Mortimer

Confirmed at the meeting of the Council on Tuesday 25 August 2015

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor, Robert Doyle, 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 two reports from committee, 15 reports from management, nine of which were confidential, two items of general business and one item of proposed urgent business
- an apology had been received from Councillor Pinder-Mortimer.

2. Disclosures of conflicts of interest

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

3. Confirmation of minutes of the previous meeting

Moved: Cr Wood

That the minutes of meeting No 35, held on Tuesday 30 June 2015, be confirmed.

Seconded: Cr Ong

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

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, Robert Doyle, advised that as at 3pm the following submissions had been received in accordance with the Council's *Conduct of Meetings Local Law 2010*:

In relation to **Agenda item 5.1, Car Share Policy**

Items of correspondence:

Dennis Adami	Nara Aragao	Joe Bland	Aaron Charles
Maria Agredo	Glenn Arnold	Phil Bourke	Anne Chen
Melanie Ahkin	Jessie Arnold	Aaron Boyd	Xena Chiang
Siraj Ahmed	Ahmad Atawneh	Kathryn Bramwell	Jon Chin
Florence Aimonetti	Karthikeyan Balu	Marlise Brenner	Su Chng
Mohsen Ali	Sandy Barker	Amy Browne	Will Clarke
Rohan Anderson	Donald Bates	Ian Burness	Michelle Clarke
Kerry Angelin	Don Batson	Richard Butcher	Kate Clarke
Rick Anthony	Peter Beard	Jessica C	Adam Coady
Joel Anthony	Alysha Bingham	Nikki Castle	Natalie Cole
Matt Comer	Jamal Hakim	Marnie Mason	Annie Rendevski
Sean Cuthbert	John Hall	Louise McGrath	Philip Rich
Jonathan Daly	Sian Harrick	Karl McIntyre	Pilley Richard
Catherine de Fontenay	Charles Haynes	Matt McKenzie	Adrian Rogers
Tony Dench	Tonya Hinde	Alexander McLeod	Patricia Rust

Olaf Detering	Valarie Holzer	Penny McQueen	James Shaw
Emer Diviney	Marie-Luise Huber	Sven Mehzoud	Cara Sheekey
Jen Duffy	Kate Humphreys	Sally Milburn	Rod Sherwin
Jacqui Elliott	Melissa Ireland	Melissa Molnar	Bruce Sims
William Erskine	Wendy Jenkins	Michael Montgomery	Kiel Sinclair
Liam Evans	Jane Keedle	David Morley	Julian Smith
Stephen Farrar	Christian Kerr	Lily Muliawaty	Kristy Steel
Elena Fazio	Trudy-Ann King	Paul Murfitt	Timothy Sullivan
Dean Fergie	Britta Klingspohn	Frances Murphy	Livee Tan
Cheryl Ford	Alexandra Kovac	Chris O'Connor	Jeremy Tennant
Ubaldo Formica	Mark Kozakiewicz	Tricia Ong	Tessa Thompson
Victoria Fox	Craig Lambie	Jess P	Aneta Trajkoski
Brian Gaffney	Nithin Lankappa	Robin Parnell	Damien van Raaphorst
James Garriock	Wei Lim	Bruce Parnell	Kendra Vant
Katherine Geddes	Sophie Liu	Don Parsons	Sharlene Viney
Andrew Gemmell	Ziqi Liu	Justin Passaportis	Casey Wagner
Alki Georgallis	Michael Lord	Emma Patterson	Nicole Wakelin
Greg Giraud	Louise Lynch	Cathy Pearl	Kristen Walker
Tara Glastonbury	Patrick Macdonald	Anne-C Petre	James Waters
Matthew Good	Vanessa Makridis	Danny Phillips	Paul Watson
Kerry Gosling	George Malkin	Daniel Pimentel	Lara Westcott
Charlotte Grimshaw	Armando Manzano	Nicholas Joel Pitt	Jitske Wiersma
May Haeder	Dick Marquardt	Katalina Popocatepetl	Jane Wilson
	Odette Martini	Benjamin Reierson	Michael Youngman

In relation to **Agenda item 7.1, Notice of Motion, Cr Mayne: Further amendments to car share policy**

Item of correspondence:

- Michael Fogarty.

Status of confidential items

Moved: Cr Mayne

That the Future Melbourne Committee consider confidential Agenda item 6.9.1.4, Queen Victoria Market Precinct Renewal – Program Governance Plan, in the open session.

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

5. Reports from Committee

There were two reports from Committee for consideration in the open session.

5.1 Car Share Policy

The purpose of this report was to present the findings of a review into car share operations in the City of Melbourne and to recommend a new operating model.

Moved: Cr Oke

1. *That Council:*
 - 1.1. *Approves the model for future expansion of car share services in the City of Melbourne at Attachment 2 to the report from management, subject to the following changes:*
 - 1.1.1. *Car share providers will be required to find one new off-street car park (rather than two) for every one on-street car park approved by Council.*
 - 1.1.2. *The off- and on-street car share spaces be adjusted in light of the previous paragraph, but maintaining the total spaces target of 2,000.*
 - 1.2. *Approves, for the next three financial years, the annual fee structure for occupation of on street spaces by car share vehicles as described as Option 3 (Partial Cost Recovery) in Attachment 1 to the report from management, subject to the following changes:*
 - 1.2.1. *Outside the CBD, years 1, 2 and 3: \$25 per annum plus a once-off administrative fee of \$500 when new on-street spaces are provided for the first time; (noting however that on occasion the Road Authority may require car share spaces to be moved).*
 - 1.2.2. *Inside the CBD, all year 3 fees are to be at the same rate as year 2 fees.*
 - 1.3. *Authorises the CEO to implement the car share expansion and cost recovery models commencing in September 2015.*
 - 1.4. *Requests a report 12 months after the commencement of implementation, evaluating the performance of the car share services policy, particularly the requirement of car share providers to find one new off-street car park for every on-street car park approved, and notes that a status report will be provided annually to Councillors thereafter.*
 - 1.5. *Requests management to assist car share companies in meeting the objective of expanded car share services in the City by:*
 - 1.5.1. *Making car share a theme of one of the 2015 Developer Forums, so as to set out the mutual benefit to car share companies and developers of embedding car share spaces in development applications, and to provide an important opportunity to network on this issue.*
 - 1.5.2. *Connecting car share companies with apartment block bodies corporate where appropriate.*
 - 1.5.3. *Increasing the marketing of car share through City of Melbourne publications and website.*

Seconded: Cr Foster

The motion was put and carried with the following Councillors voting in favour of the motion: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Oke, Ong, Watts and Wood and Councillor Mayne voting against the motion.

5.2 Queen Victoria Market Precinct Renewal Master Plan

The purpose of this report was to seek approval of the Queen Victoria Market Precinct Renewal Master Plan.

Moved: Lord Mayor, Robert Doyle

1. *That Council:*
 - 1.1. *Approves the Queen Victoria Market Precinct Renewal Master Plan and release to the public.*
 - 1.2. *Approves a revision to the description of 'Activated street edge' within the Queen Victoria Precinct Renewal Master Plan to read; 'Investigate opportunities for uses within existing structures and new buildings to make adjoining streets more active and safe.'*
 - 1.3. *Authorises the Director City Design and Projects to make any further minor editorial changes to the Queen Victoria Market Precinct Renewal Master Plan prior to publication.*

Seconded: Cr Ong

The motion was put and carried with the following Councillors voting in favour of the motion: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Leppert, Louey, Mayne, Oke, Ong and Wood.

Councillors Foster and Watts abstained from voting.

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 Wood

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

Seconded: Deputy Lord Mayor, Susan Riley

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

6.2 Proposal to rename Southbank Pedestrian Bridge to 'Evan Walker Bridge'

The purpose of this report was to seek Council's approval to submit to the Office of Geographic Names a proposal to rename Southbank Pedestrian Bridge to 'Evan Walker Bridge'.

Moved: Cr Foster

That Council, with consideration of the majority support expressed by the public, approves a submission being made to the Office of Geographic Names to propose the renaming of Southbank Pedestrian Bridge to Evan Walker Bridge.

Seconded: Lord Mayor, Robert Doyle

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

6.3 Portable communication network and equipment services contract: 3532

The purpose of this report was to award a tender for the provision of portable communication network and equipment services for three years with an extension option of up to two years.

Moved: Cr Ong

That Council awards the contract for the provision of portable communication network and equipment services to Crosscom Pty Ltd for a term of three years commencing on 1 August 2015 for a year one contract sum of \$327,640 (based on year one lump sum and schedule of rates items), with an option to extend the term of the contract by a further two years and otherwise in accordance with the negotiated terms and conditions of contract.

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

6.4 Activities (Miscellaneous Amendments) Local Law 2015

The purpose of this report was to request the Council make the *Activities (Miscellaneous Amendments) Local Law 2015 (Amending Local Law)*.

Moved: Cr Leppert

1. *That Council:*
 - 1.1. *Makes the Activities (Miscellaneous Amendments) Local Law 2015 amending the Council's Activities Local Law 2009 (Principal Local Law) as advertised in The Age on 26 March 2015 subject to the addition of a clause amending clause 7.3 of the Principal Local Law by deleting the reference to 'within 39 meters' and substituting 'within 39 metres', for the reasons that the changes improve the operation of the Principal Local Law by:*
 - 1.1.1. *consolidating and expanding the provisions in respect to animals*
 - 1.1.2. *improving the clarity of various provisions and defined terms*
 - 1.1.3. *better articulating how the Principal Local Law applies to vehicles, toy vehicles, vessels, bicycles and other forms of transportation*
 - 1.1.4. *deleting references to clauses revoked by previous amendments*
 - 1.1.5. *making various grammatical changes to improve the consistency of language used.*
 - 1.2. *Notes the assessment of the Principal Local Law as amended, indicating its compatibility with the Charter of Human Rights and Responsibilities Act 2006.*
 - 1.3. *Notes that each submitter will be advised in writing of the decision to make the local law and the reasons for that decision.*

Seconded: Lord Mayor, Robert Doyle

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

6.5 Proposed change to the structure of the Sustainable Melbourne Fund

The purpose of this report was to seek approval of a proposal by the Trustees of the Sustainable Melbourne Fund (SMF) that its trust deed be varied to establish a Corporate Trustee and to extend Council's agreement with the SMF for it to administer environmental upgrade agreements.

Moved: Cr Wood

1. *That Council:*
 - 1.1. *Approves the variation of the Sustainable Melbourne Fund trust deed and charter to establish a corporate trustee and authorises the Chief Executive Officer to seek the necessary approvals from the Victorian Government.*
 - 1.2. *Authorises the Chief Executive Officer to enter into a new agreement with the trustees of the Sustainable Melbourne Fund to administer environmental upgrade agreements for the Council for a period of up to five years, subject to the granting of an exemption by the Minister for Local Government under section 186(5)(c) of the Local Government Act 1989.*
 - 1.3. *Requests a report from management on the ability to transition the trustees from a volunteer model to a paid model.*

Seconded: Cr Mayne

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

6.6 Participation by Melbourne City Council in Municipal Association of Victoria (MAV) State Council meetings

The purpose of this report was to provide an overview of participation by the Melbourne City Council at State council meetings of the Municipal Association of Victoria.

Moved: Cr Mayne

That Council notes this report and overview of City of Melbourne motions at MAV State council meetings for the period 2013–2015.

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

6.9.1.4 Queen Victoria Market Precinct Renewal – Program Governance Plan

Council resolved to consider this item in open session.

The purpose of this report was to provide an update on project governance and seek approval of Program Governance Plan Queen Victoria Market Precinct Renewal Program.

Moved: Lord Mayor, Robert Doyle

1. *That Council:*
 - 1.1. *Approves the Program Governance Plan for the Queen Victoria Market Precinct Renewal.*
 - 1.2. *Makes this resolution public.*

Seconded: Cr Ong

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

General business

There was one item of General business for consideration in the open session. Having previously resolved on the Car Share Policy (Agenda item 5.1), Councillor Mayne's Notice of Motion, *Further amendments to car share policy*, duly lapsed.

7.2 Notice of Motion, Cr Richard Foster: Increased funding for Youth Projects Limited

Moved: Cr Foster

That Council approve the allocation of additional funding of \$10,000 from the existing 2015–16 operational budget to Youth Projects Limited for the purpose of assisting the provision of extended services due to extreme cold weather.

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

8. Urgent business

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

8.1 Planning Scheme Amendment C173 Carlton Connect

Moved: Cr Ong

That the Planning Scheme Amendment C173 Carlton Connect 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 Council meeting.

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

Cr Oke declared an indirect conflict of interest in this matter because of a conflicting duty under Section 78B of the *Local Government Act 1989*. Cr Oke is employed by the University of Melbourne.

Cr Oke left the meeting at 6.18pm, prior to any discussion taking place.

Moved: Cr Ong

1. *That Council:*
 - 1.1. *Adopts Melbourne Planning Scheme Amendment C173 Carlton Connect as shown in Attachment 5 of the report from management to the Future Melbourne Committee of 14 July 2015 at agenda item 6.1, pursuant to Section 29 of the Planning and Environment Act 1987.*
 - 1.2. *Submits the Amendment to the Minister for Planning for approval.*

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Ong, Watts and Wood.

Cr Oke returned to the meeting at 6.20pm, after the vote was taken.

9. Closure of open meeting

Moved: Deputy Lord Mayor, Susan Riley

That pursuant to sections 89(2)(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 reports under the following categories:

- *6.7 as they contain information relating to contractual matters.*
- *6.8 as it contains information relating to Proposed development matters.*
- *6.9 as they contain information, which if released, would prejudice the Council or any person.*

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Watts and Wood.

The Chair, Lord Mayor, Robert Doyle, declared the open meeting closed at 6.20pm.

Confirmed at the Council meeting on Tuesday 25 August 2015.



Chair
Council