

CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 51
Tuesday 26 July 2016
5.30pm**

**Council Chambers
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 Beverley Pinder-Mortimer
Councillor Jackie Watts
Councillor Arron Wood

Confirmed at the meeting of Council
on Tuesday 30 August 2016

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 eight reports from management, of which four were confidential, and one item of general business.
- no apologies had been received from Councillors.

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 meetings

Moved: Cr Wood

That the minutes of special meeting No 49, Tuesday 28 June 2016 and meeting No 50, held on Tuesday 28 June 2016, be confirmed.

Seconded: Cr Pinder-Mortimer

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, Pinder-Mortimer, 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.

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 6.2: Queen Victoria Market Precinct Renewal Program (QVMPR) Implementation Framework**

Items of correspondence:

- Rupert Buesst
- Angela Williams
- Diane and Graham Dycer
- Kon Kardaras
- Ray Cowling
- Felicity Watson, National Trust
- Rohan Storey.

In relation to **Agenda item 6.4: Amendment C245 Queen Victoria Market Precinct Renewal**

Items of correspondence:

- Felicity Watson, National Trust
- Rohan Storey.

5. Reports from Committee

There were no reports from Committee to be heard in the open session.

6. Reports from management

Moved: Cr Watts

That Council moves confidential agenda item 6.5.1.2 into the open session.

Seconded: Cr Foster

The motion was put and lost with the following Councillors voting for the motion: Councillors Foster and Watts, and the following Councillors voting against the motion: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer and Wood.

6.1 Records of Assembly

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, Pinder-Mortimer, Watts and Wood.

6.2 Queen Victoria Market Precinct Renewal Program (QVMPR) Implementation Framework

The purpose of this report was to seek endorsement of the Queen Victoria Market Precinct Renewal Implementation Framework.

Procedural Motion

Moved: Cr Watts

That Council refers this agenda item to the Future Melbourne Committee meeting on 16 August 2016.

Seconded: Cr Foster

The motion was put and lost with the following Councillors voting for the motion: Councillors Foster and Watts, and the following Councillors voting against the motion: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer and Wood.

Moved: Lord Mayor, Robert Doyle

1. *That Council:*

1.1 *Endorses the Queen Victoria Market Precinct Renewal Program (QVMPR) Implementation Framework.*

1.2 *Authorises the Director City Design and Projects to make any further minor editorial changes to the QVMPR Implementation Framework prior to publication.*

Seconded: Cr Wood

Amendment 1

Cr Leppert moved that the following words be added to the end of paragraph 1.1:

- *“subject to the changes to appropriate section of the Framework being made to reflect the following:
1.1.1 No below-ground operational areas or related construction to be made within three metres of the designated Aboriginal section of the cemetery.”*

Seconded: Cr Oke

The amendment 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, Pinder-Mortimer, Watts and Wood.

Amendment 2

Cr Leppert moved that the following words be added to the end of paragraph 1.1:

- *“The continued sale of fresh fruit and vegetables be included in the use of H and I sheds post-renewal.”*

Seconded: Cr Oke

The amendment 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, Pinder-Mortimer, Watts and Wood.

Amendment 3

Cr Leppert moved that the following words be added to the end of paragraph 1.1:

- *“A wish to avoid the location of the vehicular entrance/exit to the under-ground operational areas impacting on the heritage place, and decisions around the location and arrangements for the vehicular entrance will accordingly be subject of the future discrete decision by Council, following a full assessment of all options.”*

Seconded: Cr Oke

The amendment 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, Pinder-Mortimer, Watts and Wood.

The motion, in its entirety, reads as follows:

1. *That Council:*
 - 1.1 *Endorses the Queen Victoria Market Precinct Renewal Program (QVMPPR) Implementation Framework subject to the changes to appropriate sections of the Framework being made to reflect the following:*
 - 1.1.1 *No below-ground operational areas or related construction to be made within 3 metres of the designated Aboriginal section of the former cemetery.*
 - 1.1.2 *The continued sale of fresh fruit and vegetables be included in the use of H and I sheds post-renewal.*

- 1.1.3 *A wish to avoid the location of the vehicular entrance/exit to the under-ground operational areas impacting on the heritage place, and decisions around the location and arrangements for the vehicular entrance will accordingly be subject of the future discrete decision by Council, following a full assessment of all options.*
- 1.2 *Authorises the Director City Design and Projects to make any further minor editorial changes to the QVMPR Implementation Framework prior to publication.*

The motion was put and carried with the following Councillors voting for the motion: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer and Wood, and the following Councillors voting against the motion Councillors Foster and Watts.

Councillor Leppert left the meeting at 6.13pm and returned to the meeting at 6.14pm.

6.3 Proposed travel by Councillor Kevin Louey: Business Partners Cities Roundtable, Ho Chi Minh City, Vietnam and Kuala Lumpur, Malaysia, 4 to 9 September 2016

The purpose of this report was to seek Council approval for the Chair, Future Melbourne (Economic Development) Committee, Councillor Kevin Louey, to travel to Ho Chi Minh City, Vietnam to participate in the annual Business Partners Cities (BPC) Roundtable (6 to 8 September 2016) and Kuala Lumpur, Malaysia (5 to 6 September) to undertake meetings with current and potential partner organisations in support of Council's international business approach..

Moved: Lord Mayor, Robert Doyle

1. *That Council:*

- 1.1. *Approves Councillor Louey's participation in the 2016 BPC Roundtable to be held in Ho Chi Minh City and undertake meetings with stakeholders in Kuala Lumpur, Malaysia and travel on 4 to 9 September 2016.*
- 1.2. *Approves an amount of \$6365.96 to cover the travel costs of airfare to Ho Chi Minh City, Vietnam and Kuala Lumpur, Malaysia, accommodation and incidentals for Councillor Louey.*
- 1.3. *Notes that Councillor Louey will prepare a report to the Future Melbourne Committee or Council within 60 days of return from travel.*

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, Pinder-Mortimer, Watts and Wood.

6.4 Amendment C245 Queen Victoria Market Precinct Renewal

The purpose of this report was to provide an assessment of the independent Panel's recommendations regarding Amendment C245 Queen Victoria Market Precinct Renewal and propose that Council adopt the Amendment with the changes recommended by the Panel.

Moved: Cr Leppert

1. *That Council:*

- 1.1 *Adopts Planning Scheme Amendment C245 as shown in Attachment 4 of the report from management, subject to:*

- 1.1.1 *The zone for the Queen Victoria Market to the north of the proposed Public Park and Recreation Zone and Therry Street being Public Use Zone (Schedule 7) rather than Capital City Zone, consistent with the exhibited version of the Amendment (i.e. in a form which rejects Planning Panel recommendation 20).*
- 1.1.2 *Management ensuring that all language in recommendations from the planning panel relating to built form is reflected in the adopted version of the Amendment.*
- 1.2 *Submits the adopted Amendment to the Minister for approval.*
- 1.3 *Authorises the Director City Strategy and Place to make any further minor editorial changes to the Amendment documents prior to submitting to the Minister for Planning for approval.*

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, Pinder-Mortimer, Watts and Wood.

7. General business

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

7.1 Council and Future Melbourne Committee meetings during Election Period

Moved: Cr Mayne

1. *That Council resolves to:*
 - 1.1 *Cancel the meetings of the Future Melbourne Committee scheduled for 4 and 11 October 2016.*
 - 1.2 *Request management not to list any agenda items (including General Business) other than consideration of the Annual Reports and other statutory matters, at the Council meeting scheduled for 18 October 2016.*
 - 1.3 *Notwithstanding the Delegation Policy, the Delegation Policy for Planning Applications, and the Council resolution that any Ministerial planning application must be referred to the Future Melbourne Committee for consideration, any planning matters that management is of the opinion should be determined during the caretaker period, or in order to satisfy the objectives of the 'Memorandum of Understanding on Planning Cooperation' between the Melbourne City Council and the State Government and to avoid decisions being made after the statutory timeframe for determining applications, will be determined under delegation.*

Seconded: Cr Leppert

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

8. Urgent business

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

Moved: Cr Mayne

That an investigation into unauthorised leaking of information 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, Pinder-Mortimer, Watts and Wood.

Moved: Cr Mayne

That Council requests the Chief Executive Officer write to the Local Government Inspectorate requesting an investigation into the unauthorised leaking to The Age of the confidential report for the 26 July Council meeting relating to the proposed partnership for Council's substantial investment in community facilities and a large car park on Council-owned land at the "Munro site", adjacent to Queen Victoria Market.

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, Pinder-Mortimer, Watts and Wood.

9. Closure of open meeting

Moved: Cr Wood

That pursuant to sections 89 (2) (a), (d), (e) and (h) of the Local Government Act 1989, the meeting of the Council be closed to members of the public to consider items under the following categories:

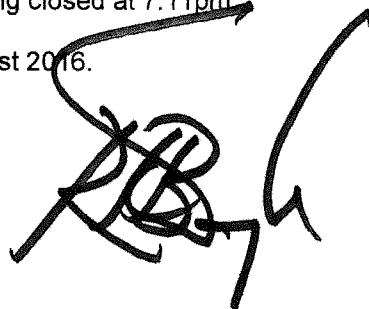
- *Agenda items 6.5.1 as they contain information relating to contractual matters.*
- *Agenda items 6.6.1 as they contain information which if released would prejudice the Council or any person.*
- *Agenda items 6.7.1 as they contain information relating to personnel matters.*

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, Pinder-Mortimer, Watts and Wood.

The Chair, Lord Mayor, Robert Doyle, declared the meeting closed at 7.11pm

Confirmed at the meeting of Council on Tuesday 30 August 2016.



Chair
Future Melbourne Committee

