

**CITY OF MELBOURNE**

## **Council Meeting**

### **Minutes**

**Meeting Number 46  
Tuesday 26 April 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 the Council on Tuesday 31 May 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
- there were twelve reports from management, seven of which were confidential
- no apologies had been received.

## **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: Deputy Lord Mayor, Susan Riley

*That the minutes of meeting No 45, held on Tuesday 22 March 2016, 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, 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.

### **Submissions/correspondence**

The Chair, Lord Mayor, Robert Doyle, advised that as at 3pm no submissions had been received in accordance with the Council's *Conduct of Meetings Local Law 2010*.

### **Status of confidential items**

No Councillor wanted to discuss the confidential status of confidential items 6.6 and 6.7.

## **5. Reports from Committee**

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

## **6. Reports from management**

There were five 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: Deputy Lord Mayor, Susan Riley

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

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.

## **6.2 Raffa Place, Carlton - Proposed Permanent Closure 7am to 4pm Monday to Sunday**

The purpose of this report was to seek a decision from Council in response to a proposal for the introduction of a midblock permanent closure of Raffa Place, east of Cochrane Place, operative between 7am and 4pm Monday to Sunday.

Moved: Cr Mayne

1. *That Council:*

- 1.1. *Approves the placing and maintaining of obstructions or barriers to block or restrict the passage or access of all vehicles to the eastern end of Raffa Place between 7am and 4pm Monday to Sunday, as proposed by public notice given on 3 December 2015 and for the reasons in the Submissions (Section 223) Committee recommendation at Attachment 2 of the report from management.*
- 1.2. *Notifies all submitters in writing of its decision and the reasons for its decision.*

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.

## **6.3 Proposed public highway declaration of PL5376, Davis Street and surrounding roads in Kensington**

The purpose of this report was to recommend that the roads shown shaded on the plan in Attachment 2 of the report from management be declared as public highways.

Moved: Cr Ong

1. *That Council:*

- 1.1. *Declares PL5376, Davis Street and surrounding roads in Kensington as shown on the public notice dated 28 January 2016 as public highways for the reasons that:*
  - 1.1.1. *with the exception of PL5376, all of the roads have been maintained by the Council and its predecessors at law for many decades and the declaration will put the issue beyond doubt*
  - 1.1.2. *the declaration of PL5376 and the Council assuming care and management of that road is reasonable noting the Council already has significant obligations arising from being an adjoining land owner*
  - 1.1.3. *whilst an internal query was raised as to whether the southernmost eight metres of PL5376 should be included in the declaration, it has been included as otherwise it would become an anomaly and exacerbate uncertainty as to responsibility for the same.*

- 1.2. *Notifies the submitter in writing of the decision and its reasons for the decision.*

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.

#### **6.4 Requested Discontinuance and Sale of Corporation Lane, CL1079, Melbourne**

The purpose of this report was to recommend refusal of a request to discontinue and sell Corporation Lane, CL1079, Melbourne.

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 5.35pm.

Moved: Cr Ong

1. *That Council:*

- 1.1. *Refuses the proposal to discontinue and sell Corporation Lane CL1079 for the reasons that:*

- 1.1.1. *the proposal (particularly the East West portion) will have an unacceptable impact on the three adjoining land owners*

- 1.1.2. *there are no clear public benefit reasons for the proposal*

- 1.1.3. *there has been a lack of appropriate engagement by the University of Melbourne with the three affected adjoining land owners.*

- 1.2. *Notifies in writing every person who has lodged a submission and the applicant of this decision and its reasons for the decision.*

Seconded: Cr Leppert

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, Pinder-Mortimer, Watts and Wood.

Cr Oke returned to the meeting at 5.36pm after the vote had been taken.

#### **6.5 Queen Victoria Market Precinct Renewal Program Reserve Quarterly Report**

The purpose of this report was to inform the Council on the financial performance of the Queen Victoria Market Precinct Renewal Program Reserve for the quarter ending 30 March 2016, in accordance with the Council resolution of December 2015.

Moved: Cr Mayne

*That Council accepts the quarterly Queen Victoria Market Precinct Renewal Program Reserve Report as at 30 March 2016.*

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.

**7. General business**

There were no items of General Business for consideration in the open session.

**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, 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 to consider items under the following categories:*

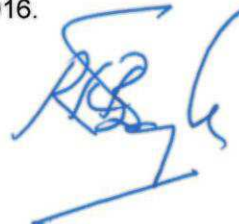
- *Agenda items 6.6 as they contain information which if released would prejudice the Council or any person.*
- *Agenda item 6.7 as it contains information relating to contractual matters.*

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.

The Chair, Lord Mayor, Robert Doyle, declared the meeting open closed at 5.39pm.

Confirmed at the Council meeting to be held on Tuesday 31 May 2016.



Chair  
Council

