



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 27
Tuesday 28 August 2018
5.30pm**

**Council Chambers
Level 2
Melbourne Town Hall**

Present

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

Apologies

Councillor Nicolas Frances Gilley
Councillor Jackie Watts

Confirmed at the meeting of Council
on Tuesday 25 September 2018

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

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 11 reports from management, six of which were confidential, and one item of general business
- apologies had been received from Councillors Frances Gilley and Watts.

The Lord Mayor, Sally Capp acknowledged the passing of artist Mirka Mora who was a driving force in Melbourne's art scene.

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: Deputy Lord Mayor, Arron Wood

That the minutes of meeting No 26, held on Tuesday 31 July 2018, 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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

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 no submissions had been received in accordance with the Council's *Meeting Procedures Code*.

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: Cr Oke

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

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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

6.2 Funding support requests August 2018

The purpose of this report was to seek direction from Council as to whether a recent request for funding should be funded from the discretionary fund.

Moved: Cr Pinder-Mortimer

That Council purchases a table at the Asian Executive 2018 Melbourne Cup Carnival Charity Ball (\$2800).

Seconded: Cr Riley

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

6.3 2017-18 Council Works Program end of Financial Year Report

The purpose of this report was to inform Council of the financial performance of the 2017-18 Council Works Program at the end of the financial year, including the progress of Council's major projects.

Moved: Lord Mayor, Sally Capp

1. *That Council:*

- 1.1. *Notes the 2017–18 Council Works Program end of Financial Year Report.*
- 1.2. *Approves a \$2.58 million program reduction with a revised total program budget of \$145.27 million resulting in part from external funding not received within the financial year.*
- 1.3. *Notes internal program adjustments including the following.*
 - 1.3.1. *\$2.7 million has been transferred from Dodds Street linear park to transforming Southbank Boulevard to consolidate the budgets as the two projects are being managed, tendered and constructed in unison.*
 - 1.3.2. *\$300,000 has been transferred to the Parks Renewal Program to complete the installation of tree plot irrigation along Swanston Street.*
 - 1.3.3. *City Road Master Plan has a \$357,000 reduction as this external funding was received in the previous year.*
 - 1.3.4. *External Contributions have been received for Local Road Funding, Redevelopment of the Census of Land Use and Employment system and Parks Renewal Program totalling \$606,450.*
 - 1.3.5. *Green our rooftop program has a \$1.25 million reduction due to delays in approvals for concepts and designs this money will be allocated back in 2018–19.*
 - 1.3.6. *CBD Security Measures – Agreement 1 had an additional \$220,720 contribution from State Government for the installation of CCTV, speakers and upgrades.*
 - 1.3.7. *IT New - Digital Services Platform budget has a further increase of \$1 million to expedite the continued delivery of the digital Services platform.*
- 1.4. *Approves the proposed carry forward funding for projects totalling \$10.33 million as detailed in Appendix 5 of the report from management.*

- 1.5. *Approves the addition of a 'Silver Bullet' toilet for construction in the Lygon and Faraday Streets area of Carlton to the value of \$400,000 to be funded from within the approved 2018-19 Capital Works Budget.*

Seconded: Cr Pinder-Mortimer

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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

6.4 Queen Victoria Market Committee of Trustees Update

The purpose of this report was to provide Council with an update on ongoing work to support Council's decision to implement an enhanced governance structure for Queen Victoria Market.

Moved: Lord Mayor, Sally Capp

1. *That Council:*
 - 1.1. *Notes the update on ongoing work and next steps to support Council's decision to implement the enhanced governance structure for the Queen Victoria Market.*
 - 1.2. *Notes management will report back to the September Council meeting with:*
 - 1.2.1. *the proposed Governance Principles and any recommended changes to the Terms of Reference for the Committee of Trustees*
 - 1.2.2. *a further update on the arrangements for appointment of the Committee of Trustees including proposed guidelines for EOI Selection.*

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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

6.5 Item withdrawn

Agenda item 6.5, *Councillor Code of Conduct enhancements and related policies* was withdrawn from the agenda prior to the meeting. This item will be considered at the Special Council meeting scheduled to be held on Tuesday 4 September 2018, commencing at 5pm.

6.6 Establishment of the Chief Executive Officer Employment Matters Committee

The purpose of this report was to commence the process to appoint a new Chief Executive Officer and establish a new Chief Executive Officer Employment Matters Committee (CEOEMC), following the dissolution of the previous CEOEMC.

Moved: Deputy Lord Mayor, Arron Wood

1. *That Council:*
 - 1.1. *Establishes the Chief Executive Officer Employment Matters Committee (CEOEMC), pursuant to section 86 of the Local Government Act 1989 (Act).*
 - 1.2. *By Instrument of Delegation pursuant to section 86 of the Act, delegates to the CEOEMC the powers, duties and functions of Council as detailed in Attachment 2 of the report from management, subject to the conditions and limitations identified in the Instrument of Delegation.*
 - 1.3. *Notes that the Lord Mayor and Chair of the Finance and Governance Portfolio (of the Future Melbourne Committee) are the standing Council members of the CEOEMC.*

- 1.4. *Appoints Councillor Pinder-Mortimer and Councillor Reece to be members of the CEOEMC.*
- 1.5. *Approves the independent member of the CEOEMC (to be appointed by Council for a term of up to two years), being paid an annual all-inclusive allowance of \$5000 for years in which there is no new recruitment activity and \$20,000 for years in which there is.*
- 1.6. *Determines that the CEOEMC may enter into executive search contracts, for an amount not exceeding \$150,000 (including GST), on each occasion.*
- 1.7. *Pursuant to section 81(2A) of the Act, resolves to exempt the independent member of the CEOEMC from being required to submit a primary or an ordinary return.*
- 1.8. *Notes that the recommended independent member will be the subject of a future report to the Council or Future Melbourne Committee.*
- 1.9. *Includes the following paragraph in the Terms of Reference under the heading titled 'Quorum':*
'Where the independent member has not yet been appointed, the Councillor members of the CEOEMC may:
 - *meet to consider suitable candidates for the position of the independent member and make a recommendation to the Future Melbourne Committee or Council*
 - *enter into an executive search contract to commence the process to appoint a new Chief Executive Officer.'*

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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

7. General business

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

7.1 Notice of Motion: 2018 Victorian election Call To Parties

Moved: Lord Mayor, Sally Capp

That Council adopt the 2018 Victorian election Call To Parties as set out in at the attachment to the Notice of Motion, and requests that the Lord Mayor write to the leaders of the Australian Labor Party, Liberal Party of Australia and Australian Greens Victoria in the Victorian Parliament, and that she and CEO facilitate the communication and publication of responses as implied in the introduction.

Seconded: Cr Leppert

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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

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

That pursuant to sections 89(2)(a), (d), (g) 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:

- *Agenda item 6.7, as it contains information about contractual matters.*
- *Agenda item 6.8, as it contains information about matters affecting the security of Council property.*
- *Agenda items 6.9, 6.10 and 6.12, as they contain information which if released would prejudice the Council or any person.*
- *Agenda item 6.11, as it contains information about a personnel matter.*

Seconded: Cr Pinder-Mortimer

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 Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece and Riley.

The Chair, Lord Mayor, Sally Capp, declared the open meeting closed at 6.16pm.

Confirmed at the meeting of Council on Tuesday 25 September 2018.



Chair
Council