



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 31
Tuesday 30 October 2018
5.30pm**

**Council Chambers
Level 2
Melbourne Town Hall**

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 27 November 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 of one confidential report from Committee, 13 reports from management, three of which were confidential, and two items of general business
- no apologies had been received.

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 meetings

Moved: Deputy Lord Mayor Cr Wood

That the minutes of meeting No 29, held on Tuesday 25 September 2018 and special meeting No 30, held on Tuesday 16 October 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 Frances Gilley, Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

4. Matters arising from the minutes of the previous meetings

There were no matters arising from the minutes of the previous meetings.

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*.

In relation to Agenda item 6.5, **Proposed lease and licence agreement extensions for the Melbourne Men's Shed:**

Item of correspondence

- Andrew Stefanetti, Chairman, Melbourne Men's Shed.

In relation to Agenda item 7.1, **Proposed travel, Councillor Philip Le Liu, World Chinese Economic Forum, Malaysia, November 2018 and New Year Music Festival, China, December 2018/January 2019:**

Item of correspondence

- Chris Thrum.

In relation to Agenda item 7.2, **Proposed travel by Councillor Jackie Watts: Yangon, Myanmar, November 2018:**

Item of correspondence

- Chris Thrum.

5. Reports from Committee

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

6. Reports from management

There were 10 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 Pinder-Mortimer

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, 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.

6.2 Revocation of Delegation and Authorisation under the *Planning and Environment Act 1987*

The purpose of this report was to update the authorisations to staff by Council in regards to the *Planning and Environment Act 1987*.

Moved: Deputy Lord Mayor, Arron Wood

1. *That Council:*

- 1.1. *Revokes George Sinadinis as an authorised officer for the purposes of the Planning and Environment Act 1987.*
- 1.2. *Appoints Michael Janicke as an authorised officer for the purposes of the Planning and Environment Act 1987.*

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.

6.3 Lady Mayoress' Committee

The purpose of this report was to consider a request from the Lady Mayoress' Committee regarding the name of the committee and the use of a meeting room for future meetings.

Moved: Cr Riley

1. *That Council:*

- 1.1. *Approves the use of the term 'Founded by the former Lady Mayoress' Committee' for a new, independent incorporated association Melbourne Ladies Committee Inc. for a period of one year to 1 November 2019.*

- 1.2. *Notes arrangements have been confirmed for the new group to have access to community meeting rooms within Council's library network at the community rate.*
- 1.3. *Notes the Lady Mayoress Committee donor advised charitable fund (managed by the Lord Mayor's Charitable Fund) will continue in perpetuity, recognising the contribution of the Lady Mayoress Committee to philanthropy in Melbourne for over fifty years.*

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.

6.4 Proposal to rectify non-compliance with the rate cap

The purpose of this report was to seek Council endorsement to amend the non-residential rate in the dollar adopted in the 2018 Annual Plan and Budget (2018 APB) so that the Council complies with the 2.25 percent rate cap set by the Victorian Government under the 'Fair Go Rates' system.

Moved: Lord Mayor, Sally Capp

1. *That Council:*
 - 1.1. *Reduces the non-residential rate in dollar by 0.09669 cents from 4.62094 cents to 4.52425 cents.*
 - 1.2. *Provides a refund applied to all non-residential assessments in the 2018–19 financial year.*
 - 1.3. *Notes that all non-residential ratepayers be sent a letter or email of explanation with:*
 - 1.3.1. *ratepayers who have already paid in full receiving a refund cheque.*
 - 1.3.2. *ratepayers who have an outstanding balance being advised that their refund will be applied to the next notice that is issued.*
 - 1.4. *Adjusts the 2019–20 residential rates target by \$22,300 to compensate for the error in the 2018–19 residential property rate notices.*

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.

6.5 Proposed lease and license agreement extensions for the Melbourne Men's Shed

The purpose of this report was to seek Council approval to enter into lease and license extensions for the premises at Level 1 of the Federation Square car park for an additional two years.

The Chair, Lord Mayor, Sally Capp declared an indirect conflict of interest in this matter because of receipt of an applicable gift under Section 78C of the *Local Government Act 1989*. Lord Mayor, Sally Capp has received an election campaign donation from the Chair of Federation Square. Lord Mayor, Sally Capp left the meeting at 5.54pm, prior to discussion.

Deputy Lord Mayor, Arron Wood assumed the role of Chair of the meeting.

Discussion ensued and Council deferred consideration of this item until later in the meeting.

The Lord Mayor, Sally Capp, returned to the meeting at 5.58pm and resumed the role of Chair.

6.6 Funding support requests October 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 Oke

1. *That Council:*

- 1.1. *Approves the purchase of a table at the Prime Ministers' Sporting Oration (PMSO) to the value of \$5000.*
- 1.2. *Requests Management work with Australian Sports Foundation (ASF) to promote the opportunity for community based sports organisations to utilise the ASF activities to purchase equipment, expand and upgrade their facilities, undertake coaching and training programs.*
- 1.3. *Requests management identify community based sports administrators/officials to attend the PMSO as Council's guests, in the light of the Oration's themes of women and girls, physical activity, leadership and decision making and diversity and inclusion.*

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.

Procedural motion

Moved: Cr Leppert

That Council resume consideration of Agenda item 6.5, Proposed lease and license agreement extensions for the Melbourne Men's Shed.

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.

6.5 Proposed lease and license agreement extensions for the Melbourne Men's Shed (resumed)

The Chair, Lord Mayor, Sally Capp declared an indirect conflict of interest in this matter for the reasons outlined earlier and left the meeting at 6.01pm, prior to discussion.

Deputy Lord Mayor, Arron Wood assumed the role of Chair of the meeting.

Moved: Cr Pinder-Mortimer

1. *That Council:*

- 1.1. *Approves a new lease agreement with Federation Square Pty Ltd for the premises at Level 1 of the Federation Square carpark with the following terms and conditions:*
 - 1.1.1. *a lease term of two years (1+1 year option exercisable by Council) from 1 December 2018 to 30 November 2020*
 - 1.1.2. *a commencing rental of \$30,000 per annum plus GST with CPI increases.*
- 1.2. *Approves a new licence agreement and Memorandum of Understanding with the Melbourne Men's Shed with the following terms and conditions:*

- 1.2.1. *a licence term of two years (1+1 year option exercisable by Council) from 1 December 2018 to 30 November 2020*
- 1.2.2. *a rental of \$1 per annum plus GST*
- 1.2.3. *a requirement that the Melbourne Men's Shed will develop a funding strategy by 30 June 2019, with a goal towards becoming financially self-sufficient from 1 December 2020*
- 1.2.4. *before 1 December 2019 (to inform a decision on approval of year two of the licence) the Melbourne's Men's Shed will provide evidence that their funding strategy is being implemented.*
- 1.3. *Requests that:*
 - 1.3.1. *Management seek Federation Square Pty Ltd's commitment to jointly support the Melbourne Men's Shed with Council, through a reduction in lease costs for a further two years to 2022.*
 - 1.3.2. *If an additional lease can be negotiated require that the Melbourne Men's Shed will report back before 30 June 2020 and before 30 June 2021 evidence of initiatives that are contributing to the goal of becoming financially self-sufficient.*
- 1.4. *Notes the lease and licence will be entered into under delegation.*

Seconded: Cr Riley

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

Lord Mayor, Sally Capp returned to the meeting at 6.15pm, after the vote had been taken, and resumed the role of Chair for the remainder of the meeting.

6.7 Cooperative Research Centre for Future Cities Agreement

The purpose of this report was to seek approval to enter into an agreement between the Cooperative Research Centre for Future Cities and Melbourne City Council.

Councillors Oke and Reece declared indirect conflicts of interest in this matter because of conflicting duties under Section 78C of the *Local Government Act 1989*. Councillors Oke and Reece are employed by the University of Melbourne. Councillors Oke and Reece left the meeting at 6.16pm, prior to discussion.

Moved: Cr Watts

1. *That Council*
 - 1.1. *Enters into the agreement with Cooperative Research Centre for Future Cities (CRCFC) for a ten year period, for \$10,000 per annum, from 1 July 2019 to 30 June 2030.*
 - 1.2. *Requests management:*
 - 1.2.1. *Seek City of Melbourne representation on the governance structure(s) for the CRCFC.*
 - 1.2.2. *Provide City of Melbourne input in to the research settings.*
 - 1.2.3. *Request the CRCFC to participate in a high level annual review of the delivery benefits for the City of Melbourne.*

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, Pinder-Mortimer, Riley and Watts.

Councillors Oke and Reece returned to the meeting at 6.21pm, after the vote had been taken.

6.8 Updates to terms of reference for the Future Melbourne Committee and Councillor positions

The purpose of this report was for Council to consider updated terms of reference for the Future Melbourne Committee and appointments to the position of Chair and Deputy Chair of portfolio segments and endorse the schedule of positions held by Councillors on advisory committees and external organisations.

Moved: Deputy Lord Mayor, Arron Wood

1. *That Council:*

- 1.1. *Adopts the revised terms of reference for the Future Melbourne Committee included as Attachment 2 of the report from management.*
- 1.2. *Makes the following appointments in relation to positions of Chair and Deputy Chair of segments of the Future Melbourne Committee:*
 - 1.2.1. *Deputy Lord Mayor Arron Wood as Deputy Chair of the Environment segment (replacing Councillor Nicholas Reece)*
 - 1.2.2. *Councillor Rohan Leppert as Deputy Chair of the Transport segment (replacing Councillor Cathy Oke).*
 - 1.2.3. *Councillor Cathy Oke as Deputy Chair of the Aboriginal City segment (filling a vacant position).*
 - 1.2.4. *Councillor Beverley Pinder-Mortimer as Deputy Chair of the International Engagement segment (filling a vacant position).*
 - 1.2.5. *Councillor Phillip Le Liu as Deputy Chair of the Arts, Culture and Heritage segment (replacing Councillor Kevin Louey).*
 - 1.2.6. *Councillor Philip Le Liu as Deputy Chair of the Knowledge City segment (replacing Councillor Leppert) and noting that when matters in relation to components of 'Disruptive technologies' and 'Start-ups' are considered, Councillor Le Liu will assume the role of Chair.*
 - 1.2.7. *Councillor Susan Riley as the sole Deputy Chair of the Prosperous City segment (Councillor Le Liu vacating the joint position) and noting that when matters in relation to components of 'Brand Melbourne' and 'Events with a gender alignment' are considered, Councillor Riley will assume the role of Chair.*
 - 1.2.8. *Councillor Nicholas Reece as Deputy Chair of the Major Projects segment (filling a vacant position).*
 - 1.2.9. *Councillor Susan Riley as Deputy Chair of the Major Events segment (filling a vacant position).*
- 1.3. *Endorses the schedule of positions of Portfolio Chair and Deputy Chair of the Future Melbourne Committee which is based on adoption of changes identified in recommendation 1.2 of this report.*
- 1.4. *Endorses the schedule included as Attachment 3 of the report from management, of Councillor appointments to positions on Council advisory committees and external organisations.*

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.

6.9 Scheduling of Future Melbourne Committee meeting date

The purpose of this report was schedule an additional Future Melbourne Committee meeting in December 2018.

Moved: Lord Mayor, Sally Capp

1. *That Council:*

- 1.1. *Schedules an ordinary meeting of the Future Melbourne Committee to be held on Monday 10 December 2018, commencing at 5.30pm in the Council Meeting Room, Town Hall Administration Building, 90-120 Swanston Street, Melbourne.*
- 1.2. *Notes that the Future Melbourne Committee will ratify the meeting date at its next scheduled meeting on Tuesday 13 November 2018.*

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

6.9a Place of Public Entertainment (POPE) fee waiver request

The purpose of this report was to seek Council approval to waive the Place of Public Entertainment permit fees under the circumstances outlined below for the remainder of the 2018-19 financial year.

Moved: Lord Mayor, Sally Capp

1. *That Council approves:*

- 1.1. *The full waiver of POPE Permit fees for established events through to 30 June 2019 that have not applied for a POPE Permit in the past (and the event size hasn't changed).*
- 1.2. *The partial waiver of POPE Permit fees by up to 50 percent through to 30 June 2019 for established events that have been charged a POPE Permit fee in the past but are now being charged a significantly higher fee compared to previous years.*
- 1.3. *Delegated authority to the CEO to 30 June 2019 to waive POPE Permit fees in part or in full for new or established events where Management has identified POPE Permit fees to be greater than expected and potentially prohibitive to an event taking place.*

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.

7. General business

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

7.1 Proposal to travel by Councillor Philip Le Liu: World Chinese Economic Forum, Malaysia, November 2018 and New Year Music Festival, China, December 2018/January 2019

The purpose of this report was to seek Council approval for Councillor Philip Le Liu to travel to Malaysia to participate in the World Chinese Economic Forum in November 2018 and the New Year Music Festival, China in December 2018/January 2019.

Moved: Cr Reece

1. *That Council:*

- 1.1. *Approves Councillor Philip Le Liu's proposed participation in the World Chinese Economic Forum to be held in Malaysia in November 2018 at a cost to Council of \$250 for incidentals.*
- 1.2. *Approves Councillor Le Liu's participation in the Victorian delegation to the New Year Music Festival and Trio Mundi Performance by the Sir Zelman Cowen School of Music at Monash University in the Cities of Chengdu and Mianyang, China in late December 2018 to early January 2019 at a cost to Council of \$500 for incidentals.*
- 1.3. *Notes that Councillor Le Liu will prepare a report to the Future Melbourne Committee or Council within 60 days of return from the travel to China.*

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.

7.2 Proposed travel by Councillor Jackie Watts: Yangon, Myanmar, November 2018

The purpose of this report was to seek Council approval for Councillor Jackie Watts to represent Council at meetings held with various representatives from a range of sectors whilst on private travel in Yangon, Myanmar in November 2018.

Moved: Cr Reece

1. *That Council*

- 1.1. *Approves the proposal by Councillor Jackie Watts to represent the City of Melbourne at any meetings held with city officials in Yangon, Myanmar whilst on private travel in November 2018.*
- 1.2. *Notes that Councillor Watts will prepare a report to the Future Melbourne Committee or Council within 60 days of return from travel.*

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.

8. Urgent business

There were no items of 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), (e) 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 5.1, as it contains information about a personnel matter.*
- *Agenda item 6.10, as it contains information which if released would prejudice the Council or any person.*

- *Agenda item 6.11, as it contains information regarding a proposed development.*
- *Agenda item 6.12, as it contains information about a contractual matter.*

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.

The Chair, Lord Mayor, Sally Capp, declared the open meeting closed at 6.35pm.

Confirmed at the meeting of Council on Tuesday 27 November 2018.



Chair
Council