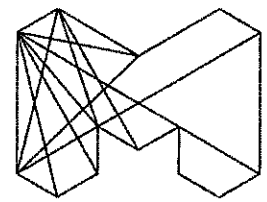


Confirmed minutes



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 54
Tuesday 26 May 2020
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 30 June 2020

C o n f i r m e d m i n u t e s

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor, Sally Capp, advised that:

- the meeting was being streamed live and that audio and video recording would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of one report from Committee and 11 reports from management, of which three were confidential.

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: Cr Frances Gilley

That the minutes of meeting No. 52 held on Tuesday 28 April 2020, 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.

Moved: Deputy Lord Mayor, Arron Wood

That the minutes of special meeting No. 53 held on Tuesday 19 May 2020, be confirmed.

Seconded: Cr Watts

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*.

Submissions

In relation to Agenda item 6.2, '**Market Square Charter and Place Name**':

Item of Correspondence

- Jenny Pike.

In relation to Agenda item 6.8, '**Ministerial Amendment C370 Treasury Square**':

Items of Correspondence

- Valerie Stroehle
- Susan Oliver
- Greg Bisinella, Heritage and Planning Convenor, East Melbourne Group Inc.

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5. Reports from Committee

There was one report from Committee for consideration.

5.1 Planning Scheme Amendment C323 – Arts Precinct

The purpose of this report was to recommend that Council, having considered the planning panel's report, adopts Planning Scheme Amendment C323 – Arts Precinct.

Councillors Oke and Reece declared an indirect conflict of interest in relation to this item and left the meeting at 5.37pm prior to discussion taking place. The conflict of interest was due to a conflicting duty under section 78B of the *Local Government Act 1989*. Both Councillors are employed by the University of Melbourne who is affected by the proposed Amendment.

Lord Mayor, Sally Capp declared an indirect conflict of interest in relation to this item and left the meeting at 5.37pm prior to discussion taking place. The conflict of interest was due to receipt of an applicable gift under section 78C of the *Local Government Act 1989*. Lord Mayor, Sally Capp received an election campaign donation from a donor affected by the proposed Amendment.

Deputy Lord Mayor, Arron Wood assumed the chair.

Moved: Cr Leppert

1. *That Council:*

- 1.1 *Adopts Melbourne Planning Scheme Amendment C323 as shown in Attachment 5 of the report from management.*
- 1.2 *Submits the adopted Amendment to the Minister for Planning for approval.*
- 1.3 *Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the Amendment documents prior to submitting to the Minister for Planning for approval.*

Seconded: Cr Le Liu

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

Lord Mayor, Sally Capp and Councillors Oke and Reece returned to the meeting at 5.40pm after the vote had taken place.

Lord Mayor, Sally Capp resumed the Chair.

6. Reports from management

There were eight 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: Lord Mayor, Sally Capp

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

Seconded: Cr Reece

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.

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6.2 Market Square Charter and Place Name

The purpose of this report was to request Council's adoption of the Market Square Charter for the new public open space at Queen Victoria Market (QVM), and recommend that management pursue an Aboriginal place name for Market Square.

Moved: Cr Watts

That Council refer the matter of the Market Square Charter and Place Name to the meeting of the Future Melbourne Committee to be held on 2 June 2020.

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 Queen Victoria Market Precinct Renewal (QVMPR) Program - Quarterly Report

The purpose of this report was to provide Council with a progress update and expenditure breakdown of the Queen Victoria Market Precinct Renewal Program for the period ending 31 March 2020.

Moved: Lord Mayor, Sally Capp

That Council accepts the Queen Victoria Market Precinct Renewal Program quarterly report which confirms a total Program expenditure of \$29.21 million as at 31 March 2020.

Seconded: Cr Reece

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 Energy (Gas) Contract 0638/2206 with Procurement Australasia

The purpose of this report was to give authorisation to execute and commit to Energy (Gas) Supply Agreements through the established panel of retailers, recently tendered through Procurement Australasia.

Cr Riley declared an indirect conflict of interest in relation to this item and left the meeting at 6.01pm prior to discussion taking place. The conflict of interest was due to a conflicting duty under section 78B of the *Local Government Act 1989* as Cr Riley is a board member of Procurement Australasia.

Moved: Cr Oke

1. *That Council:*

- 1.1 *Approves and authorises management to execute and commit to the Energy (Gas) Supply Agreements with the successful energy retailer or retailers on the Procurement Australasia Ltd panel, following conclusion of the pricing process, for a multiyear contract (up to three years) at an estimated annual cost in year one of \$246,000.*
- 1.2 *Notes the priority action endorsed in response to the Climate and Biodiversity Emergency Declaration to transition Council operations from fossil fuels, including gas, over the next ten years.*

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 and Watts.

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Cr Riley returned to the meeting at 6.06pm after the vote had taken place.

6.5 Council Works 2019-20 Quarter 3 Report

The purpose of this report was to inform Council of the financial performance of the 2019–20 Council Works Program.

Moved: Cr Reece

1. *That Council:*

1.1. *Notes the 2019–20 Council Works Program third quarter report.*

1.2. *Approves program adjustments to this year's allocation recommended by management based on the following categories:*

1.2.1. *Returned Funds:*

1.2.1.1. *Queen Victoria Precinct Renewal Program returned \$5,000,000.*

1.2.1.2. *Melbourne Innovation District (MID) Urban Realm Year 2 returned \$400,000.*

1.2.1.3. *Melbourne City DNA Fitout and Service Delivery returned \$150,000.*

1.2.2. *External Contributions:*

1.2.2.1. *External contributions of \$346,090 for City Road Master Plan will be received in 2019-20.*

1.2.2.2. *External contributions of \$120,000 for Public art Melbourne – LAB and Maintenance.*

1.2.3. *Additional Funds:*

1.2.3.1. *Melbourne Town Hall Priority Projects has requested an additional \$2,700,000.*

1.2.3.2. *Community Sports Pavilion Upgrade (Fawkner Park North) has requested an additional \$80,000.*

1.2.4. *Notes that with the above mentioned adjustments the capital works budget has been revised from \$205,388,055 to \$184,620,777.*

Seconded: Lord Mayor, Sally Capp

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.

6.6 Referred Documents from the February 2020 Audit and Risk Committee meeting

The purpose of this report was to advise Council of the outcomes of the Melbourne City Council Audit and Risk Committee meeting held on 14 February 2020.

Moved: Deputy Lord Mayor, Arron Wood

That Council notes the minutes of the meeting of the Audit and Risk Committee (refer to Attachment 2 of the report from management) held on 14 February 2020.

Seconded: Cr Le Liu

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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.

6.7 Planning stimulus and recovery initiatives in response to COVID-19

The purpose of this report was to seek endorsement of the City of Melbourne's planning stimulus and recovery initiatives in response to COVID-19, including its support to the Building Victoria's Recovery Taskforce (BVRT) by the Victorian Government.

Moved: Cr Reece

1. That Council:

- 1.1. *Works in unison with the Department of Environment, Land, Water and Planning (DELWP) and the Building Victoria's Recovery Taskforce (BVRT) to expedite assessment of 'shovel ready' state significant projects, ensuring a Council decision is on the public record prior to Ministerial approval.*
- 1.2. *Advocates for the Victorian Governments Review of Victoria's Building System to be expedited and aligned with planning stimulus.*
- 1.3. *Works with the BVRT, industry and land owners to explore ways to maximise commencement of the approximate 3.8 million square metres of approved development yet to commenced construction.*
- 1.4. *Establishes a City of Melbourne fast track process for 'shovel ready' projects that ensures rigour of planning assessments and quality of outcomes is maintained while reducing timeframes and expediting decision making.*
- 1.5. *Establishes City of Melbourne criteria to identify and prioritise assessment of 'shovel ready' projects of local significance.*
- 1.6. *Undertakes a review of Council's post planning approvals processes, such as construction related permits and approvals.*
- 1.7. *Establishes a City of Melbourne fast track process for post-planning approvals, such as construction related permits and approvals, to prioritise and expedite 'shovel ready' state and locally significant projects.*
- 1.8. *Works with the Victorian Government to implement a re-imagined statutory planning (development approvals) service model and other improvements to the planning and building approvals system that would:*
 - 1.8.1. *reduce development approval timeframes and project risk for applicants;*
 - 1.8.2. *enable more meaningful engagement with the community; and*
 - 1.8.3. *result in better outcomes for the city.*
- 1.9. *Seeks Council input into the principles guiding planning reform being considered by the BVRT and Victorian Government departments, and request early input and review of any planning reform which may affect the Central City.*
- 1.10. *Prioritises planning in urban renewal areas - Arden, Macaulay and Fishermans Bend, releasing strategic plans to provide community and development certainty and build investment momentum.*
- 1.11. *Works with the relevant Victorian Government Departments to progress site based amendments for catalytic sites in Arden and FBURA Employment Precinct, which will facilitate early high quality, sustainable developments and work with DELWP to streamline approval process.*
- 1.12. *Works with the relevant Victorian Government Departments to identify and help deliver catalytic public infrastructure for the renewal areas, including active and*

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public transport, community infrastructure and flood management systems which provide the pre-conditions for their renewal and the creation of liveable neighbourhoods.

- 1.13. *Works with DELWP to identify opportunities to streamline and simplify the Melbourne Planning Scheme as part of its translation into the new Planning Policy Framework.*
- 1.14. *Works with inner metropolitan Councils to review the Planning Scheme Amendment process to identify potential efficiencies in terms of cost and time, increased transparency and ways to secure and protect intended strategic outcomes.*
- 1.15. *Shares with the Victorian Government the evidence based policy work undertaken through Annual Planning Initiatives on social and affordable housing, environmentally sustainable development, and student housing and advocate for state wide planning provisions to provide a level playing field for industry, and certainty of outcome for the public.*
- 1.16. *Requests that the Minister publishes the findings of his 2019 review into the central city built form controls, or at least share them with the Melbourne City Council given the Council's role in enforcing the scheme and as frequent planning authority for the central city; and*
- 1.17. *Requests that management give effect to all commitments in this resolution.*

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.

6.8 Ministerial Amendment C370 Treasury Square

The purpose of this report was to seek endorsement of the City of Melbourne's submission to the combined planning scheme amendment and planning permit application for subdivision prepared by the Minister for Planning for Treasury Square.

Moved: Cr Reece

1. That Council:

- 1.1. *Endorses the submission at attachment two and is of the opinion that the Treasury Square development will not succeed unless the changes to the combined planning scheme amendment and planning permit application for subdivision identified in the submission are incorporated.*
- 1.2. *Requests that the planning scheme amendment be altered in line with the submission and, given the extent of necessary amendments, be re-exhibited.*
- 1.3. *Requests that, once the built form and design parameters are adequately defined for the site through a revised Amendment, an international design competition is run to achieve an exemplary architectural and urban design outcome, which:*
 - 1.3.1. *responds to the site's significant location as a foreground to the city from the Yarra River;*
 - 1.3.2. *acknowledges that the buildings will be viewed as buildings 'in the round' from many vantage points in the Central city,*
 - 1.3.3. *secures the strategic pedestrian connections from the Hoddle Grid to the Yarra River corridor, linking Treasury Gardens and Birrarung Marr, and*

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- 1.3.4. *ensures that the development's interfaces support the future development of adjacent sites including Federation Square East, which will require decking of the rail corridor.*
- 1.4. *Requests the publication of the Richmond to Docklands Masterplan, noting that the development of the Treasury Square site is being undertaken in the context of broader strategic work that has not undergone any public process.*
- 1.5. *Authorises the General Manager, Strategy, Planning and Climate Change to make any further minor editorial changes to the submission prior to lodgement by 29 May 2020.*
- 1.6. *Requests that management ensure the communication of all aspects of this resolution to the Minister, as well as a request that the future planning of key strategic sites in the central city be conducted prior to the commencement of EOI and land sale processes to ensure the long term viability, sustainability and quality of changes to the cityscape.*

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.

7. General business

7.1 Petition from members of the People's Panel

Moved: Cr Watts

That Council receives the petition titled "Petition to Council by People's Panel members" dated 26 May 2020.

Moved: 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.

8. Urgent business

There were no items of proposed urgent business for consideration in the open session.

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9. Closure of meeting

Moved: Deputy Lord Mayor, Arron Wood

1. *That pursuant to section 66 of the Local Government Act 2020 (Act), the meeting of the Council be closed to members of the public for the consideration of the items under the following categories:*
 - 1.1. *Agenda items 14.1 and 14.2 as they contain private commercial information which if released would unreasonably expose a business, commercial or financial undertaking to disadvantage by disclosing financial information to competitors.*
 - 1.2. *Agenda item 14.3 as it contains*
 - 1.2.1. *Council business information relating to a proposed contract, the premature release of which will prejudice the Council's position in commercial negotiations, and*
 - 1.2.2. *Private commercial information of tenderers which, if released, would unreasonably expose the tenderers to commercial disadvantage.*

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 meeting closed at 7.03 pm.

Confirmed at the meeting of Council on Tuesday 30 June 2020.



Chair
Council