



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 16
Tuesday 29 March 2022
5.30pm**

**Council Chambers
Level 2
Melbourne Town Hall**

Present

Lord Mayor Sally Capp
Deputy Lord Mayor Nicholas Reece
Councillor Dr Olivia Ball
Councillor Roshena Campbell
Councillor Jason Chang
Councillor Elizabeth Doidge (via Zoom)
Councillor Jamal Hakim
Councillor Philip Le Liu
Councillor Rohan Leppert (via Zoom)
Councillor Kevin Louey

Apology

Councillor Davydd Griffiths

Confirmed at the meeting of Council
On Tuesday 26 April 2022

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 5:32pm.

The Chair, Lord Mayor Sally Capp, advised that:

- the meeting was being streamed live and that an 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 eight reports from management, of which two were confidential
- an apology had been received from Cr Griffiths
- Councillors Doidge and Leppert were participating in this evening's meeting via livestream.

2. Disclosures of conflicts of interest

The Chair, Lord Mayor Sally Capp, advised that conflicts of interest should be disclosed as they arose.

3. Confirmation of minutes of the previous meeting

Moved: Cr Hakim

That the minutes of meeting No 15, held on Tuesday 22 February 2022, be confirmed.

Seconded: Cr Campbell

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

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 the following submissions had been received in accordance with the Council's Governance Rules.

Submissions

In relation to Agenda item 6.1, '**Proposal to waive outdoor dining and busking fees**':

Items of correspondence:

- Frank Stella
- Catherine Stella
- Denis Lucey, Bottega Restaurant
- Liz Rodriguez
- Joanne Gamvros, Bar Lourinhã
- Ajit Rao, Chief Operating Officer, The Hotel Windsor
- Patty O'Sullivan, Australian Hotels Association (Victoria)
- Liam Rowland, The Elephant and Wheelbarrow
- Eva Mihailidis
- John Kanis, Lucas Restaurants
- Harry Tsindos, Tsindos Greek Restaurant
- Angie Giannakodakis
- Hugo Robinson, Restaurant & Catering Australia
- Monika Cala, Australian Venue Co on behalf of the Crafty Squire, Hopscotch Southbank, the Imperial Hotel and the Trinket Bar

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- Tony Roussos
- John Scardamaglia
- Jerry Dimas
- Shane Wylie, Docklands Chamber of Commerce
- Philip Mansour, Carlton Inc.

5. Reports from Committee

There was one report from Committee for consideration in the open session.

The Lord Mayor Sally Capp called on Cr Leppert as chair of the Heritage portfolio to present agenda item 5.1.

5.1 Finalisation of the Heritage Places Inventory – Melbourne Planning Scheme Amendment C396

The purpose of this report was to recommend that Council, having considered the Amendment C396 Panel's report and recommendations, adopts Planning Scheme Amendment C396.

Moved: Cr Leppert

1. *That Council:*

- 1.1. *Considers the Finalisation of the Heritage Places Inventory Amendment C396 Planning Panel report and accepts all recommendations.*
- 1.2. *Adopts the Amendment C396 without further changes, as shown in Attachment 4 of the report from management.*
- 1.3. *Directs management to submit the adopted Amendment to the Minister for Planning for approval.*
- 1.4. *Authorises the General Manager Strategy, Planning and Climate Change to make any required policy neutral changes to the Amendment C396 documentation prior to lodging with the Minister for Planning for approval, should the Melbourne Planning Scheme Planning Policy Framework (PPF) translation be gazetted prior to Amendment C396 being lodged with DELWP.*
- 1.5. *Authorises the General Manager Strategy, Planning and Climate Change to make any necessary editorial and referencing changes to the Amendment C396 documentation prior to lodging with the Minister for Planning for approval.*

Seconded: Deputy Lord Mayor Nicholas Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

6. Reports from management

There were six reports from management for consideration in the open session.

6.1 Proposal to waive outdoor dining and busking fees

The purpose of this report was to seek Council's approval to waive permit fees for busking and outdoor dining including selected temporary laneway closures associated with the Extended Outdoor Dining Program from 1 April 2022 to 31 October 2022.

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Moved: Cr Campbell

1. *That Council:*

- 1.1. *Waives outdoor dining and busking permit and application fees associated with the Extended Outdoor Dining Program, until 31 October 2022 resulting in \$742,600 revenue foregone.*
- 1.2. *Continues to support temporary laneway closures with associated infrastructure until 31 October 2022, at a cost of approximately \$193,000.*
- 1.3. *Requests that management complete a review of the current economic conditions for City of Melbourne hospitality traders as at 31 August 2022 and present to Council at the September 2022 Council meeting a recommendation on outdoor dining and busking fees from 1 November 2022.*

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

6.2 Procurement Australasia Ltd – Trading results to 30 September 2021

The purpose of this report was to present the annual results of Procurement Australasia Ltd (the Company) for the period 1 October 2020 to 30 September 2021.

Moved: Cr Le Liu

That Council note the annual results of Procurement Australasia Ltd for the financial year ended 30 September 2021.

Seconded: Deputy Lord Mayor Nicholas Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

6.3 Referred documents from the 11 February 2022 Audit and Risk Committee Meeting

The purpose of this report was to advise Council of the outcomes of the City of Melbourne Audit and Risk Committee (ARC) meeting held on 11 February 2022.

Moved: Cr Le Liu

That Council notes the minutes of the meeting of the Audit and Risk Committee held on 11 February 2022 as shown in Attachment 2 of the report from management.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

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6.4 **Audit and Risk Committee Biannual Activity Report – February 2022**

The purpose of this report was to present to Council the Audit and Risk Committee Biannual Activity Report for the period 4 September 2021 to 11 February 2022.

Moved: Cr Le Liu

That Council notes the Audit and Risk Committee Biannual Activity Report and acknowledges its subsequent publication on Council's website.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

6.5 **Review of Delegations under the Road Management Act 2004**

The purpose of this report was for Council to create a new delegation under the *Road Management Act 2004* (RMA) to reflect updated positions.

Moved: Cr Le Liu

1. *That Council*

1.1. *By instrument of delegation sealed by the Council under section 118(1) of the Road Management Act 2004 (RMA), delegates to the persons from time to time holding the positions referred to in column 1 of Attachment 2, Council's powers and functions as a road authority under the RMA, identified in column 1, subject to:*

1.1.1. *The conditions and limitations identified in column 4 of Attachment 2 of the report from management.*

1.1.2. *The restrictions contained in section 118(1) of the RMA and section 11(2) of the LGA 2020.*

1.1.3. *Compliance with Council's General Delegation Policy.*

1.2. *Revokes instrument of delegation CCL-2021-1 relating to the RMA, with such revocation to take effect immediately after the execution of the instrument of delegation referred to in paragraph 6.1 above.*

Seconded: Deputy Lord Mayor Nicholas Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

6.6 **Councillor portfolios**

The purpose of this report was to enable Council to update arrangements supporting Councillor portfolio roles.

Moved: Lord Mayor Sally Capp

That Council endorses the revised Councillor portfolio structure and positions of portfolio lead and deputy lead as included in Attachment 3 of the report from management.

Confirmed minutes

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 Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

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 to the public

Moved: Lord Mayor Sally Capp

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 item 14.1 as it contains private commercial information which if released would unreasonably expose the business to disadvantage by disclosing financial information to competitors.*
 - 1.2 *Agenda item 14.2 as it contains personal information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.*

Seconded: Cr Chang

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Chang, Doidge, Hakim, Le Liu, Leppert and Louey.

The Chair, Lord Mayor Sally Capp, declared the meeting closed to the public at 6:17 pm.

Confirmed at the meeting of Council on Tuesday 26 April 2022.



Chair
Council