

CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 18
Tuesday 29 April 2014
5.30pm**

**Council Chambers
Level 2
Melbourne Town Hall**

Present

Acting 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

Apology

Lord Mayor, Robert Doyle

Confirmed at the meeting of the Council meeting
on Tuesday 27 May 2014

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Acting Lord Mayor, Susan Riley, 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 two reports from Committee and 15 reports from management, nine of which were confidential
- an apology had been received from Lord Mayor, Robert Doyle.

2. Disclosures of conflicts of interest

The Chair, Acting Lord Mayor, Susan Riley, advised that conflicts of interest would be disclosed as they arose.

3. Confirmation of minutes of the previous meeting

Moved: Cr Oke

That the minutes of meeting No 17 held on Tuesday 25 March 2014, be confirmed.

Seconded: Cr Foster

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting 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.

5. Reports from Committee

There were two reports from Committee to be considered in the open session.

5.1 Planning Scheme Amendment C196 – City North

The purpose of this report was to seek adoption of the final version of Amendment C196 based on the recommendations of the Panel appointed by the Minister for Planning.

Moved: Cr Ong

1. *That Council:*

1.1. *Adopts Melbourne Planning Scheme Amendment C196 - City North (refer Attachment 2 of the report from Committee) pursuant to Section 29 of the Planning and Environment Act 1987.*

1.2. *Submits Melbourne Planning Scheme Amendment C196 - City North to the Minister for Planning for approval.*

Seconded: Cr Mayne

The motion was put and carried with the following Councillors voting in favour of the motion: The Chair, Acting Lord Mayor, Susan Riley, Councillors Louey, Mayne, Ong, Pinder-Mortimer and Wood and Councillors Foster, Leppert, Oke and Watts voting against the motion.

5.2 Council's Meeting Procedures Code – proposed amendment relating to submissions

The purpose of this report was to seek adoption of the revised Council's Meeting Procedures Code which incorporates a process for receiving written submissions on agenda items listed for consideration at Council and Future Melbourne Committee meetings.

Moved: Cr Mayne

1. *That Council:*

1.1. *Adopts the revised Meeting Procedures Code (refer Attachment 1 of the report from Committee).*

1.2. *Notes that notice of the amended Code will be published in the Victorian Government Gazette following the passing of the resolution by Council.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

6. Reports from management

There were six 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 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, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

6.2 Active Melbourne Recreation Facilities Management and Operation Services Contract: No 3475

The purpose of this report was to seek approval to enter into a contract for the management and operation of the Active Melbourne Recreation Facilities with Victorian YMCA Community Programming Pty Ltd (YMCA) for a period of five years with a two year option at Council's discretion.

Moved: Cr Foster

That Council awards the contract for the provision of Active Melbourne Recreation Facilities Management and Operation to Victorian YMCA Community Programming Pty Ltd for a term of five years commencing 1 July 2014 with an option to extend the contract term by a further two years, for the lump sum of \$7,661,916 for five years, with a year one lump sum of \$1,446,583 and otherwise in accordance with the negotiated terms and conditions of contract.

Seconded: Cr Mayne

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

6.3 Neill Street Reserve – public space improvement – Contract No. 8503A

The purpose of this report was to advise Council of the tender process for the Neill Street Reserve public space landscape improvements contract and to recommend that Council award the contract to 2Construct Pty Ltd.

Moved: Cr Wood

1. *That Council:*
 - 1.1. *awards the contract for the Neill Street Reserve Landscape Redevelopment, Contract No. 8503A, to 2Construct Pty Ltd for the sum of \$3,148,770 and otherwise in accordance with the negotiated terms*
 - 1.2. *authorises the pre commitment of \$2 million from the 2014–15 Council Works Program to enable entry into the contract.*

Seconded: Cr Watts

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

6.4 Indigenous Heritage Action Plan (IHAP) – Work Priorities 2014–15

The purpose of this report was to present Council with the actions from the Indigenous Heritage Action Plan that require funding in 2014–15.

Moved: Cr Oke

1. *That Council:*
 - 1.1. *notes the actions in the Indigenous Heritage Action Plan for year 2*
 - 1.2. *endorses the total costs of up to \$175,000 associated with the actions which can be met within the proposed 2014–15 draft budget.*

Seconded: Cr Watts

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

6.5 Proposal for recognition of Tunnerminnerwait and Maulboyheenner

The purpose of this report was to seek Council's endorsement of the proposed site, principles and process that will guide the development of a marker to mark the historical events relating to Tunnerminnerwait and Maulboyheenner.

Moved: Cr Oke

1. *That Council:*
 - 1.1. *endorses the proposed site identified in Attachment 2 of the report from management as an appropriate location for a marker to mark the events of Tunnerminnerwait and Maulboyheenner (T&M)*
 - 1.2. *endorses the principles, as outlined in Attachment 3 to the report from management, to guide the design and development of any marker*
 - 1.3. *endorses the process outlined in Attachment 4 to the report from management to seek culturally appropriate designs for an installation noting that the process will be undertaken in consultation with the National Trust, RMIT and the Tunnerminnerwait and Maulboyheenner Working Group, which includes Traditional Elders*
 - 1.4. *notes the indicative range of costs (refer to Attachment 1 of the report from management) for the T&M project and refers this to the 2014–15 budget process for deliberation and decision*

- 1.5. *requests a further report be provided to the Future Melbourne Committee detailing a shortlist of design submissions recommended by the Tunnerminnerwait and Maulboyheenner Working Group and that conform with the principles for design and development as outlined in Attachment 3 of the report from management.*

Seconded: Cr Watts

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

6.6 Statement of Intent with CitiPower

The purpose of this report was to seek approval to enter into an agreement (Statement of Intent) with CitiPower. The Statement of Intent seeks collaboration between the two organisations on matters relating to the current and future energy management and supply for the City of Melbourne.

Moved: Cr Wood

That Council approves entry into a Statement of Intent with CitiPower.

Seconded: Cr Oke

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

7. General business

There was one item of general business for consideration.

7.1 Notice of Motion, Cr Mayne: Funding for Queen Victoria Market renewal project

Moved: Cr Mayne

1. *That the Council resolves that:*
 - 1.1. *A fund be established within Council to hold funds dedicated to be spent on the Queen Victoria Market (QVM) renewal project. The cash balance held in the fund is to be disclosed in Council's quarterly financial reports and the annual financial statements.*
 - 1.2. *The establishment of the above fund occur in the first quarter of the 2014–15 financial year, with any annual underlying surplus generated by Council in 2013–14 being deposited into the fund at that time.*
 - 1.3. *All proceeds from any sale of the development sites on the southern boundary of the market will be deposited into the QVM Renewal fund.*
 - 1.4. *Commencing from 1 July 2014, all profit proceeds from the sale of any other surplus or redundant City of Melbourne land holdings will be deposited into the fund.*
 - 1.5. *Officers are to prepare a report for Council or Future Melbourne Committee before 30 June 2014, examining whether Council should initiate borrowings of between \$1 million and \$10 million through the inaugural Municipal Association of Victoria facilitated bond issue proposed for early 2014–15 in order to provide some additional seed funding for the QVM Renewal fund.*
 - 1.6. *The CEO write to the State Government requesting that it deposit any congestion tax receipts from the QVM into the renewal fund for the 5 year period commencing in 2014–15.*
 - 1.7. *Notes the resolution of the Future Melbourne Committee in February 2014 outlining the governance framework and timelines associated with the Queen*

Victoria Market Precinct Renewal Project, which indicates management's intention to propose the Renewal Project Funding Strategy proper to Council in approximately November 2014.

Seconded: Cr Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

8. Urgent business

There were no items of proposed urgent business for consideration.

9. Closure of meeting

Moved: Cr Wood

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 for the consideration of the reports under the following categories:

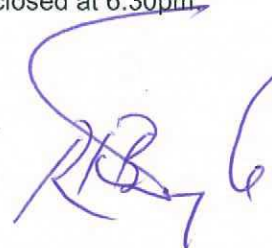
- *6.7.1 and 6.7.2 as they contain information relating to matters the Council considers would prejudice the council or any person.*
- *6.8.1 as it contains information relating to contractual matters.*

Seconded: Cr Ong

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer, Watts and Wood.

The Chair, Acting Lord Mayor, Susan Riley, declared the open meeting closed at 6.30pm.

Confirmed at the meeting of Council on Tuesday 27 May 2014.



Chair
Council