

CITY OF MELBOURNE

Future Melbourne Committee

Minutes

**Meeting Number 55
Tuesday 14 April 2015
5.30pm**

**Council Meeting Room
Level 2
Melbourne Town Hall**

Present

Lord Mayor, Robert Doyle
Deputy 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

Confirmed at the meeting of the Future Melbourne Committee meeting
on Tuesday 5 May 2015

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor, Robert Doyle, advised that:

- the meeting was being recorded and would be made available on the City of Melbourne website before close of business tomorrow;
- the agenda comprised of six reports from management.

2. Disclosures of conflicts of interest

The Chair, Lord Mayor, Robert Doyle, advised that conflicts of interest would be disclosed as they arose.

3. Confirmation of minutes of the previous meeting

Moved: Cr Foster

That the minutes of meeting No 53 held on Tuesday 3 March 2015, be confirmed.

Seconded: Deputy Lord Mayor, Susan Riley

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy 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. Public questions

There were no public questions.

6. Reports from management

The Chair, Lord Mayor, Robert Doyle, advised that as at 3pm the following submission had been received in accordance with the Council's *Conduct of Meetings Local Law 2010*.

In relation to Agenda item 6.2, **Ministerial Referral: TPM-2010-29/B, 54-56 and 58-64 A'Beckett Street, Melbourne**

Request to speak:

- Tom Orton, Elenberg Fraser.

Item of correspondence:

- Matthew Matiske, Sinclair Brook Pty Ltd.

Planning Portfolio

Cr Ong assumed the role of Chair to present the three reports from management for consideration in relation to the Planning Portfolio.

6.1 Ministerial Referral: TPM-2014-40, 441-451 Elizabeth Street and 139-141 Franklin Street, Melbourne

The purpose of this report was to advise the Committee of a Ministerial referral of a Planning Application at 441-451 Elizabeth Street and 139-141 Franklin Street, Melbourne.

Moved: Cr Ong

That the Future Melbourne Committee resolves that a letter be sent to the Department of Environment, Land, Water and Planning indicating that the Melbourne City Council objects to the application on the grounds set out in the delegate report (refer Attachment 6 of the report from management).

Seconded: Cr Mayne

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

6.2 Ministerial Referral: TPM-2010-29/B, 54-56 and 58-64 A'Beckett Street, Melbourne

The purpose of this report was to advise the Committee of an application to the Minister for Planning to amend an existing planning permit at 54-56 and 58-64 A'Beckett Street, Melbourne.

Tom Orton, Elenberg Fraser addressed the Committee.

Moved: Cr Ong

1. *That the Future Melbourne Committee resolves that:*
 - 1.1. *A letter be sent to the Department of Environment, Land, Water and Planning (DELWP) advising that the Melbourne City Council does not object to the amended proposal subject to the conditions set out in the Delegate Report (refer Attachment 4 of the report from management) with the inclusion of an additional condition which reads as follows '1e) Any changes as required by the WMP as specified by condition 22, in particular the clearance for the 10-metre compactor truck'.*
 - 1.2. *The letter to the DELWP also notes that the concerns previously raised in relation to the original approval remain relevant, and a 'fresh' application for this development would not be supported predominantly due to the lack of tower separation and front setback to A'Beckett Street.*

Seconded: Cr Mayne

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

6.3 Review of the Adequacy of the Sunlight to Public Spaces Local Policy

The purpose of this report was to advise Committee on the adequacy of the Sunlight to Public Spaces local policy at Clause 22.02 of the Melbourne Planning Scheme.

Moved: Cr Leppert

1. *That the Future Melbourne Committee notes:*
 - 1.1. *the preliminary review of the Sunlight to Public Spaces Policy*
 - 1.2. *that management proposes to include a review the Sunlight to Public Spaces Policy as a Year 3 Action on the Council Action Plan for 2015–2016.*

Seconded: Cr Ong

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

6.4 This item was withdrawn from the agenda prior to the meeting.

People City Portfolio

Cr Foster assumed the role of Chair to present the one report from management for consideration in relation to the People City Portfolio.

6.5 Family and Children's Advisory Committee Terms of Reference and Membership

The purpose of this report was to seek endorsement of the revised terms of reference for the Family and Children's Advisory Committee and the process to reappoint and recruit members.

Moved: Cr Foster

1. *That the Future Melbourne Committee:*
 - 1.1 *Approves the revised Terms of Reference (refer Attachment 2 of the report from management) subject to the first dot point of the 'Terms of Membership' being changed to read: 'the appointment of the community representatives being made by the CEO in consultation with the Chair of the Committee'.*
 - 1.2 *Authorises the Director Community Development to make any further minor editorial changes to the terms of reference for the Family and Children's Advisory Committee prior to recruitment.*

Seconded: Cr Ong

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

Finance and Governance Portfolio

Cr Mayne assumed the role of Chair to present the two reports from management for consideration in relation to the Finance and Governance Portfolio.

6.6 Early public release of draft 2015–16 Annual Plan actions

The purpose of this report was to recommend the Council release for public comment a list of proposed 2015–16 actions intended to progress the vision and goals outlined in Council Plan 2013–17.

Moved: Cr Mayne

That the Future Melbourne Committee requests management to release on Council's website before 2pm on Wednesday 15 April 2015, the full list of proposed 2015–16 Annual Plan actions.

Seconded: Cr Wood

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

6.7 Participation at upcoming local government forums

The purpose of this report was to provide for Council participation in the following upcoming local government forums.

Moved: Cr Mayne

1. *That the Future Melbourne Committee:*

1.1 *Approves the following motions for consideration at the Municipal Association of Victoria (MAV) State Council meeting on 15 May 2015.*

Subject: Voting at State Council meetings and Board elections

Motion

That State Council recognises that:

1. *Best practice representative voting at State Council and in MAV Board elections involves full consultation with council colleagues before determining a voting position.*
2. *Where practicable on major decisions, a formal council voting position for the representative should be adopted.*

Background

The MAV Rules of Association (Rules) provide for membership, appointments and operation of the MAV, State Council and Board activities. Part 7 of the Rules, outlined below, provide for obligations of representatives and Board members and makes reference to the approach to be undertaken by representatives when voting at State Council including consultation.

"7.2. A representative must:

- 7.2.1. *attend every meeting of the State Council and if he or she is unable to attend a meeting, must encourage the council's substitute representative to attend;*
- 7.2.2. *if present, vote on every matter under consideration by the State Council, in accordance with either the resolution of his or her council or the view of the majority of the Councillors where known, unless prohibited from doing so;*
- 7.2.3. *provide regular reports to his or her council on matters discussed and considered by the Association and on the decisions made; and have regard to any codes or guidelines published by the Board that relates to his or her functions as a representative."*

The current practice does not provide for the highest governance standards and leads to significant inconsistency in the approach taken by representatives when voting on matters before State Council.

Part 7.2.3 refers to codes and guidelines to assist representatives. This, along with a review of expectations of representatives, should be an area of

significant focus for the MAV and will lift the standards and consistency when considering issues of State significance to local government. A review to allow a representative to best reflect the position of his/her Council should also address the timing of availability of State Council business papers and recognition of the general approach of Victorian Councils with formal committee and council meeting cycles.

Subject: Improving level and standard of support to Victorian local government

Motion

Jurisdictional issues to one side, the State Council acknowledges the Victorian Auditor General's Office performance review of the MAV in the report titled 'Effectiveness of Support for Local Government' and calls on the MAV Board and management to:

- 1. pro-actively accept the report's findings and implement a clear majority of its recommendations.*
- 2. demonstrate its commitment for urgent action by including a comprehensive reform program in the MAV Strategic Work Plan 2015-16.*

Background

The Victorian Auditor-General's Office (VAGO) performance audit report released on 26 February 2015 identified significant shortcomings in the effectiveness and operation of the MAV and Local Government Victoria. The report highlighted deficiencies in the MAV governance framework with particular reference to inadequate systems and processes consistent with contemporary standards of public administration.

As the peak body representing a membership of 79 Victorian councils, it is imperative that the measures and improvements recommended by VAGO are embraced and pro-actively implemented by the MAV Board and management. Adoption of the measures outlined in the report will improve the level of support provided to local government in Victoria and restore confidence in a peak body representing the tier of government closest to the community.

Subject: Increasing participation by women in local government

Motion

That State Council:

- 1. Endorses the Victorian Government's policy of at least 50 per cent female representation in future judicial and paid board appointments.*
- 2. Notes that the MAV has never had a female president elected through the regular election cycle.*
- 3. Notes with concern that the MAV board has only appointed one female to the current nine member MAV Insurance board, that no new directors have been appointed since 2009 and that the average length of service on the MAV Insurance board is more than 14 years.*
- 4. Authorises the MAV Board to commit funding and resources towards a campaign to lift female representation on councils after the 2016 council elections.*
- 5. Encourages councils to actively lift female representation amongst the ranks of council CEOs and senior executives.*

Background

The Victorian Government's recent announcement regarding appointments to government boards and the judiciary has reignited community discussion on level of representation by women in positions of political and community life. Premier Andrews has indicated that the long-term project will aim to achieve a level of no less than 50 per cent of female representation on future appointments to paid government boards and Victorian courts.

Female representation in local government continues to be a low level. In Victoria, only 34 per cent of councillors are women and this does not reflect the composition of local communities where women make up just over 50 per cent of the population. This is reflective of the trend occurring in parliaments of State and Commonwealth governments which show that women comprise less than one-third of all parliamentarians and one-fifth of all ministers.

As the tier of government closest to the community, local government has the opportunity of making inroads at a grass roots level. The MAV should demonstrate leadership by actively reviewing its approach and strategy of encouraging greater female participation in local government.

The 2014 National General Assembly (NGA) of Australian Local Government Association (ALGA) adopted a motion presented by the Melbourne City Council aimed at taking national action at increasing participation by women in local government. The resolution called on the ALGA Board to

- 1. develop a revised strategy aimed at increasing the level of participation by women in council elections throughout Australia*
- 2. work with local government peak bodies in each Australian state and territory to implement a renewed campaign, aimed at increasing the level of participation by women, in advance of the next local government elections.*

The motion now presented to State Council seeks to escalate and advance the work commenced following the 2014 NGA.

Subject: Disclosure of contractual arrangements for Key Management Personnel

Motion

That State Council authorises the MAV board to include in all future MAV annual reports, commencing with the 2014-15 financial year, the following additional information on a separate page about the background and contractual arrangements of the Chief Executive Officer and the four next most senior MAV executives:

- 1. year first joined MAV*
- 2. professional background before joined MAV*
- 3. current position*
- 4. start date of current contract*
- 5. finish date of current contract*
- 6. total remuneration paid, including from any external appointments approved by the MAV board.*

Background

As the peak body representing 79 councils, the MAV should lead the way in setting high standards of transparency and accountability in relation to

operations. One way in which the MAV could demonstrate this is by disclosing contractual arrangements of senior executives. This is something which the cities of Melbourne and Manningham have undertaken in recent years as part of transparency enhancements in relation to operations.

At the moment, MAV only discloses Key Management Personnel as a lump sum grouped in with directors. It was \$1.12m in the 2013-14 annual report.

More than 2200 Australian public companies are required by law each year to include in annual reports numerous pages of information on their remuneration practices.

- 1.2 Approves the motions contained in Attachment 3 to the management report for consideration at the 2015 ALGA National General Assembly.
- 1.3 Nominates Councillors Stephen Mayne and Ken Ong to represent the City of Melbourne at the ALGA National General Assembly in Canberra between 14 and 17 June 2015 at an estimated cost of \$3139 per Councillor.

Seconded: Cr Leppert

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

7. General business

The Lord Mayor, Robert Doyle, resumed the role of Chair for the remainder of the meeting.

There were no items of general business for consideration.

8. Urgent business

There were no items of proposed urgent business for consideration

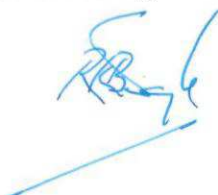
9. Public questions

There were no public questions.

Closure of meeting

The Chair, Lord Mayor, Robert Doyle, declared the meeting closed at 6.23pm.

Confirmed at the meeting of Future Melbourne Committee on Tuesday 5 May 2015.



Chair
Future Melbourne Committee