

**CITY OF MELBOURNE**

## **Council Meeting**

### **Minutes**

**Meeting Number 25  
Tuesday 30 September 2014  
5.30pm**

**Council Chambers  
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 Ken Ong  
Councillor Beverley Pinder-Mortimer  
Councillor Jackie Watts  
Councillor Arron Wood

#### **Apology**

Councillor Cathy Oke

Confirmed at the meeting of the Council meeting  
on Tuesday 28 October 2014

## **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 the audio would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of 19 reports from management, 15 of which were confidential, and four items of general business
- an apology had been received from Councillor Oke.

## **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 meetings**

Moved: Cr Ong

*That the minutes of meeting No 23 held on Tuesday 26 August 2014, be confirmed.*

Seconded: Cr Wood

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, Ong, Pinder-Mortimer, Watts and Wood.

Moved: Cr Wood

*That the minutes of special meeting No 24 held on Tuesday 9 September 2014, be confirmed.*

Seconded: Cr Foster

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, Ong, Pinder-Mortimer, Watts and Wood.

## **4. Matters arising from the minutes of the previous meetings**

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

## **5. Reports from Committee**

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

## **6 Reports from management**

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

In relation to **Agenda item 7.3** Notice of Motion, Cr Leppert: Correction of an oversight in Planning Scheme Amendment C196

**Items of Correspondence**

- Felicity Jack, resident
- Nancy Nankervis, resident
- Angela Williams, resident.

In relation to **Agenda item 7.4** Notice of Motion, Cr Mayne: East West Link

**Item of Correspondence**

- Yolande Leonard, CoRBA.

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

**6.1 Record 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: Deputy Lord Mayor, Susan Riley

1. *That Council notes:*

- 1.1 *the written records of the assemblies of Councillors as detailed in Attachment 2 of the report from management*
- 1.2 *that Cr Leppert was present at the 'Supply and Demand for Child Care' meeting held on 26 August 2014.*

Seconded: Cr Wood

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, Ong, Pinder-Mortimer, Watts and Wood.

**6.2 Update of Authorisations 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: Cr Ong

1. *That Council:*

- 1.1 *by instrument of authorisation pursuant to section 188 of the Planning and Environment Act 1987, generally authorise the officers listed at part 1 of Attachment 2 of the management report, to carry out the duties and functions and exercise the powers of an 'authorised officer' within the meaning of the Planning and Environment Act 1987*
- 1.2 *revoke the authorisations of the officers listed at part 2 of Attachment 2 of the report from management*

Seconded: Cr Wood

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, Ong, Pinder-Mortimer, Watts and Wood.

### 6.3 Update of Delegations under the Planning and Environment Act 1987

The purpose of this report was to update the delegations by Council under the *Planning and Environment Act 1987*.

Moved: Cr Ong

1. *That Council:*

- 1.1 *by instrument of delegation sealed by the Council under section 188(1) of the Planning and Environment Act 1987 (Act), delegate to the persons from time to time holding the positions referred to in Attachment 2 of the report from management, its powers, discretions and functions under the Act subject to:*
  - 1.1.1 *the restrictions contained in section 188(2) of the Act and section 98(1) of the Local Government Act 1989*
  - 1.1.2 *compliance with Council's General Delegations Policy and the Council's Delegations Policy for Planning Applications*
- 1.2 *revoke the instrument of delegation by Council under the Act dated 31 March 2014 made by resolution of Council on 25 March 2014, such revocation to take effect immediately after the execution of the instrument of delegation referred to in paragraph 1.1 above.*

Seconded: Cr Wood

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, Ong, Pinder-Mortimer, Watts and Wood.

#### 6.3a Request from the Mayor of Monash for Council to support the Local Government Poker Machine System Reform Campaign

The purpose of this report was to respond to a letter written by the Mayor of Monash, Councillor Geoff Lake, to the Lord Mayor on behalf of twelve other Councils, informing the Melbourne City Council of a local government wide campaign to 'protect vulnerable communities from inappropriate placement of electronic gaming machines'.

Moved: Cr Leppert

*That Council supports the Local Government Poker Machine System Reform Campaign.*

Seconded: Cr Watts

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, Ong, Pinder-Mortimer, Watts and Wood.

### 7. General business

There were four items of General Business for consideration.

#### 7.1 Post travel report by Councillor Richard Foster: Smoke-Free Cities Alliance Summit, Copenhagen, 23 and 24 June 2014

The purpose of this report was to inform Council on the outcome of the Smoke-Free Cities Alliance Summit which was attended by Councillor Richard Foster in Copenhagen on 23 and 24 June 2014.

Moved: Cr Foster

1. *That Council:*

- 1.1 *Notes the report by Councillor Richard Foster on the outcomes of the Smoke-Free Cities Alliance Summit in Copenhagen between 23 and 24 June 2014.*
- 1.2 *Requests that management consider the potential opportunities outlined in Attachment 2 and provide a briefing paper to Councillors in due course with particular reference to opportunities to engage Melbourne's sister cities on smoke-free initiatives, establishing a City of Melbourne Smoke-Free Advisory Committee and participation in the 2015 Alliance which will be hosted by the City of Aalborg.*

Seconded: Cr Watts

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, Ong, Pinder-Mortimer, Watts and Wood.

**7.2 Proposed travel by Councillor Ken Ong, 7<sup>th</sup> Annual City Development Conference, Singapore, November 2014**

The purpose of this report was to seek Council approval for Councillor Ken Ong to undertake travel to Singapore between 19 and 21 November for the 7<sup>th</sup> Annual City Development Conference.

Moved: Lord Mayor, Robert Doyle

1. *That Council:*

- 1.1 *Approves participation by Councillor Ken Ong in the 7th Annual City Development Conference in Singapore between 19 and 21 November 2014 at an approximate cost to Council of \$4725.*
- 1.2 *Notes that Councillor Ong will prepare a report to the Future Melbourne Committee or Council within 60 days of return from travel.*

Seconded: Cr Pinder-Mortimer

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, Ong, Pinder-Mortimer, Watts and Wood.

**7.3 Notice of Motion, Cr Leppert: Correction of an oversight in Planning Scheme Amendment C196**

Moved: Cr Leppert

1. *That Council:*

- 1.1. *Notes that the City North Structure Plan proposed that the two areas being 94-112 Courtney Street (corner of Harcourt Street) North Melbourne, and 104-162 Capel Street and 135-159 Peel Street North Melbourne, be rezoned to Mixed Use Zone and be included in the 14m height control that applies to the surrounding land.*
- 1.2. *Notes that the adopted version of planning scheme amendment C196 (City North), whilst rezoning both areas to Mixed Use Zone, did not apply 14m height controls to these two areas, and that this has been acknowledged to have been an oversight.*
- 1.3. *Requests management to contact and discuss this matter with owners of affected properties with a view to proceeding to a planning scheme amendment to introduce DDO32 and its 14 m height limit to both areas.*

- 1.4. *Requests a report be made to the Future Melbourne Committee in December 2014 which provides an update and recommendations as to how Council should proceed on this matter.*

Seconded: Cr Ong

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, Ong, Pinder-Mortimer, Watts and Wood.

#### **7.4 Notice of Motion, Cr Mayne: East West Link**

Moved: Cr Mayne

*Requests Council officers to prepare a report for the 28 October 2014 Council meeting summarising the key issues for City of Melbourne arising from the Supreme Court challenge to the East West link initiated by Cities of Moreland and Yarra and the state opposition's proposal to not proceed with the project even if binding contracts have been signed.*

Seconded: Cr Foster

The Lord Mayor, Robert Doyle requested that the word 'binding' be removed from the recommendation.

Councillors Mayne and Foster, as the mover and seconder of the motion, agreed to incorporate the amendment proposed by the Lord Mayor, Robert Doyle by removing the words 'if binding' and replacing them with the word 'though'..

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, Ong, Pinder-Mortimer, Watts and Wood.

The resolution in reads:

*That Council requests Council officers to prepare a report for the 28 October 2014 Council meeting summarising the key issues for City of Melbourne arising from the Supreme Court challenge to the East West link initiated by Cities of Moreland and Yarra and the state opposition's proposal to not proceed with the project even though contracts have been signed.*

#### **8. Urgent business**

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

#### **9. Closure of meeting**

Moved: Cr Wood

*That pursuant to sections 89(2)(d),(e) and (h) of the Local Government Act 1989, the meeting of the Council be closed to members of the public for consideration of the reports under the following categories:*

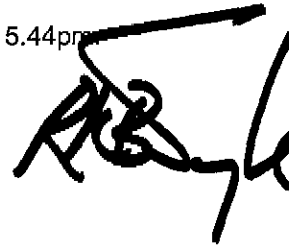
- 6.4.1, 6.4.2, 6.4.3, 6.4.4 because they contain information relating to matters the Council considers would prejudice the Council or any person.
- 6.5.1 because they contain information relating to contractual matters.
- 6.6.1 because they contain information relating to proposed developments.

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, Ong, Pinder-Mortimer, Watts and Wood.

The Chair, Lord Mayor, Robert Doyle, declared the meeting closed at 5.44pm

Confirmed at the Council Meeting on Tuesday 28 October 2014.

A handwritten signature in black ink, appearing to read 'R Doyle', with a horizontal line above it.

Chair  
Council

