



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 40
Tuesday 25 June 2019
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 Kevin Louey
Councillor Beverley Pinder-Mortimer
Councillor Nicholas Reece
Councillor Susan Riley
Councillor Jackie Watts

Apology

Councillor Rohan Leppert
Councillor Cathy Oke

Confirmed at the meeting of Council
on Tuesday 30 July 2019

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor, Sally Capp, 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 four reports from Committees, eight reports from management, of which four were confidential.
- Apologies had been received from Councillors Leppert and Oke.

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 meeting

Moved: Cr Riley

That the minutes of meeting No 39, held on Tuesday 28 May 2019, be confirmed.

Seconded: Cr Frances Gilley

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

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 *Meeting Procedures Code*.

Submissions

In relation to **Agenda item 5.4, Proposed discontinuance and sale of part of Higson Lane, Melbourne**

Item of correspondence:

- Sam Parasol, on behalf of Parassets No 2.

In relation to **Agenda item 6.3, Proposed New Lease – River Studios**

Item of correspondence:

- Chris Thrum.

In relation to **Agenda item 6.4, Funding Support Requests June 2019**

Item of correspondence:

- Chris Thrum.

5. Reports from Committee

There were two reports from Future Melbourne Committee and two reports from Submissions (Section 223) Committee for consideration in the open session.

Reports from Future Melbourne Committee

Deputy Lord Mayor, Arron Wood presented two reports from Future Melbourne Committee in relation to the Finance and Governance Portfolio.

5.1 Adoption of the 2019-20 Annual Plan and Budget

The purpose of this report was to adopt the 2019–20 Annual Plan and Budget in accordance with the requirements of the *Local Government Act 1989*.

Moved: Deputy Lord Mayor, Arron Wood

1. *That Council:*

- 1.1. *Adopts the 2019-20 Annual Plan and Budget (Attachment 1 of the report from management).*
- 1.2. *Notes that public notice will be given of Council's decision in respect to the 2019–20 Annual Plan and Budget, in accordance with section 130(2) of the Local Government Act 1989 (the Act).*
- 1.3. *Notes that a copy of the adopted 2019–20 Annual Plan and Budget will be submitted to the Minister for Local Government and copies made available for inspection by the public in accordance with sections 130(4) and 130(9) of the Act.*

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

5.2 Adoption of the revised 2017–21 Council Plan

The purpose of this report was to adopt the revised 2017–21 Council Plan.

Moved: Deputy Lord Mayor, Arron Wood

1. *That Council:*

- 1.1. *Adopts the proposed amendments outlined in Attachment 3 of the report from management.*
- 1.2. *Notes that the Minister will be advised of any final amendments within 30 days of the decision and copies of the updated Council Plan made available to the public in accordance with section 125(11) of the Local Government Act 1989.*
- 1.3. *Notes the updated Council Plan will also include new Mayoral and CEO messages, a new Councillor group photo, updated photos and details for two individual Councillors, new Portfolio details, revised list of strategies, and reformatted set of indicators against Council Plan outcomes.*
- 1.4. *Notifies the submitter in writing of its decision and the reasons for its decision.*

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

Reports from Submissions (Section 223) Committee

5.3 Proposed public Highway Declaration of whole block bounded by La Trobe, Lonsdale, Exhibition and Russell Streets, Melbourne

The purpose of this report was to recommend the public highway declaration of the roads within the whole block bounded by La Trobe, Lonsdale, Exhibition and Russell Streets, Melbourne pursuant to sections 204(1), 207A and 223 of the *Local Government Act 1989*.

Cr Le Liu declared an indirect conflict of interest in this matter because of impact on residential amenity under Section 78 E of the *Local Government Act 1989* as he lives close to the proposed public highway declaration. Cr Le Liu left the meeting at 5.45pm prior to discussion taking place.

Moved: Lord Mayor, Sally Capp

1. *That Council:*

- 1.1. *Declare the roads bounded by La Trobe, Lonsdale, Exhibition and Russell Streets, Melbourne, as shown shaded and cross hatched on the public notice dated 27 March 2019 (Roads) as public highways, for the reasons that:*
 - 1.1.1. *the Roads are already considered to be public highways at common law having been constructed by and maintained by Council for many decades and being on the Council's Road Register*
 - 1.1.2. *the only objection received relates to the northern end of Bennetts Lane at the rear of 131 La Trobe Street which portion of road (affected area) was constructed around 1854 by Council at the cost of the abutting property owners and has subsequently been maintained and cared for by Council, and the declaration will:*
 - 1.1.2.1. *maintain access rights for the abutting proprietries at 131 La Trobe Street and 24 Bennetts Lane*
 - 1.1.2.2. *make clear the Council is responsible for maintenance of the affected area*
 - 1.1.2.3. *ensure unobstructed access for the property at 131 La Trobe Street to its fire exit and maintenance of the ventilation to the carpark.*
- 1.2. *Notify in writing every person who has lodged a separate submission of the decision and reasons for the decision.*

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

Cr Le Liu returned to the meeting at 5.48pm after the vote had been taken.

5.4 Proposed discontinuance and sale of part of Higson Lane Melbourne

The purpose of this report was to recommend the discontinuance and sale, pursuant to sections 189, 206(1) and 223 and clause 3 of schedule 10 of the *Local Government Act 1989*, of part of Higson Lane, Melbourne.

Moved: Lord Mayor, Sally Capp

That Council defers this item until the Council meeting to be held on 27 August 2019.

Seconded: Cr Pinder-Mortimer

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

6. Reports from management

There were four 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: Deputy Lord Mayor, Arron Wood

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

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

6.2 Precinct Development Program 2017-21 Year 3 Funding

The purpose of this report was to seek Council approval of funding recommendations for year three of the Precinct Development Program 2017–21.

Moved: Cr Louey

1. *That Council:*

- 1.1. *Approves \$567,750 funding in the 2019–20 Council budget for year three of the Precinct Development Program 2017–21.*
- 1.2. *Notes that the funding will be distributed to each precinct in accordance with the Precinct Development Program Guidelines 2017–21 (Attachment 2). The following precincts will be funded: Carlton Inc.; Chinatown Precinct Association; City Precinct; Collins Street Precinct Group; Docklands Chamber of Commerce; Greek Precinct Association; North & West Melbourne Precinct Association; Kensington Business Association and; Yarra River Business Association.*
- 1.3. *Approves the details of the successful applicants being made public following the passing of this resolution.*
- 1.4. *Notes management's intention to begin planning to undertake a review the current Program throughout 2019-20 to allow for Council consideration ahead of the current program ending 30 June 2021.*

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

6.3 Proposed New Lease – River Studios

The purpose of this report was to seek Council approval for a new lease over the premises at Unit 3, 4 and 4a/41-59 Sims St West Melbourne, also known as River Studios.

Moved: Deputy Lord Mayor, Arron Wood

1. *That Council:*

- 1.1. *Approves entering into a new lease over the premises at Unit 3, 4 and 4a/41-59 Sims St West Melbourne on the following terms and conditions:*

- 1.1.1. *A lease term of 10 years (5 + 5 year option exercisable by Council) commencing at the conclusion of negotiations with the Landlord*
- 1.1.2. *A commencing rental of \$205,000 per annum plus GST with increases of 4% per annum*
- 1.1.3. *A market review every (5) years.*
- 1.2. *Notes the lease will be entered into under delegation.*

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, Arron Wood and Councillors Frances Gilley, Le Liu, Louey, Pinder-Mortimer, Reece, Riley and Watts.

6.4 Funding Support Request June 2019

The purpose of this report was to seek direction from Council as to whether recent requests for funding should be funded from the discretionary fund.

Moved: Cr Pinder-Mortimer

1. *That Council approves:*
 - 1.1. *Purchase of a table (12) for the Victorian NAIDOC Gala Ball (6 July 2019) to the value of \$2,482.*
 - 1.2. *\$8,000 in cash funding to Many Rooms to enable continuation during winter of the Saturday Kitchen program which provides access to breakfast and lunch services for homeless and disadvantaged people.*

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

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

Moved: Deputy Lord Mayor, Arron 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 items under the following categories:

- *Agenda items 6.5 and 6.6 as they contain information which if released would prejudice the Council or any person.*
- *Agenda items 6.7 to 6.8 as they contain information about contractual matters.*

Seconded: Cr Pinder-Mortimer

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, Louey, Pinder-Mortimer, Reece, Riley and Watts.

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 6.04pm.

Confirmed at the meeting of Council on Tuesday 30 July 2019.

A handwritten signature in blue ink, reading "Sally Capp". The signature is fluid and cursive, with a large loop at the start of the first name.

Chair
Council

