



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 41
Tuesday 30 July 2019
5.30pm**

**Council Chambers
Level 2
Melbourne Town Hall**

Present

Lord Mayor, Sally Capp
Deputy Lord Mayor, Arron Wood
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Nicholas Reece
Councillor Susan Riley
Councillor Jackie Watts

Apologies

Councillor Nicolas Frances Gilley
Councillor Beverley Pinder-Mortimer

Confirmed at the meeting of Council
on Tuesday 27 August 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 five reports from management.
- apologies had been received from Councillors Frances Gilley and Pinder-Mortimer.

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 40, held on 25 June 2019, be confirmed.

Seconded: Cr Reece

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 Le Liu, Leppert, Louey, Oke, 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 6.4, ***Planning Scheme Amendment C307 Gaming Policy***:

Items of correspondence:

- Megan Taberner, LGS Legal on behalf of the Doxa Community Club Inc.
- Anna Bardsley
- Susan Rennie, VLGA.

5. Reports from Committee

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

6. Reports from management

There were five 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 Le Liu

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

Seconded: Cr Oke

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 Le Liu, Leppert, Louey, Oke, Reece, Riley and Watts.

6.2 Authorisations under the *Planning and Environment Act 1987*

The purpose of this report was to update the authorisations from Council to staff in regards to the *Planning and Environment Act 1987*.

Moved: Cr Reece

That Council appoints Jorge Gomez Gonzalez as an authorised officer for the purposes of the Planning and Environment Act 1987.

Seconded: Cr Leppert

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 Le Liu, Leppert, Louey, Oke, Reece, Riley and Watts.

6.3 2019-20 Small Business Grants and Social Enterprise Grants recommendations

The purpose of this report was to seek endorsement for the 2019–20 Small Business Grants and the Social Enterprise Grants program.

Moved: Cr Riley

1. *That Council:*

1.1. *Approves the 2019–20 Small Business Grants and Social Enterprise Grants as detailed in Attachment 2.*

1.2. *Authorises the Director City Economy and Activation to approve funding for all reserve applications to a total value of \$65,000 in the event one or more of the recommended businesses cannot proceed or declines funding.*

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 Le Liu, Leppert, Louey, Oke, Reece, Riley and Watts.

6.4 Planning Scheme Amendment C307 Gaming Policy

The purpose of this report was to provide an assessment of the independent Panel's recommendations regarding Planning Scheme Amendment C307 Gaming (the Amendment) and to recommend Council adopt the Amendment with changes, and endorse as a Council policy, the City of Melbourne Electronic Gaming Machine Decision Making Framework which was exhibited with the Amendment.

Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Louey, Reece and Riley declared an indirect conflict of interest in relation to this item. The conflict of interest was due to receipt of an applicable gift under section 78C of the *Local Government Act 1989*. All Councillors had received an election campaign donation from a donor affected by the amendment. All Councillors left the meeting at 5.40pm, prior to any discussion taking place.

Due to the number of Councillors declaring conflicts of interest for Agenda 6.4, the quorum for the meeting was lost. The *Planning and Environment Act 1987* prevents Council from delegating the power to finally adopt a planning scheme amendment.

Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Louey, Reece and Riley returned to the meeting at 5.42pm.

6.5 Fixing fees and refund policy for the registration or renewal of registration of dogs and cats

The purpose of this report was to seek a resolution relating to the fixed fees to be paid for registration or renewal of registration for dogs and cats including the circumstances in which a fee or part of a fee may be refunded.

Moved: Deputy Lord Mayor, Arron Wood

1. That Council:

1.1. Pursuant to sections 15(1) and 15(3) of the Domestic Animals Act 1994, resolves to:

1.1.1. fix the fees to be paid for registration or renewal of registration for dogs and cats at:

	10 April – 10 August	11 August – 10 December	11 December – 10 February
<i>Dog full fee</i>	\$180	\$135	\$90
<i>Dog reduced fee</i>	\$60	\$45	\$30
<i>Cat full fee</i>	\$108	\$81	\$54
<i>Cat reduced fee</i>	\$36	\$27	\$18
<i>Foster dog</i>	\$8	\$8	\$8
<i>Foster cat</i>	\$8	\$8	\$8

- A 50% discount applies for eligible concession card holders
- Reduced fee includes desexed pets, pets over 10 years of age and pets registered with approved organisations
- Guide dogs and dogs owned by the Government are exempt from paying a fee

1.1.2. adopt a policy relating to the way refunds for pet registrations are managed and handled (Policy) in accordance with Attachment 3

1.2. Authorises the Director City Operations to make any further minor editorial changes to the Policy prior to its release.

Seconded: Cr Oke

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 Le Liu, Leppert, Louey, Oke, Reece, Riley and Watts.

7. General business

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

8. Urgent business

There was one item of proposed urgent business for consideration.

8.1 Establishment of the Gaming Planning Provisions Committee

Moved: Cr Leppert

That Council resolves that the matter of Establishment of the Gaming Planning Provisions Committee meets the criteria for urgent business as it has arisen since the distribution of the agenda, and cannot safely or conveniently be deferred until the next Council meeting.

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 Le Liu, Leppert, Louey, Oke, Reece, Riley and Watts.

Moved: Cr Leppert

1. *That Council:*

- 1.1. *Establishes the Gaming Planning Provisions Committee (the Committee), pursuant to section 86 of the Local Government Act 1989 (Act).*
- 1.2. *Appoints Councillors Le Liu, Watts, Frances Gilley, Oke and Leppert to be members of the Committee.*
- 1.3. *By Instrument of Delegation pursuant to section 86 of the Act, delegates to the Committee the powers, duties and functions of Council to make decisions of an advisory nature in respect to Planning Scheme Amendment C307 Gaming Policy, subject to the limitations contained in the Local Government Act 1989 and the Planning and Environment Act 1987.*
- 1.4. *Directs that the Committee meet at 5pm on Tuesday 6 August 2019 in the Council Meeting Room.*

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 Le Liu, Leppert, Louey, Oke, Reece, Riley and Watts.

9. Closure of meeting

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 5:50 pm.

Confirmed at the meeting of Council on Tuesday 27 August 2019.



Chair
Council