



## **Melbourne City Council**

### **MINUTES**

**Meeting Number 16  
Tuesday, 28 February 2006  
5.30pm**

#### **PRESENT**

Lord Mayor, John So  
Deputy Lord Mayor, Gary Singer  
Councillor Clarke  
Councillor Jetter  
Councillor Shanahan  
Councillor Snedden  
Councillor Wilson

#### **APOLOGIES**

Councillor Brindley  
Councillor Ng

To be confirmed at the meeting of  
Council on 14 March 2006.

## 1. COMMENCEMENT OF MEETING AND APOLOGIES

The meeting commenced at 5.30pm.

The Lord Mayor, John So, read the following acknowledgment statement:

*"I welcome Councillors, Management and members of the public in attendance to the City of Melbourne. We respectfully acknowledge that we are meeting on the traditional land of the Kulin Nation. This special place is now known by its European name of Melbourne. Today, Melbourne is one of the great multicultural cities of the world, a significant meeting place. For the great Kulin Nation, Melbourne has always been an important meeting place and location for events of social, educational, sporting and cultural significance."*

The Chair advised that:

- the agenda comprised fourteen reports from Committee, one of which was confidential, one Report from Management and one Item of General Business; and
- apologies have been received from Councillors Brindley and Ng.

## 2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary or conflicts of interest.

## 3. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

*Resolved:*

*That the minutes of the open meeting No 15, held on Tuesday, 31 January, be confirmed.*

*Moved: Cr Snedden*

*Seconded: Cr Shanahan*

*Carried unanimously*

## 4. MATTERS ARISING FROM THE MINUTES

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

### **Submission/Items of Correspondence**

The Chair advised that no submissions had been received in accordance with the Council's *Conduct of Meetings Local Law 2001*.

### **Status of Confidential Item**

The confidential item was not brought forward for consideration in the open session of the meeting.

## 5. REPORTS FROM COMMITTEE

### **Finance and Corporate Performance Committee**

#### **5.1. New Lease – Heliport Office, Batman Park, Spencer Street, Melbourne**

The purpose of this report was to seek Council approval to enter into a lease at the Heliport Office, Batman Park, Spencer Street, Melbourne, to Microflite Pty Ltd for a period of 3 years with two further options of 3 years.

Resolved:

1. That Council resolve:

- 1.1. that in accordance with Section 17D of the Crown Land (Reserves) Act 1978, Council grant a lease ("the Lease") of the area known as Heliport Office, Batman Park, Spencer Street, Melbourne to Microflite Pty Ltd ("the Operator") subject to such approvals as required by the Crown and on the following terms and conditions:
  - 1.1.1. an initial term of 3 years with two options to extend the term of 3 years each;
  - 1.1.2. a commencing rental of \$25,000 per annum plus GST, with CPI increases;
  - 1.1.3. the lessee will be responsible for the payment of all rates, taxes, charges and GST during the term of the Lease and any additional taxes or charges that may be introduced during the term of the Lease (save as is not permitted under the Retail Leases Act 2003); and
  - 1.1.4. such other terms and conditions as may be required by the Manager Legal Services, or the person from time to time acting in that position;
- 1.2. by instrument of delegation sealed by the Council under section 98(1) Local Government Act 1989 ("the Act") delegate to the Chief Executive Officer, or the persons from time to time acting in that position, the authority to enter into the Lease and to do all things incidental and ancillary to the same;
- 1.3. under section 98(3) of the Act, authorise the instrument of delegation to the Chief Executive Officer, or the person from time to time acting in that position, to empower him or her to delegate any power, duty or function delegated to him or her under paragraph 1.2 above, to a member of Council staff; and
- 1.4. that the instrument of delegation referred to in paragraph 1.2 above will cease and be of no further effect upon the completion of all necessary steps and the execution of all necessary documents to enter into the Lease.

Moved: Cr Shanahan

Seconded: Deputy Lord Mayor, Gary Singer

Carried unanimously

## 5.2. Queensbridge Precinct Project: Lease for Northbank Land

The purpose of this report was to seek Council approval to enter into a lease with the Victorian Rail Track to lease the Northbank land which is part of the Queensbridge Precinct.

Resolved:

1. That Council resolve:

- 1.1. to enter into a lease with the Victorian Rail Track ("VicTrack") to lease the area known as the Northbank land which is part of the Queensbridge Precinct and is contained in Certificate of Title Volume 10168 Folio 916 subject to obtaining all necessary approvals and on the following terms and conditions:
  - 1.1.1. a term of 50 years with no guarantee of a further term although the parties agree to negotiate in good faith should they determine that another lease is appropriate at the expiry of the term;
  - 1.1.2. a rental of \$104.00 per annum together with charges for any electricity, gas, water, oil and any other source or type of energy, fuel or telephone and other utilities and services consumed on the leased land;
  - 1.1.3. VicTrack having the right to resume a part of the Northbank land, the 'Resumption Area' for future rail purposes, but not within a period of twenty (20) years, if at all;
  - 1.1.4. the permitted use is "public open space for recreational activities including the staging of events for public entertainment"; and
  - 1.1.5. such other terms and conditions as may be required by the Manager Legal Services, or the person from time to time acting in that position;
- 1.2. by instrument of delegation sealed by the Council under section 98(1) Local Government Act 1989 ("the Act") delegate to the Chief Executive Officer, or the persons from time to time acting in that position, the authority to enter into the lease and to do all things incidental and ancillary to the same;

- 1.3. *under section 98(3) of the Act, authorise the instrument of delegation to the Chief Executive Officer, or the person from time to time acting in that position, to empower him or her to delegate any power, duty or function delegated to him or her under paragraph 1.2 above, to a member of Council staff; and*
- 1.4. *that the instrument of delegation referred to in paragraph 1.2 above and any sub delegation under paragraph 1.3 above will cease and be of no further effect upon the completion of all necessary steps and the execution of all necessary documents to enter into the lease.*

*Moved: Cr Shanahan  
Seconded: Deputy Lord Mayor, Gary Singer  
Carried unanimously*

### **5.3. Association of Bayside Municipalities (ABM) – Appointment of a new Council Representative**

The purpose of this report was to:

- note that Cr Brindley wishes to step down as the City of Melbourne’s Councillor Representative on the Association of Bayside Municipalities (“ABM”); and
- outline the City of Melbourne’s current involvement in the ABM and recommend Council appoint a technical officer as its representative.

*Resolved:*

1. *That Council:*
  - 1.1. *accept Cr Brindley’s resignation as Councillor Representative on the Association of Bayside Municipalities; and*
  - 1.2. *appoint a technical officer (a member of Council’s staff) as Council’s representative to the Association of Bayside Municipalities.*

*Moved: Cr Shanahan  
Seconded: Deputy Lord Mayor, Gary Singer  
Carried unanimously*

### **5.4. Long Stay Car Park Levy**

The purpose of this report was to:

- inform Council of the preparation of a funding agreement currently being negotiated between the State and Council to be signed by the Chief Executive in accordance with Council’s resolution on 25 October 2005;
- recommend a framework for ongoing expenditure of Council’s share of levy proceeds together with initiatives for funding in 2006; and
- respond to Council’s resolutions on 25 October 2005 and 13 December 2005 with respect to the levy.

*Resolved:*

1. *That Council:*
  - 1.1. *endorse the funding framework detailed in this report to guide Council in spending funds provided by the State from the levy;*
  - 1.2. *adopt the 2006 initiatives outlined in this report, subject to receiving the parking levy allocation from the State;*
  - 1.3. *receives a six monthly status report on compliance with the objectives of the levy;*
  - 1.4. *the proposal for 19.7 be redirected to the project specified in paragraph 20.3 (Flinders Street footpath between Swanston and Queen Streets) of the report; and*
  - 1.5. *to amend 22.5 to provide for a review of the effects of the reversal of traffic flow in Little Collins Street (from west to east).*

*Moved: Cr Shanahan  
Seconded: Deputy Lord Mayor, Gary Singer  
Carried unanimously*

## Planning and Environment Committee

### 5.5. Waste Management – Wet Materials Recovery Facility (MRF) Tender

The purpose of this report was to obtain Council approval:

- for Council to continue working towards the establishment of a Wet Materials Recovery Facility (“MRF”) to separate and process waste for resource recovery;
- to negotiate and enter into a contract for the establishment and operation of a Wet MRF; and
- to commit Council funding to the Wet MRF upon entering into an acceptable contract.

*Resolved:*

1. *That Council:*

- 1.1. *together with other willing council members represented by the Western Regional Waste Management Group or its successor, enter into a contract with Global Renewables Melbourne Pty Ltd (ACN 108 108 005) to establish and operate a Wet Materials Recovery Facility subject to the following:*
  - 1.1.1. *successful negotiation of the outstanding contract terms;*
  - 1.1.2. *a commitment by other councils to the Project so that the aggregate quantity of waste supplied to the Wet Materials Recovery Facility is sufficient for the proposed gatefee to come into effect;*
  - 1.1.3. *the Wet MRF is established and operated in accordance with relevant Council policies;*
  - 1.1.4. *the contract being novated from Western Regional Waste Management Group to the Metropolitan Waste Management Group or other successor should this representative body change subsequent to the contract being entered into;*
  - 1.1.5. *approval of appropriate State Government funding including a grant from the Sustainability Fund; and*
  - 1.1.6. *Council obtaining the necessary approvals and consents under the Local Government Act 1989 (including any approval required under section 193 of the Act) and Council, Global Renewables Melbourne Pty Ltd and other participating Councils obtaining the necessary approvals and consents to undertake the Project, including any approvals required under the Planning and Environment Act 1987;*
- 1.2. *by instrument of delegation sealed by the Council under section 98(1) of the Local Government Act 1989 delegate its powers under the Act to the Chief Executive Officer, or the person from time to time acting in that position:*
  - 1.2.1. *to negotiate and agree with Global Renewables Melbourne Pty Ltd, Western Regional Waste Management Group and other participating councils the terms upon which Council will participate in the Project and agree to Council’s contribution;*
  - 1.2.2. *to enter into a contract with Global Renewables Melbourne Pty Ltd, Western Regional Waste Management Group and the other participating councils to establish and operate the Wet Materials Recovery Facility on the terms agreed and to apply for any necessary approvals;*
  - 1.2.3. *to do all things incidental and ancillary to the same;*
  - 1.2.4. *that under section 98(3) of the Local Government Act 1989, authorise the instrument of delegation to the Chief Executive Officer, or the person from time to time acting in that position, to empower him or her to delegate any power, duty or function of Council delegated to him or her under paragraphs 1.2.1 to 1.2.3 above, to a member of Council staff; and*
  - 1.2.5. *resolve that the instrument of delegation referred to in paragraph 1.2 above will cease and be of no further effect upon the completion of all necessary steps and the execution of all necessary documents to enter into the contract with Global Renewables Melbourne Pty Ltd, the Western Regional Waste Management Group and the participating councils; and*
- 1.3. *advise Western Regional Waste Management Group of Council’s resolution.*

*Moved: Deputy Lord Mayor, Gary Singer*

*Seconded: Cr Shanahan*

*Carried unanimously*

## 5.6. Governance Arrangements for Inner Melbourne Action Plan

The purpose of this report was for Council to:

- endorse the establishment of the Inner Melbourne Action Plan Implementation Committee, pursuant to the Section 86 of the *Local Government Act 1989*, to facilitate on-going regional collaboration and the effective implementation of the Inner Melbourne Action Plan (IMAP); and
- approve the IMAP Instrument of Delegation and Terms of Reference of the Inner Melbourne Action Plan Implementation Committee, in order to progress its formal constitution.

The Deputy Lord Mayor, Gary Singer, moved the recommendation contained in the Council Report subject to the words "and Environment", immediately prior to the word "Planning", being deleted from paragraphs 1.4.1 and 1.5 below.

Cr Shanahan seconded the Deputy Lord Mayor's motion. The motion was put and carried unanimously.

The resolution in its entirety reads:

1. *That Council:*
  - 1.1. *establish a Special Committee called the Inner Melbourne Action Plan Implementation Committee ("Special Committee"), pursuant to section 86 of the Local Government Act 1989 ("Act");*
  - 1.2. *adopt the Terms of Reference for the Special Committee as detailed in Attachment 1 to the Management Report;*
  - 1.3. *by Instrument of Delegation pursuant to section 86 of the Act, delegate to the Special Committee, the powers, duties and functions relevant to the Inner Melbourne Action Plan Implementation Committee Governance Arrangements in accordance with the Instrument of Delegation in Attachment 2 to the Management Report;*
  - 1.4. *appoint as members of the Special Committee:*
    - 1.4.1. *the person from time to time holding the position of Chair of the Melbourne City Council's Planning Committee;*
    - 1.4.2. *the person from time to time holding the position of Director Sustainability & Innovation, Melbourne City Council;*
    - 1.4.3. *the person from time to time holding the position of Mayor, Stonnington City Council;*
    - 1.4.4. *the person from time to time holding the position of Chief Executive Officer, Stonnington City Council;*
    - 1.4.5. *the person from time to time holding the position of Mayor, Yarra City Council;*
    - 1.4.6. *the person from time to time holding the position of Chief Executive Officer, Yarra City Council;*
    - 1.4.7. *the person from time to time holding the position of Mayor, Port Phillip City Council; and*
    - 1.4.8. *the person from time to time holding the position of Chief Executive Officer, Port Phillip City Council; and*
  - 1.5. *approve the appointment of the Chair Planning Committee and the Director Sustainability & Innovation to the Port Phillip City Council's, Stonnington City Council's and Yarra City Council's Inner Melbourne Action Plan Implementation Committees.*
  - 1.6. *determine that the first ordinary meeting of the Special Committee shall be held on Friday, 21 April 2006 commencing at 9.00am at the St Kilda Town Hall.*

## 5.7. Inner Regional Housing Statement

The purpose of this report was to:

- outline public feedback on the draft Inner Regional Housing Statement and to seek endorsement of the Statement, subject to minor amendment; and
- advise that the Inner Regional Housing Working Group adopted the Inner Regional Housing Statement at its meeting on 30 November 2005 and recommended that partner Councils endorse the Statement to inform strategic policy work and infrastructure and services planning.

*Resolved:*

1. *That Council:*
  - 1.1. *endorse the Inner Regional Housing Statement to inform strategic policy work and infrastructure and services planning; and*
  - 1.2. *authorise the Inner Regional Housing Working Group and Technical Working Group to make editorial and format changes to the Statement prior to its publication.*

*Moved: Deputy Lord Mayor, Gary Singer*  
*Seconded: Cr Jetter*  
*Carried unanimously*

### **5.8. Community Power Memorandum of Understanding**

The purpose of this report was to update Council on the current status of the Community Power program and to seek Council's endorsement of a three-year Memorandum of Understanding between the Community Power member organisations for the financial years 2006/07 to 2008/09.

*Resolved:*

- 1. That Council:*
  - 1.1. note the report on the Community Power Program activities;*
  - 1.2. by instrument of delegation sealed by the Council under Section 98(1) of the Local Government Act 1989 ("the Act") delegate to the Chief Executive Officer, or the persons from time to time acting in that position, and in consultation with the Portfolio Councillor, authority to enter into a three year agreement with the Community Power Member Organisations to participate in the program and provide funding for each year of the agreement as prescribed in the Community Power Business Plan;*
  - 1.3. under Section 98(3) of the Act, authorise the instrument of delegation to the Chief Executive, or the persons from time to time acting in that position, and in consultation with the Portfolio Councillor, to empower him or her to delegate any power, duty or function delegated to him or her under the paragraph above, to a member of Council staff;*
  - 1.4. resolve that the instrument of delegation referred to in paragraph 1.2 above will cease and be of no further effect upon the agreement; and*
  - 1.5. resolve that a report be presented to Council on an annual basis.*

*Moved: Deputy Lord Mayor, Gary Singer*  
*Seconded: Cr Jetter*  
*Carried unanimously*

### **5.9. Melbourne Planning Scheme Amendment C61: Queen Victoria Market Precinct Built Form Review**

The purpose of this report was to recommend that Council adopt Melbourne Planning Scheme Amendment C61, with the modifications recommended by the Independent Panel, and request the Minister for Planning approve the Amendment.

*Resolved:*

- 1. That Council:*
  - 1.1. having considered all submissions and the Panel Report, adopt Melbourne Planning Scheme Amendment C61 as set out in Attachment 1 to the Management Report; and*
  - 1.2. submit Amendment C61 to the Minister for Planning for approval.*

*Moved: Deputy Lord Mayor, Gary Singer*  
*Seconded: Cr Jetter*  
*Carried unanimously*

### **5.10. Melbourne Planning Scheme Amendment C107: 189-219 Salmon Street, Port Melbourne**

The purpose of this report was to inform Council of Melbourne Planning Scheme Amendment C107 and seek its adoption. The Amendment proposed to adjust zone boundaries to align them with the title boundaries of the Holden Corporate Headquarters at 189-219 Salmon Street, Port Melbourne.

*Resolved:*

- 1. That Council:*
  - 1.1. adopt Melbourne Planning Scheme Amendment C107 pursuant to section 29 of the Planning and Environment Act 1987 and as presented in Attachments 1 and 2 to the Management Report;*
  - 1.2. forward the adopted Amendment to the Secretary of the Department of Sustainability and Environment for certification;*

- 1.3. *by instrument of delegation sealed by the Council pursuant to section 98(1) of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987 delegate the power to the Group Manager, Sustainable Regulatory Services, or the person from time to time acting in that position to:*
  - 1.3.1. *negotiate and liaise with the Secretary of the Department of Sustainability and Environment for the purpose of having the Amendment certified pursuant to section 35A of the Planning and Environment Act 1987;*
  - 1.3.2. *approve the Amendment, if not substantially amended following adoption by Council and if appropriate in the circumstances, pursuant to section 35B of the Planning and Environment Act 1987;*
  - 1.3.3. *do all things incidental and ancillary to the above; and*
  - 1.3.4. *advise the Minister for Planning of any decision made to approve the Amendment in satisfaction of section 35B of the Planning and Environment Act 1987; and*
- 1.4. *resolve that the instrument of delegation referred to in paragraph 1.3 immediately above will cease and be of no further effect upon completion of all necessary steps and the execution of all necessary documents in order that the Amendment is certified, approved and notified.*

*Moved: Deputy Lord Mayor, Gary Singer*

*Seconded: Cr Jetter*

*Carried unanimously*

## **Community and Culture Committee**

### **5.11. Review of Library Services**

The purpose of this report was to note that a report on the review of library services will be considered in the closed session.

*Resolved:*

1. *That Council note:*
  - 1.1. *this information report; and*
  - 1.2. *that this matter will be considered in the confidential session.*

*Moved: Cr Wilson*

*Seconded: Deputy Lord Mayor, Gary Singer*

*Carried unanimously*

### **5.12. Municipal Early Years Plan – Child Care**

The purpose of this report was to present and seek approval of a means of providing a minimum additional 200 child care places by January 2008, in accordance with Council's resolution of 6 December 2005.

Cr Wilson moved the recommendation contained in the Council Report with the following amendments to paragraph 1.3 below:

- insert the words "*pursuant to section 89(1) of the Local Government Act 1989 ("the Act") by*", after the word "*authorise*";
- delete the word "*the*" immediately prior to the words "*instrument of delegation*"; and
- insert the word "*Officer*" after the words "*Chief Executive*".

The Deputy Lord Mayor, Gary Singer, seconded Cr Wilson's motion.

Cr Snedden moved the following amendment to paragraph 1.8 below:

- add the words "*in particular, in relation to Crown Land permanently reserved for Public Gardens requiring Ministerial/legislative approval*", after the words "*State Government*".

Cr Clarke seconded Cr Snedden's amendment.

Cr Snedden's amendment was put and lost with Councillors Clarke, Shanahan and Snedden voting in favour of the amendment and the Lord Mayor, John So, Deputy Lord Mayor, Gary Singer, and Councillors Jetter and Wilson voting against the amendment.



The substantive motion was put and carried unanimously.

The resolution in its entirety reads:

*1. That Council:*

- 1.1. approve the following infrastructure proposals at Council owned facilities to provide 140 of the minimum 200 additional child care places required by January 2008 by:*
  - 1.1.1. modifying Kensington Community Children's Co-op to provide 45 additional places at a capital cost of \$1.2M (funds allocated in 2005/2006 works program);*
  - 1.1.2. modifying Lady Huntingfield Children's Centre by demolishing the existing facility and constructing a new 120 place centre (an additional 62 places), or any nearby site which could achieve a similar outcome, for the capital cost of \$3.0m or staged redevelopment of \$3.5M (\$1.7M allocated in 2005/2006 works program and commitment to an allocation of \$1.8M in the 2006/2007 works program) subject to a report back on consultation with local residents;*
  - 1.1.3. completing Central Carlton Children's Centre to provide 8 additional places at a capital cost of \$0.2M (funds allocated in 2005/2006 works program);*
  - 1.1.4. modifying Fawkner Park Children's Centre to provide 25 additional places at a capital cost of \$0.5M (funds allocated in 2005/2006 works program); and*
- 1.2. approve the initiative to work with existing and potential child care operators to encourage the growth of their services, while at the same time seeking ways and means of providing an additional 60 Council owned and operated (or community managed) child care places within the city by January 2008 with a report on the progress of this search to be a part of the Report to this Committee in April 2006;*
- 1.3. in the short to medium term, and given the potential to access Council's investments funds, authorise, pursuant to section 89(1) of the Local Government Act 1989 ("the Act") by instrument of delegation to the Chief Executive Officer to negotiate directly with the State Government and other responsible entities, and to enter into contracts, regarding the development of land or existing facilities that present opportunities for child care, particularly taking into account (but not limited to) the following known locations:*
  - 1.3.1. Docklands (Vic Urban proposition);*
  - 1.3.2. 603 Queensberry Street North Melbourne;*
  - 1.3.3. Council House, 200 Little Collins Street Melbourne; and*
  - 1.3.4. Queen Victoria Market; and*
- 1.4. under section 98(3) of the Act, authorise the instrument of delegation to the Chief Executive Officer, or the person from time to time acting in that position, to empower him or her to delegate any power, duty or function delegated to him or her under the paragraph immediately above, to a member of Council staff;*
- 1.5. request a further report on child care policy and operational matters in the City of Melbourne in April 2006;*
- 1.6. resolve that any instrument of delegation referred to in paragraphs 1.3 and 1.4 of this report will cease and be of no further effect upon the completion of all necessary steps and the execution of all necessary documents to provide an additional 200 child care places by January 2008;*
- 1.7. continues to call for public expressions of interest for possible sites for child care in the City of Melbourne; and*
- 1.8. request Councillor Wilson to directly discuss and negotiate further child care outcomes with the State Government.*

**5.13. International Metropolis Conference, Melbourne 8-12 October 2007**

The purpose of this report was to recommend that Council agree to sponsor a dinner reception for delegates to the International Metropolis 2007 Conference, to be held in Melbourne from 8-12 October 2007.

*Resolved:*

*That Council resolve to sponsor a dinner reception for delegates to the International Metropolis 2007 Conference, to be held in Melbourne from 8-12 October 2007.*

*Moved: Cr Wilson*

*Seconded: Cr Shanahan*

*Carried unanimously*

## 6. REPORTS FROM MANAGEMENT

There was one Report from Management to be considered.

### 6.1 Fee Waiver Scheme on Outstanding Parking Fines

The purpose of this report was to seek Council approval to accept a State Government invitation to participate in the Fee Waiver Scheme on outstanding parking fines that are settled (paid) between 1 March and 31 May 2006.

The Director Finance, Martin Cutter, provided the Council with a brief presentation outlining the salient points of the report.

The Deputy Lord Mayor, Gary Singer, moved the recommendation contained in the Management Report. Cr Wilson seconded the Deputy Lord Mayor, Gary Singer's motion.

Cr Snedden moved that the following further paragraph (1.1) be added to the recommendation below, "*residents of the City of Melbourne will have an amnesty on parking fines during the Commonwealth Games from 15-26 March 2006.*"

Cr Snedden's amendment lapsed for want of a seconder.

The motion was put and carried unanimously.

*Resolved:*

1. *That Council approve participation in the Fee Waiver Scheme on outstanding parking fines that are settled (paid) between 1 March 2006 and 31 May 2006.*

## 7. GENERAL BUSINESS

There was one item of General Business to be considered.

### 7.1 Revised Committee Structure

The purpose of this report was to present outcomes of a review of the Council's current Committee structure and to propose a revised Committee structure, including membership, terms of reference, delegations and frequency of meetings, for the remainder of the term of the Council.

The Chair, Lord Mayor, John So, presented the report to Council and moved the recommendation contained in the Council Report.

The Deputy Lord Mayor, Gary Singer, seconded the Chair, Lord Mayor, John So's motion.

Cr Clarke moved that the "notice period" of 24 hours, referred to in paragraph 1.14 below, be amended to 48 hours.

The Chair, Lord Mayor, John So, and the Deputy Lord Mayor, Gary Singer, as mover and seconder of the motion respectively, agreed to incorporate Cr Clarke's amendment.

The substantive motion was put and carried unanimously.

The resolution in its entirety reads:

1. *That Council:*
  - 1.1. *dissolve the Business and Marketing Committee, Community and Culture Committee, Finance and Corporate Performance Committee and the Planning and Environment Committee, effective from 15 March 2006;*
  - 1.2. *revoke the Instruments of Delegation to the Business and Marketing Committee, Community and Culture Committee, Finance and Corporate Performance Committee and the Planning and Environment Committee effective from 15 March 2006;*

- 1.3. confirm any unconfirmed minutes of the Business and Marketing Committee, Community and Culture Committee, Finance and Corporate Performance Committee and the Planning and Environment Committee, at the Council meeting scheduled to be held on Tuesday, 14 March 2006;
- 1.4. note that at the 14 March 2006 Council meeting, Council in its closed session will confirm any unconfirmed minutes of the closed sessions of the Committees being dissolved;
- 1.5. resolve that the Committee structure for the remainder of the term of the Council, effective from 15 March 2006, will comprise:
  - 1.5.1. Finance and Governance Committee (monthly meeting);
  - 1.5.2. Planning Committee (monthly meeting);
  - 1.5.3. Community Services Committee (monthly meeting);
  - 1.5.4. Environment Committee (bi-monthly meeting);
  - 1.5.5. Marketing and Events Committee (bi-monthly meeting);
  - 1.5.6. Business and International Relations Committee (bi-monthly meeting); and
  - 1.5.7. Docklands and Major Projects Committee (bi-monthly meeting); and
- 1.6. establish each of the Committees referred to in paragraphs 1.5.1 to 1.5.7 above, pursuant to section 86 of the Local Government Act 1989 and note the Committees will be effective from 15 March 2006, with the first Committee meeting on 4 April 2006;
- 1.7. appoint the Chair and members with respect to each of the proposed Committees outlined in paragraph 1.5 above, as per Attachment 1 to the Council Report;
- 1.8. adopt the Terms of Reference with respect to each of the proposed Committees outlined in paragraph 1.5 above, as per Attachment 1 to the Council Report;
- 1.9. endorse the frequency of meetings of the proposed Committees as detailed in Attachment 1 to the Council Report;
- 1.10. adopt the Meeting Schedule as detailed in Attachment 3 to the Council Report (noting that the meeting dates for Committees need to be ratified by the relevant Committees);
- 1.11. endorse the quorum of each of the Committees referred to in paragraph 1.5 above, being the majority of members (that is five members);
- 1.12. note that in the absence of a Committee Chair, the Deputy Lord Mayor, as the Leadership Team representative will be the Acting Chair, and in the absence of the Deputy Lord Mayor, the Lord Mayor will act as Chair;
- 1.13. pursuant to Section 86 of the Local Government Act 1989 delegate, by Instrument of Delegation, to each Committee referred to in paragraph 1.5, the powers, duties and functions relevant to the Terms of Reference of each Committee, subject to:
  - 1.13.1. the conditions and limitations identified in the standard Committee Instrument of Delegation as detailed in Attachment 2 to the Council Report;
  - 1.13.2. in the case of the Finance and Governance Committee, the Delegation not extending to decision making in respect to:
    - 1.13.2.1. governance matters, where the Committee will make recommendations to Council; and
    - 1.13.2.2. Councillor Travel Arrangements and Councillor Expenses, where the Committee will make recommendations to the Lord Mayor; and
- 1.14. note that the "notice period" referred to in the standard Committee Instrument of Delegation, detailed in Attachment 2 to the Council Report, is 48 hours from the delivery of the unconfirmed minutes to Councillors;
- 1.15. amend the membership of the Submissions Committee to replace the Manager Legal & Governance with the Manager Governance Services, effective immediately;
- 1.16. amend the Audit Committee Charter and Terms of Reference to replace references to the Finance and Corporate Performance Committee with references to the Finance and Governance Committee, effective from 15 March 2006;
- 1.17. amend the Councillor Travel Guidelines to replace references to the Finance and Corporate Performance Committee with references to the Finance and Governance Committee, effective from 15 March 2006;
- 1.18. resolve that the current Councillor representatives identified in the Advisory Committees and External Organisations Schedule remain in place until there is a resolution to the contrary; and
- 1.19. note that in accordance with sustainability principles, the circulation of Executive hard copy Council and Committee papers (internal distribution), be limited to the Lord Mayor, Deputy Lord Mayor, Councillors, Chief Executive Officer, Directors and Secretariat Staff.

## 8. URGENT BUSINESS

There were no items of Urgent Business to be considered.

## 9. CLOSURE OF OPEN MEETING

The Council moved into closed session with the following resolution:

*Resolved:*

*"That pursuant to section 89(2)(h) of the Local Government Act 1989, the meeting of the Council be closed to members of the public for consideration of agenda item 5.14 because it contains information which the Council considers would be prejudicial."*


*Moved: Deputy Lord Mayor, Gary Singer*

*Seconded: Cr Shanahan*

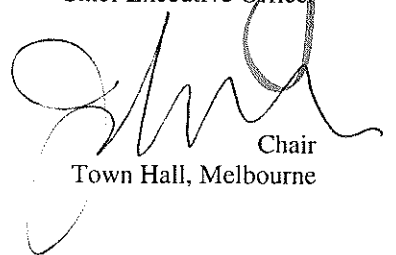
*Carried unanimously*

The Chair declared the meeting closed to members of the public at 5.54pm.

Confirmed in open Council on 14 March 2006.



Chief Executive Officer



Chair  
Town Hall, Melbourne