



Melbourne City Council

MINUTES

**Meeting Number 30
Thursday, 26 June 2003
5.00 pm**

PRESENT

Lord Mayor, John So
Deputy Lord Mayor, Susan Riley
Councillor Chamberlin
Councillor Goonan
Councillor Kitching
Councillor Ng (from 5.06pm)
Councillor Redwood
Councillor Risstrom

APOLOGIES

Councillor Nicholson

To be confirmed at the meeting of
Council on 31 July 2003

1. COMMENCEMENT OF MEETING AND APOLOGIES

The meeting commenced at 5.04pm.

The Lord Mayor advised that the agenda comprised sixteen Reports from Committees, three of which were confidential, one item of General Business and one proposed confidential item of Urgent Business.

The Lord Mayor further advised that an apology had been received from Cr Nicholson.

The Lord Mayor advised Councillors that this meeting would be web-cast.

2. DECLARATION OF PECUNIARY INTEREST

Cr Risstrom declared indirect pecuniary interests in relation to a part of agenda item 5.10, *Adoption of 2003/2004 Annual Budget*, and agenda item 5.13, *Williamson Community Leadership Program Sponsorship*.

3. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

Resolved:

That the minutes of the open meeting No 28, held on Thursday, 29 May 2003, be confirmed.

Moved: Cr Kitching

Seconded: Cr Chamberlin

Carried unanimously

Resolved:

That the minutes of the special meeting No 29, held on Thursday, 3 June 2003, be confirmed.

Moved: Cr Chamberlin

Seconded: Cr Goonan

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 Lord Mayor advised that no items of correspondence or submissions had been received.

No confidential items were brought forward for consideration in the open session of the meeting.

Cr Ng arrived at 5.06pm.

5. REPORTS FROM COMMITTEE

Environment, Community and Cultural Development Committee

5.1 Waste Management Policy and Operations

This report informed Council on policy and operational issues impacting on waste management practices within the City of Melbourne.

Resolved:

That Council:

- note the likely impact of the proposed Work Safe Victoria OH&S guidelines, support continued lobbying regarding the need for further consultation and the an extension to the transition period, endorse the preparation of a Risk Control Plan to assess the likely level of exposure to the new Work Safe OH&S guidelines and support an amount of \$200,000 in the 2003/2004 budget for any changes to waste services required to retain the same level of service;
- note that a further report will be presented to the Environment, Community and Cultural Development Committee when a Risk Control Plan has been completed;
- note Council's submission to the Victorian Government's 'Towards Zero Waste: A Materials Efficiency Strategy for Victoria' consultation, as attached;
- approve the amended WRWMG constitution and appoint Cr David Risstrom as Director of the WRWMG and the Group Manager Engineering Services as alternative Director; and
- note the executive summary of the 'Study into the Integration of Waste Management Services for Western Regional Waste Management Group (WRWMG)', as attached to the Management Report.

Moved: Cr Redwood

Seconded: Cr Risstrom

Carried unanimously

Additionally, Council noted comments from Cr Risstrom that he would list the issues of lobbying for the introduction of bottle deposits and the use of calico rather than plastic shopping bags on the agenda for the next meeting of the Western Region Refuse Disposal Group.

5.2 Proposed Amendments to the Environment Local Law No 2 of 1999

This report updated Council on the consideration of the submissions received by the Environment Local Law Review Submissions Committee and sought endorsement to continue the formal statutory processes in accordance with the provisions of the *Local Government Act 1989*.

Resolved:

That Council:

- modify the proposed Environment Local Law (General Amendment) Local Law 2002 (No. 1 of 2002) as follows:
 - delete clause 2(b);
 - delete clause 8(c) and insert:
“(c) in clause 1.9, after the definition of “Act” delete the definition of “Appropriate site” and insert the following definitions:
‘Activities Local Law’ means the Melbourne City Council **Activities Local Law 1999(No 1 of 1999)** as amended from time to time;
‘Appropriate site’ means a site approved by the Council for the storage of waste **and any re-useable containers.**”
 - delete clause 9(a) and insert:
“(a) in clause 2.1(b) insert the word “and” after the word “**noise;**” at the end of the **third** dot point.”
 - after clause 9(b) but before clause 10 insert a new clause 9(c):
“(c) In clause 2.1(b) after the third dot point insert a fourth dot point:
 - the generation of offensive odours and fumes.’.”
 - amend clause 11(b) to read:
“2. Objectives of the Environment Management Plan
The objectives of the EMP are to:
 - (a)
 - (b)
 - (c) Facilitate and promote responsible land, water, atmosphere, noise and waste management throughout the municipality”.
 - delete clauses 11(d) and 11(e) and insert:
“4. Prescribed Requirements of the Environment Management Plan for Non-Residential Premises

Note: The requirements detailed in this clause 4 are mandatory. An owner and an occupier of non-residential premises must comply with these requirements in the manner specified.

- 4.1. waste including hard waste, green waste and recyclable material from any premises must only be collected on such days and at such times as are prescribed by the Council. **(Category 1 offence)**
- 4.2. deliveries of any goods to or collections of any goods from any premises must only be made on such days and at such times as are prescribed by the Council. **(Category 1 offence)**
- 4.3. waste containers and any re-useable containers must be stored within the premises, or at an appropriate site outside of collection periods. **(Category 3 offence)**
- 4.4. hard waste, green waste and containers with waste material and recyclable material must not be placed outside the premises for collection earlier than two hours prior to collection or such other period prior to collection as the Council considers reasonable having regard to the nature of the property and must either be replaced within the premises or at an appropriate site within one hour of collection or such other period as the Council considers reasonable having regard to the nature of the property. **(Category 3 offence)**
- 4.5. sufficient tobacco waste containers must be provided to contain all tobacco waste generated as a result of the use or operation of the premises. **(Category 3 offence)**
- 4.6. hazardous waste must not be placed on the roadside for collection regardless of the type of collection service employed. **(Category 1 offence)**
- 4.7. liquid waste must not be placed directly in a waste collection container. **(Category 1 offence)**
- 4.8. waste material must not be placed, emptied, swept, thrown or otherwise discharged onto a road or into a stormwater drain. **(Category 2 offence)**
- 4.9. waste material must not be incinerated or otherwise burned in the open on any premises. **(Category 2 offence)**

5. Prescribed Requirements of the Environment Management Plan for Residential Premises

Note: The requirements detailed in this clause 5 are mandatory. An owner and an occupier of residential premises must comply with these requirements in the manner specified

- 5.1. waste including hard waste, green waste and recyclable material from any premises must only be collected on such days and at such times as are prescribed by the Council. **(Category 1 offence)**
- 5.2. waste material and recyclable material must be stored in a container approved by the Council for such purposes.
- 5.3. waste containers and any re-useable containers must be stored within the premises, or at an appropriate site outside of collection periods. **(Category 3 offence)**
- 5.4. hard waste, green waste and containers with waste material and recyclable material must not be placed outside the premises for collection earlier than 6.00pm the evening before the collection day and must be replaced within 24 hours of the collection period.
- 5.5. hazardous waste must not be placed on the roadside for collection regardless of the type of collection service employed. **(Category 1 offence)**
- 5.6. liquid waste must not be placed directly into a waste collection container. **(Category 1 offence)**
- 5.7. waste material must not be poured, emptied, swept, thrown or otherwise discharged onto a road or into a stormwater drain. **(Category 2 offence)**
- 5.8. waste material must not be incinerated or otherwise burned in the open on any premises. **(Category 2 offence)**

6. Council Guidelines

- 6.1. in addition to any Performance Requirements and Prescribed Requirements, any guidelines prescribed by the Council for:
 - 6.1.1 the storage and collection of waste;
 - 6.1.2 the burning of material in the open;
 - 6.1.3 the use of open fires;
 - 6.1.4 the management of noise; or
 - 6.1.5 any other matter that it considers appropriate, must be complied with.”

- consider the report prepared for Council by the Allen Consulting Group Pty Ltd in relation to its review of the Environment Local Law (General Amendment) Local Law 2002 to ensure the proposed amendments

comply with the National Competition Policy principles, particularly the recommendation that the exercise of any discretion does not unreasonably restrict commercial activities within the municipality with respect to:

- *prescribing times during which waste may be collected;*
 - *prescribing times during which deliveries may be made;*
 - *prescribing persons or classes of persons exempted from the requirement to obtain a permit; and*
 - *prescribing areas within the municipality to which a particular clause or clauses of the local law apply.*
- *make the Environment Local Law (General Amendment) Local Law 2002 as amended;*
 - *advise all submitters of Council's decision in relation to this matter and provide submitters with written reasons for its decision, being the reasons identified in the attached schedule;*
 - *give notice in the Government Gazette and publish a notice in the "Melbourne Times" and the "Age" newspapers stating the matters specified in S 119(3) of the Act relating to the Environment Local Law (General Amendment) Local Law 2002; and*
 - *by instrument of delegation sealed by the Council pursuant to Sections 98(1) and 98(3) of the Local Government Act 1989 ("the Act"), delegate to the Chief Executive Officer, or person from time to time acting in that position, its powers, duties and functions under Part 5 of the Act including the power to sub-delegate to a member of Council staff and without limitation:*
 - *all of the powers, functions and duties to be performed by Council pursuant to the Environment Local Law (General Amendment) Local Law 2002; and*
 - *the power to approve Policy Operating Statements that support the operation and enforcement of the Environment Local Law and any other acts for which Council has enforcement responsibilities.*

Moved: Cr Redwood

Seconded: Cr Goonan

Carried unanimously

5.3 City Library – Status Report

This report advised Council of the current progress and status of works to establish the City Library, and further advised of funding issues that have arisen during these works. A detailed report in relation to this matter was considered in the closed session of Council.

Resolved:

That Council note:

- *the progress that has been achieved in establishing the City Library; and*
- *the financial issues that have been identified in the report.*

Moved: Cr Redwood

Seconded: Cr Ng

Carried unanimously

5.4 Replacement Trees – Peel Street, North Melbourne

This report provided Council with the Committee's recommendation following consideration of the results of the community consultation on the selection of replacement trees to be planted in the medians in Peel Street, North Melbourne.

Cr Redwood moved the recommendation contained in the Council Report.

Cr Goonan seconded Cr Redwood's motion.

Cr Risstrom foreshadowed an alternative motion to determine that the suitable tree species to be Angophora, as supported by the results of the survey, Heritage Victoria and Yarra Trams.

Cr Redwood's motion was put and carried with the Lord Mayor (John So), and Councillors Chamberlin, Goonan, Kitching, Ng and Redwood voting for the motion and the Deputy Lord Mayor (Susan Riley) and Councillor Risstrom voting against the motion.

The Council's resolution, in its entirety, reads as follows:

That Council:

- *consider the results of the completed community and key stakeholder consultation;*
- *determine the suitable tree species to be poplars or columnar shaped trees for planting in Winter 2003 in the reconstructed medians in Peels Street between the Haymarket Roundabout and Victoria Street; and*
- *request that planting of trees on the footpath proceed and the selected tree be an appropriate native species.*

Cr Risstrom foreshadowed motion duly lapsed.

Planning, Development and Services Committee

5.5 Proposed Amendments to the Activities Local Law No 1 of 1999

This report informed Council of the submissions lodged in relation to the Activities Local Law (General Amendment) Local Law 2002 and their consideration by the Submissions Committee and sought Council approval of the Local Law as modified.

Resolved:

That Council:

- *modify the proposed Activities Local Law (General Amendment) Local Law 2002 as follows:*
 - *amend Part 1 Objectives clauses 2(a) and 2(c) to read as follows:*

“The objectives of this Local Law are to:

 - (a) ensure the preservation and enhance the visual amenity of buildings within the municipal district;...
 - (c) prevent and suppress nuisances associated with building works and other commercial activities which may adversely affect the enjoyment of life within the municipal district.”
 - *in clause 8(n) amend the definition of “Nuisance” to read as follows (new words in bold):*

“‘Nuisance’ has its ordinary common meaning in this Local Law, except for Part 8 where it is also to include:

 - (a) any building works that emit dust, **odour, waste**, noxious gases or other wind blown refuse beyond the construction site.”
 - *delete clause 8(y);*
 - *amend clause 10(b) as follows:*
 - insert the words “or by visiting Council’s web site at www.melbourne.vic.gov.au” after the words “Melbourne Town Hall”; and
 - insert the words “or visit Council’s web site at www.melbourne.vic.gov.au” after the word “Council.”
 - *in clause 12(b) amend the clause relating to “Permit required for filming and special events” as follows (new words in bold):*

“5.6A Unless in accordance with a permit, a person must not in or on a road **or any other public place prescribed by Council:**

 - a) conduct any special event,
 - b) conduct any filming where the film is for a commercial purpose, public exhibition or as part of a course conducted by a tertiary institution”;
 - *in clause 17(a) amend the clause relating to “Authorisation required for discharges” as follows (new words in bold):*

“11.1 Unless:

 - In accordance with a permit; or
 - To do so is specifically authorised by and in accordance with legislation or approval issued under it,

A person must not allow any material including dust, **wastewater, waste**, mud, concrete, paint, litter, oil or chemicals to be blown, conveyed, deposited or discharged in, on or across any public place (whether from a building in the course of construction, alteration, demolition or otherwise).”
 - *delete that part of clause 17(c) commencing with the heading “Deliveries to Premises” and insert:*

“Deliveries to **and collections of goods** from premises

11.8 “**Deliveries of any goods to or collections of any goods from any non-residential premises must only be made on such days and at such times as are prescribed by Council.**”

- *amend clause 20 relating to the Schedule Penalties Fixed for Infringements by inserting the words “11.6 Causing excessive noise \$500.00.” after the words “11.5 General obstructions from premises into a public place \$250.00”;*
- *consider the report prepared for Council by the Allen Consulting Group Pty Ltd in relation to its review of the Activities Local Law (General Amendment) Local Law 2002 to ensure the proposed amendments comply with National Competition Policy principles, particularly the recommendation that the exercise of any discretion does not unreasonably restrict commercial activities within the municipality or that the benefits outweigh the costs with respect to:*
 - *prescribing times during which waste may be collected;*
 - *prescribing times during which deliveries may be made;*
 - *prevention of excessive noise;*
 - *prescribing persons or classes of persons exempted from the requirement to obtain a permit; and*
 - *prescribing areas within the municipality to which a particular clause or clauses of the local law apply;*
- *make the Activities Local Law (General Amendment) Local Law 2002 as amended;*
- *advise all submitters of Council's decision in relation to this matter and provide submitters with written reasons for its decision, being the reasons identified in the attached schedule;*
- *give notice in the Government Gazette and publish a notice in the “Age” newspapers stating the matters specified in S 119(3) of the Act relating to the Activities Local Law (General Amendment) Local Law 2002; and*
- *by instrument of delegation sealed by the Council pursuant to Sections 98(1) and 98(3) of the Local Government Act 1989 (“the Act”), delegate to the Chief Executive Officer, or person from time to time acting in that position, its powers, duties and functions under Part 5 of the Act, including the power to sub-delegate to a member of Council staff, and without limitation:*
 - *all of the powers, functions and duties to be performed by Council pursuant to the Activities Local Law (General Amendment) Local Law 2002; and*
 - *the power to approve Policy Operating Statements that support the operation and enforcement of the Activities Local Law and any other Acts for which Council has enforcement responsibilities.*

Moved: Cr Ng

Seconded: Deputy Lord Mayor, Susan Riley

Carried unanimously

5.6 Transport Program – Outcome of Consultation

This report presented to Council the revised Transport Program 2003-2006 for approval and distribution.

Cr Ng, incorporating comments from several Councillors, moved the recommendation contained in the Council Report, subject to:

- (i) amending paragraph 3.2.1.3 to read as follows:
“3.2.1.3 lobbying with other inner city councils, especially Yarra, Port Phillip and Stonnington, to explore the demand for, and feasibility of a car sharing scheme and other initiatives particular to the metropolitan area.”; and
- (ii) adding a paragraph 4 to the recommendation to read as follows:
“4. That Council call for a progress report on the status of the Northern Corridor Transport Study to the next meeting of the Planning, Development and Services Committee.”

Cr Kitching seconded Cr Ng’s motion.

Cr Ng’s motion was put and carried unanimously.

The Council resolution, in its entirety, reads as follows:

Resolved:

That Council endorse the Transport Program 2003-2006 with the following amendments:

- *insert the following sentence into the Introduction on page 3 of the Transport Program 2003-2006:*
 - *“However, the City of Melbourne also has a significant capacity to influence the State and Federal Government transport priorities.”;*

- *insert the following text into page 14 (after paragraph 51) of the Transport Program 2003-2006:*
 - “The City of Melbourne is committed to working with the State Government, adjoining councils and transport providers to enhance public transport access to the central city for inner Melbourne residents and workers, commuters and visitors alike. The City of Melbourne will work with adjoining councils and other stakeholders to identify priorities for change, including the following:
 - lobbying the Federal Government on tax provisions for annual public transport tickets to equal those given to salary packaged motor vehicles, especially the provisions under the Fringe Benefits Tax provisions;
 - lobbying the State Government:
 - to enact legislation for the development of estates in the greater metropolitan area of Melbourne in order that they pay a reasonable public transport levy per subdivided block;
 - to ensure the Docklands Authority plan for pedestrian and cycling linkages to the CBD area and other areas of the municipality;
 - to ensure VicRoads considers giving trams travelling on routes which ingress and egress the CBD, priority access at peak hours and changes signalling to prioritise trams at peak hours;
 - for a bus lane over the Westgate Bridge at peak hours;
 - to work with the tram/rail companies to consider giving rate payers in the City of Melbourne who purchase annual tickets a reduction in price or a reduction in rates, or both;
 - for peak hour lanes on freeways and City Link for a lane for those vehicles carrying more than one passenger; and
 - lobbying with other inner city councils, especially Yarra, Port Phillip and Stonnington, to explore the demand for, and feasibility of a car sharing scheme and other initiatives particular to the metropolitan area.”

That Council call for a progress report on the status of the Northern Corridor Transport Study to the next meeting of the Planning, Development and Services Committee.

Finance, Corporate Services and Governance Committee

The Chair, Finance, Corporate Services and Governance Committee, Cr Chamberlin, moved the recommendations contained in the Council Reports with respect to agenda items 5.7 to 5.9, inclusive.

The Deputy Lord Mayor, Susan Riley, seconded Cr Chamberlin’s motion.

Cr Chamberlin’s motion was put and carried unanimously.

The relevant information in relation to each of these agenda items, including the Council resolution, is detailed hereunder.

5.7 Review of Regional Library Board Agreement

This report:

- presented the recommendations of the Yarra-Melbourne Regional Library Corporation Joint Special Committee established to review the Regional Library Agreement;
- recommended the endorsement and adoption of the recommendations contained in Table 2 to the report attached; and
- recommended that the Council approve the sealing of the amended Regional Library Agreement.

Resolved:

That Council:

- *endorse and adopt the following amendments to the Regional Library Agreement, as recommended by the Joint Special Committee:*
 - 4.1 (d) *Provision for the Board to appoint up to two other persons to the Board;*
 - 4.2 (b) *Amend ‘board’ to ‘Board’; and*

- *10.1 (a) Recognise in the Agreement the Council's agreed amounts for the rental of properties occupied by the Regional Library as follows:*
 - *In clause 10.1 (a)(iv) delete "and";*
 - *Insert a new clause 10.1 (a)(v) as follows:*
"10.1 (a)(v) the Council's agreed amounts for the rental (actual or notional) of properties occupied by the Regional Library"; and
 - *Renumber existing 10.1 (a)(v) to 10.1 (a)(vi);*
- *approve the recommended amendments (refer 'Proposed Provision in Table 2) to the Regional Library Agreement by the Joint Special Committee be approved;*
- *authorise Council Officers, in conjunction with Officers of the City of Yarra, complete the administrative requirements necessary to implement the revised Regional Library Agreement;*
- *affix the Common Seal of the Council to the revised Regional Library Agreement, as approved by Council; and*
- *dissolve the Joint Special Committee established by the member Councils to review and receive submissions in relation to the Review of the Regional Library Agreement.*

5.8 Re-appointment of Independent Audit Committee Member

This report recommended that Council, in the closed session, re-appoint one of the independent members of the City of Melbourne Audit Committee and increase their annual remuneration.

Resolved:

That Council note this information.

5.9 New Lease: 227 – 229 Bourke Street, Melbourne

This report sought approval to enter into a lease with Worldwide Leaf & Bean Pty Ltd, trading as Coffee Bean and Tea Leaf, on 227 – 229 Bourke Street, Melbourne, for a period of five years with no further option.

Resolved:

That Council resolve:

- *that in accordance with Sections 190(3)(b) and 223 of the Local Government Act 1989 ("the Act") to grant a lease of 227 – 229 Bourke Street, Melbourne, ("the premises"), to Worldwide Leaf & Bean Pty Ltd, on the following terms and conditions;*
 - *a lease term of 5 years;*
 - *a commencing rental of \$130,000.00 per annum with CPI increases;*
 - *the lessee will be responsible for the payment of all rates, taxes, charges and GST during the lease term, any additional taxes or charges that may be introduced during the lease term (save as not permitted under the Retail Leases Act, 2003); and*
 - *such other terms and conditions as may be required by the Manager Governance Services.*
- *that in accordance with Section 190(3)(b) and 223 of the Act to give notice of Council's intention to lease the premises; and*
- *that in accordance with Section 223 and 86 of the Act to appoint a committee to be known as 227 - 229 Bourke Street Committee consisting of the Manager Facilities Management, Manager Governance Services and the Group Manager Development & Statutory Services, or the persons from time to time acting in those positions, and by instrument of delegation sealed by the Council to delegate to that Committee its powers, duties and functions to hear any submissions at a meeting to be held on Wednesday, 30 July, 2003, commencing at 3.00pm at the Melbourne Town Hall Administration Building, and to report, with recommendations, to the Council;*
- *that pursuant to Section 223(3) of the Act to authorise the Manager Governance Services to carry out administrative procedures necessary to enable the Council to carry out its functions under that section; and*
- *that if no submissions are received in accordance with Section 223(1)(b) of the Act, by instrument of delegation sealed by the Council pursuant to Section 98(1) of the Act to delegate to the Chief Executive Officer, or the person from time to time acting in that position, its powers, duties and functions to lease the premises to the Operator on the above terms and conditions, and the power to negotiate and enter into the lease.*

5.10 Adoption of 2003/2004 Annual Budget

This report informed Council on public submissions received in response to the approved budget in accordance with the requirements of the Local Government Act 1989 and sought the adoption of the Annual Budget for the 12 month period 1 July 2003 to 30 June 2004, comprising the Operating Budget and the Capital Works Program.

Cr Risstrom indicated his intention to declare an indirect pecuniary interest in relation to those parts of the recommendation contained in the Council Report that relate to the Sustainable Living Festival and Bicycle Victoria.

Cr Chamberlin moved paragraph 7 of the recommendation contained in the Council Report (refer to the first twelve dot points below).

The Deputy Lord Mayor, Susan Riley, seconded Cr Chamberlin's motion.

Cr Risstrom foreshadowed an alternative motion to determine that the increase in rates be set at the current level of the CPI.

Cr Chamberlin's motion was put and carried with the Lord Mayor (John So), the Deputy Lord Mayor (Susan Riley) and Councillors Chamberlin, Goonan, Kitching, Ng and Redwood voting for the motion and Councillor Risstrom voting against the motion.

Cr Risstrom foreshadowed motion duly lapsed.

Cr Chamberlin moved paragraph 8 of the recommendation contained in the Council Report (refer to the last dot point below).

Cr Redwood seconded Cr Chamberlin's motion.

Cr Risstrom declared his indirect pecuniary interest and left the Council Chamber at 5.54pm and remained outside until after the vote had been taken.

Cr Chamberlin's motion was put and carried unanimously.

The Council resolution, in its entirety, reads as follows:

That Council:

- *adopts the proposed budget and rate determination surplus of \$3.134M for the financial year ending 30 June 2004, as detailed in Attachment 1 with the following amendments in accordance with the Notice of Preparation of Annual Budget for 2003/2004 (see Attachment 14):*
 - *additional interest revenue of \$0.107M;*
 - *reduction in cash receipts of \$54.186M; and*
 - *reduction in the amount transferred to the Council Works Reserve (\$0.356M);**reflecting the receipt of the proceeds from the sale of the Queen Victoria Hospital Site in June 2003.*
- *approves the proposed fees and charges for the financial year ending 30 June 2004, as detailed in Attachment 18;*
- *resolves to apply funding of \$1.415M from the Public Open Space Reserve for the Council Works Program as detailed in Attachment 9;*
- *declares the differential rates and raise general rates by application of a differential rate in respect of 2003/2004 in accordance with the Notice of Intention to Declare a Differential Rate (Attachment 15) ;*
- *adopts the valuation (net annual value), inclusive of supplementary valuation changes, of \$1,762,188,932 as the assessment of all lands classified as rate codes 1 and 2 (being rateable property within the meaning of the Local Government Act, 1989) in the City of Melbourne, on which the General Rate for the year ending 30 June 2004 will be levied, as detailed in Attachment 12;*
- *adopts the valuation (net annual value), inclusive of supplementary valuation changes, of \$313,920,029 as the assessment of all lands classified as rate code 0 (being non rateable property within the meaning of the Local Government Act, 1989) in the City of Melbourne as detailed in Attachment 12;*
- *notes that these non rateable exempt properties represent 14.9% of the rateable value of the City of Melbourne;*

- notes that the Minister has approved differential rating provisions in accordance with Section 28 of the City of Melbourne Act 2001;
- instructs the Manager of Valuations, pursuant to and in accordance with the provisions of Section 13DC(4) of the Valuation of Land Act, to make a general valuation of properties within the City of Melbourne showing the net annual value, the capital improved value and the site value of all rateable property as at 1 January 2004, together with all property owned by the corporation, the State and Federal Governments and charitable and educational institutions in the municipality, and to return the general valuation by 30 June 2004;
- notes that, in accordance with the provisions of Section 13DH of the Valuation of Land Act, 1960: that a statutory declaration, dated 20 May 2003, has been made by the Manager of Valuations confirming that the valuation to be returned will be impartial and true to the best of his judgement and will be made by him or under his personal supervision.
- in accordance with Section 150 (2) of the Local Government Act, Council give public notice of its decision to adopt the budget; and
- in accordance with Section 223(1)(e) of the Local Government Act, Council notify, in writing, the following submitters of the decision and the reasons for the decision, namely:

Mr Anthony van der Craats

- Council noted the comments received on the matters raised in the submission and agrees to provide further reports to the Finance, Corporate Services and Governance Committee on the quality of Internet/IT Services and the method of public reporting on Councillor travel, including advice in relation to staff travel.

Mr Ignatios Karasavvidis, President and Ms Nicole Donegan, Precinct Coordinator, Lonsdale Street – Greek Precinct Association

- An amount of \$1.086million has already been included in the 2003/04 budget in support of Sports Marketing Opportunities and City Events. Council considers this is a significant contribution in support of city events and cannot fund the request for additional funding of \$62,500 for the Greek Precinct Community Celebration Event for the Athens 2004 Olympic Torch Relay.

Mr Paul McNamee, Chief Executive, Australian Open

- An amount of \$582,000 has already been included in the 2003/04 budget in support of Sports Marketing Opportunities. Council considers this is a significant contribution in support of sporting events and cannot fund the request for additional funding of \$30,000 for the Australian Open.

Mr Patrick Falk and Mr Peter Demiris

- An amount of \$2.085 million has already been included in the 2003/04 budget for streetscapes throughout the city. Council considers this is a significant contribution to streetscapes, but proposes that the Queensberry Street/Cardigan Street streetscapes improvement project be partially funded up to \$20,000 from the 2003/04 minor streetscape improvement budget. The remainder of the project to be considered by Council as part of its 2004/05 works program development process.

Danny Doon, President and Eng Lim, Hon Secretary/Festival Coordinator, Chinese Restaurateurs Association of Victoria Inc

- An amount of \$20,000 has already been included in the 2003/04 budget in support of the Asian Food Festival. Council considers this is a significant contribution in support of the festival and cannot fund the request for additional funding of \$30,000.

Mr John Clark, Marketing Manager, Melbourne Cricket Club

- An amount of \$504,000 has already been included in the 2003/04 budget in support of City Events. Council considers this is a significant contribution in support of city events and cannot fund the request for additional funding of \$30,000 for the MCG 150th Birthday Celebrations.

Mr Greg Mahoney, President, Hardware Precinct Association

- An amount of \$400,000 has already been included in the 2003/04 budget for street lighting upgrades throughout the city. Council considers this is a significant contribution to lighting upgrades.
- Subject to consultation with the stakeholder, Council will consider further upgrading the street lighting in Hardware Street as part of its 2003/04 street lighting upgrade budget.

- That Council in accordance with Section 223(1)(e) of the Local Government Act, Council notify, in writing, the following submitters of the decision and the reasons for the decision, namely:

Mr Alexander Kohl, Festival Producer, Sustainable Living Festival

- An amount of \$50,000 has already been included in the 2003/04 budget in support of the Sustainable Living Festival. Council considers this is a significant contribution in support of the festival and cannot fund the request for additional funding of \$50,000.

Mr Harry Barber, Bicycle Victoria

- *Council notes the request for an additional \$1,140,000 to fund the 2002/07 Bike Strategy. An amount of \$370,000 has already been included in the 2003/04 budget to implement and make improvements to a bicycle network that is safe, accessible and appropriate for cyclists.*
- *The submission from Bicycle Victoria to bring forward projects on the 2002/07 Bike Plan into the 2003/04 bicycle program is premature. Projects require detailed design work and consultation and therefore the request for additional funding is not approved.*

Cr Risstrom returned to the meeting at 5.55pm.

5.11 City of Melbourne Corporate Plan 2003-2006

This report presented the draft Melbourne City Council Corporate Plan 2003-2006 (incorporating the 2003-2004 Annual Plan) for approval.

Resolved:

That Council adopt the City of Melbourne Corporate Plan 2003-2006, and the 2003-2004 Annual Plan.

Moved: Cr Chamberlin

Seconded: Cr Goonan

Carried unanimously

Marketing and Business Development Committee

5.12 Pan Pacific Biopartnering Meeting 2005

This report sought Council approval for funds to a maximum of \$30,000 to be set aside in the 2004/2005 Business Development Fund to support the Pan Pacific BioPartnering Meeting event to be held in 2005.

Resolved:

That Council approve, in principle, financial support of \$30,000 to Techvision Limited for the Pan Pacific BioPartnering meeting to be held in 2005, subject to:

- *the event being held in Melbourne; and*
- *the \$30,000 pre commitment given by this Committee and referred to the 2004/2005 budget process.*

Moved: Cr Goonan

Seconded: Cr Chamberlin

Carried with the Lord Mayor (John So), the Deputy Lord Mayor (Susan Riley) and Councillors Chamberlin, Goonan, Kitching, Ng and Redwood voting for the motion and Councillor Risstrom voting against the motion.

5.13 Williamson Community Leadership Program Sponsorship

This report sought Council approval to enter into a three year sponsorship of the Williamson Community Leadership Program to the value of \$30,000, and provide “in-kind” support.

Cr Risstrom declared an indirect pecuniary interest in relation to this matter and left the Council Chamber at 6.02pm and remained outside until after the vote had been taken.

Resolved:

That Council:

- *enter a three-year sponsorship agreement to support the Williamson Community Leadership Program. Sponsorship would be \$30,000 per financial year commencing in 2003/2004; and*
- *continue to provide “in kind” support to the Program via venue provision for functions in the Town Hall, limited to one meeting and one room hire for a catered function per year.*

Moved: Cr Goonan
Seconded: Cr Redwood
Carried unanimously

Cr Risstrom returned to the meeting at 6.03pm.

6. REPORTS FROM MANAGEMENT

6.1 Council and Committee Meeting Dates: January to December 2004

This report sought to confirm the meeting dates, times and venue for meetings of the Council and Committees for the period January to December 2004.

Resolved:

That Council approve the schedule of Council and Committee meeting dates for the period January to December 2004, as attached to the Management Report.

Moved: Cr Chamberlin
Seconded: Cr Goonan
Carried unanimously

7. GENERAL BUSINESS

There were no items of General Business.

8. URGENT BUSINESS (Agenda Item 8)

There were no items of Urgent Business to be dealt with in the open session.

9. CLOSURE OF MEETING TO THE PUBLIC

The Council moved into closed session with the following resolution:

Resolved:

“That pursuant to the provision of section 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 agenda items 5.14 to 5.16 and the proposed item of Urgent Business because:

- agenda items 5.14 and 5.15 contain information in relation to proposed developments;*
- agenda item 5.16 contains information which could prejudice the Council or any person; and*
- the proposed item of urgent business contains information in relation to contractual matters.”*

Moved: Cr Goonan
Seconded: Cr Redwood
Carried unanimously

The Lord Mayor, John So, declared the meeting closed at 6.04pm.

Confirmed in open Council on 31 July 2003.

Acting Chief Executive Officer

Chair
Town Hall, Melbourne