



CITY OF MELBOURNE

Council Meeting

Minutes

**Meeting Number 19
Tuesday 28 June 2022
5.30pm**

**Council Chambers
Level 2
Melbourne Town Hall**

Present

Lord Mayor Sally Capp
Councillor Dr Olivia Ball
Councillor Jason Chang
Councillor Elizabeth Doidge
Councillor Davydd Griffiths
Councillor Jamal Hakim
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey

Apologies

Deputy Lord Mayor Nicholas Reece
Councillor Roshena Campbell

To be confirmed at the meeting of Council
on Tuesday 26 July 2022

C o n f i r m e d m i n u t e s

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor Sally Capp, advised that:

- the meeting was being streamed live and that an audio and video recording would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of three reports from committee, 11 reports from management, of which eight were confidential, and one item of general business
- apologies had been received from Deputy Lord Mayor Nicholas Reece and Cr Campbell
- Councillors Hakim and Leppert were participating in this evening's meeting via livestream.

2. Disclosures of conflicts of interest

The Chair Lord Mayor, Sally Capp, advised that conflicts of interest should be disclosed as they arose.

3. Confirmation of minutes of the previous meeting

Moved: Cr Le Liu

That the minutes of meeting No 18, held on Tuesday 31 May 2022, be confirmed.

Seconded: Cr Chang

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

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 Governance Rules.

Submissions

In relation to Agenda item 5.1, **Adoption of the Annual Plan 2022-23:**

Item of correspondence:

- Bea McNicholas, Director, Director Walk in St Kilda Rd & Environs.

In relation to Agenda item 5.2, **Adoption of the Budget 22-23:**

Item of correspondence:

- Phillip Mansour, Executive Officer, Carlton Incorporated.

In relation to Agenda item 5.3, **Review of dogs in open space:**

Items of correspondence:

- Angela Wiegard
- Morry Schwartz
- Deanne Butterworth.

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In relation to Agenda item 6.1, **Business Precinct Program 2021-25 Year 2 Funding Report:**

Item of correspondence:

- Tim Bracher.

In relation to Agenda item 7.1, **Notice of Motion: Cr Dr Ball, Julian Assange:**

Items of correspondence:

- Chris Thrum
- Bea McNicholas, Director, Director Walk in St Kilda Rd & Environs
- James Sinnamon
- Jill Quirk
- Sheila Newman.

5. Reports from Committee

There were three reports from Committee for consideration in the open session.

The Lord Mayor Sally Capp called on Cr Le Liu as Finance, Governance and Risk Portfolio Lead to present agenda item 5.1.

5.1 Adoption of the Annual Plan 2022-23

The purpose of this report was to recommend that Council adopts the draft Annual Plan 2022–2023.

Moved: Cr Le Liu

1. *That Council:*

- 1.1. *Adopts the Annual Plan 2022–2023 (Annual Plan) incorporating recommended changes outlined in Attachments 2 and 4 of the report from management, with the exception of Attachment 4 items 4 and 4b, where no change is to be made.*
- 1.2. *Advises each of the members of the public who provided feedback of the Council's decision in relation to these matters and the reasons for the decision.*
- 1.3. *Notes that there will be public quarterly reporting on the Annual Plan.*

Seconded: Lord Mayor Sally Capp

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

The Lord Mayor Sally Capp called on Cr Le Liu as Finance, Governance and Risk Portfolio Lead to present agenda item 5.2.

Confirmed minutes

5.2 Adoption of the Budget 2022–23

The purpose of this report was to recommend that Council adopt the draft Budget 2022–23, in accordance with the requirements of the *Local Government Act 2020*.

Moved: Cr Le Liu

1. *That Council:*

- 1.1. *Adopts the draft Budget 2022–23 incorporating all recommended changes outlined in Attachment 3, noting that these changes will require provision of an additional \$140,000 of funding recommended changes outlined in Attachments 3 of the report from management.*
- 1.2. *Approves provision of an additional \$80,000 of funding for the Rapid Response Clean Team to undertake additional cleaning beyond the Hoddle Grid, focusing on cleaning 'hot spots' identified in FY2021/22.*
- 1.3. *Approves provision of an additional \$150,000 of funding for increasing the frequency of litter bin emptying by Citywide in peak times, including during weekends and major events.*
- 1.4. *Notes that the aforementioned adjustments will result in an increase of \$370,000 in underlying deficit in FY2022-23.*
- 1.5. *Approves discretionary fees and charges for the financial year ending 30 June 2023, detailed in Appendix F of the draft budget (including recommended changes).*
- 1.6. *Declares a differential rate for the financial year ending 30 June 2023 as detailed in Appendix B of the draft budget (including recommended changes).*
- 1.7. *Approves the increase in general rates by 1.75 per cent in line with the rate cap which results in a net annual value increase to the residential rate in the dollar from 4.2187 cents to 3.6497 cents and the non-residential rate in the dollar from 4.7908 cents to 4.2145 cents.*
- 1.8. *Approves the separation of waste service costs from general rates on rates notices to make waste charges fairer and more transparent.*
- 1.9. *Declares a waste charge (property collection) of \$150 for capital improved value (CIV) less than or equal to \$505,000 and \$378 for CIV greater than \$505,000 and waste charge (public realm) for non-residential properties in the dollar of 0.033792 cents.*
- 1.10. *Notes non-rateable exempt properties represent 12.4 per cent of the total net annual value of the City of Melbourne.*
- 1.11. *Advises each member of the public who provided feedback to the 2022-23 draft Budget of the Council's decision in relation to their feedback and the reasons for that decision.*
- 1.12. *Authorises the General Manager Finance and Corporate to make any further minor editorial changes to the draft Budget 2022–23 prior to publication.*
- 1.13. *Note that, in accordance with the Council's Public Transparency Policy, the final Budget will be made available on the Council website, at the Council Offices or on request to Council.*

Seconded: Lord Mayor Sally Capp

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Bali, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

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The Lord Mayor Sally Capp called on Cr Leppert as Environment Portfolio Lead to present agenda item 5.3.

5.3 Review of Dogs in Open Space

The purpose of this report was to recommend that Council make a Municipal Order (Order) under section 26(2) of the *Domestic Animals Act 1994* ('the Act'), to implement the proposals approved by the Future Melbourne Committee on 7 June 2022.

Moved: Cr Leppert

1. *That Council, having considered verbal and written submissions received from members of the public in response to the Review of Dogs in Open Space Report to the Future Melbourne Committee dated 7 June, 2022 and advice from management:*
 - 1.1. *Make a Municipal Order (Order) (Attachment 2 of the report from management) under section 26(2) of the Domestic Animals Act 1994 with the following amendments:*
 - 1.1.1. *Remove 'Murchison Square, Carlton (Timed Access)' from the list of Definitions of 'Designated Reserve' off leash areas at paragraph 3.*
 - 1.1.2. *Remove Murchison Square, Carlton from the list of proposed new dog off leash areas in Attachment 3 to the Proposed Municipal Order.*
 - 1.1.3. *Amend the Definition of 'Timed Access' (at paragraph 3) to 'mean between the hours of 6pm and 8am from 1 November to 31 March and from 5pm to 9am, from 1 April to 31 October'.*
 - 1.2. *Notes the Order includes new areas within the reserves listed and the specific management controls described in Attachment 2 of the report from management (as amended above at 3.1.1, 3.1.2 and 3.1.3), as well as retaining other existing areas the subject of earlier municipal orders for dog off leash and dog prohibited areas.*
 - 1.3. *Notes the Order replaces and supersedes the previous orders made on 25 May 2010, 24 June 2010, 30 August 2016 and 26 September 2017.*
 - 1.4. *Notes management will arrange for the publication of the Order in The Age and the Victorian Government Gazette.*
 - 1.5. *Requests management implement effective communication and enforcement of the Order.*
 - 1.6. *Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the Order prior to publication.*
 - 1.7. *Include the area currently enclosed by fences and known as the 'Royal Park West Native Remnant Vegetation area' in the Order as a 'dog prohibited' area.*
 - 1.8. *Directs that signage to reflect the added 'dog prohibited' area be installed.*
 - 1.9. *Requests in relation to the proposed off leash dog park at Murchison Square:*
 - 1.9.1. *That Management undertake 12 months of additional consultation with residents who live directly adjacent to the Square and Carlton residents more broadly to further assist Councillors in determining whether Murchison Square should be designated as an off-leash timed access dog park.*
 - 1.9.2. *That Management further investigate potential alternative locations within the Carlton neighbourhood for an off-leash timed access dog park.*

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- 1.9.3. *That Management provide the Future Management Committee with a report containing the information requested at 9.1 and 9.2 in June 2023 and make a recommendation to Council at this time on options for delivering a new dog park for the Carlton neighbourhood.*

Seconded: Lord Mayor Sally Capp

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6. Reports from management

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

6.1 Business Precinct Program 2021-25 Year 2 Funding Report

The purpose of this report was to seek Council approval of funding recommendations for year two of the Business Precinct Program (BPP) 2021–25 and to inform Council of an addendum to the Business Precinct Program 2021-25 guidelines (program guidelines) that were endorsed by Council on 30 March 2021.

Moved: Cr Louey

1. *That Council:*
 - 1.1. *Approves \$900,000 overall funding for year two of the Business Precinct Program 2021–25.*
 - 1.2. *Approves funding to Carlton Inc., City Precinct, Collins Street Precinct Group, Docklands Chamber of Commerce, Greek Precinct Association, Kensington Business Association, Melbourne City North Business Association, North & West Melbourne Precinct Association Yarra River Business Association and Melbourne Chinatown Association in accordance with the Business Precinct Program 2021–25 Guidelines.*
 - 1.3. *Requests the Lord Mayor write to the President of the Chinatown Precinct Association to thank them for their work over many years to promote and support businesses within the Chinatown precinct.*
 - 1.4. *Notes the requirement for 2021-22 funded associations to complete full annual acquittals to allow the release of year two program funding.*
 - 1.5. *Notes the operational addendum to Business Precinct Program 2021-25 guidelines.*
 - 1.6. *Notes that Economic Development and International will support the development of a 5 Year Strategic Plan for the new precinct association, Melbourne Chinatown Association, through its operational budget.*

Seconded: Cr Chang

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

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6.2 Referred documents from the 6 May 2022 Audit and Risk Committee Meeting

The purpose of this report was to advise Council of the outcomes of the City of Melbourne Audit and Risk Committee (ARC) meeting held on 6 May 2022.

Moved: Cr Le Liu

That Council notes the unconfirmed minutes of the meeting of the Audit and Risk Committee held on 6 May 2022 as shown in Attachment 2 of the report from management.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.3 Funding Support Requests June 2022

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 Louey

That Council approves the purchase of one table for the Hong Kong Australia Business Association Victoria Business Award Gala dinner to be held on 8 July 2022 to the value of \$3000.

Seconded: Cr Chang

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

7. General business

There was one item of General business for consideration in the open session.

7.1 Notice of Motion: Cr Dr Olivia Ball, Julian Assange

Moved: Cr Dr Olivia Ball

1. *That Council:*
 - 1.1. *Expresses grave concern that on 17 June 2022 the British Government approved the extradition of Wikileaks co-founder Julian Assange to the United States;*
 - 1.2. *Affirms its support for freedom of expression, freedom of the press and whistle-blowers and for their protection in all jurisdictions everywhere;*
 - 1.3. *Asserts Mr Assange's rights to humane conditions of imprisonment, to freedom from cruel, inhuman and degrading treatment or punishment, and to a fair trial, as enshrined in international human rights treaties ratified by Australia, the UK and US;*
 - 1.4. *Notes that on 23 June 2020, the FMC adopted a motion in support of Mr Assange, asking the CEO or Lord Mayor to petition the Australian Government on his behalf; and*
 - 1.5. *Requests the Lord Mayor write urgently on behalf of the Council to Australia's Prime Minister, Foreign Minister and Attorney-General in support of strenuous*

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diplomatic intervention to free Mr Assange and have the charges against him dropped.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

8. Urgent business

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

9. Closure of meeting to the public

Moved: Cr Griffiths

1. *That pursuant to section 66 of the Local Government Act 2020 (Act), the meeting of the Council be closed to members of the public for the consideration of the items under the following categories:*
 - 1.1 *Agenda item 14.1 as it contains private commercial information, which if released, would unreasonably expose the business to disadvantage by disclosing financial information to competitors.*
 - 1.2 *Agenda item 14.2 as it contains information that was confidential for the purposes of section 77 of the Local Government Act 1989, and Council business information being information that would prejudice the Council's position in commercial negotiations if prematurely released.*
 - 1.3 *Agenda item 14.3 as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*
 - 1.4 *Agenda item 14.4 as it contains private commercial information, which if released, would prejudice the Council's position in commercial negotiations if prematurely released.*
 - 1.5 *Agenda items 14.5, 14.6, 14.7 and 14.8 as it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.*

Seconded: Cr Chang

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor Sally Capp and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

The Chair, Lord Mayor Sally Capp, declared the meeting closed to the public at 6.19pm.

To be confirmed at the meeting of Council on Tuesday 26 July 2022.



Chair
Council