



City of
Whittlesea

MINUTES

OF ORDINARY COUNCIL MEETING

HELD ON

TUESDAY 3 JULY 2018

AT 6.15PM SPECIAL

**IN COUNCIL CHAMBER, 25 FERRES
BOULEVARD, SOUTH MORANG**

COUNCILLORS

KRIS PAVLIDIS MAYOR, SOUTH WEST WARD

LAWRIE COX SOUTH WEST WARD

STEVAN KOZMEVSKI SOUTH WEST WARD

CAZ MONTELEONE SOUTH WEST WARD

EMILIA LISA STERJOVA DEPUTY MAYOR, NORTH WARD

TOM JOSEPH NORTH WARD

RICKY KIRKHAM NORTH WARD

SAM ALESSI SOUTH EAST WARD

ALAHNA DESIATO SOUTH EAST WARD

NORM KELLY SOUTH EAST WARD

MARY LALIOS SOUTH EAST WARD

SENIOR OFFICERS

SIMON OVERLAND

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

STEVE O'BRIEN

DIRECTOR PLANNING AND MAJOR PROJECTS

NICK MANN

DIRECTOR CITY TRANSPORT & PRESENTATION

HELEN SUI

DIRECTOR CORPORATE SERVICES

LIANA THOMPSON

DIRECTOR PARTNERSHIPS & ENGAGEMENT

MICHAEL TONTA

MANAGER GOVERNANCE

ORDER OF BUSINESS

The Chief Executive Officer submitted the following business:

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Note:

In these Minutes, Resolutions adopted by Council are indicated in bold text.

1. OPENING

1.1 MEETING OPENING AND PRAYER

The Chief Executive Officer opened the meeting with a prayer at 6.15pm.

1.2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT

On behalf of the City of Whittlesea the Mayor recognised the rich Aboriginal heritage of this country and acknowledged the Wurundjeri Willum Clan as the Traditional Owners of this place.

1.3 PRESENT

Members:

Cr Kris Pavlidis	Mayor (South West Ward)
Cr Lawrie Cox	Councillor (South West Ward)
Cr Stevan Kozmevski	Councillor (South West Ward)
Cr Caz Monteleone	Councillor (South West Ward)
Cr Emilia Lisa Sterjova	Deputy Mayor (North Ward)
Cr Tom Joseph	Councillor (North Ward)
Cr Ricky Kirkham	Councillor (North Ward)
Cr Norm Kelly	Councillor (South East Ward)
Cr Sam Alessi	Councillor (South East Ward)

Officers:

Mr Simon Overland	Chief Executive Officer
Mr Steve O'Brien	Director Planning and Major Projects
Mr Russell Hopkins	Director Community Services
Mr Nick Mann	Director City Transport & Presentation
Ms Helen Sui	Director Corporate Services
Ms Liana Thompson	Director Partnerships & Engagement
Mr Michael Tonta	Manager Governance

2. APOLOGIES

APOLOGY

Cr Kelly moved an apology for Cr Laliou for this meeting.

COUNCIL RESOLUTION

MOVED: *Cr Kelly*
SECONDED: *Cr Kirkham*

THAT the Councillor's apology be accepted.

LOST

DIVISION

Immediately after the motion was voted on, Cr Kirkham called for a division which resulted in the following votes being recorded.

For	Against	Abstained
Cr Kirkham	Cr Cox	Cr Pavlidis
Cr Kelly		Cr Kozmevski
Cr Monteleone		Cr Alessi
		Cr Sterjova
		Cr Joseph

Based on the votes cast during the Division, the motion was lost.

LOST

3. DECLARATIONS OF INTEREST

THE FOLLOWING DECLARATIONS OF INTEREST WERE MADE TO THE CHIEF EXECUTIVE OFFICER PRIOR TO THE MEETING:

NIL

THE FOLLOWING DECLARATIONS OF INTEREST WERE MADE TO THE CHIEF EXECUTIVE OFFICER DURING THE MEETING:

NIL

4. NOTICES OF MOTION

4.1 NOTICE OF MOTION 858 - RESCISSION OF COUNCIL RESOLUTION - ITEM 4.1.2 – DECLARATION OF RATE AND ADOPTION OF 2018/2019 BUDGET

Attachments: 1 Item 4.1.2 - Declaration of Rates and Adoption of 2018/19 Budget - Report and Attachments 1-4

Author: Cr Ricky Kirkham

MOTION

THAT Council resolve to rescind the resolution made at the Special Council Meeting held on 26 June 2018 in relation to item 4.1.2 – Declaration of Rates and Adoption of 2018/2019 Budget which reads:

THAT Council resolve to:

- A. 1. *Accept the recommendations of the Council Budget 2018/19 Advisory Committee (“Committee”) outlined in Attachment 1, having heard and considered public submissions on the proposed 2018/19 Annual Budget, noting that the Committee’s recommendations will add a net cost of \$107,227 to the budget.*
- 2. *Notify submitters of Council’s decision and the reasons for the decision.*
- 3. *Adopt the 2018/19 Annual Budget (Attachment 2) and 2018-22 Strategic Resource Plan (Attachment 3), noting that both documents will be updated with the accepted recommendations of the Committee.*
- 4. *Authorise the Chief Executive Officer to give public notice of this decision to adopt the Budget, in accordance with section 130(2) of the Local Government Act 1989 (“the Act”).*
- 5. *Adopt the 2018/19 Rating Strategy (Attachment 4).*
- 6. *Declare that the amount which Council intends to raise by general rates is \$142,039,463 and the amount Council intends to raise by waste services charges is \$7,198,148 and such further amount as lawfully levied as a consequence of this resolution.*
- 7. *Declare the rate or unit amount to be levied for each type of service rate or charge under Section 162 of the Act:*

Type of Charge	Per Rateable Property
Residential/Farm waste charge	\$93.15
Commercial/Industrial waste charge	\$150.20

- 8. *Declare that the general rate be declared in respect of the 2018/19 financial year.*
- 9. *Declare that the general rate be raised by the application of differential*

rates.

10. ***Declare that a differential rate be set for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:***

Farm Land

Any land which is “farm land” within the meaning of section 2(1) of the Valuation of Land Act 1960.

Other Land

Any land which is not farm land, including land which is used or adapted to be used primarily for:

- a) *residential; or*
- b) *commercial purposes.*

11. ***Determine each differential rate by multiplying the Net Annual Value of each rateable land (categorised by the characteristics described in paragraph 10 of this Resolution) by the relevant percentages indicated in the following table:***

<i>Category</i>	<i>Percentage</i>
<i>Other Land (including Residential and Commercial Land)</i>	<i>0.04930848</i>
<i>Farm Land</i>	<i>0.02958509</i>

12. ***Record that it considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions and that:***

- a) ***The respective objectives of each differential rate be those specified in the Schedule to this Resolution.***
- b) ***The respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution.***
- c) ***The respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution.***
- d) ***The relevant -***
 - i) ***uses;***
 - ii) ***geographical locations;***
 - iii) ***planning scheme zonings of;***
 - iv) ***types of buildings on; and***
 - v) ***the respective types or classes of land be those identified***

in the Schedule to this Resolution.

13. **Confirm that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.**
14. **Declare that no incentives be given by Council for the payment of general rates before the dates fixed or specified for their payment under section 167 of the Act.**
15. **Record that:**
 - a) **Council grants to each owner of rateable land which -**
 - i) **is located within or part within a Green Wedge, Green Wedge A or Rural Conservation Zone within the meaning of the Whittlesea Planning Scheme; and**
 - ii) **is not less than 8 hectares in area or which, when combined with adjacent land in the same ownership, is continuous and not less than 8 hectares in area;**

a rebate (the Sustainable Land Management Rebate).
 - b) **The Sustainable Land Management Rebate be an amount equal to -**
 - i) **30% of the general rates which would otherwise be payable in respect of rateable land which is 50 hectares or more in area; and**
 - ii) **20% of the general rates which would otherwise be payable in respect of rateable land which is not less than 8 hectares and not equal to or more than 50 hectares in area or which, when combined with adjacent land in the same ownership, is continuous and not less than 8 hectares and not equal to or more than 50 hectares in area.**
 - c) **The Sustainable Land Management Rebate be conditional upon -**
 - i) **the owner of the rateable land (or his or her agent) bi-annually making application for the Sustainable Land Management Rebate to be granted;**
 - ii) **the ability of the owner of the rateable land (or his or her agent) to demonstrate a commitment to maintaining and improving the quality of their land, consistent with the assessment criteria stated in the Sustainable Land Management Rebate Scheme Application Guidelines;**
 - iii) **the owner of the rateable land (or his or her agent) establishing to the satisfaction of Council such plans for land management works, and the carrying out of such land management works over a specified time, as are consistent**

with the Sustainable Land Management Rebate Scheme Application Guidelines; and

- iv) the application of, and compliance with, the Sustainable Land Management Rebate Scheme Application Guidelines.*
- d) The Sustainable Land Management Rebate be granted to -*
 - i) assist in the proper and sustainable development of the municipal district;*
 - ii) support and encourage the application of sustainable land management practices;*
 - iii) preserve places within the municipal district which are of environmental interest;*
 - iv) preserve, restore and maintain places of environmental importance and value within the municipal district;*
 - v) improve the productive capacity of rural land; and*
 - vi) promote the objectives described in the Sustainable Land Management Rebate Scheme Application Guidelines.*

16. Record also that:

- a) Council grants a rebate to each owner (or, where applicable, occupier) of land comprising any part of the Melbourne Wholesale Markets (“the Markets”);*
- b) the rebate became operative upon the commencement of trading at the Markets (September 2015), and is an amount equal to the rates which would otherwise have been payable in respect of the land (2018/19 budget: \$804,882); and*
- c) the rebate be granted to assist the proper development of the municipal district.*

17. Require that the general rates must be paid -

- a) By lump sum payment, made on or before 15 February 2019; or*
- b) By four instalments made on or before the following dates:*
 - i) Instalment 1: 30 September 2018*
 - ii) Instalment 2: 30 November 2018*
 - iii) Instalment 3: 28 February 2019*
 - iv) Instalment 4: 31 May 2019*

18. Confirm that it will, subject to sections 171 and 172 of the Act, require a

person to pay interest on any general rates which -

- a) that person is liable to pay; and*
- b) have not been paid by the date specified for payment.*

- 19. Authorise Council's Team Leader Revenue Services to levy and recover the general rates in accordance with the Act.**

SCHEDULE

Farm Land Objective

To encourage the use (and continued use) of land for agricultural purposes, and ensure that such rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council. These include the:

- 1. implementation of good governance and sound financial stewardship;*
- 2. construction, renewal, upgrade, expansion and maintenance of infrastructure assets;*
- 3. development and provision of health, environmental, conservation, leisure, recreation, youth and family and community services;*
- 4. provision of strategic and, economic management, town planning and general support services; and*
- 5. promotion of cultural, heritage and tourism aspects of Council's municipal district.*

Types and Classes

Any rateable land which is 'farm land' within the meaning of section 2(1) of the Valuation of Land Act 1960.

Use and Level of Differential Rate

This particular differential rate will be used to support farming by providing a discount for Farm Rate properties.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location

Wherever located within the municipal district.

Use of Land

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2018/19 Financial Year.

Other Land (Including Residential And Commercial Land) Objective

To ensure that such rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, having regard to the relative benefits derived from the cost of carrying out of such functions. These functions include the:

- 1. implementation of good governance and sound financial stewardship;***
- 2. construction, renewal, upgrade, expansion and maintenance of infrastructure assets;***
- 3. development and provision of health, environmental, conservation, leisure, recreation, youth and family and community services;***
- 4. provision of strategic and, economic management, town planning and general support services; and***
- 5. promotion of cultural, heritage and tourism aspects of Council's municipal district.***

Types and Classes

Any rateable land which is not Farm Land.

Use and Level of Differential Rate

This particular rate will be used as the default rate that is applicable to the majority of the properties within this municipal district.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location

Wherever located within the municipal district.

Use of Land

Any use permitted under the relevant Planning Scheme.

Planning Scheme Zoning

The zoning applicable to each rateable land within this category, as determined

by consulting maps referred to in the relevant Planning Scheme.

Types of Buildings

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2018/19 Financial Year.

- B. 1. Note it has reviewed the membership fees under Items 2055 and 2700 for the Municipal Association of Victoria and the Victorian Local Governance Association for the coming financial year.**
- 2. Whilst budgeted for, the fees are not to be paid without a separate resolution of Council considering benefits gained and where possible avoiding duplication by the two organisations. A short report listing the benefits from each and / or duplications is to be provided to Council. This matter to be finalised at the 2 October 2018 Ordinary council meeting.**

MOTION

MOVED: Cr Kirkham
SECONDED: Cr Kelly

THAT Council resolve to adopt the motion.

EXTENSION OF SPEAKING TIME

MOVED: Cr Kirkham
SECONDED: Cr Monteleone

THAT Council resolve to extend the speaking time for Cr Kelly for a further two minutes

LOST

COUNCIL RESOLUTION

MOVED: Cr Kirkham
SECONDED: Cr Kelly

THAT Council resolve to adopt the motion.

LOST

DIVISION

Immediately after the motion was voted on, Cr Kelly called for a division which resulted in the following votes being recorded.

For	Against	Abstained
Cr Kirkham	Cr Pavlidis	Nil
Cr Kelly	Cr Kozmevski	
Cr Monteleone	Cr Alessi	
	Cr Cox	
	Cr Sterjova	
	Cr Joseph	

Based on the votes cast during the Division, the motion was lost.

LOST

5. CLOSURE

THERE BEING NO FURTHER BUSINESS THE MAYOR DECLARED THE MEETING CLOSED AT 6.31pm.

CONFIRMED THIS 7TH DAY OF AUGUST 2018.

**CR KRIS PAVLIDIS
MAYOR**