



# Council Meeting - Minutes (Unscheduled or Special Meeting)

Held on Monday 24 October 2022

Council Chamber, Malvern Town Hall

Corner Glenferrie Road & High Street, Malvern

# **Council Meeting Minutes Monday 24 October 2022 Order of Business**

<b>1 Reading of the Statement of Reconciliation .....</b>	<b>4</b>
<b>2 Reading of the Statement of Commitment.....</b>	<b>4</b>
<b>3 Introduction of Councillors &amp; Executive Staff .....</b>	<b>4</b>
<b>4 Apologies .....</b>	<b>4</b>
<b>5 Disclosure of Conflicts of Interest.....</b>	<b>5</b>
<b>6 Confidential Business .....</b>	<b>5</b>
6.1 Notice of Rescission No 06/2022 (Service Review).....	5

The meeting commenced at 6:30pm

**Councillors Present:**

**Cr Jami Klisaris, Mayor**  
**Cr Melina Sehr, Deputy Mayor**  
**Cr Nicki Batagol**  
**Cr Kate Hely**  
**Cr Matthew Koce (electronic means)**  
**Cr Polly Morgan**  
**Cr Mike Scott**

**Apologies:**

**Cr Marcia Griffin**  
**Cr Alexander Lew (Leave of Absence)**

**Council Officers Present:**

<b>Jacqui Weatherill</b>	<b>Chief Executive Officer</b>
<b>Annaliese Battista</b>	<b>Director Planning &amp; Place</b>
<b>Cath Harrod</b>	<b>Director Community &amp; Wellbeing</b>
<b>Rick Kwasek</b>	<b>Director Environment &amp; Infrastructure</b>
<b>Marilyn Kearney</b>	<b>Acting Director Organisation Capability</b>
<b>Jane Wright</b>	<b>Acting Manager Communications &amp; Engagement</b>
<b>David Thompson</b>	<b>Executive Manager Legal &amp; Governance</b>
<b>Julia Gallace</b>	<b>Chief Financial Officer</b>
<b>Judy Hogan</b>	<b>Civic Support Officer</b>
<b>Phil Gul</b>	<b>Acting Manager Statutory Planning</b>
<b>Daniela Mazzone</b>	<b>Acting Chief Customer &amp; Transformation Officer</b>
<b>Mathew Burke</b>	<b>Manager Corporate Strategy &amp; Performance</b>
<b>Georgie Birch</b>	<b>Manager Economic &amp; Place Development</b>

## **1 Reading of the Statement of Reconciliation**

The Mayor, Cr Jami Klisaris read the following Statement of Reconciliation:

*We acknowledge we are meeting on the Traditional Lands of the Wurundjeri Woi Wurrung and Bunurong peoples of the East Kulin Nations and pay our respect to their Elders past, present and emerging.*

*We extend that respect to all Aboriginal and Torres Strait Islander peoples. We acknowledge their living connection to Country, relationship with the land and all living things extending back tens of thousands of years.*

## **2 Reading of the Statement of Commitment**

The Mayor, Cr Jami Klisaris read the following Statement of Commitment:

*We are reminded that as Councillors we are bound by our Oath of Office to undertake the duties of Councillor in the best interests of the people of the City of Stonnington and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act and any other relevant Act.*

## **3 Introduction of Councillors & Executive Staff**

The Chair introduced the Councillors and the Chief Executive Officer introduced the Council Officers present.

## **4 Apologies**

The Mayor, Cr Jami Klisaris informed the meeting that apologies had been received from Cr Alexander Lew who had previously been granted a leave of absence from the Council meeting and Cr Marica Griffin.

### Electronic Means of Attendance

In accordance with the Governance Rules, the Chief Executive Officer made it known Cr Matthew Koce had requested to join the meeting by electronic means of communication.

PROCEDURAL; MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Polly Morgan

***That the Council resolve to approve the request by Cr Matthew Koce to attend the Council meeting by electronic means.***

**Carried**

Councillor Matthew Koce joined the Council meeting by electronic means of communication at 6:32pm.

## **5 Disclosure of Conflicts of Interest**

Cr Mike Scott declared a general conflict of interest in Item 6.1 Notice of Rescission 06/2022 (Service Review).

Cr Mike Scott stated the general conflict of interest was *"I am employee of Uniting Vic Tas who pays the Special Rate which is received by Chapel Street Precinct Association. I was also promoted by Chapel Street Precinct Association in their Soul of Chapel promotion. I also attended the Chapel Street Precinct Association Annual General Meeting as Uniting Vic Tas representative"*.

Cr Mike Scott left the Council Chamber at 6:34pm.

## **6 Confidential Business**

### **Procedural Motion - Closure of Council Meeting to the Public**

The Mayor, Cr Jami Klisaris called for a procedural motion to close the Council meeting to the public.

The procedural motion lapsed for want of a mover and seconder.

### **6.1 Notice of Rescission No 06/2022 (Service Review)**

Notice of Motion 06/2022 - Councillors Alexander Lew, Kate Hely and Marcia Griffin

MOTION:

MOVED: Cr Kate Hely

SECONDED: Cr Nicki Batagol

***That the following motion carried at the Council Meeting on 26 September 2022, viz:***

***That the Council:***

- 1. NOTES the Service Review report prepared by Deloitte and the Financial and Governance Audit reports prepared by Grant Thornton Consulting.***
- 2. ENDS the Special Rate Scheme (SRS) at the end of the current term, being 30 June 2023, for the following reasons:***
  - The SRS has been in place for 30 years since 1992 and is no longer considered best practice for Councils.***

- ***The cost impost to Special Ratepayers of \$1.8 million annually, of which an average 30% is expended on Precinct Associations' administrative overheads, does not represent a cost-effective delivery model for economic development and precinct marketing.***
  - ***The imposition of a compulsory levy after a period of prolonged economic hardship for the 3717 business that pay the Special Rate as a result of the COVID-19 pandemic is an unjustifiable cost impost.***
  - ***The inherent inequities of the SRS being paid by only 3717 of the approximately 18,000 businesses registered in City of Stonnington***
  - ***The Service Review conducted by Deloitte and the Financial and Governance Audits conducted by Grant Thornton Consulting into the financial management, governance, member engagement and efficacy of the five Precinct Associations identified serious concerns relating to:***
    - a. ***Deficiencies in management of conflicts of interest.***
    - b. ***Deficiencies in appropriate standards of governance for expending ratepayer funds.***
    - c. ***A lack of transparency, including withholding information from Council that is required to assess the efficacy of Precinct Associations' activity.***
    - d. ***The ongoing refusal by some Precinct Associations to adhere to the terms of the Management Agreements with Council.***
    - e. ***An inability to demonstrate value for money to non-members of Precinct Associations, who are required to pay the rate irrespective of any benefit to them.***
    - f. ***An inability to equitably promote categories of businesses other than retail and hospitality, leading to many categories of businesses that pay the Special Rate not being able to derive value from it.***
3. ***DESIGNATES that from 27 September 2022, the following information will no longer be confidential for the purposes of providing it to the five Precinct Associations:***
- ***Individualised Grant Thornton Financial and Governance Audit report, and***
  - ***Individualised Deloitte survey findings.***
4. ***NOTES that Council Officers will commence consulting with the City of Stonnington's 18,000 businesses to establish a more contemporary, cost effective and transparent program for supporting all businesses within the City.***
5. ***ENCOURAGES the five Precinct Associations to review their operations and pursue the more sustainable, 'user pays' funding model of voluntary membership subscriptions.***
6. ***WRITES to the five Precinct Associations after they have received their individual Grant Thornton Financial and Governance Audit report, and the individualised Deloitte survey findings, seeking written consent to publicly release these documents.***

***Be Rescinded.***

**Procedural Motion - Extension of Speaking Time**

PROCEDURAL MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Polly Morgan

***That Cr Kate Hely be granted an extension of time of one minute to speak to the motion.***

**Carried**

**Procedural Motion - Extension of Speaking Time**

PROCEDURAL MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Kate Hely

***That Cr Nicki Batagol be granted an extension of time of one minute to speak to the motion.***

**Carried**

**Procedural Motion - Extension of Speaking Time**

PROCEDURAL MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Kate Hely

***That Cr Polly Morgan be granted an extension of time of one minute to speak to the motion.***

**Carried**

**Procedural Motion - Extension of Speaking Time**

PROCEDURAL MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Kate Hely

***That the Mayor, Cr Jami Klisaris be granted an extension of time of one minute to speak to the motion.***

**Carried**

The motion was put and Lost

DIVISION

Cr Polly Morgan called for a division.

Voting For the motion: Cr Kate Hely and Cr Nicki Batagol

Voting Against the motion: Cr Jami Klisaris, Cr Melina Sehr, Cr Matthew Koce and Cr Polly Morgan

The Mayor, Cr Jami Klisaris declared the motion **Lost**

The Council meeting concluded at 7:05pm.

Confirmed on 14 November 2022.

.....  
**CR JAMI KLISARIS, MAYOR**