



GLEN EIRA CITY COUNCIL
ORDINARY COUNCIL MEETING

TUESDAY 26 APRIL 2022

MINUTES

**Meeting was held in the Council Chambers,
Corner Hawthorn & Glen Eira Roads, Caulfield
at 7.30pm**

Present

The Mayor, Councillor Jim Magee
Councillor Anne-Marie Cade
Councillor Margaret Esakoff
Councillor Sam Parasol
Councillor Li Zhang
Councillor Simone Zmood
Councillor David Zyngier

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1. **ACKNOWLEDGEMENT**

The Mayor read the acknowledgement.

Glen Eira City Council Acknowledges the peoples of the Kulin Nation as Traditional Owners and Custodians, and pay our respect to their Elders past, present and emerging. We Acknowledge and uphold their continuing relationship to land and waterways. Council extends its respect to all Aboriginal and Torres Strait Islander peoples.

2. **APOLOGIES**

Moved: Cr Parasol

Seconded: Cr Zmood

That the apology from Cr Tony Athanasopoulos be received and noted.

CARRIED UNANIMOUSLY

3. **REMINDER TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA**

Councillors were reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or any item that was considered at this meeting, in accordance with Section 130(2) of the *Local Government Act 2020* and Rule 60(3) of the Glen Eira City Council Governance Rules. Councillors were then invited to indicate any such conflict of interest.

There were no conflicts of interest declared at the meeting.

Procedural Motion**Moved: Cr Parasol****Seconded: Cr Zmood**

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting; and
2. adjourns the meeting in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website with the meeting to be reconvened on Wednesday 27 April 2022 at 7.30pm.

CARRIED UNANIMOUSLY**4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS****Moved: Cr Zyngier****Seconded: Cr Parasol**

That the minutes of the Ordinary Council Meeting held on 5 April 2022 be confirmed.

CARRIED UNANIMOUSLY**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**

Nil

6. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

Nil

7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY

7.1 Advisory Committees

7.1.1 ADVISORY COMMITTEE MINUTES**Moved: Cr Zmood****Seconded: Cr Parasol**

That the minutes of the Advisory Committee meeting as shown below be received and noted and that the recommendations of this Committee be adopted.

1. Open Space, Sport and Recreation Advisory Committee Meeting Minutes – 17 March 2022.

CARRIED UNANIMOUSLY

7.2 Records of Assembly

7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS**Moved: Cr Parasol****Seconded: Cr Zhang**

That the Records of the Assemblies as shown below be received and noted.

1. 22 March 2022 Assembly;
2. 29 March 2022 Assembly; and
3. 5 April 2022 Pre-meeting.

CARRIED UNANIMOUSLY

Public Participation

The Mayor invited members of the community to ask a question or make a statement to Council.

There were four people who addressed Council.

8. OFFICER REPORTS (AS LISTED)**Procedural Motion****Moved: Cr Magee Seconded: Cr Zmood**

That Council changes the order of business to bring forward Item 8.7 - The effects of Council adopting the International Holocaust Remembrance Alliance Working Definition of Antisemitism to be considered at this stage of the meeting.

CARRIED UNANIMOUSLY

8.7 THE EFFECTS OF COUNCIL ADOPTING THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTISEMITISM

Moved: Cr Esakoff**Seconded: Cr Cade**

That Council:

1. endorses and formally adopts in full the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, including all IHRA examples of contemporary antisemitism as an important tool in recognising and combatting manifestations of antisemitism;
2. issues a Media Release calling on all Australian political parties, universities, councils and other public bodies and organisations to also adopt the definition and use it to better understand and act against anti-Jewish hatred, and publicises the resolution on Council's website and social media;
3. writes to all Councils in Victoria and the MAV encouraging them to also adopt the definition and use it to better understand and act against anti-Jewish hatred;
4. continues to reject racism in all its forms through reaffirming the Together We Stand statement developed in partnership with the Anti-Defamation Commission in May 2019;
5. undertakes a community-led approach to responding to antisemitism as a distinct form of racism; and
6. commits to ongoing actions, events and initiatives which celebrate diversity and contribute to a socially cohesive community.

Procedural Motion**Moved: Cr Magee Seconded: Cr Zmood**

That Council grants Cr Esakoff a 2 minute extension of speaking time.

CARRIED UNANIMOUSLY

Procedural Motion**Moved: Cr Magee Seconded: Cr Zmood**

That Council grants Cr Cade a 2 minute extension of speaking time.

CARRIED UNANIMOUSLY**Procedural Motion****Moved: Cr Magee Seconded: Cr Zmood**

That Council grants Cr Zyngier a 3 minute extension of speaking time.

CARRIED UNANIMOUSLY**Procedural Motion****Moved: Cr Magee Seconded: Cr Zyngier**

That Council grants Cr Zmood a 3 minute extension of speaking time.

CARRIED UNANIMOUSLY**For the Motion:** Crs Esakoff, Magee, Cade, Parasol, Zhang and Zmood (6)**Abstain:** Cr Zyngier (1)

The Motion Moved by Cr Esakoff and Seconded by Cr Cade was

CARRIED

8.1 196-198 HAWTHORN ROAD, CAULFIELD NORTH COMBINED PLANNING SCHEME AMENDMENT AND PLANNING PERMIT APPLICATION

Moved: Cr Zmood**Seconded: Cr Magee**

1. That, pursuant to Section 96A(2) of the *Planning and Environment Act 1987*, Council agrees to consider a planning permit application for the construction of a three-storey building comprising 15 dwellings above basement car parking and alteration of access to a road in a Transport Zone 2, concurrently with a planning scheme amendment to remove a single dwelling covenant as requested by 196 Hawthorn Road Pty Ltd, for the land at 196-198 Hawthorn Road, Caulfield North; and
2. That, pursuant to Section 8A(2) of the *Planning and Environment Act 1987*, Council seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C234glen and to consider Planning Permit Application GE/DP-34438/2021 concurrently, pursuant to Section 96A of the *Planning and Environment Act 1987*.

CARRIED UNANIMOUSLY

8.2 VCAT WATCH

Moved: Cr Cade**Seconded: Cr Esakoff**

That Council notes the update on VCAT matters.

CARRIED UNANIMOUSLY

8.3 FINANCIAL MANAGEMENT REPORT (31 MARCH 2022)

Moved: Cr Cade**Seconded: Cr Zhang**

That Council notes the Financial Management Report for the period ending 31 March 2022 (Attachment 1 to the report).

CARRIED UNANIMOUSLY

8.4 PROPOSED BUDGET, FINANCIAL PLAN AND REVENUE & RATING PLAN

Moved: Cr Zmood**Seconded: Cr Parasol**

That Council:

1. commences the statutory process pursuant to s91, s93 and s94 of *the Local Government Act 2020* to seek community feedback on the proposed 2022-23 Budget, the 2022-23 to 2031-32 Long-Term Financial Plan and the 2022-23 to 2025-26 Revenue and Rating Plan by:
 - (a) placing the proposed 2022-23 Budget (Attachment 1 to the report), the 2022-23 to 2031-32 Long-Term Financial Plan (Attachment 2 to the report) and the 2022-23 to 2025-26 Revenue and Rating Plan (Attachment 3 to the report) on Council's website; and
 - (b) considers community feedback at the 7 June 2022 Ordinary Council Meeting.
2. receives a further report to adopt the proposed 2022-23 Budget, the 2022-23 to 2031-32 Long-Term Financial Plan and the 2022-23 to 2025-26 Revenue and Rating Plan, at the 28 June 2022 Ordinary Council Meeting.

CARRIED UNANIMOUSLY

**8.5 APPOINTMENT OF COUNCILLOR SIGNATORIES
(2021-22 FINANCIAL REPORT)**

Moved: Cr Zmood**Seconded: Cr Esakoff**

That Council appoints the Mayor, Cr Jim Magee and Deputy Mayor, Cr Li Zhang to sign the 2021-22 Financial Statements and Performance Statement.

CARRIED UNANIMOUSLY

**8.6 RESPONDING TO THE COMMONWEALTH GOVERNMENT AGED CARE
REFORMS**

Moved: Cr Magee**Seconded: Cr Esakoff**

That Council endorses the Future of Aged Care Services - Responding to Commonwealth Aged Care Reforms: Discussion Paper 2022 (Attachment 1 to this report) including the outline of the community engagement process to seek feedback about Glen Eira Council's future role in the delivery of aged care services.

CARRIED UNANIMOUSLY

**8.7 THE EFFECTS OF COUNCIL ADOPTING THE INTERNATIONAL HOLOCAUST
REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTISEMITISM**

This item was dealt with at an earlier stage of the meeting.

8.8 CAULFIELD RACECOURSE RESERVE - RECOMMENDATION FOR INCLUSION ON THE VICTORIAN HERITAGE REGISTER

Moved: Cr Zyngier**Seconded: Cr Zmood**

That Council:

1. adopts and forwards the submission at Attachment 2 to this report, to the Heritage Council of Victoria in favour of inclusion of the Caulfield Racecourse Reserve on the Victorian Heritage Register; and
2. authorises the Manager City Futures to request the Minister for Planning for an extension of time to commence exhibition of Planning Scheme Amendment C227glen in accordance with Ministerial Direction No. 15.

CARRIED UNANIMOUSLY

8.9 INCLUSION OF 8 TREES IN THE CLASSIFIED TREE REGISTER

Moved: Cr Zmood**Seconded: Cr Zhang**

That Council:

1. includes the following trees in the Classified Tree Register:
 - a) 6 Variegated English Elms (*Ulmus procera* 'variegata') located along the western side of Queens Ave, Caulfield East – 34/CTR/2020;
 - b) 2 Moreton Bay Figs (*Ficus macrophylla*) located at Lord Lodge, 30 Booran Rd, Caulfield East – 140/CTR/2021;
2. notifies each person who nominated a tree detailed in this report;
3. notifies all relevant landholders of the trees detailed in this report; and
4. authorises a notice to be published in the Victorian Government Gazette of the decision to include the trees outlined in his report in the Classified Tree Register.

CARRIED UNANIMOUSLY

8.10 GLEN EIRA INTEGRATED WATER MANAGEMENT PLAN | DHUMBALI WURNEE'T GADHABA - DRAFT FOR CONSULTATION

Moved: Cr Zmood**Seconded: Cr Zyngier**

That Council:

1. endorses the draft *Glen Eira Integrated Water Management Plan | Dhumbali Wurnee't Gadhaba* for community and stakeholder consultation between 27 April and 1 June; and
2. receives a future report outlining the community feedback and present a final plan for adoption.

CARRIED UNANIMOUSLY

8.11 FAMILY YOUTH AND CHILDREN'S SERVICES POLICIES - REVOCATION AND POLICY UPDATES

Moved: Cr Cade**Seconded: Cr Zyngier**

That Council reviews and:

1. revokes the policies shown in attachment 1 and 2 of this report; and
2. adopts the amended policies shown in attachments 4 and 6 of this report. (Attachments 3 and 5 indicate tracked changes).

For the Motion: Crs Magee, Cade, Parasol, Zhang, Zmood and Zyngier (6)**Against the Motion:** Cr Esakoff (1)**CARRIED**

8.12 EXTENSION OF CONTRACT 2019.166 SHORT TERM RECYCLING PROCESSING ARRANGEMENTS

Moved: Cr Zmood**Seconded: Cr Zyngier**

That Council:

1. approves the novation and price adjustment to Contract 2019.166 for short term recycling processing agreement from 1 June 2021;
2. endorses an extension of the Council agreement Contract 2019.166 for a period of three years beginning 1 June 2022, with two additional one-year extension options; and
3. authorises the Chief Executive Officer to execute the variation and any required extensions on behalf of Council.

CARRIED UNANIMOUSLY

8.13 APPOINTMENT OF DELEGATE TO MUNICIPAL ASSOCIATION OF VICTORIA

Moved: Cr Zhang**Seconded: Cr Zyngier**

That Council appoints Cr Anne-Marie Cade as Council's delegate and Cr Margaret Esakoff as substitute to the Municipal Association of Victoria (MAV).

CARRIED UNANIMOUSLY**9. URGENT BUSINESS - NIL****10. ORDINARY BUSINESS****10.1 Requests for reports from a member of Council staff - Nil****10.2 Right of reply**

Cr Zyngier made a Right of Reply in relation to comments that he stated were made by Cr Esakoff during the debate for Item 8.7 – The effects of Council adopting the International Holocaust Remembrance Alliance Working Definition of Antisemitism.

Cr Esakoff called for a Point of Order. The Mayor asked a question of Cr Zyngier to clarify on what grounds he was making his Right of Reply and confirmed that there were grounds to substantiate Cr Esakoff's Point of Order.

Cr Zyngier informed the meeting that a further Right of Reply may be raised by him at the next Ordinary Council Meeting in relation to this matter.

Cr Esakoff also stated that she would review the recording of the meeting and make a Right of Reply responding to Cr Zyngier's comments in his Right of Reply.

10.3 Notice of Motion - Nil**10.4 Councillor questions - Nil****10.5 Written public questions to Council**

Questions were received from Warrick Alldridge, Lorraine Finlay, Stephen Willis and Julie Staunton. As the submitters were not present in the Chamber at this stage of the meeting, their questions and the responses were not read out. This is in accordance with the Written Public Question Guidelines. A letter will be sent to each of the submitters including their questions and the responses following the meeting.

11. CONFIDENTIAL ITEMS**Moved: Cr Zmood****Seconded: Cr Parasol**

That pursuant to Section 66(1) and 66(2)(a) of the Local Government Act 2020, the Council resolves that so much of this meeting be closed to members of the public, as is required for Council to consider the following matters that are confidential in accordance with Section 3(1) of the Act:

11.1 Open Space Project

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
- may unreasonably expose Council to a financial disadvantage

CARRIED UNANIMOUSLY

The Mayor advised that after consideration of Item 11.1 – Open Space Project, the meeting would be closed.

11.1 OPEN SPACE PROJECT

Confidential item

12. CLOSURE OF MEETING

The meeting closed at 9.50pm

Confirmed this 17 day of May 2022.

Chairperson.....