



**GLEN EIRA CITY COUNCIL**  
**ORDINARY COUNCIL MEETING**

**TUESDAY 28 JUNE 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 Sam Parasol  
Councillor Sue Pennicuik  
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 Magee**

**Seconded: Cr Zhang**

That Council:

1. receives and notes the apologies from Cr Athanasopoulos and Cr Esakoff; and
2. grants a leave of absence to Cr Parasol for the Ordinary Council Meeting of 19 July 2022.

**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.

- Cr Parasol – Item Number 8.4 – 113 Balaclava Road Caulfield North – Amendment C233glen and Application GE/DP-34762/2021

The Mayor welcomed past Councillor and Mayor Jamie Hyams to the meeting.

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

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 29 June 2022 at 7.30pm.

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

That the minutes of the Ordinary Council Meeting held on 7 June 2022 and the Special Council Meeting held on 23 June 2022 be confirmed.

**CARRIED UNANIMOUSLY**

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

The Mayor advised that a petition in relation to Item 8.4 – 113 Balaclava Road, Caulfield North was submitted with the same prayer to the petition presented to the 7 June 2022 Ordinary Council Meeting.

The Governance Rules (section 31(2)(e)) does not allow for the same petition to be presented on more than one occasion to Council.

Due to it being previously considered, the additional 53 signatures is for Council to take into consideration at item 8.4 at this meeting.

**6. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS**

Nil

**7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY**

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**7.1 Advisory Committees**

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

That the minutes of the Advisory Committee meetings as shown below be received and noted and that the recommendations of these Committees be adopted.

1. Youth Advisory Committee Meeting Minutes – 26 May 2022; and
2. Community Grants Advisory Committee Meeting Minutes – 24 May 2022.

**CARRIED UNANIMOUSLY**

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**7.2 Records of Assembly**

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**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. 24 May 2022 Assembly;
2. 31 May 2022 Assembly; and
3. 7 June 2022 Pre-meeting

**CARRIED UNANIMOUSLY**

**Public Participation**

There was 1 person who presented to Council in this section of the meeting .

**8. OFFICER REPORTS (AS LISTED)**

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**8.1 COUNCIL PLAN ANNUAL ACTION PLAN FOR 2022-2023**

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**Moved: Cr Pennicuik****Seconded: Cr Cade**

That Council adopts the Council Plan Annual Action Plan for 2022-2023 (attachment 1 to the report).

**CARRIED UNANIMOUSLY**

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**8.2 ADOPTION OF BUDGET, FINANCIAL PLAN & REVENUE & RATING PLAN**

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

That Council pursuant to s91, s93 and s94 of the *Local Government Act 2020* resolves to adopt the:

1. 2022-23 Draft Budget (Attachment 1 to this report), including proposed user fees and charges specified in Appendix E and F of Attachment 1 to the report.
2. 2022-23 to 2031-32 Long-Term Financial Plan (Attachment 2 to the report);  
and
3. 2022-23 to 2025-26 Revenue and Rating Plan (Attachment 3 to the report).

**CARRIED UNANIMOUSLY**



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**8.3 DECLARATION OF RATES & CHARGES (2022-23)**


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**Moved: Cr Zhang****Seconded: Cr Parasol**

That Council formally declares the Rates and Charges for the 2022-23 Rating Year as follows:

**1. Amount Intended to be Raised**

That an amount of approximately \$128,262,000 (before rebate) is declared as the amount which Council intends to raise by general rates, cultural and recreational lands and annual service charges as follows:

▪ General Rate	\$104,175,000
▪ Cultural and Recreational Lands	\$236,000
▪ Annual Service Charge (Waste)	\$23,851,000
<b>Total</b>	<b>\$128,262,000</b>

**2. General Rate**

**2.1** That a General Rate be applied at a uniform rate of 2.4565 cents in each dollar of Net Annual value be declared in respect of the 2022-23 financial year.

**2.2** That in accordance with Section 4(1) of the *Cultural and Recreational Lands Act 1963*, the amounts payable in respect of the 2022-23 financial year for each rateable land to which that Act applies be as follows:

- For land owned or occupied by the Melbourne Racing Club, a rate of 76 per cent of the General Rate in the dollar which would otherwise be payable in respect of the land.
- For land owned or occupied by the Yarra Yarra Golf Club, a rate of 50 percent of the General Rate in the dollar which would otherwise be payable in respect of the land.
- For land owned or occupied by a sporting organisation operating with liquor and/or gaming licence, a rate of 60 per cent of the General Rate in the dollar which would otherwise be payable in respect of the land.
- For land owned or occupied by a sporting organisation operating without liquor or gaming licence, a rate of 50 per cent of the General Rate in the dollar which would otherwise be payable in respect of the land.

**3. Annual Service Charges**

That pursuant to the provisions of Section 162 of the *Local Government Act 1989*, an Annual Service Charge relating to Waste Management be declared for in respect of the 2022-23 financial year for each rateable property as follows:

▪ 240 Litre bin	\$590.00
▪ 120 Litre bin	\$295.00
▪ Flats Sharing 240 Litre bin	\$295.00

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▪ Family 240 Litre bin	\$295.00
▪ 240 Litre Medical	\$295.00
▪ Litter Management Charge	\$82.00
▪ Additional Recycling	\$60.00
▪ Additional Green Waste	\$40.00
▪ Additional 120 Litre Red bin	\$368.75
▪ Additional 240 Litre Red bin	\$737.50
▪ 240 Litre Commercial Red bin	\$598.00

#### 4. **Rebates**

- 4.1 That Council grants to each ratepayer who is an 'eligible recipient' within the meaning of the *State Concessions Act 2004* a combined rebate up to a maximum of \$270 (being an amount contributed by State Government & Council) in respect of the 2022-23 financial year of that land.
- 4.2 The rebate (Council's contribution) referred to in paragraph 4.1 be granted:
- (a) under section 169(1)(a) of the *Local Government Act 1989*.
- (b) to assist the proper development of the municipal district.
- 4.3 It finally be recorded that, in Council's opinion, the rebate referred to in paragraph 4.1 will assist the proper development of the municipal district by partially relieving a specified class of ratepayer of the burden of rate payments; and
- 4.4 The rebate described in paragraph 1 is not intended to affect any right conferred on any person under section 171(4) of the *Local Government Act 1989*.
5. Rates are payable in four instalments due by 30 September 2022, 30 November 2022, 28 February 2023 and 31 May 2023.
6. Council charges interest on outstanding or overdue rates and charges from 1 July 2022 to 30 June 2023.
7. The Chief Executive Officer be authorised to levy and recover the general rates, annual service charges and any other amounts described in the report in accordance with the *Local Government Act 1989* and *Cultural and Recreational Lands Act 1963*.

**CARRIED UNANIMOUSLY**

*It is recorded that Cr Parasol declared a general conflict of interest in Item 8.4 – 113 Balaclava Road Caulfield North – Amendment C233glen given he is a friend of the applicant.*

*It is recorded that Cr Parasol vacated the Chamber at 8:09pm and was not present when this item was discussed.*

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**8.4 113 BALACLAVA ROAD CAULFIELD NORTH – AMENDMENT C233GLEN AND APPLICATION GE/DP-34762/2021**

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

That Council:

1. notes its consideration of the submissions received to the combined Planning Scheme Amendment C233glen and Planning Permit Application GE/DP-34762/2021 in accordance with Section 22 of the Planning and Environment Act 1987; and
2. abandons Planning Scheme Amendment C233glen for the following reason:
  - (a) In its capacity as the planning authority, considers that owners of land benefited by the restriction may suffer detriment (including any perceived detriment) as a consequence of the variation of the restriction.
3. informs the Minister for Planning of the decision to abandon Planning Scheme Amendment C233glen; and
4. publishes a notice of the decision on Council's website.

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

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

**CARRIED UNANIMOUSLY****For the Motion:** Crs Magee, Zmood, Zyngier and Pennicuik (4)**Against the Motion:** Crs Cade and Zhang (2)

The Motion Moved by Cr Zmood and Seconded by Cr Zyngier was PUT and

**CARRIED**

*It is recorded that Cr Parasol entered the Chamber at 8:29pm and was not present for the debate on this item.*

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**8.5 VCAT WATCH**

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**Moved: Cr Cade****Seconded: Cr Parasol**

That Council notes the update on Victorian Civil and Administrative Tribunal matters.

**CARRIED UNANIMOUSLY**

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**8.6 FINANCIAL MANAGEMENT REPORT (31 MAY 2022)**

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

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

**CARRIED UNANIMOUSLY**

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**8.7 MACKIE ROAD RESERVE MASTERPLAN**

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

That Council:

1. notes the feedback received during community consultation;
2. endorses the minor change proposed to remove a mounded viewing area;
3. adopts the Mackie Road Reserve Masterplan; and
4. notes the final Mackie Road Reserve Masterplan uploaded to the Council's website will have the mounded viewing replaced with garden passive area.

**CARRIED UNANIMOUSLY**

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**8.8 CAULFIELD PARK - WESTERN ENTRANCE UPGRADES**

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

That Council:

1. notes feedback received during the community engagement phase;
2. notes the draft entrance designs (attachments 1 and 2 to the report);  
and
3. authorises officers to commence the detailed design, ensuring further consultation and engagement occurs as part of that process with the Glen Eira Historical Society and Mr Phillip Cannizzo, Sculptor.

**CARRIED UNANIMOUSLY**

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**8.9 CAULFIELD RACECOURSE RESERVE - SUBMISSIONS TO  
HERITAGE VICTORIA PERMIT APPLICATIONS P36648 AND P36815**

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**Moved: Cr Pennicuik****Seconded: Cr Zmood**

That Council notes the officer submissions made to Heritage Victoria in relation to Heritage Victoria applications P36648 and P36815 shown as Attachments 1 and 2 to the report.

**CARRIED UNANIMOUSLY**

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**8.10 CAULFIELD RACECOURSE INCORPORATED DOCUMENT WORKS PACKAGE  
3-5 - LANDSCAPING REQUIREMENT**

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**Moved: Cr Magee****Seconded: Cr Zhang**

That Council approves the following plans:

1. WP3 Proposed Site Plan – Landscape, TP1500, Revision 16, dated 16 May 2022, prepared by Hassell (included within Attachment 1).
2. WP3 Proposed Site Plan – Trees, TP1520, Revision 11, dated 16 May 2022, prepared by Hassell (included within Attachment 1).
3. Standard Tree Planting Details 01, WP3\_A\_9001, Revision 1, prepared by Hassell (included within Attachment 1).
4. Caulfield Racecourse Public Realm & Administration Building Stormwater Management Plan, dated November 2021, prepared by WSP (included within Attachment 2).

**For the Motion:** Crs Magee, Cade and Zhang (3)**Against the Motion:** Crs Parasol, Zmood, Zyngier and Pennicuik (4)**LOST**

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**8.11 GLEN EIRA DRAFT STREET DESIGN GUIDELINE**

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**Moved: Cr Cade****Seconded: Cr Zmood**

That Council:

1. notes the draft Street Design Guideline summary document (Attachment 1 to the report) for the purpose of community consultation over a six-week period; and
2. receives a future report outlining the community feedback on the Street Design Guideline.

**CARRIED UNANIMOUSLY**

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**8.12 GLEN EIRA CITY COUNCIL ASSET PLAN 2022**

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**Moved: Cr Zhang****Seconded: Cr Magee**

That Council adopts the Glen Eira City Council Asset Plan 2022 (Attachment one to the report).

**CARRIED UNANIMOUSLY**

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**8.13 GLEN EIRA INTEGRATED WATER MANAGEMENT PLAN | DHUMBALI WURNEE'T GADHABA**

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

*It is recorded Cr Zhang vacated the Chamber at 9.22pm and re-entered at 9.24pm.*

That Council:

1. adopts the *Glen Eira Integrated Water Management Plan | Dhumbali Wurnee't Gadhaba* and Supporting Information attached to the report; and
2. notes the engagement process and changes made to the Plan in response to the community feedback.

**CARRIED UNANIMOUSLY**

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

That Council extends the meeting to conclude at 11pm.

**CARRIED UNANIMOUSLY**

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**8.14 SINGLE-USE PLASTIC FREE POLICY**

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

That Council:

1. endorses the *Single-use Plastic Free Policy* as shown in Attachment 1 to this report;
2. notes the policy exemptions in line with medical, emergency and special needs requirements; and
3. notes the implementation of the policy will require transitional implementation stages to ensure there are no unintended negative environmental outcomes as a result of the policy.

**CARRIED UNANIMOUSLY**

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**8.15 ROAD AND RESERVE DISCONTINUANCE AND SALE POLICY**

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

That Council:

1. adopts the updated *Road and Reserves Discontinuance and Sale Policy 2022* shown as Attachment 1 to the report; and
2. consequently, revokes the *Road and Reserve Discontinuance and Sale Policy 2015*.

**CARRIED UNANIMOUSLY**



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**8.16 ASSESSMENT OF NOMINATED TREES WITHIN CAULFIELD RACECOURSE FOR INCLUSION IN THE CLASSIFIED TREE REGISTER**


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

That Council:

1. notifies and provides the preliminary assessment to the Melbourne Racing Club and the Caulfield Racecourse Reserve Trust for the eligible trees listed below; and

<b>Tree Number</b>	<b>Species</b>	<b>Categories of Significance</b>
1	<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	1. Horticultural or Genetic Value
2	<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	1. Horticultural or Genetic Value
3	<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	1. Horticultural or Genetic Value
4	<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	1. Horticultural or Genetic Value; 6. Aesthetic Value; 10. Outstanding Example of the Species
5	<i>Corymbia maculata</i>	6. Aesthetic Value
6	<i>Corymbia maculata</i>	6. Aesthetic Value
10	<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	1. Horticultural or Genetic Value; 6. Aesthetic Value
12	<i>Quercus robur</i>	2. Unique Location or Context; 4. Particularly Old Specimen; 5. Outstanding Size (girth height spread); 6. Aesthetic value
13	<i>Eucalyptus globulus</i> subsp. <i>bicostata</i>	5. Outstanding Size (girth height spread) 6. Aesthetic Value

2. considers all submissions received regarding each eligible tree as part of the ongoing assessment process.

**CARRIED UNANIMOUSLY**

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**8.17 INCLUSION OF 4 TREES IN THE CLASSIFIED TREE REGISTER**

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

That Council:

1. includes the following trees in the Classified Tree Register:
  - a) Sydney Blue Gum (*Eucalyptus saligna*) located at 59 Howitt Rd, Caulfield North – 108/CTR/2021;
  - b) Peppercorn (*Schinus molle*) located at 283 Glen Eira Rd, Caulfield North – 128/CTR/2021;
  - c) Silky Oak (*Grevillea robusta*) located at Caulfield Park, Park Cr, Caulfield North – 197/CTR/2021;
  - d) Lemon Scented Gum (*Corymbia citriodora*) located at Allnutt Park, Wheatley Rd, McKinnon – 239/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 this report in the Classified Tree Register.

**CARRIED UNANIMOUSLY**

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**8.18 MURRUMBEENA COMMUNITY HUB - CONTRACT VARIATION**

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**Moved: Cr Pennicuik****Seconded: Cr Cade**

That Council approves the revised value of Contract Number 2020.177 – Murrumbeena Community Hub Redevelopment from \$8,379,900 (ex GST) to \$9,500,000 (ex GST).

**CARRIED UNANIMOUSLY**

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**8.19 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER**

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**Moved: Cr Parasol****Seconded: Cr Zhang**

That Council appoints Mr Mark Saunders, Director Community Wellbeing to the role of Acting Chief Executive Officer for the period 5pm on Friday 22 July 2022 to 8am on Monday 1 August 2022 inclusive during the absence of the Chief Executive Officer.

**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 – Nil****10.3 Notice of Motion - Nil****10.4 Councillor questions - Nil****10.5 Written public questions to Council****1. Jamie Hyams – Ormond**

At the June 7 Council meeting, when speaking to item 8.4, Elevating Environmentally Sustainable Development Targets Planning Scheme Amendment C244, Cr Zyngier stated that it was in response to Glen Eira and other councils declaring a climate emergency that they were able to advocate to the Department through the Council Alliance for a Sustainable Built Environment (CASBE) for the proposed planning scheme amendment. Glen Eira declared a climate emergency in May 2020.

Could officers please advise when it was that Glen Eira joined CASBE and when CASBE commenced work on the project to elevate ESD targets into state planning law.

**Response:**

Glen Eira City Council has been a member of the Council Alliance for a Sustainable Built Environment (CASBE) since 2019. CASBE commenced work on the Elevating ESD Targets Planning Policy Project in 2018, with Glen Eira committing to Stage 1 of the project in April 2021.

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

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 Amendments to Council's Loan Facilities**

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 private commercial information, being information provided by a business, commercial or financial undertaking that -
  - (i) relates to trade secrets; or
  - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g)); and
- Includes details of commercial arrangements with Commonwealth Bank and Treasury Corporation of Victoria

**CARRIED UNANIMOUSLY**

The Mayor advised that following consideration of the confidential item, the meeting would be closed.

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**11.1 AMENDMENTS TO COUNCIL'S LOAN FACILITIES**

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Confidential matter

**12. CLOSURE OF MEETING**

The meeting closed at 9.58pm.

Confirmed this 19 day of July 2022

**Chairperson**.....