



**GLEN EIRA CITY COUNCIL**

**ORDINARY COUNCIL MEETING**

**TUESDAY 2 MAY 2023**

**MINUTES**

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

Present

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

## INDEX

<b>1.</b>	<b>ACKNOWLEDGEMENT .....</b>	<b>4</b>
<b>2.</b>	<b>APOLOGIES.....</b>	<b>4</b>
<b>3.</b>	<b>REMINDER TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA .....</b>	<b>4</b>
	<b>10.5 Written public questions to Council .....</b>	<b>5</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS .....</b>	<b>9</b>
<b>5.</b>	<b>RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....</b>	<b>9</b>
	Nil	
<b>6.</b>	<b>REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS .....</b>	<b>9</b>
	Cr Zyngier - Local Government Working Group on Gambling (external committee)	
<b>7.</b>	<b>REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY .....</b>	<b>10</b>
	<b>7.1 Advisory Committees .....</b>	<b>10</b>
	7.1.1 Advisory Committee Minutes.....	10
	<b>7.2 Records of Assembly.....</b>	<b>10</b>
	7.2.1 Records of Assemblies of Councillors .....	10
<b>8.</b>	<b>OFFICER REPORTS (AS LISTED).....</b>	<b>11</b>
	8.1 Proposed 2023-24 Budget.....	11
	8.2 Financial Management Report (31 March 2023).....	11
	8.3 Residential Parking Permit System Policy Review.....	12
	8.4 Glen Eira Placemaking Strategy 2023-2027 – Creating Vibrant Public Spaces with our Community.....	12
	8.5 Heritage Work Program Update 2023 and update on Planning Scheme Amendment C227 (Caulfield Racecourse Reserve) .....	13
	8.6 Glen Eira Heritage Review of Caulfield East and Glen Huntly. revised Heritage Citation Caulfield South Commercial Precinct. ....	14
	8.7 Cultural & Recreational Lands Charges Policy .....	15
	8.8 Inclusion of 4 Trees in the Classified Tree Register.....	15
	8.9 Adjoining 233 & 235 Poath Road Murrumbeena removal of reserve status and sale of land.....	16

8.10	VCAT Watch .....	17
8.11	Leases with VicTrack and Glen Eira Adult Learning Centre for premises at McKinnon Train Station .....	17
8.12	Appointment of Councillor Signatories (2022-23 Financial Report) .....	18
<b>9.</b>	<b>URGENT BUSINESS .....</b>	<b>18</b>
<b>10.</b>	<b>ORDINARY BUSINESS .....</b>	<b>18</b>
10.1	Requests for reports from a member of Council staff .....	18
10.2	Right of reply .....	18
10.3	Notice of Motion .....	18
10.4	Councillor questions .....	18
10.5	Written public questions to Council .....	18
<b>11.</b>	<b>CONFIDENTIAL ITEMS .....</b>	<b>18</b>
	Nil	
<b>12.</b>	<b>CLOSURE OF MEETING .....</b>	<b>19</b>

**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****Apology**

**Moved: Cr Zhang**

**Seconded: Cr Zmood**

That the apology from Cr Parasol 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.

Nil

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

That Council:

1. where meetings are held in-person, can continue the meeting if the livestream of the meeting fails as stated in the governance rules;
2. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem where a Councillor is participating virtually; and
3. where a Councillor is participating virtually and the meeting cannot be resumed within 30 minutes from the commencement of the technical problem, the meeting is to be reconvened on Wednesday 3 May 2023 at 7.30pm.

**CARRIED UNANIMOUSLY****PUBLIC PARTICIPATION**

This evening we had 2 submissions.

**Change Order of Business****Moved: Cr Magee****Seconded: Cr Esakoff**

That Council changes the order of business to bring forward Item 10.5 – Written Public Questions to Council to be heard at this stage of the meeting.

**CARRIED UNANIMOUSLY****10.5 Written public questions to Council**

<b>Rosetta Manaszewicz McKinnon</b>	<b>Question 1:</b>  The last Planning Scheme Review which included community consultation occurred in 2016. An internal review occurred in 2018. According to Section 90 of the Local Government Act 2020 and Section 12B (1a) of the Planning & Environment Act, 1987, councils are required to undertake a planning scheme review within one year following adoption of the Council Plan. Glen Eira's Council Plan was adopted in 2021. Why has there not been a planning scheme review, and when will council undertake community consultation on a full Planning Scheme Review?
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	<p><b>ANSWER:</b></p> <p>Section 90 of the Local Government Act requires us to prepare a Council Plan. Section 12B of the Planning and Environment Act requires us to review the planning scheme within one year of a new Council Plan.</p> <p>Council's recent strategic work program has included a complete rewrite of the local policies in the Planning Policy Framework (Amendment C220) which was subject to public exhibition in late 2021, reviewed by an independent planning panel in mid-2022 and ultimately approved by the Minister for Planning last month. It introduced new policy content for open space, sustainability, social and affordable housing, and transport based on policies and strategies recently adopted by Council. This includes the Integrated Transport Strategy, Open Space Strategy and the Climate Emergency Response Strategy.</p> <p>During this same period, Council prepared and adopted the Glen Eira Housing Strategy, the Carnegie, Glen Huntly and Caulfield Activity Centre Structure Plans and height controls for the Caulfield South, Caulfield North and Bentleigh East neighbourhood activity centres. Revised structure plans have been prepared for Bentleigh and Elsternwick major activity centres. These projects have and will include public consultation.</p> <p>Council officers regularly brief Department of Transport and Planning representatives on the progress of our strategic planning work program and have committed to provide a review within 6 months to the Department. Once the internal review is nearing completion, Council will be in a better position to confirm the nature of any further consultation.</p>
<p><b>James Walker</b> <b>Caulfield North</b></p>	<p><b>Question 2:</b></p> <p>Is Glen Eira Council meeting, consulting, corresponding or otherwise engaging with the Caulfield Racecourse Reserve Trust (CRRT) to seek 1/ maximum recreational and passive park use areas in the racecourse reserve, and 2/ maximal extent of urban forest in the racecourse reserve?</p> <p><b>ANSWER:</b></p> <p>Across many years Council has played an active role in engaging with the Caulfield Racecourse Reserve Trust, which has included advocacy in relation to community access to the Racecourse reserve.</p> <p>Council provided feedback to the CRRT during the development of their Land Management Plan and was a joint funder, and active member of the appointed working group to develop the Land Management Plan Business Case to Government.</p> <p>More recently Council has made a submission to the CRRT's</p>

	<p>Request for Proposals. Council's submission focused on the importance of ensuring that the Reserve remains accessible for the community, and aligns with the community's recreation needs, while ensuring it compliments opportunities highlighted within Council's Urban Forest Strategy.</p> <p>Council Officers have recently meet with the CRRT's new Chief Executive Officer to discuss these ideas in more detail.</p>
<p><b>Lisa Reynolds</b> <b>Carnegie</b></p>	<p><b>Question 3:</b></p> <p>As Glen Eira council is a member of the Municipal Association of Victoria (MAV) the council receives a certain amount of credits as part of the membership rate. Council you please confirm how the credits are determined and what was the credit for 2021/2022 year as well as the amount paid to the MAV for 2021/2022?</p> <p><b>ANSWER:</b></p> <p>MAV Councillor Credit Points (CCP) operate as a prepayment for councillors to attend training and events delivered by MAV. The points do not expire, and councils are invited to top up their balance points each year. Councils who top up receive a 10% points bonus. For example, a \$1,000 purchase of CCPs entitles a Council to the equivalent of \$1,100 worth of training and events.</p> <p>During the 2021-22 financial year, Glen Eira City Council did not purchase any CCPs, nor did it use any CCPs on training or events.</p> <p>At the commencement of the 2021-22 financial year, Glen Eira's CCP balance was \$4,649 and this remained the balance on 30 June 2022.</p>
<p><b>Lisa Reynolds</b> <b>Carnegie</b></p>	<p><b>Question 4:</b></p> <p>What is the nature of interaction between the Municipal Association of Victoria regional groupings such as the Councils within the inner Metropolitan South East region grouping?</p> <p><b>ANSWER:</b></p> <p>The regional groupings elect delegates from regions to the MAV Board as directors. Elections for the MAV Board are held every two years. The most recent election was in March 2023.</p> <p>The MAV Board configured the current groupings after consulting with member councils. Glen Eira is a member of the Inner Metropolitan South East region, which is represented by Cr Rohan Leppert of the City of Melbourne as its MAV Board director.</p>

<b>T. Antoniou</b> <b>Murrumbeena</b>	<p><b>Question 5:</b></p> <p>As Glen Eira Council declared a climate emergency in 2020, could the council please outline the criteria to which this has been determined?</p> <p><b>ANSWER:</b></p> <p>Glen Eira City Council is one of over 100 local governments that have declared a climate emergency. As a general principle the emergency declaration recognises that the climate is changing faster than nature can adapt to it.</p> <p>In declaring the climate emergency and adopting the subsequent plan, Council engaged extensively with the community which demonstrated widespread support for this clear and decisive action.</p> <p>In supporting Council's declaration in 2020, the Council referred to peer reviewed scientific data including the International Panel on Climate Change (IPCC) as the key source of scientific data to establish the targets and long term strategy.</p>
<b>T. Antoniou</b> <b>Murrumbeena</b>	<p><b>Question 6:</b></p> <p>Does Glen Eira Council or any of the Glen Eira Council Councillors have a past, current or planned association/interaction with the Australian Smart Communities Association (ASCA) including planned attendance at conferences? If so, what is the nature of this association/interaction and how does it impact the City of Glen Eira and its residents and ratepayers?</p> <p><b>ANSWER:</b></p> <p>Glen Eira Council is not currently, nor has it ever been, a member of the Australian Smart Communities Association (ASCA). Council Officers have attended two webinars held by the ASCA in the past as part of the research and development of the Glen Eira Smart City Roadmap which was adopted by Council on 15 March 2022.</p> <p>Glen Eira does not have any current plans to attend any conferences held by the ASCA.</p>



**4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS****Moved: Cr Cade****Seconded: Cr Zhang**

That the minutes of the Ordinary Council Meeting held on 13 April 2023 be confirmed.

**CARRIED UNANIMOUSLY**

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

Nil

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

Cr Zyngier - Local Government Working Group on Gambling (external committee)

**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 Esakoff****Seconded: Cr Pennicuik**

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. Glen Eira Sustainability Advisory Committee Minutes - 12 May 2022;
2. Glen Eira Sustainability Advisory Committee Minutes - 6 October 2022;
3. Glen Eira Sustainability Advisory Committee Minutes - 9 March 2023;
4. Glen Eira Business Economy Advisory Committee Minutes - 9 March 2023;
5. Arts and Culture Advisory Committee Minutes - 21 March 2023;
6. Strategic Transport Advisory Committee Minutes - 27 March 2023; and
7. Community Grants Advisory Committee Minutes - 28 March 2023.

**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 Esakoff****Seconded: Cr Zhang**

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

1. 28 March 2023 Assembly;
2. 4 April 2023 Assembly; and
3. 13 April 2023 Pre-meeting;

**CARRIED UNANIMOUSLY**

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

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**8.1 PROPOSED 2023-24 BUDGET**

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

That Council:

1. commences the statutory process pursuant to s90 and s94 of *the Local Government Act 2020* to seek community feedback on the proposed 2023-24 Budget by:
  - a) placing the proposed 2023-24 Budget (Attachment 1 to the report) on Council's website; and
  - b) considers community feedback at the 13 June 2023 Ordinary Council Meeting.
2. receives a further report to adopt the proposed 2023-24 Budget at the 27 June 2023 Special Council Meeting.

**CARRIED UNANIMOUSLY****Extension of Speaking Time****Moved: Cr Zmood****Seconded: Cr Athanasopoulos**

That Cr Esakoff be granted a two minute extension of speaking time.

**CARRIED UNANIMOUSLY***It is recorded that Cr Athanasopoulos vacated the Chamber at 8:18pm.**It is recorded that Cr Athanasopoulos entered the Chamber at 8:22pm.*

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**8.2 FINANCIAL MANAGEMENT REPORT (31 MARCH 2023)**

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

That Council notes the Financial Management Report for the period ending 31 March 2023.

**CARRIED UNANIMOUSLY**

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**8.3 RESIDENTIAL PARKING PERMIT SYSTEM POLICY REVIEW**

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

That Council adopts the updated Residential Parking Permit System Policy (Attachment 2).

For the Motion: Crs Athanasopoulos, Magee, Cade, Zhang, Zmood, Zyngier and Pennicuik (7)

Against the Motion: Cr Esakoff (1)

**CARRIED**

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**8.4 GLEN EIRA PLACEMAKING STRATEGY 2023-2027 – CREATING VIBRANT PUBLIC SPACES WITH OUR COMMUNITY**

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

That Council:

- 1) adopts the Glen Eira Placemaking Strategy 2023-2027 – creating vibrant public spaces with our community.
- 2) amends Action item 3.1.4 of the Action Plan from “Trial a ‘lighter, quicker, cheaper’ temporary public open space and activation in Council’s car park in Kokaribb Road, Carnegie to “Investigate a ‘lighter, quicker, cheaper’ temporary public open space and activation in part of Council’s car park in Kokaribb Road, Carnegie.

**CARRIED UNANIMOUSLY**

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**8.5 HERITAGE WORK PROGRAM UPDATE 2023 AND UPDATE ON PLANNING SCHEME AMENDMENT C227 (CAULFIELD RACECOURSE RESERVE)**

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

That Council:

1. notes the report and Attachment 1 – *Existing and Proposed Heritage in Glen Eira (April 2023 update)*;
2. endorses revisions to the *Glen Eira Heritage Review Work Program 2022-2027* to include additional planning scheme amendments and changes the timing of future projects (Attachment 2);
3. notes proposed measures to communicate knowledge and celebrate heritage places throughout Glen Eira as outlined in this report.
4. abandons Planning Scheme Amendment C227glen (Caulfield Racecourse Reserve) seeking local heritage protection due to the recent inclusion of the Caulfield Racecourse Reserve on the Victorian Heritage Register.

**CARRIED UNANIMOUSLY**

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**8.6 GLEN EIRA HERITAGE REVIEW OF CAULFIELD EAST AND GLEN HUNTLY.  
REVISED HERITAGE CITATION CAULFIELD SOUTH COMMERCIAL  
PRECINCT.**

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

That Council:

1. adopts the *Glen Eira Heritage Review of Caulfield East and Glen Huntly Final Report 2023* (RBA Architects and Conservation Consultants) (Attachment 1);
2. adopts the revised citation and Statement of Significance for the Caulfield South Commercial Junction Precinct (Attachment 2);
3. endorses the renaming of existing HO66 from “Caulfield South Shopping Centre and Environs Precinct” to the “Caulfield South Commercial Junction Precinct”.
4. endorses the proposed removal of Queens Avenue and Derby Crescent neighbour character areas from the Neighbourhood Character Overlay and Design and Development Overlay and replace them with heritage overlay controls as part of a future amendment;
5. seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C252glen to implement the recommendations of the *Glen Eira Heritage Review of Caulfield East and Glen Huntly Final Report 2023*, remove the Queens Avenue and Derby Crescent neighbourhood character areas from the Neighbourhood Character Overlay and Design and Development Overlay and replace them with heritage overlay controls and include a revised Statement of Significance for HO66 Caulfield South Commercial Junction Precinct within the schedule to the Heritage Overlay;
6. authorises the Manager City Futures to undertake minor changes to the Amendment, including changes requested by the Minister for Planning or the Department of Transport and Planning to receive authorisation, where changes do not affect the purpose or intent of the amendment; and
7. subject to receiving authorisation from the Minister for Planning, places the Amendment on public exhibition for a period of at least six weeks.

**CARRIED UNANIMOUSLY**

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**8.7 CULTURAL & RECREATIONAL LANDS CHARGES POLICY**

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

That Council adopts the *Cultural and Recreational Lands Charges Policy* in Attachment 1 to the report.

For the Motion: Crs Esakoff, Magee, Cade, Zhang, Zmood and Pennicuik (6)

Against the Motion: Crs Athanasopoulos and Zyngier (2)

**CARRIED**

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

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

That Council:

1. includes the following trees in the Classified Tree Register:
  - a) Golden Elm (*Ulmus glabra* 'Lutescens') located at 66A Murray Rd, Ormond – 320/CTR/2021;
  - b) Liquidambar (*Liquidambar styraciflua*) located at 7 Miller St, Carnegie – 323/CTR/2021;
  - c) Camphor Laurel (*Cinnamomum camphora*) located at 5 Lord St, Caulfield East – 368/CTR/2022;
  - d) Bull Bay Magnolia (*Magnolia grandiflora*) located Caulfield Park, Caulfield North – 472/CTR/2023;
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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**8.9 ADJOINING 233 & 235 POATH ROAD MURRUMBEENA REMOVAL OF RESERVE STATUS AND SALE OF LAND**

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

That Council:

1. resolves that statutory procedures be commenced pursuant to section 114 of the *Local Government Act 2020* (the **Act**) for the sale of the land from the 4.57m wide Drainage and Sewerage Reserve adjoining 233 and 235 Poath Road, Murrumbeena, shown hatched in **Attachment 1**.
2. gives notice on Council's website of its intention to sell the land from the Reserve to the owner of 235 Poath Road, Murrumbeena, by private treaty in accordance with Council's *Roads and Reserves Discontinuance and Sale Policy*.
3. writes to all adjoining property owners and occupiers informing them of the proposal and providing them with a copy of the notice.
4. as part of its community engagement process, invites written submissions on the proposed sale of the Reserve.
5. resolves that a further report be presented to Council to determine whether to discontinue and sell the Reserve in full, part of the Reserve or not to discontinue and sell the Reserve. All submissions received will be considered in making this decision.
6. resolves that procedures be implemented under part 4 of the *Planning and Environment Act 1987* and section 24A of the *Subdivision Act 1988* to remove the reserve status and subdivide the Drainage and Sewerage Reserve adjoining 233 and 235 Poath Road, Murrumbeena shown hatched in the site plan in **Attachment 1** and shown as Lot 2 in the Plan of Subdivision in **Attachment 2**.
7. Notwithstanding, the present intention to sell the land to the owner of 235 Poath Road, Murrumbeena, in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to sell the land to any other interested property owners.

**CARRIED UNANIMOUSLY**



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**8.10 VCAT WATCH**

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

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

**CARRIED UNANIMOUSLY**

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**8.11 LEASES WITH VICTRACK AND GLEN EIRA ADULT LEARNING CENTRE FOR PREMISES AT MCKINNON TRAIN STATION**

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**Moved: Cr Esakoff****Seconded: Cr Zhang**

That Council resolves to:

1. enter into a lease with Victorian Rail Track trading as VicTrack (ABN 55047316805) on behalf of Glen Eira Adult Learning Centre for the premises identified as Tenancy T1 and T2 at McKinnon Train Station; and
2. enter into a sublease with Glen Eira Adult Learning Centre (A0013210Z) for the premises identified as Tenancy T1 and T2 at McKinnon Train Station; and
3. authorise officers to finalise the lease with Victorian Rail Track trading as VicTrack (ABN 55047316805) and sublease with Glen Eira Adult Learning Centre (A0013210Z) for premises identified at Tenancy T1 and T2 at McKinnon Train Station; and
4. executes the lease and sublease in an appropriate manner by affixing the common seal of Council.

**CARRIED UNANIMOUSLY**

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**8.12 APPOINTMENT OF COUNCILLOR SIGNATORIES  
(2022-23 FINANCIAL REPORT)**

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

That Council:

1. appoints the Mayor (Cr Jim Magee) and Deputy Mayor (Cr Anne-Marie Cade) to sign the 2022-23 Financial Statements and Performance Statement; and
2. appoints Cr Sue Pennicuik, Cr Simone Zmood and Cr Sam Parasol as alternative signatories for the 2022-23 Financial Statements and Performance Statement if the Mayor or Deputy Mayor are unavailable.

**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***This item was heard at an earlier stage of the meeting***11. CONFIDENTIAL ITEMS**

Nil

**12. CLOSURE OF MEETING**

The meeting closed at 9.33pm.

Confirmed this 23 May 2023

**Chairperson**.....