



# **GLEN EIRA CITY COUNCIL**

## **ORDINARY COUNCIL MEETING**

### **MINUTES**

**15 August 2017**

**7.30pm**

Present

Cr Mary Delahunty (Mayor)  
Cr Clare Davey  
Cr Jamie Hyams  
Cr Jim Magee  
Cr Joel Silver  
Cr Dan Sztrajt  
Cr Nina Taylor

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**Minutes of the Ordinary Meeting of Council  
held in the Council Chamber, Glen Eira Council Offices,  
Corner Hawthorn Road and Glen Eira Road, Caulfield  
on Tuesday 15 August at 7.30pm**

**1. ACKNOWLEDGEMENT**

The Mayor read the acknowledgement

In the spirit of respect, Council acknowledges the people and elders of the Kulin Nation past and present who have traditional connections and responsibilities for the land on which Council meets.

2. **APOLOGIES** – An apology from Cr Esakoff and Cr Athanasopoulos were submitted to the meeting.

**Moved: Cr Magee**

**Seconded: Cr Silver**

That the apologies of Cr Esakoff and Cr Athanasopoulos be received and noted.

**CARRIED UNANIMOUSLY**

**3. OATH OF OFFICE AND DISCLOSURE OF INTEREST**

Oath of Office

The Mayor read the Oath of Office.

Councillors are reminded that we remain bound by our Oath of Office to undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Glen Eira and to faithfully and impartially carry out the functions powers, authorities and discretions vested in us under the Local Government Act or any other Act to the best of our skill and judgement.

Councillors are also reminded of the requirements for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or which are considered at this meeting, in accordance with Sections 77 to 79 of the Local Government Act.

**4. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETINGS**

**4.1 Confirmation of the Minutes**

**Moved: Cr Magee**

**Seconded: Cr Hyams**

That the minutes of the Ordinary Meeting held on 25 July 2017 and the minutes of the Special Council Meeting held on 2 August 2017 be confirmed.

**CARRIED UNANIMOUSLY**

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

There were no petitions or joint letters submitted to the meeting.

**6. DOCUMENTS FOR SEALING**

There were no documents for sealing submitted to the meeting.

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

Metropolitan Transport Forum held on 5 July 17

## 8. REPORTS FROM COMMITTEES

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### 8.1 Advisory Committees

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**Moved: Cr Sztrajt**

**Seconded: Cr Taylor**

That the minutes of the Community Grants Committee Meetings held on 3 July, 11 July and 18 July 2017 be received and noted and that the recommendations of the Committee be adopted.

**CARRIED UNANIMOUSLY**

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### 8.2 *Records of Assembly*

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**Moved: Cr Magee**

**Seconded: Cr Hyams**

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

- 11 July 2017
- 18 July 2017
- 25 July 2017
- 1 August 2017

**CARRIED UNANIMOUSLY**

The Mayor advised that at this stage of the meeting, we will invite members of the community to participate in the meeting under clause 230(1) Public Participation of the Glen Eira Local Law.

## **Section 9      Presentation of Officers Reports**

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### **9.1      VCAT Watch**

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**Moved: Cr Hyams**

**Seconded: Cr Silver**

That Council notes:

1. the reported planning decisions of the Victorian Civil and Administrative Tribunal (VCAT); and
2. VCAT and officer comments.

**CARRIED UNANIMOUSLY**

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### **9.2      *450 Dandenong Road Caulfield North – Planning Scheme Amendment C153***

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**Moved: Cr Delahunty**

**Seconded: Cr Silver**

That Council seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C153.

*It is recorded that Cr Sztrajt abstained from voting.*

**CARRIED**

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**9.3 Establishment of a Men's Shed**

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**Moved: Cr Magee****Seconded: Cr Taylor**

That Council:

- a) notes the report and considers the item in conjunction with the 2018/19 budget; and
- b) officers provide further information on potential demand and usage for a men's shed in Glen Eira in preparation for the 2018 /19 budget.

**CARRIED UNANIMOUSLY**

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**9.4 *Foundation for Youth Excellence Committee Grant Applications***

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**Moved: Cr Davey****Seconded: Cr Hyams**

That Council approves the Foundation for Youth Excellence grants as outlined in this report.

**CARRIED UNANIMOUSLY**

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**9.5 *Municipal Public Health & Wellbeing Plan 2017-2021***

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**Moved: Cr Hyams****Seconded: Cr Magee**That Council endorses the attached draft *Municipal Public Health & Wellbeing Plan 2017-2021* and accompanying *Action Plan* for public consultation from 21 August – 8 September 2017 by:

- a) posting on Council's "Have Your Say" online forum; and
- b) providing copies at Council's Libraries and Service Centre.

**CARRIED UNANIMOUSLY**

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## 9.6 Indigenous Acknowledgements and Flag Flying

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**Moved: Cr Sztrajt**

**Seconded: Cr Magee**

That the report on Indigenous Acknowledgements and Flag Flying be referred to an Assembly of Councillors for further consideration and to discuss any implementation strategies prior to, or in conjunction with the Reconciliation Action Plan.

**CARRIED UNANIMOUSLY**

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## 9.7 Community Grants Recommendations

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**Moved: Cr Sztrajt**

**Seconded: Cr Taylor**

- A. That Council endorses the Community Services Grants recommendations in Attachment 1 and the Festivals and Events Grants recommendations in Attachment 2; and
- C. That Council endorses the recommendations for Carnegie Main Street in Attachment 4.

**CARRIED UNANIMOUSLY**

*It is recorded Cr Hyams declared an indirect conflict of interest due to conflicting duties in Part B of Item 9.7 Community Grants Recommendation and vacated the Chamber at 8.58pm prior to discussion on part B of the motion.*

**Moved: Cr Sztrajt**

**Seconded: Cr Taylor**

- B. That Council endorses the recommendations for Glen Eira Adult Learning Centre in Attachment 3.

**CARRIED UNANIMOUSLY**

*It is recorded Cr Hyams entered the Chamber at 9pm and was not present when this matter was discussed.*



## **9.8 Environmental Sustainability Strategy Action Plan 17/18**

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**Moved: Cr Taylor**

**Seconded: Cr Davey**

That Council:

1. notes the report on progress against the Environmental Sustainability Strategy Action Plan for 2016-17; and
2. adopts the Environmental Sustainability Action Plan for 2017-18.

**CARRIED UNANIMOUSLY**

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## **9.9 Compact of Mayors and Take2 Pledge**

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**Moved: Cr Davey**

**Seconded: Cr Sztrajt**

That Council:

1. endorses joining as a member of the Compact of Mayors;
2. authorises the Mayor to sign the attached letter to join the Compact of Mayors on behalf of Glen Eira City Council;
3. endorses joining the TAKE2 pledge; and
4. authorises officers to take the online pledge on behalf of Council.

**CARRIED UNANIMOUSLY**

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## **9.10 Updated User Fees – Carnegie Swim Centre and Caulfield Recreation Centre**

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**Moved: Cr Hyams**

**Seconded: Cr Magee**

That Council:

1. endorses the attached user fees which will be effective from 1 October 2017, after the completion of the YMCA contract on 30 September 2017; and
2. endorses the reciprocal rights for existing GESAC members to include the use of Caulfield Recreation Centre and Carnegie Swim Centre at no increase to their membership fees.

**CARRIED UNANIMOUSLY**

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## 9.11 Victorian Local Governance Association

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### Part A

**Moved: Cr Magee**

**Seconded: Cr Davey**

That Council endorses membership of the Victorian Local Governance Association for the 2017/18 financial year

### Procedural Motion

Moved: Cr Delahunty

Seconded: Cr Magee

That Cr Magee be granted a three minute extension of speaking time.

**CARRIED UNANIMOUSLY**

The Motion Moved by Cr Magee and Seconded by Cr Davey was PUT and a **DIVISION** was called:

**FOR:** Crs Davey, Magee, Taylor and Delahunty (4)

**AGAINST:** Cr Silver Sztrajt and Hyams (3)

**CARRIED**

### Part B

**Moved: Cr Magee**

**Seconded: Cr Silver**

That Council appoints Cr Nina Taylor as Council's representative of the Victorian Local Governance Association for 2017/18.

**CARRIED UNANIMOUSLY**

## 10. URGENT BUSINESS

There were no items of urgent business submitted to the meeting

## 11. ORDINARY BUSINESS

11.1 Requests for reports from Officers - NIL

11.2 Right of Reply – NIL

11.3 Councillor questions - NIL

11.4 Public Questions to Council

There was 1 question received for the 15 August 2017 Council Meeting.

### 1. Markus Oswald - Carnegie

- a) As Level Crossings Removal Authority (LXRA) decided on 21 July 2017 to discontinue parts of Lorne Street, Caulfield East and Girdwood Avenue, Carnegie, when was Council advised and what compensation was provided?
- b) Many residents that applied for LXRA's Voluntary Purchase Scheme along those 2 streets still do not know their eligibility. Has Council taken any advocacy role on their behalf?

#### Response:

- a) *Designs for the Level Crossing Removal Project indicated that a narrow slice of road adjacent to the railway corridor in Lorne Street and Girdwood Avenue would need to be acquired by the State Government. The LXRA advised Council in July 2017 that under the statutory powers of the **Major Transport Project Facilitation Act 2009** vested with them, this land would now be permanently transferred into State Government ownership, and that it would notify the community.*  
*Council has no options to change or influence this acquisition. Council is not entitled to any compensation as a result of this compulsory acquisition.*
- b) *The Voluntary Purchase Scheme is a confidential matter between the LXRA and property owners. The LXRA has advised that all properties that were eligible under the criteria to participate in the Voluntary Purchase Scheme have been formally notified. All eligible property owners were required to opt into the scheme by 30 June 2017. Council has previously requested the LXRA to consider properties which do not fall within the eligibility criteria, on a case by case basis. Residents should contact the LXRA with any queries relating to the scheme.*

## 12. CONFIDENTIAL BUSINESS

**Moved: Cr Hyams**

**Seconded: Cr Magee**

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayers;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments
- (f) Legal advice
- (g) Matters affecting the security of Council property'
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

- 12.1 Closure of South East Regional Waste Management Group Assurance Fund – *Local Government Act 1989 section 89 (2)(d)*

**CARRIED UNANIMOUSLY**

**Procedural Motion**

**Moved: Cr Hyams**

**Seconded: Cr Magee**

That the meeting be resumed in open Council.

**CARRIED UNANIMOUSLY**

**13 CLOSURE OF MEETING**

The Mayor closed the meeting at 9.51pm.

Confirmed this 5 Day of September 2017

Chairperson: .....