



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

WEDNESDAY 26 SEPTEMBER 2018

MINUTES

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

Present

The Mayor, Councillor Tony Athanasopoulos
Councillor Clare Davey
Councillor Mary Delahunty
Councillor Jamie Hyams
Councillor Jim Magee
Councillor Joel Silver
Councillor Dan Sztrajt
Councillor Nina Taylor

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1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement.

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

2. APOLOGIES

An apology was received from Cr Esakoff.

Moved: Cr Delahunty

Seconded: Cr Silver

That apology from Cr Esakoff be received and noted.

CARRIED UNANIMOUSLY

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

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 requirement 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 MINUTES OF PREVIOUS COUNCIL MEETINGS

Moved: Cr Silver

Seconded: Cr Hyams

That the minutes of the Ordinary Council Meeting held on 4 September 2018 be confirmed.

CARRIED

Cr Delahunty abstained from voting as she was not present at the 4 September 2018 Council meeting.

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

6. DOCUMENTS FOR SEALING

Nil

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

The Mayor reported on his attendance at the 5 September 2018 Metropolitan Transport Forum meeting where Kerry Thompson the new CEO of the Municipal Association of Victoria (MAV) spoke.

8. REPORTS FROM COMMITTEES

8.1 Advisory Committees

8.1 { TC "8.1 Recreation & Leisure Advisory Committee" \2 } RECREATION & LEISURE ADVISORY COMMITTEE

Moved: Cr Taylor

Seconded: Cr Silver

That the minutes of the Recreation & Leisure Advisory Committee meeting held on 6 August 2018 be received and noted and that the recommendation of the Committee be adopted.

CARRIED UNANIMOUSLY

8.2 Records of Assembly

8.2 { TC "8.2 Records of Assemblies" \2 } RECORDS OF ASSEMBLIES

Moved: Cr Hyams

Seconded: Cr Silver

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

- a) 21 August 2018
- b) 28 August 2018
- c) 4 September 2018 (pre-meeting)

CARRIED UNANIMOUSLY

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

9. PRESENTATION OF OFFICER REPORTS**9.1 { TC "9.1 300 Glen Eira Road Elsternwick" \12 } 300 GLEN EIRA ROAD ELSTERNWICK****Moved: Cr Silver****Seconded: Cr Sztrajt**

That a Refusal to Grant a Permit be issued for 300 Glen Eira Road, Elsternwick, Application No. GE/PP-31964/2018 for the following reasons:

1. The proposed development is inconsistent with the Local Planning Policy Framework for Housing and Residential Development as stated in Clause 21.04 of the Glen Eira Planning Scheme, as it would not adequately respond to its context and would not respect the neighbourhood character due to the proposed site coverage and associated massing.
2. The proposed development is inconsistent with the intent and objectives of Clause 22.08 of the Glen Eira Planning Scheme (Minimal Change Area Policy) in relation to excessive site coverage and associated massing impacts on the adjoining properties and when viewed within the existing streetscapes.
3. The proposal fails to satisfy the following ResCode (Clause 55) provisions:
 - Clause 55.03-3 (Site coverage) – Excessive site coverage that does not respect the existing or preferred character of the area.
 - Clause 55.03-4 (Permeability) – Insufficient permeable surfaces will result in unreasonable stormwater run-off impacts on the existing drainage system.
 - Clause 55.04-1 (Side and Rear Setbacks) – Unreasonable visual mass and bulk impacts from the balcony of Apartment 6 to the secluded private open space area of 5 Garden Street.

Procedural Motion**Moved: Cr Silver****Seconded: Cr Delahunty**

That Council grants Cr Sztrajt a two minute extension of speaking time.

CARRIED UNANIMOUSLY**CARRIED UNANIMOUSLY**

9.2 { TC "9.2 2 Wattle Grove, McKinnon" \12 } **2 WATTLE GROVE, MCKINNON**

Moved: Cr Davey**Seconded: Cr Athanasopoulos**

That a Notice of Refusal to Grant a Permit be issued for 2 Wattle Grove McKinnon, Application No. GE/PP-31889/2018 for the following reasons:

1. The proposed development is inconsistent with the Local Planning Policy Framework for Housing and Residential Development as stated in Clause 21.04 of the Glen Eira Planning Scheme, as it would not adequately respond to its context and would not respect the neighbourhood character.
2. The proposed development is inconsistent with the *City of Glen Eira Open Space Strategy 8 April 2014* (referenced in the Local Planning Policy Framework for Open Space as stated in Clause 21.13 of the Glen Eira Planning Scheme), as the scale and massing of the proposal will create a sense of enclosure and unreasonable overshadowing of the McKinnon Memorial Gardens.
3. The proposed development is inconsistent with the intent and objectives of Clause 22.07 of the Glen Eira Planning Scheme (Housing Diversity Area Policy) in relation to:
 - Massing and extent of development and lack of transition to the adjoining residential properties resulting in a visually dominant built form within the streetscape.
 - The proposal fails to satisfy the purpose of Clause 32.08 as the proposal does not respect the neighbourhood character of the area due to its height and scale when viewed within the streetscape and from the McKinnon Memorial Gardens.
4. The proposal fails to satisfy the following ResCode (Clause 55) provisions:
 - Clause 55.02-1 (Neighbourhood Character) – The height and scale of the proposal will present unreasonably dominant within the streetscape and when viewed from the McKinnon Memorial Gardens.
 - Clause 55.02-2 (Residential Policy) – The proposal fails to satisfy the objectives and requirements of Clauses 21.04, 21.13 and 22.07 of the Glen Eira Planning Scheme.
 - Clause 55.03-6 (Open Space) – The proposal does not integrate with the McKinnon Memorial Gardens as it will unreasonably enclose and dominate this area of public open space.
 - Clause 55.03-8 (Landscaping) – The visitor car space proposed within the Wattle Grove setback results in excessive hard paving and unreasonably limits landscaping opportunities.

- Clause 55.04-1 (Side and Rear Setbacks) – The proposed setbacks to the southern boundary result in a visually imposing built form outcome that will be unreasonably dominant when viewed within the streetscape and from the McKinnon Memorial Gardens.
 - Clause 55.04-6 (Overlooking) – The proposal will result in unreasonable overlooking impacts from second floor balcony of Townhouse 1 into the habitable room window of 2/4 Wattle Grove.
 - Clause 55.05-1 (Accessibility) – Townhouses 3, 4 and 5 do not provide for adequate accessibility provisions for people with limited mobility.
 - Clause 55.05-2 (Dwelling Entry) – The entrance to Townhouse 5 is not clearly visible from Wattle Grove and results in a poor sense of identity.
 - Clause 55.06-2 (Front fences) – The height of the proposed front fence does not respect the existing or preferred front fence character of the area and does not allow for sufficient views to the front garden areas.
5. The internal dimensions of the garages for Townhouse 2 and 3 do not comply with the Design Standards of Clause 52.06-9 of the Glen Eira Planning Scheme.

CARRIED UNANIMOUSLY

9.3 { TC "9.3 1207 Glen Huntly Road, Glen Huntly" \12 } **1207 GLEN HUNTLY ROAD, GLEN HUNTLY**

Moved: Cr Hyams**Seconded: Cr Athanasopoulos**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30729/2017 at 1207 Glen Huntly Road Glen Huntly, for buildings and works including the construction of a two storey extension to the extension to the existing building in the Commercial 1 Zone in accordance with the following conditions:

Amended Plans

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as 'Proposed Development 1207 Glen Huntly Road, Glen Huntly, Vic, Project Number 10, 'TOWN PLANNING', Sheets TP06-TP16 & TP23, prepared for Neighbour Investments and dated 27/04/17) but modified to show:

- (a) Deletion of the two uppermost levels containing the dwelling

General requirements

2. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.
3. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.

Car parking, access and Council assets

4. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
 5. During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
-

Permit expiry

6. This Permit will expire if:
- The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

Conditions EndPermit notes:

- A. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.

- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a “title boundary” enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 200mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.

- D. Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- E. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- F. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.
- G. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.
- H. Council's Asset Engineering Department Advise:

Drainage

- Engineering Services encourage the use of rainwater tanks for storage and reuse for toilet and irrigation purposes and/or stormwater detention systems.
- All stormwater runoff must be connected to the Council underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths is permissible.

General

- Any firefighting equipment for the building must be accommodated within title boundary. Submitted plans do not show the location of any hydrant / booster. Council will not allow private fire equipment in the Road Reserve.
- The proposed pedestrian access must be DDA compliant.
- Asset Protection Permit must be obtained from Council's Engineering Services Department prior to the commencement of any building works.
- All relevant Engineering Permits must be obtained prior to any works within the Road Reserve and or stormwater connection to the Council drainage network.

CARRIED UNANIMOUSLY

9.4 { TC "9.4 VCAT Watch" \12 } **VCAT WATCH**

Moved: Cr Hyams**Seconded: Cr Silver**

That Council notes the recent decisions and applications currently before the Victorian Civil and Administrative Tribunal (VCAT), including the recent applications that have been lodged with VCAT.

CARRIED UNANIMOUSLY

9.5 { TC "9.5 Carnegie Caulfield Cycling Club at Packer Park" \12 } **CARNEGIE CAULFIELD CYCLING CLUB AT PACKER PARK**

Moved: Cr Davey**Seconded: Cr Magee**

That:

1. Council notes the report; and
2. Council officers consider opportunities with the club to modify the pavilion to cater even better for the club's needs;

Any proposed projects would be considered in alignment with Council budget processes.

CARRIED UNANIMOUSLY

9.6 { TC "9.6 Bird Feeding" \12 } **BIRD FEEDING**

Moved: Cr Delahunty**Seconded: Cr Silver**

That Council considers as part of the Local Law Review a new Local Law that addresses the issues of bird feeding.

CARRIED UNANIMOUSLY

9.7 { TC "9.7 Community Feedback on the Implementation of a Classified Tree Register" \12 } COMMUNITY FEEDBACK ON THE IMPLEMENTATION OF A CLASSIFIED TREE REGISTER

Moved: Cr Delahunty**Seconded: Cr Taylor**

That Council:

1. notes that community consultation indicates support for tree protection on both public and private land.
2. commits to developing controls to protect trees on private land.
3. notes that officers have formed a set of objectives in response to community feedback to protect trees.
4. requests officers to present a report with options for controls that best protect trees in line with the set of objectives.

Procedural Motion**Moved: Cr Sztrajt****Seconded: Cr Athanasopoulos**

That Cr Magee be granted a 3 minute extension of speaking time.

CARRIED UNANIMOUSLY**Procedural Motion****Moved: Cr Silver****Seconded: Cr Delahunty**

That Cr Sztrajt be granted a 3 minute extension of speaking time.

CARRIED UNANIMOUSLY**CARRIED UNANIMOUSLY**

**9.8 { TC "9.8 Integrated Transport Strategy - 2018-19 Pilot Projects" \12 } INTEGRATED
TRANSPORT STRATEGY - 2018-19 PILOT PROJECTS**

Moved: Cr Davey**Seconded: Cr Magee***It is recorded that Cr Hyams left the Chamber at 9.20pm and re-entered at 9.22pm.*

That Council endorses the commencement of planning and implementation of the following Integrated Transport Strategy pilot projects for 2018-19 financial year:

- a) Coatesville Primary School Pedestrian Safe Neighbourhood Pilot; and
- b) Inkerman Road Safe Cycling Corridor Pilot.

Procedural Motion**Moved: Cr Silver****Seconded: Cr Delahunty**

That Cr Magee be granted a 1 minute extension of speaking time.

CARRIED UNANIMOUSLY**Procedural Motion****Moved: Cr Silver****Seconded: Cr Delahunty**

That Cr Sztrajt be granted a 1 minute extension of speaking time.

CARRIED UNANIMOUSLY**CARRIED UNANIMOUSLY****Procedural Motion****Moved: Cr Hyams****Seconded: Cr Silver**

That the meeting be extended to finish at 11pm.

CARRIED UNANIMOUSLY

9.9 { TC "9.9 Tennis Strategy for adoption" \2 } **TENNIS STRATEGY FOR ADOPTION**

Moved: Cr Magee**Seconded: Cr Silver**

That item 9.9 Tennis Strategy be deferred to a future meeting of Council.

CARRIED UNANIMOUSLY

9.10 { TC "9.10 Environmental Sustainability Action Plan 2017-18 and 2018-19" \2 } **ENVIRONMENTAL SUSTAINABILITY ACTION PLAN 2017-18 AND 2018-19**

Moved: Cr Taylor**Seconded: Cr Davey**

That Council:

1. notes the report on progress against the Environmental Sustainability Strategy Action Plan for 2017-18; and
2. endorses the Environmental Sustainability Action Plan for 2018-19.

CARRIED UNANIMOUSLY

9.11 { TC "9.11 State and Federal Elections (Councillor Candidature) Policy for approval" \2 } **STATE AND FEDERAL ELECTIONS (COUNCILLOR CANDIDATURE) POLICY FOR APPROVAL**

Moved: Cr Silver**Seconded: Cr Hyams**

That Council approve the State and Federal Elections (Councillor Candidature) Policy in Attachment 1.

The Motion was PUT and a **DIVISION** was called:

FOR: Crs Athanasopoulos, Davey, Delahunty, Hyams, Silver, Sztrajt and Taylor (7)

AGAINST: Cr Magee (1)

CARRIED

10. URGENT BUSINESS**10.1 { TC "10.1 ABC Site - 8 Gordon Street Elsternwick" \12 } ABC SITE - 8 GORDON STREET
ELSTERNWICK****Moved: Cr Delahunty****Seconded: Cr Davey**

That Council considers the matter of the ABC site in Gordon Street as an item of urgent business.

CARRIED UNANIMOUSLY

Moved: Cr Delahunty**Seconded: Cr Silver**

That:

1. Council urgently contacts The Hon. Melissa Price MP, Federal Minister for the Environment, to seek her assurance that the ABC Board's obligations under the Environment Protection and Biodiversity Conservation (EPBC) ACT have been met in the instance of the proposed sale of 8 Gordon Street, Elsternwick;
2. Council calls on the Minister to urgently ask the Australian Heritage Council for advice on action that she may take in relation to the historic significance to Australia of the site; and
3. Officers prepare information regarding compulsory acquisition options for the site for the consideration of councillors.

CARRIED UNANIMOUSLY

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**

It is recorded that Cr Delahunty left the Chamber at 10.39pm.

The Mayor advised that as Mr Green submitted more than 2 questions, only the first two questions will be responded to at the meeting to comply with the Local Law. A letter containing all questions and responses will be forwarded to Mr Green after the meeting.

1. Warren Green – Bentleigh

I understand from verbal advice that Council has received an extension of permit time application for 342 - 346 Centre Road Bentleigh. This is a seven storey development in an interim mandatory height control location of four storeys hence this development is not consistent with the recently established strategic direction for Bentleigh. As there is no mention online of this extension of permit time application, for the public record and transparency please advise on the following:

- 1) Has this application been received?
- 2) What is Council's decision regarding this application?

Response:

- 1) A request for an extension of time to commence the development was received by Council on 18 July 2018.
 - 2) This request was refused by the Urban Planning Department on 20 September 2018.
-

2. Warren Green – Bentleigh

Earlier this year, Council completed a comprehensive Heritage Review resulting in A New Heritage Policy for Glen Eira (C149) and it is acknowledged that the Officers involved have done an exceptional amount of work on this Review. Consistent with the Panel's recommendation, Council resolved earlier this year to "investigate the development of more detailed guidelines for extensions and alternations to Inter-war dwellings, possibly responding to varying precinct character". As an update, can Council please advise on

- 1) the status of this investigation
- 2) when it is anticipated that it will be completed

Response:

The City Futures Department is currently undertaking background research to extend heritage controls over properties within Glen Eira, including for some interwar period properties.

The full extent of the project has not been confirmed at this stage and will be refined over the next 12-18 months. The outcome of the project is likely to include a planning scheme amendment to implement new heritage controls over significant heritage properties.

A planning scheme amendment process such as this would require Council to develop supporting guidelines to guide future development in heritage areas and would involve consultation with affected property owners and the community.

Council will provide updates on the next stages of its heritage review on Council's website.

It is recorded that Cr Delahunty entered the Chamber at 10.41pm.

3. Alan Bugeja – Ormond

Council's No-Service Charter. Broken glass dumped and left on road and verge on purpose by two groups council workers/contractors. Council worker intimidates elderly lady resident; tells her to clean up council mess herself. Instead of sacking workers and apologising to ratepayer, council hides incident. Complaint #2673561 raised 15/Jan/18, no response.

My follow-up complaint #2673561 raised 30/May/18 and only response is "waste management Ref#2745763."

Q1. It's been 9 months and then 4 months, when will I get a response to my complaints? I followed up 22 May18 with public question re this matter and I get a 'non-response type' email from the Mayor. I replied to the Mayor's email on 30/May/18 and he phones me same day promising to have the matter properly investigated and a response provided to me.

Q2. It has been 4 months, when will the Mayor respond?

Response:

1. In connection with the issue of broken glass being left on the road and nature strip following a hard rubbish collection, we can confirm the following:
 - A Council officer attended the site on 15 January 2018 and confirmed that all the glass had been removed from the roadway and nature strip; and
 - Council records show that an officer spoke to you on 17 January 2018 in response to the complaint that you submitted to Council. During this conversation, you informed the Council officer that you had removed the glass from the road and nature strip.

In response to your question submitted to the 22 May 2018 Council meeting, the Mayor sent you a letter dated 29 May 2018 that provided further information about the incident and the action that was taken by Council in response, as well as Council's actions around contract management. The Mayor then spoke to you via telephone on 30 May 2018 to further explain the action that had been taken.

2. In connection with your further query on contract management, some information was provided in the letter dated 29 May 2018, including that this complaint was considered in the assessment of the contractor's monthly performance. Further to that, we can also confirm the following:

There is a contract manager allocated to manage Council's waste and street cleaning contracts. The contract manager is responsible for monitoring the contractor to ensure they are complying with the specifications outlined within each of the contracts and are meeting Council's expectations.

The contractor monitoring process includes scheduled service audits, regular discussions with the contractors representative about individual jobs and a monthly contractor meeting where performance is discussed.

All complaints received from staff and residents relating to service are tracked on Council's customer request system to ensure there is a record kept of each complaint. Council also has an escalation process in place to respond to issues of poor service.

During the assessment of the monthly invoice, the contract manager will assess all complaint records, audit results and other relevant material relating to the proceeding months service.

The specific nature of some of the information which you have sought is commercial-in-confidence information, including information that Council does not typically release in relation to companies that it enters into contracts with, such as payments and financial penalties that are applied to contractors.

12. CONSIDERATION OF IN CAMERA ITEMS**Moved: Cr Delahunty****Seconded: Cr Hyams**

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 Employment Matter*Local Government Act 1989 - Section 89(2) (a)***12.2 2019.11 King George Pavilion Refurbishment Works***Local Government Act 1989 - Section 89(2) (d)***CARRIED UNANIMOUSLY**

The Mayor thanked the members of the gallery for attending the meeting and advised that after consideration of the confidential items the meeting will be closed.

Procedural Motion**Moved: Cr Hyams****Seconded: Cr Silver**

That the order of business be changed to consider item 12.2 at this stage of the meeting.

CARRIED UNANIMOUSLY

12.2 { TC "12.2 2019.11 King George Pavilion Refurbishment Works" \12 } 2019.11 KING GEORGE PAVILION REFURBISHMENT WORKS

Moved: Cr Hyams**Seconded: Cr Magee**

That Council:

1. appoints **Stosius and Staff Constructions Pty Ltd, ACN 106 222 146 as the contractor under Tender number 2019.11** for an amount of \$2,046,787 exclusive of GST in accordance with the Lump Sum price submitted;
2. prepares the contract in accordance with the Conditions of Contract included in the tender;
3. authorises the CEO to execute the contract/s on Council's behalf; and
4. incorporates this resolution in the public minutes of this Meeting.

CARRIED UNANIMOUSLY

13. CLOSURE OF MEETING

The meeting closed at 10.58pm.

Confirmed this 16 day of October 2018

Chairperson.....