



GLEN EIRA CITY COUNCIL
ORDINARY COUNCIL MEETING

TUESDAY 11 JUNE 2019

MINUTES

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

Present

The Mayor, Councillor Jamie Hyams
Councillor Tony Athanasopoulos
Councillor Anne-Marie Cade
Councillor Clare Davey
Councillor Mary Delahunty
Councillor Dan Sztrajt

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1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement.

GLEN EIRA CITY COUNCIL RESPECTFULLY ACKNOWLEDGES THAT THE BOON WURRUNG PEOPLE OF THE KULIN NATION ARE THE TRADITIONAL OWNERS OF THE LAND NOW KNOWN AS GLEN EIRA. WE PAY OUR RESPECTS TO THEIR ELDERS PAST, PRESENT AND EMERGING AND ACKNOWLEDGE AND UPHOLD THEIR CONTINUING RELATIONSHIP TO AND RESPONSIBILITY FOR THIS LAND.

2. APOLOGIES

Moved: Cr Delahunty

Seconded: Cr Sztrajt

That the apologies from Cr Margaret Esakoff, Cr Joel Silver and Cr Jim Magee 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 Delahunty****Seconded: Cr Sztrajt**

That the minutes of the Ordinary Council Meeting held on 21 May 2019 be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**5.1 PETITION: OBJECTION TO THE SAFE CYCLING CORRIDOR PILOT**

A petition containing 105 signatures was submitted to the Council Meeting.

The petition read as follows:

‘This petition draws to the attention of the Council:

Objection to the Inkerman Road Safe Cycling Corridor Pilot

We, the undersigned, are concerned that the proposed Pilot will significantly and detrimentally affect the amenity of the residents of Caulfield North and St Kilda East who live on Inkerman Road/Street and adjacent streets. We request that Council:

- Reject the proposal of removing or limiting parking along Inkerman to put in a separated bicycle path as this would create accessibility, waste management and traffic safety issues for residents of these areas and their visitors, and for local businesses and their customers.
- Make the current bicycle lane safer by means which do not detrimentally impact on the residents of Inkerman in the enjoyment and use of their properties and businesses.
- Work with the State government to develop a safe link between the Djerring Trail and the St Kilda Road separated bicycle lane on a wider road, such as Dandenong Road, which more fully allows for safe separation of cyclists from moving and parked cars.

Moved: Cr Delahunty**Seconded: Cr Sztrajt**

That Council:

1. receives and notes the petition; and
2. considers the petition in conjunction with the Safe Cycling Corridor Pilot.

CARRIED UNANIMOUSLY

6. DOCUMENTS FOR SEALING

Nil

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

Nil

8. REPORTS FROM COMMITTEES

8.1 Advisory Committees

8.1.1 ADVISORY COMMITTEE MINUTES

Moved: Cr Athanasopoulos

Seconded: Cr Delahunty

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

- a. 7 May 2019 – Community Grants Advisory Committee
- b. 24 May 2019 – Audit and Risk Advisory Committee

CARRIED UNANIMOUSLY

8.2 Records of Assembly

8.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS

Moved: Cr Delahunty

Seconded: Cr Sztrajt

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

- a. 7 May 2019 Assembly
- b. 14 May 2019 Assembly
- c. 21 May 2019 (pre-meeting)

CARRIED UNANIMOUSLY

Public Participation

The Mayor advised that at this stage of the meeting, 15 minutes is allowed for public participation in accordance with clause 230(1) of the Glen Eira Local Law.

9. PRESENTATION OF OFFICER REPORTS

It is recorded that under section 79B of the Local Government Act, Cr Cade declared a conflicting personal interest in item 9.1 – 12 Field Street Bentleigh as a close relative lives in close proximity to the subject site and is an objector. Cr Cade requested Council grant her an exemption from voting in this matter as it is in conflict with her public duty as a Councillor.

Moved: Cr Delahunty

Seconded: Cr Athanasopoulos

That Council grants Cr Cade an exemption from voting on item 9.1 – 12 Field Street Bentleigh as she has a personal interest in this matter that is in conflict with her public duty as a Councillor.

CARRIED UNANIMOUSLY

It is recorded Cr Cade vacated the Chamber at 7.55pm prior to consideration of this matter.

9.1 12 FIELD STREET BENTLEIGH

Moved: Cr Hyams

Seconded: Cr Athanasopoulos

That Council issues a Notice of Refusal to Grant a Planning Permit for Application No. GE/DP-32582/2019 at 12 Field Street Bentleigh in accordance with the following grounds:

1. The proposal fails to respond to key neighbourhood character objectives under Clause 43.05 of the Glen Eira Planning Scheme, specifically; the proposal would result in the removal of a dwelling that contributes to the valued character and proposes a replacement development that does not appropriately respond to the character in terms of the dominant building height and form and design detail evident within the street.
2. The proposal fails to respond to the purpose and decision guidelines of the Neighbourhood Residential Zone at Clause 32.09 of the Glen Eira Planning Scheme and will not respect and enhance the identified neighbourhood character.
3. The proposal fails to respond to the objectives and strategies at Clause 21.04 (Housing and residential development) of the Glen Eira Planning Scheme, and does not improve and protect the liveability, neighbourhood character and amenity of Glen Eira. The proposal does not:

- Enhance the character of the neighbourhood.
 - Respond appropriately to an area distinctly identified for its significant character
 - Provide high quality urban design and architecture that enhances neighbourhood character.
 - Improve the streetscape and promote good streetscape design.
 - Retain an existing dwelling that contributes significantly to the character of the surrounding neighbourhood.
4. The proposal fails to respond to the identified character elements, policy or objectives of Clause 22.08 (Minimal Change Area Policy) of the Glen Eira Planning Scheme, in particular the proposed scale of development, design detail and opportunity for landscaping which is not in keeping with the existing or preferred neighbourhood character.
5. The proposal does not provide the sufficient secluded private open space for both dwellings and will not allow adequate landscaping opportunity within these spaces, contrary to Clause 22.08 (Minimal Change Area Policy) and Clause 55.05-4 (Private open space) of the Glen Eira Planning Scheme.

The proposal has not adequately demonstrated compliance with Clause 55.03-4 (Permeability) of the Glen Eira Planning Scheme to ensure appropriate stormwater management.

CARRIED UNANIMOUSLY

It is recorded that Cr Cade vacated the Chamber prior to item 9.1 and was not present when this item was considered. Cr Cade entered the Chamber at 8.02pm.

9.2 VCAT WATCH

Moved: Cr Sztrajt

Seconded: Cr Delahunty

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

The Mayor invited the submitters who requested to speak in support of their submission to come forward when called, in the order in which the submissions were received.

Submission 1 - Mrs Bernadette Pierce – not present in the Chamber
Submissions 2 & 3 - Mr Warren Green – not present in the Chamber
Submission 4 - Ms Renee Coppersmith – not present in the Chamber
Submission 5 - Mr Peter Vlahandreas spoke on behalf of the Yarra Yarra Golf Club
Submission 6 - Mr Spike Cramphorn spoke on behalf of the Friends of Caulfield Park
Submission 7 - Ms Catherine McNaughton – not present in the Chamber

9.3 PUBLIC SUBMISSIONS ON THE 2019-20 DRAFT BUDGET

Moved: Cr Delahunty

Seconded: Cr Davey

That the 2019-20 budget public submissions be received and noted.

CARRIED UNANIMOUSLY

9.4 SUBMISSIONS ON THE 2019-20 COUNCIL AND COMMUNITY PLAN AND THE DRAFT STRATEGIC RESOURCE PLAN 2019-20 TO 2028-29

Moved: Cr Delahunty

Seconded: Cr Davey

That Council notes no submissions were received in relation to the Draft Community Plan Actions 2019-20 and the Draft Strategic Resource Plan 2019-20 to 2028-29.

CARRIED UNANIMOUSLY

9.5 STRATEGIC TRANSPORT PROJECTS UPDATE

Moved: Cr Davey**Seconded: Cr Cade**

That Council:

1. notes that a Corridor Plan for the Safe Cycling Corridor Project will be completed and presented to the community for a final round of consultation by the end of the 2019-2020 financial year, with implementation and 'piloting' to occur in the 2020-2021 financial year, subject to the outcomes of the community consultation process.
2. notes that a draft Parking Policy will be presented to Council to endorse for community consultation by March 2020 and adopted by the end of the 2019-2020 financial year.
3. notes that a Walking Action Plan and Cycling Action Plan will be presented to Council for adoption by 31 December 2019.
4. notes that the Public Transport Gap Analysis and Advocacy Reference Document will be presented to Council for adoption by 31 December 2019.
5. notes that as a result of the above, the Council and Community Plan 2018-2019 commitments of "We will develop pilot projects in line with our new Integrated Transport Strategy, with a focus on creating safer and walkable neighbourhoods", "We will develop and implement a new car parking policy based on the principles of the Integrated Transport Strategy", "We will update our action plans for walking and cycling based on the principles of the Integrated Transport Strategy" and "We will undertake a gap analysis on public transport availability and accessibility across the municipality", will be reported as 'not achieved' in reporting against Council's published 2018/19 Council and Community Plan performance measures.

CARRIED UNANIMOUSLY

9.6 GLEN EIRA YOUTH STRATEGY 2019-2023 AND YOUTH STRATEGY ACTION PLAN 2019-2020

Moved: Cr Sztrajt**Seconded: Cr Cade**

That Council endorses the *Glen Eira Youth Strategy 2019-2023* and *Youth Strategy Action Plan 2019-2020*.

CARRIED UNANIMOUSLY

9.7 GLEN EIRA VOLUNTEER FRAMEWORK AND ACTION PLAN

Moved: Cr Athanasopoulos**Seconded: Cr Sztrajt**

It is recorded that Cr Delahunty vacated the Chamber at 8:47pm and re-entered at 8:49pm.

That Council endorses the *Glen Eira Volunteer Framework* and the *Glen Eira Volunteer Framework Action Plan 2019-2022*.

CARRIED UNANIMOUSLY

9.8 DRAFT SOCIAL AND AFFORDABLE HOUSING STRATEGY 2019-2023

Moved: Cr Delahunty**Seconded: Cr Cade**

That Council That Council endorses the release of the draft Social and Affordable Housing Strategy 2019-2023 for public exhibition for a period of 28 days commencing 17 June 2019.

CARRIED UNANIMOUSLY

**9.9 FOUNDATION FOR YOUTH EXCELLENCE APPLICATION
RECOMMENDATIONS QUARTER 2, 2019**

Moved: Cr Delahunty**Seconded: Cr Cade**

That Council approves the following Foundation for Youth Excellence grants for the 2nd Quarter 2019:

- \$600 to Lewis Sellenger to compete at the National Indoor Cricket Championships in Victoria.
- \$1,200 to Madisson Litwinow to compete at the Commonwealth Dance Championships in Sun City, South Africa.
- \$600 to Koharu Nishikawa to compete at the Under 12's Australian Grass Court Championships in Perth.

CARRIED UNANIMOUSLY

9.10 LOCAL LAW REVIEW

Moved: Cr Delahunty**Seconded: Cr Athanasopoulos**

That Council resolves:

1. to commence the statutory process in Part 5 of the Act for the purposes of community consultation and give notice of its intention to make the proposed Local Laws; and
2. that the submission period will be 30 days from the publication date of the last published notice.

CARRIED UNANIMOUSLY

9.11 PUBLIC TOILETS CARNEGIE AND MURRUMBEENA STATIONS - LEASE METRO TRAINS MELBOURNE

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

That Council resolves to:

1. enter into new Leases with Metro Trains Melbourne Pty Ltd for the purposes of maintaining and operating new public toilets at:
 - I. Carnegie Railway Station and;
 - II. Murrumbeena Railway Stationand ensuring public access;
2. authorise officers to finalise both Leases with Metro Trains Melbourne Pty Ltd in accordance with the Terms of Lease; and
3. execute each finalised Leases in an appropriate manner by affixing the common seal of Council.

CARRIED UNANIMOUSLY

9.12 COUNCIL PROCUREMENT POLICY - ANNUAL REVIEW

Moved: Cr Sztrajt**Seconded: Cr Davey**

That Council review and approve the updated Procurement Policy shown in Attachment 1.

CARRIED UNANIMOUSLY

9.13 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING 30 APRIL 2019

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

That Council notes the Financial Management Report for the period ending 30 April 2019.

CARRIED UNANIMOUSLY

9.14 FUTURE OF SPORT AND ACTIVE RECREATION

Moved: Cr Athanasopoulos**Seconded: Cr Delahunty**

That Council:

1. notes the draft *GET ACTIVE – Future of Sport and Active Recreation* document; and
2. authorises officers to commence a community consultation process.

CARRIED UNANIMOUSLY

10. URGENT BUSINESS

Nil

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 question to Council

Mr Peter Jarny submitted a question to Council. Mr Jarny was not present in the Chamber at this stage of the meeting and in accordance with the Local Law, his question was not read at the meeting. A letter will be sent to Mr Jarny including his question and the response.

12. CONSIDERATION OF IN CAMERA ITEMS**Moved: Cr Sztrajt****Seconded: Cr Athanasopoulos**

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 Contract 2018.052 - Tender Recommendation for the Provision of Telecommunication Services
Local Government Act 1989 - Section 89(2) (d)

12.2 Tender 2019.145 Supply and Delivery of Ready Made Meals (Meals on Wheels) and Centre-Based Bulk Meals
Local Government Act 1989 - Section 89(2) (d)

CARRIED UNANIMOUSLY

12.1 CONTRACT 2018.052 - TENDER RECOMMENDATION FOR THE PROVISION OF TELECOMMUNICATION SERVICES

Moved: Cr Athanasopoulos**Seconded: Cr Sztrajt**

That Council:

1. appoints Optus Network Pty Ltd, ACN 008 570 330 to provide fixed line, mobile voice and data services, and the purchase of mobile phones, at an approximate cost of \$260,000 (including GST) per annum, for the initial period ending 2022 unless extended by the State Government.
2. authorise the CEO to execute contracts on Council's behalf.
3. incorporates this resolution in the public minutes of this meeting.

CARRIED UNANIMOUSLY

12.2 TENDER 2019.145 SUPPLY AND DELIVERY OF READY MADE MEALS (MEALS ON WHEELS) AND CENTRE-BASED BULK MEALS

Moved: Cr Delahunty**Seconded: Cr Sztrajt**

That Council

1. appoints **RFK Pty Ltd, trading as Community Chef, ACN 128 645 312 as the contractor under Tender number 2019.145** in accordance with the Schedule of Rates submitted.
2. prepares the contract in accordance with the Conditions of Contract included in the tender.
3. authorises the CEO to execute the contract on Council's behalf.
4. incorporates this resolution in the public minutes of this Meeting.

CARRIED UNANIMOUSLY

13. CLOSURE OF MEETING

The meeting closed at 9.25pm.

Confirmed this 2 day of July 2019.

Chairperson.....