



GLEN EIRA CITY COUNCIL
ORDINARY COUNCIL MEETING

TUESDAY 2 JULY 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 Margaret Esakoff
Councillor Jim Magee
Councillor Joel Silver
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 NIL

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 11 June 2019 and the Special Council Meeting held on 25 June 2019 be confirmed.

CARRIED UNANIMOUSLY

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**8. REPORTS FROM COMMITTEES**

8.1 Advisory Committees

It is recorded that Cr Hyams declared an Indirect Conflict of Interest because of conflicting duties in Item 8.1.1 part b given he is on the board of Glen Eira Adult Learning Centre (GEALC)

Cr Hyams vacated the Chamber at 7.34pm prior to consideration of Item 8.1.

It is recorded that Cr Silver took the Chair for this item.

8.1.1 ADVISORY COMMITTEE MINUTES**Moved: Cr Sztrajt****Seconded: Cr Magee**

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. 21 February 2019 – Sustainability Advisory Committee
- b. 3 June 2019 – Community Grants Advisory Committee

CARRIED UNANIMOUSLY

It is recorded that Cr Hyams vacated the Chamber prior to Item 8.1 and was not present when this item was considered. Cr Hyams entered the Chamber at 7.43pm.

8.2 Records of Assembly

8.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS**Moved: Cr Magee****Seconded: Cr Delahunty**

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

- a. 28 May 2019 Assembly
- b. 4 June 2019 Assembly
- c. 11 June 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

**9.1 251 KOORNANG ROAD CARNEGIE
REQUEST TO EXTEND EXPIRY OF PERMIT**

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

That Council:

1. refuse to extend the expiry of Planning Permit GE/PP-26694/2014 at 251 Koornang Road, Carnegie; and
2. request the Minister for Planning to prepare, adopt and approve a Planning Scheme Amendment in accordance with Section 20(4) of the *Planning and Environment Act 1987* for an interim heritage control over proposed heritage precinct HO159 Glenhuntly Tram Terminus Estate Shops (231-251 Koornang Road, Carnegie).

CARRIED UNANIMOUSLY

9.2 VCAT WATCH

Moved: Cr Silver**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

9.3 CAR PARKING SENSORS

Moved: Cr Magee**Seconded: Cr Cade**

That Council:

1. notes the report.
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.

CARRIED UNANIMOUSLY

9.4 CAULFIELD PARK MASTERPLAN

Moved: Cr Silver**Seconded: Cr Sztrajt**

That Council adopts the Caulfield Park Masterplan Refresh 2019.

CARRIED UNANIMOUSLY

9.5 DRAFT MURRUMBEENA PARK MASTERPLAN REFRESH

Moved: Cr Esakoff**Seconded: Cr Athanasopoulos**

That Council endorses the attached Murrumbeena Park draft Masterplan which includes the new proposed community hub for community engagement.

CARRIED UNANIMOUSLY

9.6 ROSANNA STREET RESERVE UPGRADE - STAGE TWO

Moved: Cr Athanasopoulos**Seconded: Cr Esakoff**

That Council:

1. endorses the concept plans and actions; and
2. authorises officers to proceed with the detailed design of the stage two upgrade.

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

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

CARRIED UNANIMOUSLY

The motion Moved by Cr Athanasopoulos and Seconded by Cr Esakoff was PUT
and **CARRIED UNANIMOUSLY**

9.7 COMMUNITY GRANTS RECOMMENDATIONS 2019-2020

It is recorded that Cr Davey vacated the Chamber at 8:44pm.

Moved: Cr Silver

Seconded: Cr Magee

That Council endorses:

1. the Community Strengthening Grants as detailed in Attachment One;
2. the Partnership and Events Grants as detailed in Attachment Two.

It is recorded that Cr Davey entered the Chamber at 8:47pm.

CARRIED UNANIMOUSLY

It is recorded that Cr Hyams declared an Indirect Conflict of Interest because of conflicting duties in Item 9.7 Part 3 given he is on the board of Glen Eira Adult Learning Centre (GEALC).

*Cr Hyams vacated the Chamber at 8.53pm prior to consideration of this matter.
It is recorded that Cr Silver took the Chair for consideration of this item.*

Moved: Cr Delahunty

Seconded: Cr Esakoff

3. That Council endorses the grants to and auspiced by Glen Eira Adult Learning Centre as detailed in Attachment Three.

CARRIED UNANIMOUSLY

*It is recorded that Cr Hyams vacated the Chamber prior to Item 9.7 Part 3 and was not present when this item was considered.
Cr Hyams entered the Chamber at 8.55pm and resumed the Chair for the remainder of the meeting.*

It is recorded that Cr Esakoff declared an Indirect Conflict of Interest because of conflicting duties in Item 9.7 Part 4 given she is a member of the Ethics Committee of Calvary Health Care Bethlehem

Cr Esakoff vacated the Chamber at 8.56pm prior to consideration of this matter.

Moved: Cr Silver

Seconded: Cr Sztrajt

4. That Council endorses the Partnership and Events Grant to Calvary Health Care Bethlehem as detailed in Attachment Four.

CARRIED UNANIMOUSLY

It is recorded that Cr Esakoff vacated the Chamber prior to Item 9.7 Part 4 and was not present when this item was considered. Cr Esakoff entered the Chamber at 8.57pm.

9.8 VEGETATION ON DEVELOPMENT SITES

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

That Council notes the report.

CARRIED UNANIMOUSLY

9.9 OVERSHADOWING SOLAR PANELS

Moved: Cr Sztrajt**Seconded: Cr Silver**

That Council:

1. notes the report; and
2. authorises officers to write to the Minister for Planning seeking greater clarity within existing planning controls and relevant practice note material about measuring the impact on existing residential rooftop solar energy facilities, and to seek a framework for mitigating impact on residential rooftop solar energy facilities in areas identified for higher density development.

CARRIED UNANIMOUSLY

9.10 NEW LEASH FREE AREA - CAULFIELD WEDGE

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

That Council:

- a) resolves to make an order under section 26(2) of the Domestic Animals Act 1994, as set out in Attachment 1, to include the Caulfield Wedge as a leash free area, noting that this is an amendment to the Order previously made on 30 August 2011; and
- b) authorises officers to undertake the necessary processes to formalise changes to the Order.

CARRIED UNANIMOUSLY

9.11 LOCAL GOVERNMENT POWER PURCHASING AGREEMENT FOR RENEWABLE ENERGY

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

That Council:

1. agrees to enter into a tender process, on conditions that are acceptable to the CEO, to purchase renewable energy via a Power Purchasing Agreement (PPA) with other Victorian councils in partnership with the MAV for 100% of Council's electricity use; and
2. delegates authority to the CEO to enter into a contract with a preferred supplier(s), after the tender selection process is finalised, subject to the tender meeting agreed parameters of the buying group.

CARRIED UNANIMOUSLY

9.12 MAV COUNCILLOR DEVELOPMENT WEEKEND 2019

Moved: Cr Delahunty**Seconded: Cr Magee**

That Council authorises the attendance of Cr Cade at the 2019 Municipal Association Victoria Councillor Development Weekend from Friday 26 to Sunday 28 July 2019 (inclusive).

CARRIED UNANIMOUSLY

It is recorded that Cr Athanasopoulos vacated the Chamber at 9:29pm.

9.13 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING 31 MAY 2019

Moved: Cr Delahunty

Seconded: Cr Silver

That Council notes the Financial Management Report for the period ending 31 May 2019.

It is recorded that Cr Athanasopoulos entered the Chamber at 9:33pm.

CARRIED UNANIMOUSLY

9.14 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Moved: Cr Sztrajt

Seconded: Cr Silver

That Council appoints Mr Ron Torres, Director Planning and Place to the role of Acting Chief Executive Officer for the period 5pm on Friday 19th July 2019 to 8am on Monday 29th July 2019 inclusive, in accordance with section 94 (4A) of the *Local Government Act 1989*.

CARRIED UNANIMOUSLY

11. ORDINARY BUSINESS**11.1 Requests for reports from Officers****11.1.1 Smoke-Free Zones in Retail Areas of our Activity Centres****Moved: Cr Esakoff****Seconded: Cr Silver**

That officers prepare a report on the most appropriate means for Council to introduce smoke-free zones in to the retail areas of our activity centres, over and above those areas that are provided for under State legislation. This report to be included on the Ordinary Agenda for 13 August 2019.

CARRIED UNANIMOUSLY

11.2 Right of reply - Nil**11.3 Councillor questions – Nil**

11.4 Public questions to Council

Mr Warren Green, Ms Sylvi Rothschild, Ms Joanne Beilby, Mr Stan Duzenman and Mrs Suzanne Duzenman submitted questions to the 2 July 2019 Council meeting. As they were not present in the Chamber at this stage of the meeting and in accordance with the Local Law, their questions were not read at the meeting. Letters will be sent to the submitters including their questions and the responses.

1. Simone Zmood – Caulfield North

Given the State Government has publicly acknowledged that there will be no state government funding, it seems that a better use of ratepayer funds would be to improve the cycling infrastructure in the centre of the municipality – rather than at one edge – so that the cycling facilities can be used by a wider range of Glen Eira residents and ratepayers. Has the Council considered running the safe cycling corridor Pilot in another area of the City of Glen Eira entirely – preferably one where the residents and traders actually want the infrastructure – rather than persisting with connecting Monash University/Caulfield Station to St Kilda Road at this stage? If not, why not?

Response:

The pilot project through North Caulfield does not sit in isolation and is part of the broader network of Safe Cycling Streets that aim to provide efficient and safe transport options for the whole municipality. The Safe Cycling Streets will work with the other identified premium transport corridors from the Integrated Transport Strategy to create a strategic and integrated transport vision for Glen Eira that allows all residents the options of efficient active travel, vehicle travel or public transport travel.

At the 26 September 2018 Council Meeting, the North Caulfield corridor was chosen out of three possible options as the pilot Safe Cycling Street. You can read the full assessment behind this decision in the meeting agenda available through Council's website. The decision was based on the:

- Significant East-West cycling potential;
 - Connection of Caulfield (and Djerring Trail) to St Kilda Road Corridor; and
 - The closer proximity to Melbourne CBD (largest workplace location in Glen Eira).
-

Procedural Motion

Moved: Cr Silver

Seconded: Cr Esakoff

That the meeting be extended to finish at 11pm.

CARRIED UNANIMOUSLY

12. CONSIDERATION OF IN CAMERA ITEMS

Moved: Cr Silver

Seconded: Cr Esakoff

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 Lease - 840 Dandenong Road, Caulfield
Local Government Act 1989 - Section 89(2) (d)

12.2 Residential Aged Care
Local Government Act 1989 - Section 89(2) (d)

CARRIED UNANIMOUSLY

The Mayor advised that after consideration of the confidential items, the meeting will be closed.

13. CLOSURE OF MEETING

The meeting closed at 10.49pm

Confirmed this 23 day of July 2019

Chairperson.....