



## **GLEN EIRA CITY COUNCIL**

### **ORDINARY COUNCIL MEETING**

**WEDNESDAY 16 OCTOBER 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 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

Council granted Cr Davey a leave of absence at the 24 September 2019 Ordinary Meeting of Council.

## 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 Sztrajt**

That the minutes of the Ordinary Council Meeting held on 24 September 2019 be confirmed.

**CARRIED**

**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS****5.1 PETITION: REQUEST TO PROVIDE OFF-LEASH EXERCISE AREAS FOR PET GREYHOUNDS**

A petition containing 646 signatures was submitted to the Council Meeting.

The petition read as follows:

'This petition draws to the attention of the Council:

The need to provide off-leash exercise areas for pet greyhounds.

We the undersigned residents request that Council:

1. designate secure off-leash areas where greyhounds are welcome, and/or
2. develop an accreditation program (in consultation with greyhound owners, vets and animal behaviouralists), that certifies that placid greyhounds are as welcome as all other dogs in off-leash areas.'

**Moved: Cr Silver**

**Seconded: Cr Magee**

That Council:

1. receives and notes the petition; and
2. considers the petition in conjunction with the Dog Off-leash Areas in Glen Eira review.

**CARRIED UNANIMOUSLY**

**6. DOCUMENTS FOR SEALING**

Nil

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

Nil

**8. REPORTS FROM COMMITTEES**

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**8.1 Advisory Committees**

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**8.1.1 ADVISORY COMMITTEE MINUTES****Moved: Cr Silver****Seconded: Cr Esakoff**

That the minutes of the Advisory Committee meetings as shown below be received and noted and that the recommendations of these Committees be adopted with an amendment to the Arts and Culture Advisory Committee minutes to read:

- Item 3.3 to read that rock band You Am I be appointed as a feature act for Party in the Park - Under the Stars in 2020.
  1. 3 September 2019 – Recreation and Leisure Advisory Committee
  2. 5 September 2019 - Sustainability Advisory Committee
  3. 17 September 2019 – Arts and Culture Advisory Committee

**CARRIED UNANIMOUSLY**

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**8.2 Records of Assembly**

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**8.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS****Moved: Cr Esakoff****Seconded: Cr Athanasopoulos**

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

1. 10 September 2019
2. 17 September 2019
3. 24 September 2019 (pre-meeting)

**CARRIED**

**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. At the discretion of the Mayor 36 minutes was allowed for public participation.

**9. PRESENTATION OF OFFICER REPORTS**

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**9.1 CONSIDERATION OF AMENDED PLANS FOR THE VCAT HEARING IN RELATION TO 10-16 SELWYN STREET, ELSTERNWICK**

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

That Council resolves:

1. to maintain its opposition to the proposal and to defend its refusal of the application at the upcoming appeal at the Victorian Civil and Administrative Tribunal, generally in accordance with the reasons for refusal resolved at the Council meeting on 5 February 2019; and
2. authorises the Manager Urban Planning to make minor changes to the grounds of refusal (if needed) following the receipt of additional information from the applicant for review and Council's independent experts.

**CARRIED UNANIMOUSLY**

*It is recorded that Cr Magee vacated the Chamber at 8.45pm and re-entered at 8.47pm.*

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**9.2 456 GLEN EIRA ROAD CAULFIELD**

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

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/DP-32663/2019 at 456 Glen Eira Road, Caulfield in accordance with the following conditions:

**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 TP06, TP07, TP08, TP09, TP10 & TP11, dated 13 August 2019, produced by Megowan Architectural) but modified to show:
  - (a) Garden area, site coverage and permeability calculations to be updated to exclude the area underneath the cantilevered section of TH01. A minimum garden area must still be provided as required by Clause 32.09-4 of the Glen Eira Planning Scheme.
  - (b) The provision of mailboxes, booster cabinets (if required) and bin enclosures. The location and design of these are to the satisfaction of the Responsible Authority.
  - (c) Fencing within the driveway pedestrian site line splay areas to be at least 50% transparent
  - (d) Vegetation within the driveway pedestrian site line splay areas to be a maximum of 900mm in height
  - (e) Addition of a convex mirror along the western basement wall, near the garage of TH05
  - (f) Addition of screening (in accordance with Clause 55.04-6) to the west facing, first floor balconies of townhouses 2 and 3.
  - (g) Internal garage dimensions shown on the plans and in accordance with Clause 52.06
  - (h) The east facing windows of TH04's master bedroom to be fitted with fixed obscure glass or screened to a height of 1.7 metres above finished floor level, in accordance with Clause 55.04-6.
  - (i) A note on the plans that the west facing window of TH05 (bedroom 2) will be no more than 25% transparent in accordance with Clause 55.04-6.
  - (j) A tree protection zone (TPZ) of 2 metres and structural root zone (SRZ) of 1.5 metres shown for the row of Pittosporum and Pyrus contained within the rear yards of 1A Webb Street and 34 Marriott Street shown on all relevant plans.



- (k) A TPZ of 11.76 metres shown for the street tree on Glen Eira Road, on all relevant plans.
- (l) Addition of a security gate along the pedestrian entry path (setback behind front façade of townhouse 1) to secure the common entry to the development.
- (m) Deletion of the east facing balconies of townhouse 2 and 3
- (n) Addition of screening (in accordance with Clause 55.04-6) to the east facing, first floor bedroom windows of townhouses 2 and 3.
- (o) A landscape plan in accordance with Condition 3.

When approved, the plans will be endorsed and will then form part of this Permit.

2. The layout of the site and size, design and location of buildings, works and trees 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. Before the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:
  - (a) A survey (including botanical names) of all existing vegetation to be retained and/or removed and the TPZ and SRZ of retained trees.
  - (b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
  - (c) Details of surface finishes of pathways and driveways
  - (d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
  - (e) Planter boxes within the western facing SPOS of dwellings 1-3 which are capable of accommodating small trees and shrubs along the western boundary.
  - (f) Landscaping and planting within all open areas of the site
  - (g) Vegetation on the walls of the ramp, where visible from the street
  - (h) Four (4) canopy trees (minimum three metres tall when planted) in the following areas:
    - (i) Two (2) trees within the front setback with a minimum mature height of 10 metres.
    - (ii) One (1) tree within the private open space of dwellings 4 and 5 (one for each dwelling) with a minimum mature height of 12 metres.
  - (i) All species selected must be to the satisfaction of the responsible authority.
  - (j) The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.
4. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to

the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:

- (a) Delivery and unloading points and expected frequency;
  - (b) Truck haulage routes, circulation spaces and queuing lanes;
  - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
  - (d) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (e) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (f) Any requirements outlined within this permit as required by the relevant referral authorities;
  - (g) Hours for construction activity in accordance with any other condition of this permit;
  - (h) Measures to control noise, dust, water and sediment laden runoff;
  - (i) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - (j) Any construction lighting to be baffled to minimise intrusion on adjoining lots.
5. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:
- (a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
  - (b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
  - (c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
  - (d) Details for best practice waste management once operating.

Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

### **Landscaping & Street Tree**

6. Before the development (including demolition) starts, a tree protection fence must be erected around the retained area of the TPZ of all neighbouring trees where the TPZ occurs on the subject site to define a 'Tree Protection Zone'. The entire portion of the TPZ of the street tree where occurring on the nature strip is to be fenced throughout all works on the site. The fence must be constructed of chain mesh or similar or may be substituted with appropriate ground protection measures to the satisfaction of the responsible authority. Fencing and ground protection measures are to be in accordance with sections 4.3 and 4.5.3 of AS4970-2009 *Protection of Trees on Development Sites*.
  - (a) The tree protection fence must remain in place until construction is completed.
  - (b) Before the development starts, the ground surface of the Tree Protection Zone where proposed to be garden beds must be covered by a 100 mm deep layer of mulch.
  - (c) The Tree Protection Zone must be watered regularly to the satisfaction of the responsible authority. This condition may be modified to require protection of other types of vegetation.
  - (d) Activities restricted within the Tree Protection Zone except with the written consent of the responsible authority :
    - (i) Machine excavation including trenching
    - (ii) Excavation for silt fencing
    - (iii) Cultivation
    - (iv) Storage
    - (v) Preparation of chemicals, including preparation of cement products
    - (vi) Parking of vehicles plant
    - (vii) Refuelling
    - (viii) Dumping of waste
    - (ix) Wash down and cleaning of equipment
    - (x) Placement of fill.
    - (xi) Lighting of fires
    - (xii) Soil level changes
    - (xiii) Temporary or permanent installation of utilities and signs, and
    - (xiv) Physical damage to the tree
7. No excavation is to come within 1 metres of the existing street tree (measured from the centre of the trunk) without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

### **Parking & Access**

8. 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;
- (e) line-marked to indicate each car space and all access lanes;
- (f) clearly marked to show the direction of traffic along the access lanes and driveways;
- (g) Appropriately lit

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.

### **Conditions required by Department of Transport**

9. The ingress and egress internal traffic signaling system must be maintained such that it is always operational and visible to all vehicles entering and exiting the site particularly vehicles turning right into the site.
10. The internal traffic signals for ingress vehicles must always default as 'green' to ensure that vehicles entering the site are prioritised at all times to minimise disruption on the flow of traffic on Glen Eira Road.
11. Prior to the commencement of use or occupation, a sealed access crossover as at least 3.0 metres wide at the property boundary with the edges of the crossover angled at 60 degrees to the edge of the road, at least for the first 3.0 metres with 3.0 metres radial turnouts must be constructed to the satisfaction the Responsible Authority (RA) and at no cost to VicRoads or the RA
12. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.
13. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.
14. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.
15. Vehicles must enter and exit the land in a forward direction at all times.

### **General**

16. 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.
17. 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.

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*Conditions End*

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**NOTES:** *(The following notes are for information only and do not constitute part of this permit or conditions of this permit)*

- 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*.
- 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. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- E. 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.

- F. 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.
- 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. No structures must be found within 1.0m from the existing drain.

Council's Asset Management Department Advise:

- H. All stormwater runoff must be connected to Council drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths is permissible.
- I. Engineering Services encourage using of rainwater tanks for storage and reuse for toilet and irrigation purposes and/or stormwater detention systems.
- J. An Asset Protection Permit must be obtained from Council's Engineering Services Department prior to the commencement of any building works.
- K. All relevant Engineering Permits must be obtained prior to any works within the Road Reserve and or stormwater connection to Council's drainage network.

*It is recorded that Cr Hyams vacated the Chamber at 8.56pm. The Deputy Mayor, Cr Silver took the Chair for the remainder of this item.*

**CARRIED**

*It is recorded that Cr Hyams entered the Chamber at 9.03pm.*

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### **9.3 5 PORTER ROAD, CARNEGIE**

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**Moved: Cr Esakoff**

**Seconded: Cr Athanasopoulos**

That Council:

- issues a Notice of Refusal to Grant a Planning Permit Application No. GE/DP-32874/2019 at 5 Porter Road, Carnegie, on the following grounds:

**Grounds of Refusal:**

1. The double storey scale of dwellings 3 and 4 will have a detrimental impact on the amenity of adjacent backyards by way of its scale and visual bulk.
2. The double storey scale of dwellings 3 and 4 is not consistent with the policy guidelines of Clause 22.08 (Minimal Change Policy) of the Glen Eira Planning Scheme to discourage the siting of two storey dwellings at the rear of sites and fails to respect neighbourhood character.

**CARRIED UNANIMOUSLY**

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### **9.4 VCAT WATCH**

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**Moved: Cr Silver**

**Seconded: Cr Esakoff**

That Council notes the applications currently before the Victorian Civil and Administrative Tribunal (VCAT).

**CARRIED UNANIMOUSLY**

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### **9.5 CARNEGIE SWIM CENTRE - ENDORSEMENT OF COMMUNITY CONSULTATION**

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**Moved: Cr Athanasopoulos**

**Seconded: Cr Esakoff**

That Council endorses the community consultation to proceed for the redevelopment of the Carnegie Swim Centre.

**CARRIED**

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**9.6 GESAC OVER 70'S FEES AND CHARGES**


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

1. That Council endorses the following fees and charges to be available between 11am and 3pm for residents of Glen Eira.

**Over 70's Discounts**

Site	Entry Type	Cost	Standard Co
GESAC	Over 70 casual swim	\$6.95	\$9.95
GESAC	Over 70 casual swim WITH concession	\$2.00	\$7.95
CSC	Over 70 casual swim WITH concession	\$2.00	\$4.80
GESAC	Over 70 Activate Class	\$6.95	\$12.95
GESAC	Over 70 Activate Class WITH concession	\$2.00	\$16.95
GESAC	Living Longer Living Stronger	\$2.00	\$7.70
GESAC	Over 70 Mainstream Class	\$6.95	\$18.95
GESAC	Over 70 Mainstream Class WITH concession	\$2.00	\$16.95
CRC	Over 70 ** Casual Activate class (over 60's) is \$6.50	\$6.95	\$16.50
CRC	Over 70 ** Casual Activate class WITH concession	\$2.00	\$13.50

2. That GESAC offer additional aqua aerobics class between 11am to 3pm that specifically target those over the age of 70.

*It is recorded that Cr Sztrajt vacated the Chamber at 9.35pm.*

**CARRIED UNANIMOUSLY**



*It is recorded that Cr Esakoff declared a Direct Interest under s77B of the Local Government Act as she has an interest in a nearby property.*

*Cr Esakoff vacated the Chamber at 9.36pm prior to consideration of Item 9.7.*

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**9.7 HOPETOUN GARDENS LANDSCAPE MASTERPLAN**

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**Moved: Cr Delahunty**

**Seconded: Cr Silver**

That Council:

1. notes the feedback received during community consultation; and
2. endorses the Hopetoun Gardens Landscape Masterplan.

**CARRIED UNANIMOUSLY**

*It is recorded that Cr Esakoff vacated the Chamber prior to Item 9.7 and was not present when this item was considered. Cr Esakoff entered the Chamber at 9.44pm.*

**Procedural Motion**

**Moved: Cr Silver**

**Seconded: Cr Magee**

That Council extends the meeting to finish at 11pm.

**CARRIED**

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**9.8 TEMPORARY FEMALE FRIENDLY PAVILION FACILITIES**

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**Moved: Cr Athanasopoulos****Seconded: Cr Magee**

That Council notes this report.

**CARRIED UNANIMOUSLY**

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**9.9 INTERIM FEMALE FRIENDLY FACILITIES AT LORD RESERVE**

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**Moved: Cr Magee****Seconded: Cr Athanasopoulos**

That Council defers this item to be considered at the 6 November 2019 Ordinary Council Meeting.

**CARRIED UNANIMOUSLY**

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**9.10 FUTURE OF SPORT AND ACTIVE RECREATION - CONSULTATION OUTCOMES**

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

That Council:

1. notes the consultation process and feedback received; and
2. adopts the GET ACTIVE – Future of Sport and Active Recreation report.

*It is recorded that 9.56pm Cr Esakoff vacated the Chamber at 9.56pm and re-entered at 10pm.*

**CARRIED UNANIMOUSLY**

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**9.11 2018-19 ANNUAL REPORT**

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

That the *2018-19 Annual Report* be adopted by Council and be published as an online version accessible via Council's website.

*It is recorded that Cr Sztrajt entered the Chamber at 10.02pm.*

**CARRIED UNANIMOUSLY**

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**9.12 SOCIAL AND AFFORDABLE HOUSING STRATEGY 2019-2023**

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

That Council:

1. endorses the Glen Eira Social and Affordable Housing strategy 2019-2023 and Year One Implementation Plan; and
2. requests Council officers to commence preparing the statutory documentation and any further supporting documentation required, to implement the Social and Affordable Housing Strategy into the Glen Eira Planning Scheme through a future Planning Scheme Amendment.

**CARRIED UNANIMOUSLY**

**10. URGENT BUSINESS NIL****11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****11.1.1 Community Book Exchanges****Moved: Cr Silver****Seconded: Cr Magee**

That officers provide a report that outlines

1. Street libraries in Glen Eira
2. Steps Council is taking to support these community book exchanges.

**CARRIED UNANIMOUSLY****11.2 Right of reply****11.3 Councillor questions****11.4 Public questions to Council**

Mr Green submitted two questions to the Council Meeting. As Green was not present in the Chamber at this stage of the meeting, his question and the response were not read out in accordance with the Local Law. A letter will be sent including his questions and the responses.

**12. CONSIDERATION OF IN CAMERA ITEMS****Moved: Cr Silver****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 Tender/Contract No 2020.26 Moorleigh Village Community Shed  
*Local Government Act 1989 - Section 89(2) (d)*

12.2 Tender/Contract No 2020.32 Murrumbreena Community Hub  
Redevelopment - Architectural and Multidisciplinary Consultancy Services  
*Local Government Act 1989 - Section 89(2) (d)*

12.3 Tender/Contract No 2020.36 Bentleigh East Kindergarten Upgrade  
*Local Government Act 1989 - Section 89(2) (d)*

12.4 Tender/Contract No 2020.15 Provision of Printing Services  
*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.

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**12.1 TENDER/CONTRACT NO 2020.26 MOORLEIGH VILLAGE COMMUNITY SHED**

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**Moved: Cr Magee****Seconded: Cr Athanasopoulos**

That Council:

1. appoints Connell Design and Construction Pty Ltd, ACN 125 129 240 as the contractor under Tender number 2020.26 for an amount of \$1,383,672.25 exclusive of GST in accordance with the Lump Sum Tender amount 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**

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**12.2 TENDER/CONTRACT NO 2020.32 MURRUMBEENA COMMUNITY HUB REDEVELOPMENT - ARCHITECTURAL AND MULTIDISCIPLINARY CONSULTANCY SERVICES**

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

That Council:

1. appoints Croxon Ramsay Pty Ltd, ACN 115 304 928 as contractor under Tender number 2020.32 for an amount of \$489,802.50 (GST inclusive) in accordance with the Schedule of Rates submitted.
2. authorises a contingency amount of \$48,980.25 plus GST be added.
3. prepares the contract in accordance with the Conditions of Contract included in the tender.
4. authorises the CEO to execute the contract on Council's behalf.
5. incorporates this resolution in the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

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**12.3 TENDER/CONTRACT NO 2020.36 BENTLEIGH EAST KINDERGARTEN UPGRADE**

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**Moved: Cr Silver****Seconded: Cr Athanasopoulos**

That Council:

1. appoints Stosius and Staff Constructions Pty Ltd, ACN 106 222 146 as the contractor under Tender number 2020.36 for an amount of \$588,323.00 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 on Council's behalf.
4. incorporates this resolution in the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

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**12.4 TENDER/CONTRACT NO 2020.15 PROVISION OF PRINTING SERVICES**

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

That Council:

1. appoints Doran Printing Pty Ltd, ACN 164 133 215 as panel contractor under Tender number 2020.15 in accordance with the Schedule of Rates submitted.
2. appoints Camten Graphics Pty Ltd, ACN 006 583 099 as the trustee for the Bowman & Alderson Unit Trust, trading as Camten Graphics (ABN 84 040 729 496) as panel contractor under Tender number 2020.15 in accordance with the Schedule of Rates submitted.
3. appoints Flagstaff Equipment Hire Pty Ltd, trading as Currency Print & Corporate Communications, ACN 140 090 811 as panel contractor under Tender number 2020.15 in accordance with the Schedule of Rates submitted.
4. appoints Prominent Press Pty Ltd, ACN 007 378 734 as panel contractor under Tender number 2020.15 in accordance with the Schedule of Rates submitted.
5. appoints IVE Group Victoria Pty Ltd, trading as Blue Star Print, ACN 004 125 231 as panel contractor under Tender number 2020.15 in accordance with the Schedule of Rates submitted.
6. prepares the contract with IVE Group Victoria Pty Ltd, trading as Blue Star Print, in accordance with variations to the Conditions of Contract as negotiated and agreed to by Council's Corporate Counsel.
7. prepares all other contracts in accordance with the Conditions of Contract included in the tender.
8. authorises the CEO to execute the contracts on Council's behalf.
9. incorporates this resolution in the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**



**13. CLOSURE OF MEETING**

The meeting closed at 10.28pm.

Confirmed this 6 day of November 2019.

**Chairperson.....**