



GLEN EIRA CITY COUNCIL
SPECIAL COUNCIL MEETING

TUESDAY 5 MAY 2020

MINUTES

**Meeting Streamed Live Via Council's Website
at 7.30pm**

Present via electronic means of communication

The Mayor, Councillor Margaret Esakoff
Councillor Tony Athanasopoulos
Councillor Anne-Marie Cade
Councillor Clare Davey
Councillor Mary Delahunty
Councillor Jamie Hyams
Councillor Jim Magee
Councillor Joel Silver
Councillor Dan Sztrajt

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The Mayor welcomed Councillors, council officers, Glen Eira residents and other community members to the 5 May 2020 first virtual council meeting. Cr Esakoff advised of the process that would be followed should Council encounter technical difficulties livestreaming the meeting.

The Mayor then confirmed that the Councillors could be recorded as present by ensuring they met the following three criteria:

- They can hear proceedings;
- They can see other members in attendance and can be seen by other members; and
- They can be heard (to speak).

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. REMINDER OF DECLARATION BY MEMBERS OF ANY DIRECT AND INDIRECT CONFLICT OF INTEREST OR PERSONAL INTEREST IN ANY ITEMS ON THE AGENDA

The Mayor read the Reminder of Declaration by Members of any Direct and Indirect Conflict of Interest or Personal Interest in any items on the agenda.

Councillors are 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 1989.

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

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting;
2. adjourns the meeting to be reconvened on Wednesday 6 May at 7.30pm via livestreaming on Council's website, in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website.
3. notes that the Deputy Mayor, Cr Sztrajt will chair the meeting in accordance with section 21(a) of the Local Government Act 2020 and clause 21(3)(a) of the Council Meeting Procedure Local Law if the Mayor is unable for any reason to attend the Council meeting or part of the Council meeting. The Mayor, Cr Esakoff will resume as Chair of the meeting upon return, unless a vote is being taken at the time the Mayor returns to the meeting, then the Mayor will resume as Chair of the meeting after the vote is declared by the Deputy Mayor.

CARRIED UNANIMOUSLY

It is recorded Cr Hyams declared an Indirect Conflict of Interest because of conflicting duties as he is on the Board of the Glen Eira Adult Learning Centre.

Cr Hyams was removed from the virtual meeting by a council officer at 7.38pm prior to consideration of Item 4.1.

4. REPORTS FROM COMMITTEES

4.1 Advisory Committees

4.1.1 ADVISORY COMMITTEE MINUTES

Moved: Cr Sztrajt

Seconded: Cr Cade

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

1. Community Grants Advisory Committee Meeting Minutes – 7 April 2020

CARRIED UNANIMOUSLY

It is recorded that Cr Hyams left the virtual meeting prior to Item 4.1 and was not present when this item was considered. A council officer re-admitted Cr Hyams into the virtual meeting at 7.42pm.

5. OFFICER REPORTS (AS LISTED)

5.1 DOG OFF LEASH REVIEW: REPORT AND COMMUNITY CONSULTATION OUTCOMES

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

That Council:

1. endorses the 'Dog off-leash areas within Glen Eira 2020' report with the following changes:
 - a) implement a 12 month trial in Springthorpe Gardens in Murrumbeena as an off-leash area between 6am and 9am; and
 - b) implement a 12 month trial in Wattle Grove Reserve in McKinnon as an off-leash area from 6am and 9am;
2. authorises officers to undertake the necessary processes to formalise changes to dog off-leash areas, including an amendment to the Order previously made by Council on 2 July 2019 under section 26(2) of the Domestic Animals Act 1994; and
3. receives a report after the conclusion of the trial to determine the ongoing dog-off leash areas in these reserves.

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

That Cr Hyams be granted a 2 minute extension of speaking time.

CARRIED UNANIMOUSLY

The Motion Moved by Cr Hyams and Seconded by Cr Silver was
CARRIED UNANIMOUSLY

The Mayor advised that Item 5.2 would be split into 3 parts for consideration by Council.

5.2 ACTION ON CLIMATE CHANGE

Moved: Cr Davey**Seconded: Cr Silver****Part 1**

That Council:

1. notes Council's commitment and action to date in response to climate change;
3. considers the future operating and capital budget implications in the development of the new Environmental Sustainability Strategy;
4. endorses additional programs and initiatives to further mobilise and support community climate action for consideration by Council as part of the new Environmental Sustainability Strategy; and
6. receives a future report on the community engagement plan and draft Environmental Sustainability Strategy 2021-2025.

CARRIED UNANIMOUSLY

Moved: Cr Davey**Seconded: Cr Athanasopoulos****Part 2**

2. That Council endorses the development of an Environmental Sustainability Strategy (ESS) 2021-2025 as part of the 2020/21 budget process for consideration by Council, with the following option to guide the goals and objectives:
 - a) Option 1: achieve carbon neutrality for corporate carbon emissions by 2025 and community carbon emissions by 2030.

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

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

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

That Council grants Cr Delahunty a three minute extension of speaking time.

CARRIED UNANIMOUSLY

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

That Council grants Cr Athanasopoulos a three minute extension of speaking time.

CARRIED UNANIMOUSLY

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

FOR: Crs Athanasopoulos, Davey, Delahunty, Esakoff, Magee, Sztrajt and Cade (7)

AGAINST: Nil

ABSTAINED: Crs Hyams and Silver (2)

CARRIED

The Motion Moved by Cr Davey and Seconded by Cr Athanasopoulos was

CARRIED

Moved: Cr Sztrajt**Seconded: Cr Davey****Part 3**

5. That Council declares a climate emergency.

Procedural Motion**Moved: Cr Magee****Seconded: Cr Davey**

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

CARRIED UNANIMOUSLY

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

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

CARRIED UNANIMOUSLY

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

FOR: Crs Athanasopoulos, Davey, Delahunty, Magee and Sztrajt (5)

AGAINST: Cr Hyams (1)

ABSTAINED: Crs Esakoff, Silver and Cade (3)

CARRIED

The Motion Moved by Cr Sztrajt and Seconded by Cr Cade was **CARRIED**

Procedural Motion

Moved: Cr Silver

Seconded: Cr Hyams

That the meeting be extended to conclude at 11pm.

CARRIED UNANIMOUSLY

5.3 SMOKE-FREE OUTDOOR POLICY

Moved: Cr Esakoff**Seconded: Cr Silver**

That Council:

1. endorses the draft Glen Eira *Smoke-Free Outdoor Policy* for targeted community and stakeholder consultation;
2. notes the *Smoke-Free Outdoor Policy - Communication and Education Campaign Plan*;
3. approves the proposed approach for the development of a new Local Law to implement Smoke-Free Zones in Glen Eira activity centres;
4. requests that officers develop a draft Local Law for the implementation of Smoke-Free Zones; and requests that officers consult with key stakeholders and the community on the draft *Smoke-Free Outdoor Policy* and associated draft Local Law when complete;
5. endorses a trial of Smoke-Free Zones which cover the entire shopping strip ('Main Street') of the Carnegie, Bentleigh and Elsternwick activity centres; and
6. requests that officers conduct the targeted community and stakeholder consultation at an appropriate time post Covid-19 impacts.

CARRIED UNANIMOUSLY

5.4 LEASE AND LICENCE FOR 965 GLEN HUNTLY ROAD (GLEN EIRA HISTORICAL SOCIETY)

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

That Council:

1. authorises officers to finalise the terms of a 2-year lease with Mingos Properties Pty Ltd together with a further 1-year Option;
2. authorises officers to finalise a 2-year community licence with Glen Eira Historical Society with a further 1-year Option and execute this licence by delegated Officer; and
3. executes the above lease in an appropriate manner by affixing the Council Seal.

CARRIED UNANIMOUSLY

5.5 LOCAL ECONOMY AND PLACE MAKING ACTION PLAN

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

That:

1. Council adopts the *Local Economy and Place Making Action Plan 2020-2025*; and
2. Council produces a report showing options to use public open spaces to help local businesses comply with likely physical distancing requirements when they are able to reopen.

CARRIED UNANIMOUSLY

5.6 2020-21 DRAFT ANNUAL BUDGET

Moved: Cr Esakoff**Seconded: Cr Sztrajt**That Council seeks public consultation on the attached *2020-21 Draft Annual Budget* by:

1. giving Public Notice, as required by Section 129 of the *Local Government Act 1989*, in the Age newspaper;
2. placing the *2020-21 Draft Annual Budget* on Council's website; and
3. considering submissions at the Ordinary Council Meeting on 16 June 2020.

It is recorded that Cr Delahunty left the meeting at 10.12pm and re-entered at 10.15pm.

It is recorded that Cr Silver left the meeting at 10.15pm and re-entered at 10.16pm.

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

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

CARRIED UNANIMOUSLY

It is recorded Cr Silver left the meeting at 10.17pm and re-entered at 10.19pm.

CARRIED UNANIMOUSLY

5.7 DRAFT COMMUNITY PLAN COMMITMENTS 2020-21 AND DRAFT STRATEGIC RESOURCE PLAN 2020-21 TO 2029-30.

Moved: Cr Esakoff**Seconded: Cr Sztrajt**

That Council seeks public consultation on the attached Draft Community Plan Commitments 2020-21 and Draft Strategic Resource Plan 2020-21 to 2029-30 by:

1. giving Public Notice, as required by Section 129 of the Local Government Act 1989, in the Age Newspaper;
2. placing the *Draft Community Plan Commitments 2020-21* and *Draft Strategic Resource Plan 2020-21 to 2029-30* on Council's website; and
3. considering submissions at an Ordinary Council Meeting on 16 June 2020.

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

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

CARRIED UNANIMOUSLY**CARRIED UNANIMOUSLY**

6. CONSIDERATION OF IN CAMERA ITEMS**Moved: Cr Silver****Seconded: Cr Esakoff**

- A. That pursuant to subsection 77(2)(b) of the *Local Government Act 1989*, Council resolves that the information contained in Item 6.1 is designated as confidential because it is discussing contractual matters pursuant to subsection 89(2)(d) of the *Local Government Act 1989*.
- B. That pursuant to section 66(1) of the *Local Government Act 2020*, Council resolves to close the meeting to the public because a circumstance specified in subsection 66(2)(a) of the *Local Government Act 2020* applies namely that the meeting is to consider confidential information.
- C. That pursuant to subsection 66(5)(a) of the *Local Government Act 2020*, Council resolves to record in the minutes of the meeting that are available for public inspection that the grounds for determining to close the meeting to the public are that the meeting is to:
- 1) consider Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released; and
 - 2) consider information that is confidential information for the purposes of subsection 77(2)(b) of the *Local Government Act 1989* namely the information has been designated as confidential information by a resolution of Council which specifies the relevant ground or grounds applying under section 89(2) of the *Local Government Act 1989* and the Council has not passed a resolution that the information is not confidential.
- D. That pursuant to subsection 66(5)(b) of the *Local Government Act 2020*, Council resolves to record in the minutes of the meeting that are available for public inspection that the explanation of why the specified grounds of confidential information applies are that the meeting is discussing contractual matters and releasing the confidential information now may jeopardise effective negotiations in relation to this matter.

6.1 Service Agreement with the Victorian Electoral Commission for the provision of electoral services for the 2020 Council Election

Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Sections 3(1) confidential information (a) and 66.

CARRIED UNANIMOUSLY

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

7. CLOSURE OF MEETING

The meeting closed at 10.51pm.

Confirmed this 19 day of May 2020

Chairperson.....