



**GLEN EIRA CITY COUNCIL**

**ORDINARY COUNCIL MEETING**

**TUESDAY 2 FEBRUARY 2021**

**MINUTES**

**Meeting was held in the Caulfield Cup Room,  
Corner Hawthorn & Glen Eira Roads, Caulfield  
at 7:38pm**

Present

The Mayor, Councillor Margaret Esakoff  
Councillor Tony Athanasopoulos  
Councillor Anne-Marie Cade  
Councillor Jim Magee  
Councillor Sam Parasol  
Councillor Neil Pilling  
Councillor Li Zhang  
Councillor Simone Zmood  
Councillor David Zyngier

## INDEX

<b>1.</b>	<b>ACKNOWLEDGEMENT .....</b>	<b>4</b>
<b>2.</b>	<b>APOLOGIES.....</b>	<b>4</b>
<b>3.</b>	<b>REMINDER TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA .....</b>	<b>4</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS .....</b>	<b>5</b>
<b>5.</b>	<b>RECEPTION AND READING OF PETITIONS AND JOINT LETTERS .....</b>	<b>5</b>
5.1	Petition: Overturn the proposal to relocate the existing Bute Street carpark to the Gerald Street entrance of Murrumbeena Park .....	5
5.2	Petition: Petition in support of planning permit application GE/SP-33763/2020 (13 Villiers Street, Elsternwick VIC 3185).....	6
<b>6.</b>	<b>REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS.....</b>	<b>6</b>
	Nil	
<b>7.</b>	<b>REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY .....</b>	<b>7</b>
<b>7.1</b>	<b>Advisory Committees .....</b>	<b>7</b>
7.1.1	Advisory Committee Minutes.....	7
<b>7.2</b>	<b>Records of Assembly.....</b>	<b>7</b>
7.2.1	Records of Assemblies of Councillors .....	7
<b>8.</b>	<b>OFFICER REPORTS (AS LISTED).....</b>	<b>13</b>
8.1	13 Villiers Street, Elsternwick .....	13
8.2	590-596 Glen Huntly Road, Elsternwick .....	13
8.3	VCAT Watch .....	14
8.4	Amendment C214glen: Post-war and hidden gems heritage review and Thematic Environmental History refresh - submissions .....	14
8.5	Structure Plans - Response to Request for a Report .....	15
8.6	Tender 2021.9 Briggs Street Stage 1 Drainage Works .....	15
8.7	Tender 2021.70 Aileen Avenue Park Construction .....	15
8.8	Lease - Vodafone Network Pty Ltd at Princes Park, Caulfield South .....	16
8.9	Minutes of Audit & Risk Committee .....	16
8.10	Annual Performance Assessment of Audit & Risk Committee .....	16
8.11	Remuneration of Audit & Risk Committee Members.....	16

8.12	Financial Management Report (December 2020) .....	17
8.13	Delegation Report - 2020 .....	17
<b>9.</b>	<b>URGENT BUSINESS .....</b>	<b>18</b>
<b>10.</b>	<b>ORDINARY BUSINESS .....</b>	<b>18</b>
10.1	Requests for reports from a member of Council staff .....	18
10.2	Right of reply .....	18
10.3	Notice of Motion .....	18
10.4	Councillor questions.....	18
10.5	Written public questions to Council .....	18
<b>11.</b>	<b>CONFIDENTIAL ITEMS.....</b>	<b>18</b>
	Nil	
<b>12.</b>	<b>CLOSURE OF MEETING.....</b>	<b>18</b>



## 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

## 3. REMINDER TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA

Councillors were reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or any item that was considered at this meeting, in accordance with Section 130(2) of the *Local Government Act 2020* and Rule 60(3) of the Glen Eira City Council Governance Rules. Councillors were then invited to indicate any such conflict of interest.

### Procedural motion

Moved: Cr Magee

Seconded: Cr Parasol

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 3 February 2021 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; and
3. notes, if the Mayor is unable for any reason to attend the Council meeting of part or part of the Council meeting, the meeting will be chaired in accordance with Rule 13 of the Governance Rules. The Mayor will resume as Chair of the meeting upon return. If a vote is being taken at the time, the Mayor will resume as Chair after the result of the vote has been declared.

**CARRIED UNANIMOUSLY**

**4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS****Moved: Cr Pilling****Seconded: Cr Magee**

That the minutes of the Ordinary Council Meeting held on 15 December 2020 be confirmed.

**CARRIED UNANIMOUSLY**

**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS****5.1 PETITION: OVERTURN THE PROPOSAL TO RELOCATE THE EXISTING BUTE STREET CARPARK TO THE GERALD STREET ENTRANCE OF MURRUMBEENA PARK**

A petition containing 24 signatures was submitted to the Council Meeting.

The petition read as follows:

'This petition draws to the attention of the Council of objections from residents of Gerald St., Murrumbeena to the plan to build a carpark on existing parkland at the entrance to Murrumbeena Park as part of the Murrumbeena Community Hub project.

We the undersigned residents request that Council:

Overturn the proposal to relocate the existing Bute Street carpark to the Gerald Street entrance abutting the Bowling Club for the following reasons [but in no particular order of importance] -

1. Residents in Gerald Street will lose the parkland vista that attracted them to reside in Gerald Street in the first place, the consequential loss in value of their Property and the real concern that children's only access from Gerald Street to the recreational and playground facilities would be via a carpark servicing at least 60 vehicles!
2. The proposal flies in the face of Glen Eira finally acknowledging in 2020 the finding that it has the least open space per capita in Metropolitan Melbourne, and per capita of open space, is less than half the average for Metropolitan Melbourne!
3. Notice of the proposal was only given by Council to Residents shortly prior to New Year and was not given to Rate paying Landlords.
4. Gerald Street Residents and Gerald Street Rate paying Landlords seriously doubt whether they comprised the "Community Feedback" which Council said it received.'

**Moved: Cr Pilling**

**Seconded: Cr Zmood**

That Council:

1. receives and notes the petition;
2. writes to the lead petitioner responding to the requests raised in the petition;  
and
3. investigate possible solutions to the concerns raised.

**CARRIED UNANIMOUSLY**

**5.2 PETITION: PETITION IN SUPPORT OF PLANNING PERMIT APPLICATION  
GE/SP-33763/2020 (13 VILLIERS STREET, ELSTERNWICK VIC 3185)**

A petition containing 65 signatures was submitted to the Council Meeting.

The petition read as follows:

‘We the undersigned residents support Planning Permit Application - GE/SP-33763/2020 and ask that Council approves approve this planning permit application in its current form’.

**Moved: Cr Zmood**

**Seconded: Cr Zyngier**

That Council receives and notes the petition and considers it in conjunction with application GE/SP-33763/2020 at 13 Villiers Street, Elsternwick, item 8.1 on this agenda.

**CARRIED UNANIMOUSLY**

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

Nil

**7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY**

---

**7.1 Advisory Committees**

---

**7.1.1 ADVISORY COMMITTEE MINUTES****Moved: Cr Zyngier****Seconded: Cr Zmood**

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. Sustainability Advisory Committee Meeting Minutes - 10 December 2020

**CARRIED UNANIMOUSLY**

---

**7.2 Records of Assembly**

---

**7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS****Moved: Cr Athanasopoulos****Seconded: Cr Magee**

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

1. 1 December 2020
2. 3 December 2020
3. 6 December 2020
4. 8 December 2020
5. 9 December 2020
6. 15 December 2020
7. 15 December 2020 pre-meeting

**CARRIED UNANIMOUSLY**

---

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

That Council changes the order of business to deal with item 10.5 Written public questions to Council to be dealt with at this stage of the meeting.

**CARRIED UNANIMOUSLY**

---

## 10.5 Written public questions to Council

### 1. Peter Vadiveloo - Carnegie

Dear Councillors, Engagement with, and exposure to, art and music are well known to greatly enrich and enhance people's lives, as evidenced anecdotally and in a plethora of academic studies. Neighbouring councils such as Kingston, Stonnington and Monash have specific Arts grants available to deliver art projects for their residents. Despite the importance of the arts on quality of life, such Arts grants do not appear to be on offer by Glen Eira Council. This seems like a terrible oversight. Will the council commit to creating a specific Arts grants scheme similar to those of other neighbouring councils in order to deliver important quality of life services to residents? Sincerely, Peter Vadiveloo

#### **Response:**

Glen Eira City Council provides an integrated community grants program that incorporates the arts, cultural expression and events. Local not for profit art groups and cultural and community organisations running arts events can apply for a community grant to support activities, projects and events including music programs, storytelling, cultural celebrations, community arts, public events and artist-in-residence programs or other cultural projects.

Council Community Grants are available year-round, and include Community Strengthening Grants, Partnership and Events Grants, Small Grants and Facility Hire Grants. More recently Council has also offered COVID-19 Community Action Grants during the pandemic and to support community recovery.

The intent of all of our grants programs is to strengthen community connections, meet local needs, encourage innovation, support celebration and participation in community life, and deliver meaningful social impact.

Applicants interested in community grants to support local art initiatives and events can apply under any of Council's Community Grants streams. More information is available on our website or you can contact our Customer Service Centre and ask to speak with one of our grants officers.

---

### 2. Therese Green - Bentleigh

It is understood that the current interim height controls for Bentleigh expire in March 2021. Can Council please provide an update on the status of interim height controls for Bentleigh beyond this time?

#### **Response:**

Council wrote to the State Government on 24 December 2020 requesting a 6 month extension to the interim controls in Bentleigh and Carnegie. Council has been advised, as recently as 25 January 2021, that a decision will be made prior to the controls expiring in March 2021.

---



**3. Warren Green - Bentleigh**

- a) Can Council please provide an update on the Eat Street Bentleigh project and the Bentleigh Library upgrade project with details on: the final designs, total costs, funding sources, current status and planned completion dates?
- b) Having been actively involved in the Bentleigh Structure Plan process I was very surprised to learn that Council was intending to progress a multi-deck car park in Blezby Street. At no stage have I, or I assume others, been specifically consulted about the appropriateness of this high cost project. The first I became aware of this project was via a federal government grant notification. I then contacted Ron Torres who advised that the car park would involve a couple of levels. This site is very scarce Council owned land, located adjacent to a residential area and the Structure Plan not yet formalised. Other Council's develop parking precinct plans and also conduct specific consultation post Structure Planning for this type of project. This project was considered in confidence at Council's December meeting but not minuted. Can Council please provide a detailed overview of the status of this project?

**Response:**

- a) Detailed design has now been completed for the Eat Street Bentleigh Project. Council will go out to public tender for the appointment of a constructor of the project in late February 2021. The project will be implemented in 2 stages, with the plaza area to be completed by late 2021 and the areas of Vickery Street and Centre Road to be completed by June 2022. This staging of works is to ensure there is minimal disruption to local business during peak trading periods. The total cost of the project is anticipated to be approximately \$5M. This includes a \$1.3M funding grant from DELWP's Local Parks Program with the balance to be funded through DELWP's Local Infrastructure Loan Scheme.  
In relation to Bentleigh Library, the detailed design has now been completed. Council went out to public tender in late 2020 for the appointment of a constructor. It is anticipated the contract will be awarded late February 2021. Construction is due to be completed in June 2022. The total cost of the project is anticipated to be approximately \$6M.
- b) This project is currently on hold. Any future proposals for the development of car parking options in Bentleigh will be the subject of further consultation with the community.

---

**4. Joe Gottlieb - Caulfield North**

- a) 40 Lumeah Road is our home that we built for our family - not a house that is a "Hidden Gem" - it was built for privacy with a blank vista to the street and is not, and is unlikely to ever be, a public building and this is acknowledged by Council officers. Different and interesting, but it does not have any heritage value based on the report done by the consultant as it is not based on any factual information that meets any of the criteria.  
The heritage consultant acknowledges that no attempt was ever made to verify any of the suppositions copied from publications to verify the accuracy of any of the statements or to inspect the property. We contend that many, if not most, are inaccurate or false.  
Why would the Council condone the heritage consultant's 3rd & 4th hand information over our knowledge of the truth?

- b) Our submission detailed many factual errors resulting in unsubstantiated information being included in the heritage consultants report. The response from the heritage consultant acknowledged only two errors and confirmed that much of the information relied upon to conclude that heritage controls should be applied to this property were based on published comments. Most of the comments were merely opinions repeated from other publications, without any verification or proof.
- How can Council support heritage controls on the whole of our home, that the original owners still live in, when no inspection or verification of its current status has ever been carried out or verified?

**Response:**

- a) The nomination to include 40 Lumeah Road in a Heritage Overlay was prepared and supported by a qualified heritage consultant who has prepared a citation that sets out the history of the property. In preparing the citation, the consultant has quoted written sources, as is standard practice. Some of the information contained in the citation was sourced from a filmed interview of the architects with the owner in 2014. Indeed, a view of this readily available filmed interview helps to clarify much of what is being contested. There is information publicly available on the internet and in architectural literature that contain significant detail of this dwelling, including several images of the interior. Where inaccuracies like the materials used in the construction of the building and references to the front fence have been identified, these have been assessed and confirmed by the consultant and are recommended to be corrected in the citation.
- b) If Council resolves to refer the amendment to an independent panel, the panel must consider all written submissions. The process also provides submitters with an opportunity to put their case to the panel in person. It is not compulsory for submitters to appear in person, and exercising that choice does not diminish the standing of their written submission. As owners of 40 Lumeah Road, you may wish to further elaborate on your written submission and express why you believe your property is unsuitable for inclusion in the Heritage Overlay. It is an opportunity to explain the history of the property and correct any errors you believe Council's heritage consultant has made. The panel is the forum to resolve issues about what information is or is not correct and whether the property meets the test to be included in a Heritage Overlay. The panel would then make a recommendation to Council about whether the property should be included. Council would then have the opportunity when the Panel Report is presented to make changes to the amendment, approve or reject the amendment.
- 

**5. David Warren - Elsternwick**

- a) One of the key concerns which has not been responded to in the recommendation is that the proposal presents as 2 dwellings on a lot. The applicant describes the proposal as '2 houses' and should be treated as such. If it was, it would require a planning permit assessed against the requirements of Clause 55 and the Minimal Change Area policy. Why has this key point of objection been disregarded by the planners?

- b) Many Councilors have been to meet with the objectors at Villiers St. We invited the planners to come and meet with us as well, however they declined. One of the considerations is whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and heritage place. IT IS NOT. So how can the planners make their recommendation without visiting the street and, importantly, the adjoining properties?

**Response:**

- a) The proposal being considered by Council is for an extension to the existing dwelling. This is set out on the application form and through all of the supporting information provided with the application, with the exception of one line within the planning report under the heading "Design detail objective" which outlines "to link to the two houses, a covered walkway has been added. The link is essential as it bridges the old aspect with the new aspect". In the context of the broader report, this appears to be an unintentional error from the applicant as the remainder of the report refers to an extension.

The Glen Eira Planning Scheme defines a dwelling as containing certain components such as a kitchen and sink, bath or shower and toilet. The layout of the proposal as shown on the assessment plans only contains the components of one dwelling. As such, the planning assessment has taken into account the relevant considerations for the extension within a Heritage Overlay.

- b) Villiers Street is located in the Elsternwick Estate and environs heritage precinct under the Glen Eira Planning Scheme. The decision guidelines of the heritage overlay require consideration of a number of factors that seek to ensure that a proposal does not adversely affect the significance of a heritage place. In the case of the Elsternwick Estate and environs heritage precinct, the significance of the place is considered from the street front and the Heritage Policy contains a number of performance measures to guide what is an appropriate outcome. It is policy to assess the proposal against the performance measures that include:

- *Where side setbacks are an important feature of a heritage place, ground floor additions to the side boundary may only be allowed where the front wall of the addition is setback a minimum of 1.0 metre from the front wall of the dwelling (there may be instances where a larger setback is required) and the addition is subservient to the significant or contributory building.*
- *First floor additions should be centrally sited and massed behind the principal façade and principal visible roof forms. Visibility of upper floor additions from the street should be minimised.*
- *Alterations and additions should preserve principal view lines to significant and contributory buildings when viewed from the street.*

In relation to the first floor addition, the policy also provides a potential building envelop by projecting a sightline from across the street from the proposal and notes that first floor additions can be accommodated within that sightline area.

In assessing the proposal, the planning officer has considered the impact of the proposal from the public realm, including "whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and heritage place" as they are viewed from the street front. The officer recommendation is that the proposal is acceptable and does not impact the significance of the heritage place.

-----

## 6. Mary & Malcolm Gurr - Elsternwick

- a) How is it possible to say that the location, bulk, form and appearance of the proposed building is in keeping with the character of adjacent buildings and the heritage place when it is patently untrue. Our house, No 11, has had no external changes or additions since we came here in 1970. There is nothing in Villiers St like the huge backyard building on the plan anywhere in the street. Other extensions in the street have provided substantial extra accommodation for owners without the need to construct new box shaped buildings, outside the traditional Victorian house and backyard. Could you please tell us whether any of the planners involved in this assessment have visited the backyards of houses 11-15 to understand how they work. We have not seen them.
- b) I take issue with the comment about “high value “ trees. How is that judged? The native frangipani on our fence line is slender but is as tall as any of the other high trees in the area. It has unfortunately had some branches knocked off. It is also of great sentimental value.  
I am also concerned that the rise from the street is set down as 1 metre. It would be twice that. How was it measured in the first place?

### **Response:**

- a) When considering if a planning proposal is acceptable, the relevant provisions of the Glen Eira Planning Scheme set out what can be taken into account. In relation to the proposal in Villiers Street, the main provisions include the Heritage Overlay which establishes why a planning permit is required and the Heritage Policy which guides what is an appropriate design.  
Under these provisions, the site is located in the Elsternwick Estate and environs heritage precinct. The policy establishes that the significance of this precinct is considered from the street front and not from views within neighbouring back yards.  
In assessing the proposal, the planning officer has undertaken a site visit from the street and laneway and has therefore considered the impact of the proposal from the public realm, including “whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and heritage place” as they are viewed from the street front. The officer recommendation is that the proposal is acceptable and does not impact the significance of the heritage place.
- b) When there is a planning application and there are trees that may be impacted by a proposal either on or adjoining the site, an arboricultural assessment is often prepared to consider whether there will be any impact to the trees from the proposed development. The assessment is undertaken by a qualified arborist and outlines the retention value of the trees. The retention value is determined by such things as the age, health and structure of the tree and it helps to determine if any protection measures are required to ensure the ongoing health of the tree as a result of the development.  
In relation to the heights shown on the plans for the proposed development at 13 Villiers Street, the levels of the land have been undertaken by a survey of the land undertaken by a licensed land surveyor.

---

**8. OFFICER REPORTS (AS LISTED)**

---

**8.1 13 VILLIERS STREET, ELSTERNWICK**

---

**Moved: Cr Zyngier****Seconded: Cr Parasol**

That Council issues a Notice of Decision to Refuse to Grant a Permit for application GE/SP-33763/2020 for part demolition of the existing dwelling and construction of side and rear extensions, a front fence and external alterations including replacement of windows and roof, on land affected by a Heritage Overlay, at 13 Villiers Street, Elsternwick, in accordance with the following ground:

1. The location, bulk, form and appearance of the proposed rear extension will adversely affect the significance of the heritage place and is not in keeping with the character and appearance of adjacent buildings and the heritage place, contrary to the Clauses 15.01-3S (Heritage conservation), 21.10 (Heritage), 22.01 (Heritage Policy) and 43.01 (Heritage Overlay) of the Glen Eira Planning Scheme.

**FOR:** Crs Esakoff, Cade, Parasol, Pilling, Zmood and Zyngier (6)  
**AGAINST:** Crs Athanasopoulos, Magee and Zhang (3)

**CARRIED**

---

**8.2 590-596 GLEN HUNTLY ROAD, ELSTERNWICK**

---

**Moved: Cr Zmood****Seconded: Cr Magee**

That Council issues a Notice of Decision to Refuse to Grant an Amendment to a Permit for application GE/DP-32624/2019/A for the addition of two storeys containing five additional dwellings, enlarged Basement 2, changes to the floor plan layouts and changes to the external appearance of the building, at 590-596 Glen Huntly Road, Elsternwick, in accordance with the following grounds:

1. The height and massing of the additional two storeys would be excessive, causing the building to appear overly-prominent when viewed from the immediate surrounding streets. Consequently, the proposal to increase the building's height by two storeys will not adequately respect the low-scale character of the area, contrary to the following planning policies of the Glen Eira Planning Scheme:
  - Clause 15.01-1S: Urban Design;
  - Clause 15.01-2S: Building Design;
  - Clause 15.01-5S: Neighbourhood Character; and
  - Clause 22.07: Housing Diversity Area Policy.
2. The proposal would be contrary to the purpose of the Commercial 1 Zone as the additional two storeys would add increased residential density in the form of excessive height and visual bulk to the approved five storey building that would not respect the scale of the Local Activity Centre and its surrounds.

3. The proposal to increase the height of the approved five storey building by an additional two storeys would not adequately satisfy the Urban Context Objectives and Standard D1 of Clause 58.02-1 of the Glen Eira Planning Scheme as it would not respond appropriately to the existing and preferred urban context.

**CARRIED UNANIMOUSLY**

---

### 8.3 VCAT WATCH

---

**Moved: Cr Cade**

**Seconded: Cr Zmood**

That Council notes the applications currently before and the recent decisions of the Victorian Civil and Administrative Tribunal.

**CARRIED UNANIMOUSLY**

---

### 8.4 AMENDMENT C214GLEN: POST-WAR AND HIDDEN GEMS HERITAGE REVIEW AND THEMATIC ENVIRONMENTAL HISTORY REFRESH - SUBMISSIONS

---

**Moved: Cr Cade**

**Seconded: Cr Zmood**

That Council:

1. notes the 19 submissions received during formal exhibition.
2. defers consideration of the submissions and request officers write to all 19 submitters advising of them of the deferment.
3. authorises officers to write to each of the submitters who made a submission to the informal (pre amendment) consultation asking them whether they wish to make a late submission and advising them that late submissions will be accepted.
4. request a further report following receipt of all submissions, together with the officer response to those submissions, for Council's consideration and a resolution on the next step in the amendment process.

**FOR:** Crs Esakoff, Cade, Parasol, Zhang, Zmood and Zyngier (6)

**AGAINST:** Crs Athanasopoulos, Magee and Pilling (3)

**CARRIED**

---

**8.5 STRUCTURE PLANS - RESPONSE TO REQUEST FOR A REPORT**

---

**Moved: Cr Pilling****Seconded: Cr Zmood**

That Council notes the report including the planning program status and associated costs.

**CARRIED UNANIMOUSLY**

---

**8.6 TENDER 2021.9 BRIGGS STREET STAGE 1 DRAINAGE WORKS**

---

**Moved: Cr Cade****Seconded: Cr Parasol**

That Council having reviewed and considered the attached confidential Tender Evaluation report

1. appoints **Jaydo Construction Pty Ltd, A.C.N 062 221 596 as the contractor under Tender number 2021.9** for an amount of **\$1,028,074.00** exclusive of GST 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.

**CARRIED UNANIMOUSLY**

---

**8.7 TENDER 2021.70 AILEEN AVENUE PARK CONSTRUCTION**

---

**Moved: Cr Athanasopoulos****Seconded: Cr Zmood**

That Council having reviewed and considered the attached confidential Tender Evaluation report

1. appoints **Warrandale Industries Pty Ltd, A.C.N. 005 238 479** as the trustee for the Buruma Family Trust (A.B.N. 45 132 425 361) **as the contractor under Tender number 2021.70** for an amount of **\$754,328.98** exclusive of GST 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.

**CARRIED UNANIMOUSLY**

---

**8.8 LEASE - VODAFONE NETWORK PTY LTD AT PRINCES PARK, CAULFIELD SOUTH**

---

**Moved: Cr Cade****Seconded: Cr Pilling**

That Council:

1. finalises the terms of a nine-year (9) lease with Vodafone Network Pty Ltd commencing on 23 December 2021 for their continued occupation of Council premises located at Princes Park, Caulfield South; and
2. executes the lease in an appropriate manner including affixing the common seal.

**CARRIED UNANIMOUSLY**

---

**8.9 MINUTES OF AUDIT & RISK COMMITTEE**

---

**Moved: Cr Pilling****Seconded: Cr Zmood**

That the minutes of the Audit & Risk Committee meeting held on 11 December 2020 as shown in Attachment 1 to the report be approved.

**CARRIED UNANIMOUSLY**

---

**8.10 ANNUAL PERFORMANCE ASSESSMENT OF AUDIT & RISK COMMITTEE**

---

**Moved: Cr Pilling****Seconded: Cr Zmood**

That Council notes this report.

**CARRIED UNANIMOUSLY**

---

**8.11 REMUNERATION OF AUDIT & RISK COMMITTEE MEMBERS**

---

**Moved: Cr Zmood****Seconded: Cr Pilling**

That effective from 1 January 2021, Council adopt the following rates for the Audit and Risk Committee Members:

1. Chairperson - \$10,625 p.a. (exc. GST); and
2. Independent Member - \$9,090 p.a. (exc. GST).

**CARRIED UNANIMOUSLY**



---

**8.12 FINANCIAL MANAGEMENT REPORT (DECEMBER 2020)**

---

**Moved: Cr Athanasopoulos****Seconded: Cr Zmood**

That Council notes:

- The Financial Management Report for the period ending 31 December 2020.
- In accordance with Section 97(3) of the Local Government Act 2020, the Chief Executive Officer is of the opinion that a revised budget for 2020-2021 is not required.

**CARRIED UNANIMOUSLY**

---

**8.13 DELEGATION REPORT - 2020**

---

**Moved: Cr Athanasopoulos****Seconded: Cr Cade**

That Council notes the summary of Contracts entered into in accordance with the Instrument of Sub- Delegation to the CEO.

**CARRIED UNANIMOUSLY**

**9. URGENT BUSINESS - Nil**

**10. ORDINARY BUSINESS**

**10.1 Requests for reports from a member of Council staff - Nil**

**10.2 Right of reply - Nil**

**10.3 Notice of Motion - Nil**

**10.4 Councillor questions - Nil**

**10.5 Written public questions to Council**

*This item was dealt with at an earlier stage of the meeting.*

**11. CONFIDENTIAL ITEMS**

Nil

**12. CLOSURE OF MEETING**

The meeting closed at 9:28pm.

Confirmed this 23 February 2021

**Chairperson.....**