



GLEN EIRA CITY COUNCIL
ORDINARY COUNCIL MEETING

TUESDAY 9 APRIL 2024

MINUTES

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

Present

The Mayor, Councillor Anne-Marie Cade
Councillor Tony Athanasopoulos
Councillor Margaret Esakoff
Councillor Jane Karlake
Councillor Jim Magee
Councillor Sam Parasol
Councillor Sue Pennicuik
Councillor Li Zhang
Councillor Simone Zmood

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1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement.

Glen Eira City Council Acknowledges the peoples of the Kulin Nation as Traditional Owners and Custodians, and pay our respect to their Elders past, present and emerging. We Acknowledge and uphold their continuing relationship to land and waterways. Council extends its respect to all Aboriginal and Torres Strait Islander peoples.

2. APOLOGIES

NIL

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.

NIL

Public Participation

This evening we had 3 submitters request to speak to Council during Public Participation. All speakers presented to Council.

Procedural Motion

Moved: Cr Magee

Seconded: Cr Zmood

I will now move a procedural motion to bring item 10.5 Written Public Questions on tonight's agenda forward to be heard at this stage of the meeting.

CARRIED UNANIMOUSLY

10.5 Written Public Questions

This evening we had 30 Written Public Questions of Council of which 16 were able to be answered within the allocated timeframe. The responses provided during the meeting are provided below:

<p>Laura Rizk Caulfield East</p>	<p>Question 1 On 1 April, an article in The Age indicated that the LXP is now looking at a shared use bike path on Derby Crescent instead of Queens Road. If a separated bike path is no longer required, why isn't Queens Road been kept as the preferred option?</p> <p>Answer</p> <p>Since the decision at the Council meeting in February not to support either of the two options for Queens Avenue proposed by the LXP, Council officers have been meeting weekly with the LXP in an attempt to achieve the best outcome for the community.</p> <p>At this stage Council continues to work with the LXP as it works to develop viable options.</p> <p>Council will determine and communicate its preferred option to the LXP following the completion of a further community engagement process.</p>
<p>Laura Rizk Caulfield East</p>	<p>Question 2 If there is in fact NO conflict of interest, can council please CLEARLY and factually advise residents the exact reason the attention has been diverted away from exploring alternative options in Queens Road to Derby Crescent and how Derby Crescent even came to be considered?</p> <p>Answer</p> <p>Council made the decision at the Council meeting in February not to support either of the two options for Queens Avenue proposed by the LXP.</p> <p>This decision was made by Council due to concerns about significant tree loss, the limited engagement with the community by the LXP and the need for the options to undergo further design assessments.</p>
<p>Tom Lawson Caulfield East</p>	<p>Question 3 It now been 3 weeks since the last council meeting. According to an article in The Age on the 1/4/24, the LXRA conducted a survey where 67% of whomever they surveyed, supported a bike bath in the area. As per that article it is apparent that the Glen Eira Councillor led, Save Queens Ave group has had a win and a bike path on Queens Ave is no longer an option being considered.</p> <p>When will the rate paying residents of Derby Crescent be stopped being treated like mushrooms and shown some light and clarity on the Glen Eira City Council and the LXRA's plan for Derby Crescent?</p> <p>Answer</p> <p>Council officers have been meeting weekly with the LXP in an attempt to achieve the best outcome for the community.</p> <p>At this stage Council continues to work with the LXP as it works to develop viable options.</p> <p>Council will determine and communicate its preferred option to the LXP following the completion of a further community engagement process.</p>
<p>Tom Lawson Caulfield East</p>	<p>Question 4 When will our voice be heard, given that 100% of Derby Crescent residents are opposed to any option, at this stage due to the complete lack of consultation and transparency, and our visual amenities be re-instated?</p> <p>Answer</p> <p>Council has provided feedback to the LXP that any proposal must incorporate a robust replanting and regeneration strategy for Derby</p>

	<p>Crescent.</p> <p>Council is supportive of a community engagement process that aligns with our Community Engagement Policy being completed. Following this process, it is envisaged that Council would be in a position to determine and communicate its preferred option to the LXRП.</p>
Matthew Lynn Collingwood	<p>Question 5</p> <p>I am submitting this question on behalf of the Melbourne Zero movement, an ambitious Melbourne-wide movement of more than 7000 people united in the fight to end rough sleeping by 2030. My first of two questions is: Does Council know how many people are sleeping rough across the LGA?</p> <p>Answer</p> <p>The Australian Homelessness Atlas 2021 Census prepared by the Centre for Social Impact May, 2023 shows Zero rough sleepers in our municipality.</p> <p>At the time of the 2021 census, 561 people were homeless in Glen Eira (0.38 per cent of the total population).</p> <p>People experiencing homelessness are defined by the Australian Bureau of Statistics as persons living in improvised dwellings, tents or sleeping out, as well as those in supported accommodation, temporarily staying with other households, living in boarding houses, persons in temporary lodgings, and persons living in severely crowded dwellings.</p>
Matthew Lynn Collingwood	<p>Question 6</p> <p>In addition to question 5, What are Council's official plans to monitor and reduce this number over the coming years?</p> <p>Answer</p> <p>Currently we refer to support services such as Launch Housing or Star Health.</p> <p>We continue to advocate to the State Government for increased provision of social and affordable housing in the City of Glen Eira to address the issue of homelessness.</p>
Trevor Pitkin Caulfield East	<p>Question 7</p> <p>With the revised options for the strategic cycling path to be released by LXRП sometime soon, will Council consider seeking responses only from those residents who are potentially directly affected, namely Queens Avenue and Derby Crescent, as opposed to anyone who lives in Glen Eira?</p> <p>Answer</p> <p>Council is supportive of a community engagement process that aligns with our Community Engagement Policy.</p> <p>That process will see feedback being sought from the directly affected residents along Derby Crescent and Queens Avenue, and from the broader Glen Eira community.</p>
Trevor Pitkin Caulfield East	<p>Question 8</p> <p>Regarding the process of gathering and reporting responses from directly affected residents associated with the next LXRП strategically important cycling path options, does Council intend to put these options to a formal vote of Councillors to present to LXRП, or will it simply advise the results of the survey?</p> <p>Answer</p> <p>Any proposed works for a Strategic Cycling Corridor, still requires further analysis by both the LXRП and Council. Council officers have been meeting weekly with the LXRП in an attempt to achieve the best outcome for the community.</p>

	<p>Council is supportive of a community engagement process that aligns with our Community Engagement Policy being completed. Following this Council will determine and communicate its preferred option to the LXRП.</p>
Richard Nash Caulfield East	<p>Question 9 Leaving the LXRП project aside, what actions are Council enacting to maintain and / or ensure the safety of pedestrians wanting to use the Moodie Street underpass? Recently, when using the underpass, I was nearly struck by a cyclist who failed to dismount. My wife and I - sometimes with our young grandchildren - use this underpass often when walking to Carnegie or visiting the local coffee shop and worry for the safety of pedestrians and cyclists alike.</p> <p>Answer Council is aware that the Moodie Street underpass has signage advising cyclist to dismount when passing through the underpass. However, considering your question. Council's traffic engineers will review the location to determine if any further safety enhancements can be put in place.</p>
Ray Earls Caulfield East	<p>Question 10 There has been growing tension and conflict between Queens Avenue and Derby Crescent resident groups over the proposed LXRП bike path. Whilst this tension has grown largely out of LXRП's poorly conceived concepts for Queens and their about-turn on Derby as an option, the Councillors have an opportunity (as our representatives) to bring the divided Caulfield East community back together. What is being done by Councillors to help facilitate this now and what may be proposed in the future?</p> <p>Answer Council officers have been meeting weekly with the LXRП in an attempt to achieve the best outcome for the community. At this stage Council continues to work with the LXRП as it works to develop viable options. Council is hopeful that when LXRП present the final design options, they will have incorporated the feedback previously provided and this will assist in relieving the community tension mentioned in your question.</p>
Ray Earls Caulfield East	<p>Question 11 Regarding the options of a proposed bike path along Derby Crescent or Queens Ave, given that bike lanes already exist along Queens Ave, it would appear that the Queens Ave Group would be accepting of a strategic bike path along their street providing the trees and street carparking are maintained. The Derby Residents Group do not want any more loss of amenity on their street and have clearly and unanimously rejected Derby as an option for the bike path. Therefore, will Council pledge their support to both groups and strongly advocate to LXRП and the Minister for a better engineered solution for a bike path along Queens Avenue?</p> <p>Answer Council made the decision at the Council meeting in February not to support either of the two options for Queens Avenue proposed by the LXRП. Council wrote to the LXRП and the Minister for Transport Infrastructure advocating to re-consider these options and requested that LXRП work with Council and the community to achieve the best possible outcome. Since then, Council officers have been meeting weekly with the LXRП in an attempt to achieve the best outcome for the community. At this stage</p>

	Council continues to work with the LXP on the viable options.
Carolyn Eccleston McKinnon	<p>Question 12 On page 95 of the Ordinary Council meeting minutes ..."Caulfield North and McKinnon..."[have been identified] as the next two suburbs to be reviewed (Glen Eira Heritage Review Work Program in 2022/2023." Has the Heritage Review of McKinnon properties of local significance commenced?</p> <p>Answer Council completed and adopted the Glen Eira Heritage Review of McKinnon 2023 in July 2023. The amendment to include new identified places and precincts within McKinnon into the Heritage Overlay of the Glen Eira Planning Scheme was submitted to Department of Transport and Planning in the same month. Council is still awaiting a response to begin the planning scheme amendment process to formalise the inclusion of identified places of significance into the heritage overlay of the planning scheme. Once the amendment is authorised to begin, public exhibition will commence. A copy of the McKinnon Heritage Review can be found on Council's website.</p>
Carolyn Eccleston McKinnon	<p>Question 13 Did any not for profit organisations take over the financial governance of the three Early Learning Centres/ Kindergartens that Council decide to close?</p> <p>Answer No not-for-profit organisations took over the financial governance of Council's three Early Learning Centres. Council made the decision to close its centres and has not transferred the ownership or operation to another service provider. Council has not made any decisions about the future use of the Early Learning Centre facilities. Council is currently assessing potential use of the facilities in accordance with Council's Property Strategy.</p>
Ian Sparrow Caulfield East	<p>Question 14 Revegetation of Derby Crescent - there has been no progress to date on the revegetation of the railway verge along Derby Crescent, which remains a scarred eyesore and depressing for residents. Since the last Council meeting (19 March 2024), what further discussions has the Council had with the LXP about the timing for commencement of the revegetation works along Derby Crescent?</p> <p>Answer Council officers have been meeting weekly with the LXP in an attempt to achieve the best outcome for the community. At this stage Council continues to work with the LXP on the viable options. Council understands that the LXP are still several weeks away from commencing any vegetation works, as no final decision has been made on the preferred design option.</p>
Ian Sparrow Caulfield East	<p>Question 15 Queens Ave Bike Path - under what circumstances would Council be willing to provide some funding should there be a shortfall with LXP's allocated budget due to a new design for the Queens Avenue bike path being developed and agreed on?</p> <p>Answer The Glen Huntly Level Crossing Removal Project and the associated commitment to provide a Strategic Cycling connection as part of the project, is a State Government funded project. Council currently has no provision within its annual Capital Works budget</p>

	to contribute to any shortfall in funding, should that situation arise.
Rosemary Sparrow Caulfield East	<p>Question 16 Given that Council has been made well aware by residents and others that Derby Crescent is an unsuitable location for the LXRП bike path, but Council still publicly states that it is under consideration, for example, the article last Tuesday in The Age (2 April 2024): what are the impediments preventing Council from publicly announcing now that the Derby Crescent option has been rejected and will no longer be considered?</p> <p>Answer The Strategic Cycling Corridor is an LXRП project, which still requires further analysis by both the LXRП and Council. Council officers have been meeting weekly with the LXRП in an attempt to achieve the best outcome for the community. At this stage Council continues to work with the LXRП on the viable options. Council is supportive of a community engagement process that aligns with our Community Engagement Policy being completed. Following this Council will determine and communicate its preferred option to the LXRП.</p>

It is recorded that Cr Pennicuik vacated the Chamber at 7:50pm.

It is recorded that Cr Pennicuik entered the Chamber at 7:54pm.

4. Confirmation of Minutes of Previous Council Meetings

Moved: Cr Zmood	Seconded: Cr Magee
That the minutes of the Ordinary Council Meeting held on 19 March 2024 be confirmed.	
<u>CARRIED UNANIMOUSLY</u>	

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

5.1	PETITION: LGBTIQA+ ACTION PLAN
	<p>Moved: Cr Magee Seconded: Cr Pennicuik</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. receives and notes the petition; and 2. refers this petition to the relevant officers for consideration including a response to the submitter. <p style="text-align: right;"><u>CARRIED UNANIMOUSLY</u></p>

6. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

Cr Athanasopoulos presented on Metropolitan Transport Forum meeting.

7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY

7.1 Advisory Committees

7.1.1	ADVISORY COMMITTEE MINUTES
	<p>Moved: Cr Pennicuik Seconded: Cr Zmood</p>
	<p>That Council</p> <ol style="list-style-type: none"> 1. Notes and receives the minutes of the Advisory Committee meeting as shown below: <ol style="list-style-type: none"> a. Multicultural Advisory Committee – 19 February 2024 b. CEO Employment Matters Advisory Committee – 20 February 2024 c. Glen Eira Business and Economy Advisory Committee – 22 February 2024 d. Strategic Transport Advisory Committee – 28 February 2024 e. Glen Eira Business and Economy Advisory Committee – 29 February 2024 f. Community Grants and Awards Advisory Committee – 5 March 2024 g. Local Laws Advisory Committee – 6 March 2024; 2. notes that the minutes for the CEO Employment Matters Advisory Committee remain confidential in accordance with section 3(1)(f) and section 66(5) of the Local Government Act 2020 or until Council resolves otherwise; and 3. authorises Council officers to disclose any confidential information in relation to the confidential minutes, but only to the extent necessary to give effect to the resolution. <p style="text-align: right;"><u>CARRIED UNANIMOUSLY</u></p>

7.2 Records of Assembly

7.2.1	RECORDS OF ASSEMBLIES
	<p>Moved: Cr Karlake Seconded: Cr Athanasopoulos</p>
	<p>That Council notes the Records of Assemblies for:</p> <ol style="list-style-type: none"> 1. 5 March 2024 Assembly; 2. 12 March 2024 Assembly; and 3. 19 March 2024 Pre-meeting. <p style="text-align: right;"><u>CARRIED UNANIMOUSLY</u></p>

8. OFFICER REPORTS (AS LISTED)

8.1	FINANCIAL MANAGEMENT REPORT (29 FEBRUARY 2024)
	Moved: Cr Pennicuik Seconded: Cr Zmood
	That Council notes the Financial Management Report for the period ending 29 February 2024. <u>CARRIED UNANIMOUSLY</u>

8.2	INTEGRATED TRANSPORT STRATEGY REFRESH - DRAFT FOR COMMUNITY CONSULTATION
	Moved: Cr Pennicuik Seconded: Cr Athanasopoulos
	That Council: <ol style="list-style-type: none"> 1. Endorse the draft Integrated Transport Strategy Refresh 2024 for the purpose of community consultation. 2. Request a further report on the outcomes of consultation and a final Integrated Transport Strategy Refresh 2024. <u>CARRIED UNANIMOUSLY</u>

<u>Extension of Speaking Time</u>	
Moved: Cr Zmood Seconded: Cr Zhang	
That Cr Esakoff be granted a one minute extension of speaking time. <u>CARRIED UNANIMOUSLY</u>	

8.3	DRAFT GAMBLING POLICY FOR COMMUNITY ENGAGEMENT
	Moved: Cr Esakoff Seconded: Cr Karslake
	That Council approve the draft <i>Gambling Policy</i> to be released for community engagement. <u>CARRIED UNANIMOUSLY</u>

8.4	DRAFT ECONOMIC DEVELOPMENT ACTION PLAN 2024-2026 FOR COMMUNITY ENGAGEMENT
	Moved: Cr Parasol Seconded: Cr Athanasopoulos
	That Council approves the draft <i>Economic Development Action Plan 2024-2026</i> for community engagement to commence on Wednesday 10 April 2024. <u>CARRIED UNANIMOUSLY</u>

8.5	GOVERNANCE RULES, PUBLIC PARTICIPATION POLICY AND CONDUCT AT MEETINGS AND COMMON SEAL LOCAL LAW COMMUNITY CONSULTATION
	Moved: Cr Magee Seconded: Cr Pennicuik
	That Council: <ul style="list-style-type: none"> 1. Approve the commencement of community consultation for the proposed Draft Conduct at Meetings and Common Seal Local Law (Attachment 1) and draft Governance Rules (Attachment 2) and draft Public Participation Policy (Attachment 3) under Division 3 of Part 3 of the Local Government Act 2020 and Council's Community Engagement Policy; 2. Commences the statutory process for community consultation; and 3. Notes that the submission period is four weeks from 22 April to 20 May 2024. <p>For the Motion: Crs Esakoff, Magee, Cade, Parasol, Zhang, Zmood, Pennicuik and Karslake (8)</p> <p>Against the Motion: Cr Athanasopoulos (1)</p> <p style="text-align: right;"><u>CARRIED</u></p>
	Moved: Cr Athanasopoulos Seconded: Cr Karslake
	Cr Athanasopoulos moved an amendment to Cr Magee's motion. This was debated and voted prior to resolving Cr Magee's motion.
	<p>1. Approve the commencement of community consultation for the proposed Draft Conduct at Meetings and Common Seal Local Law (Attachment 1) under Division 3 of Part 3 of the Local Government Act 2020 and Council's Community Engagement Policy, with the following amendment to 9.4 of the draft Conduct at Meetings and Common Seal Local Law:</p> <p style="padding-left: 40px;">9.4 for any person to display a placard, or poster or other material that could cause offence or injury in the Chamber, or any building where a Council Meeting is being held, or is about to be held other than outside the entrance to the building and then only if a placard, poster or other like material does not</p>

	<p style="text-align: center;">obstruct the entrance to the building or participation in meeting. Materials that could cause injury will not be permitted in the Council Chamber;</p> <p>2. Approve the commencement of community consultation for the draft Governance Rules (Attachment 2) and draft Public Participation Policy (Attachment 3) under Division 3 of Part 3 of the Local Government Act 2020 and Council’s Community Engagement Policy;</p> <p>3. Commences the statutory process for community consultation; and</p> <p>4. Notes that the submission period is four weeks from 22 April to 20 May 2024.</p> <p>For the Motion: Crs Athanasopoulos, Zhang and Karlake (3) Against the Motion: Crs Esakoff, Magee, Cade, Parasol, Zmood and Pennicuik (6)</p> <p style="text-align: right;"><u>LOST</u></p>
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<u>Extension of Speaking Time</u>	
Moved: Cr Zmood	Seconded: Cr Zhang
That Cr Athanasopoulos be granted a two minute extension of speaking time.	
<u>CARRIED UNANIMOUSLY</u>	

<u>Extension of Speaking Time</u>	
Moved: Cr Zmood	Seconded: Cr Zhang
That Cr Pennicuik be granted a one minute extension of speaking time.	
<u>CARRIED UNANIMOUSLY</u>	

8.6	RECONCILIATION POLICY REVIEW
	<p>Moved: Cr Pennicuik Seconded: Cr Zmood</p> <p>That Council endorses the <i>Reconciliation Policy</i> as shown in Attachment 1 to this report.</p> <p style="text-align: right;"><u>CARRIED UNANIMOUSLY</u></p>

Meeting Extension**Moved: Cr Cade****Seconded: Cr Zmood**

That the meeting be extended to conclude at 11pm.

CARRIED UNANIMOUSLY*It is recorded that Cr Magee vacated the Chamber at 9:37pm.**It is recorded that Cr Zmood vacated the Chamber at 9:38pm.**It is recorded that Cr Magee entered the Chamber at 9:39pm.*

8.7	REVOCATION EARLY LEARNING CENTRES ENROLMENT POLICY AND UPDATE TO KINDERGARTEN CENTRAL REGISTRATION POLICY
	Moved: Cr Esakoff Seconded: Cr Cade
	<p>That Council:</p> <ol style="list-style-type: none"> 1. Revokes the Council Operated Early Learning Centres Enrolment System policy shown in Attachment 1 of this report; and 2. Adopts the amended Kindergarten Central Registration Scheme policy shown in Attachment 2 of this report. <p>For the Motion: Crs Athanasopoulos, Esakoff, Magee, Cade, Parasol, Zhang, Pennicuik and Karlake</p> <p>Absent for the vote: Cr Zmood</p> <p style="text-align: right;"><u>CARRIED</u></p>

8.8	COMMUNITY GRANTS
	Moved: Cr Esakoff Seconded: Cr Zhang
	<p>That Council approves a Facility Hire Grant for the Integral Yoga Centre of Melbourne for \$7,425.</p> <p>For the Motion: Crs Athanasopoulos, Esakoff, Magee, Cade, Parasol, Zhang, Pennicuik and Karlake</p> <p>Absent for the vote: Cr Zmood</p> <p style="text-align: right;"><u>CARRIED</u></p>

It is recorded that Cr Zmood entered the Chamber at 9:42pm.

8.9	CITIZEN OF THE YEAR AWARDS 2024
	Moved: Cr Zhang Seconded: Cr Esakoff
	<p>That Council:</p> <ol style="list-style-type: none"> 1. adopts the minutes and recommendations of the Citizen of the Year Advisory Committee meeting held on 5 March 2024 (Attachment 1) and authorisers officers to notify and publicly announce the winners when appropriate. 2. notes that the attachments to the report remain confidential in accordance with section 3(1)(f) and section 66(5) of the Local Government Act 2020 or until Council resolves otherwise. 3. authorises Council officers to disclose any confidential information in relation to this item, but only to the extent necessary to give effect to the resolution. <p style="text-align: right;"><u>CARRIED UNANIMOUSLY</u></p>

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

These were heard earlier in the meeting.

11. CONFIDENTIAL ITEMS

Nil

12. CLOSURE OF MEETING

The meeting closed at 9:43pm.