



**GLEN EIRA CITY COUNCIL**

**ORDINARY COUNCIL MEETING**

**TUESDAY 13 JUNE 2023**

**MINUTES**

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

Present

The Mayor, Councillor Jim Magee  
Councillor Margaret Esakoff  
Councillor Sam Parasol  
Councillor Sue Pennicuik  
Councillor Li Zhang  
Councillor David Zyngier

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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

### Apology

**Moved: Cr Magee**

**Seconded: Cr Zyngier**

That the apology from Cr Cade, Cr Athanasopoulos, Cr Zmood be received and noted.

**CARRIED UNANIMOUSLY**

## 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.

- Cr Zyngier - Item Number 7.1 – Community Grants Advisory Committee Minutes

**Procedural Motion**

**Moved: Cr Magee**

**Seconded: Cr Parasol**

That Council:

1. where meetings are held in-person, can continue the meeting if the livestream of the meeting fails as stated in the governance rules;
2. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem where a Councillor is participating virtually; and
3. where a Councillor is participating virtually and the meeting cannot be resumed within 30 minutes from the commencement of the technical problem, the meeting is to be reconvened on Wednesday 14 June 2023 at 5.30pm.

**CARRIED UNANIMOUSLY**

**Public Participation**

There are 2 submission for Public Participation this evening

**Procedural Motion**

**Moved: Cr Magee**

**Seconded: Cr Parasol**

That Council changes the order of business to bring forward **Item 10.5 – Written Public Questions to Council** to be heard at this stage of the meeting.

**CARRIED UNANIMOUSLY**

**Written Public Questions to Council – 13 June 2023**

<p><b>Thu Phuong Hoang Glen Huntly</b></p>	<p><b>Question 1:</b></p> <p>What are council's solutions to support GLEN HUNTLY SHOPPING CENTER that is impacted badly due to Level Crossing Removal Project?</p> <p><b>Answer:</b></p> <p>Council understands that the State Government’s Level Crossing Removal Works at Glen Huntly are impacting our local traders. We expect that the next few months will be particularly challenging with the closure of Glen Huntly and</p>
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	<p>Neerim Roads.</p> <p>Council has put in place the following support.</p> <ul style="list-style-type: none"> <li>• Waiving the footpath trading fee for impacted businesses for 12 months</li> <li>• Special one-off trader parking permits for the duration of the project.</li> <li>• Parking changes to allow traders and residents to park closer to the shops and their houses. It also has enabled customers to park closer, by moving LXP contactors cars out of those streets.</li> <li>• Promoting local businesses and the centre in Glen Eira News and social media and encouraging the community to support local businesses during this time.</li> <li>• Engaged retail consultants to work with the traders on how to improve and set up their shopfronts for success.</li> <li>• Facilitated a walk through the activity centre with traders to look at how we can beautify and upgrade elements of the area once the project is complete.</li> <li>• Regular weekly meetings with the Glen Huntly Village Trader Association and attendance at Association Meetings.</li> </ul> <p>Council officers have been meeting regularly with the Level Crossing Removal Project (LXP) to ensure that they are being proactive in supporting the needs of local traders impacted by their project. We understand during the next few months, LXP will be implementing several initiatives including, but not limited to the below:</p> <ul style="list-style-type: none"> <li>• Travelers Aid utilising golf buggies to assist elderly residents or residents that are mobility impaired to access shops.</li> <li>• Combined Yarra Trams and pedestrian shuttle buses.</li> <li>• Delivery concierge for traders.</li> <li>• "Open for Business" stickers on takeaway and food delivery outlets.</li> <li>• Purchasing vouchers from stores and giving them to their staff, as well as using them as prizes for competitions with the community.</li> <li>• In addition, Council will continue to work closely with LXP Officers to ensure the impacts of this major construction project are kept to a minimum.</li> </ul>
<p><b>Jane Karlake</b> <b>Caulfield East</b></p>	<p><b>Question 2:</b></p> <p>The proposed MRC pokies venue appears to be twice the size of the existing Glasshouse, it will be the only building on the northeast corner of the racecourse and will be in a prominent location opposite the Caulfield Station. The station is described in the Caulfield Structure plan as the 'heart of the precinct' and the precinct a 'State significant education precinct'. This location appears entirely at odds with the values and vision underpinning the Caulfield Structure plan and at odds with what the plan calls 'Brand Caulfield Strategy', which refers to 'businesses that would benefit from synergies with the education and innovation activities in the Centre'. How would Council reconcile the dominance of this precinct by a gaming venue which is inconsistent with the values and principles of their structure plan?</p>

	<p><b>Answer:</b></p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting. The assessment will consider all relevant planning matters, which will include reference to the Caulfield Structure Plan, amongst a number of other planning policy considerations.</p>
<p><b>Murray Cooke</b> <b>Caulfield East</b></p>	<p><b>Question 3:</b></p> <p>There have been recent issues reported regarding the negative impact of noise associated with the new floating venue on the Yarra, in Docklands. Noise has been reported to travel long distances across the open water. The proposed Glasshouse has similar acoustic features in that its open pavilion deck and outside function areas face the open space of the racecourse. It has been advised that the venue will have entertainment by DJs and live music associated with a 365 day, 7.00am to 4.00am licence. What additional measures will be taken by Council to ensure the noise produced by this venue does not impact negatively on the adjoining residential areas.</p> <p><b>Answer:</b></p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting. The assessment will consider whether the proposal has suitable noise attenuation measures in place based on various EPA noise regulations.</p>
<p><b>Glenn Boyes</b> <b>Caulfield East</b></p>	<p><b>Question 4:</b></p> <p>I am a resident that lives very close to the guineas carpark on Queens Avenue. With the proposed Glasshouse development, what are council doing about reducing traffic congestion on and around Queens Avenue? Our driveway will become even more difficult to enter and exit with more cars in the area and cars using the carpark at all hours of the day and night. With reduced parking in the Guineas carpark, what will the council do to ensure that Queens Avenue doesn't become a congested car parking zone for Glasshouse patrons. We've had cars park across our driveway before on event days and have no power to have them removed or towed. It's bad enough already with train travellers parking in the street, but this will make it even worse, and for longer hours in the day and night.</p> <p><b>Answer:</b></p> <p>As part of the assessment of the planning permit application, Council will consider whether the existing road network can reasonably accommodate the predicted traffic volumes, or whether the proposal would necessitate any changes, such as new signalisation, to ensure the road network can reasonably operate.</p>

<p><b>Glenn Boyes</b> <b>Caulfield East</b></p>	<p><b>Question 5:</b></p> <p>I am a resident that lives close to the guineas carpark on Queens Avenue. The new Glasshouse development looks to cater for all forms of functions, events and loud gatherings (unlike the current Glasshouse), which will also spill lots of noise from the terrace and balconies towards the residential area on Queens Avenue. Current race days are very noisy with bands, dj's and music, and this will now be a daily occurrence and extend into evenings and nighttime, into an open-air environment. Why does this venue need to have pokies and a 4am license in a residential zone...ON CROWN LAND and if it is to operate here what noise restrictions and curfews will be in place to ensure the residential neighborhood remains quiet during evenings and of a nighttime?</p> <p><b>Answer:</b></p> <p>As part of the assessment of the planning permit application, Council will consider whether the proposal has suitable noise attenuation measures in place based on various EPA noise regulations. At this stage, Council officers have not undertaken an assessment of the merits of the planning permit application to determine whether any noise or time restrictions need to be imposed if a planning permit is issued.</p> <p>It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting. This will outline what the scope of consideration is for Council under planning law and provide an evaluation of whether the proposal is acceptable, and if so, whether it would be subject to any limitations.</p>
<p><b>Gerald Sherry</b> <b>Caulfield East</b></p>	<p><b>Question 6:</b></p> <p>The relocation of the Glasshouse venue to a new site on the Caulfield Racecourse Reserve will cause a significant depreciation of the neighbourhood amenity for the residents of Queens Avenue. This venue proposes to operate from 7.00am to 4.00am, seven days a week for 365 days of the year. The relocation involves a main access/exit point for vehicles to be directly opposite residential homes on Queens Avenue. The impact of vehicle noise, and particularly headlights at all hours of the night, will significantly interfere with the residents' right to experience a quiet and peaceful nighttime environment. What steps can the council take to protect the residents right to a continued peaceful existence by removing vehicle access and exit via the Queens Avenue gates entirely or, at the very least, impose a 10.00pm curfew on traffic using the Queens Avenue gates?</p> <p><b>Answer:</b></p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting. The assessment will consider the amenity of occupiers of the adjoining residential areas and whether the proposal would unreasonably impact this amenity.</p>



<p><b>Gerald Sherry</b> <b>Caulfield East</b></p>	<p><b>Question 7:</b></p> <p>The relocation of the Glasshouse venue at Caulfield Racecourse will result in a building twice the size of the existing Glasshouse operation. As well as gaming machines and a restaurant, it is proposed to widen the entertainment options with DJs and other loud music events. This will inflict upon the residents of Queens Avenue who live close by, an intolerable situation of noise and security problems, especially given that it is proposed to operate the venue throughout the night until 4.00am daily. What restrictions can the Council impose on the MRC to ensure: (a) that the residents of Queens Avenue will not be subjected to intolerable levels of noise at night? (b) that the safety of nearby residents of Queens Avenue and security of their property be protected by requiring the MRC to provide an enhanced level of security at the Glasshouse venue, and in the nearby vicinity and car parks?</p> <p><b>Answer:</b></p> <p>In relation to (a), Council will consider whether the proposal has suitable noise attenuation measures in place based on various EPA noise regulations as part of the assessment of the planning permit application.</p> <p>In relation to (b), Council will consider the impact of the sale or consumption of liquor permitted by the liquor license on the amenity of the surrounding area, amongst other amenity considerations.</p> <p>At this stage, Council officers have not undertaken an assessment of the merits of the planning permit application. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting.</p>
<p><b>Nola Sherry</b> <b>Caulfield East</b></p>	<p><b>Question 8:</b></p> <p>In the Melbourne Racing Club's application to relocate the current Glasshouse venue to a site near Queens Avenue, their application contains the assertion that, based on existing rights, "It is the Licensee's view that no planning permission is required for use of the land, or relocation of the gaming facilities" What steps and independent investigations will the Council and its officers undertake to determine the validity or otherwise of this assertion?</p> <p><b>Answer:</b></p> <p>Council planning staff frequently consider matters relating to existing use rights. The staff are suitability trained and experienced in planning interpretation, have access to case law and read relevant precedent. Planning staff can critically evaluate the accuracy of assertions that are put to Council on complex matters and will be responsible for reviewing the assertion that the use of the land as a place of assembly and that the relocation of gaming machines benefit from existing use rights.</p>
<p><b>Trevor Pitkin</b> <b>Caulfield East</b></p>	<p><b>Question 9:</b></p> <p>At 23052023 minutes of Council many of the answers given in relation to the Glasshouse proposal were deferred to the CRRT. This implies that Council does not have an independent view of matters raised by residents, in effect taking</p>

	<p>CRRT position as acceptable, irrevocable and in need of no further review when facing residents' concerns. Question: If Council reaches a different position to CRRT through feedback from residents, how will these differences be resolved with CRRT?</p> <p><b>Answer:</b></p> <p>Many of the matters that were deferred to the CRRT are either because Council has no planning based legislative ability to consider that matter as part of the planning permit application for the relation of the Glasshouse venue, or because the CRRT has a different role as landlord for parts of the Caulfield Racecourse Reserve.</p>
<p><b>Trevor Pitkin</b> <b>Caulfield East</b></p>	<p><b>Question 10:</b></p> <p>Referring minutes 23052023 of Council, reference was made in an answer to Caulfield Activity Zone as being unresolved, indicating that there is no account to be taken of residents' concerns regarding the impacts of the Glasshouse proposal in the overall context of this larger study and re-design for amenity of the area centered on the railway station. The opportunity exists to incorporate the Glasshouse assessment during Caulfield Activity Zone development, rather than it becoming an established element that must be taken as unalterable. Question: How can Council simply ignore the impact of a gambling-based, special interest facility like the Glasshouse upon the bigger picture, which efforts are trying to improve amenity rather than absorb fait accompli commercial development?</p> <p><b>Answer:</b></p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. The assessment will consider all relevant planning matters, which will include reference to the Caulfield Structure Plan, amongst a number of other planning policy considerations, including the amenity of the area. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting.</p>
<p><b>Jennifer Durran</b> <b>Caulfield East</b></p>	<p><b>Question 11:</b></p> <p>Re GE/DP- 35745/2022 Glasshouse venue – parking and nighttime noise For years residents at the northern end of Derby Crescent, Caulfield East have been subjected during the day to the negative impact of through traffic associated with rail commuters, university students and staff, as well as racegoers looking for somewhere to park. The proximity of the relocated Glasshouse to Derby Crescent and environs, and the limited number of parking spaces provided by the venue, will result in even more traffic in already congested streets. Furthermore, the venue's extended hours of operation will inevitably mean that residents will have patrons parking outside their homes, coming and going at all hours of the night unless the on-street parking restrictions which currently only apply week days between 8am and 8pm/10pm are changed to Residents Only 24/7. How does Council propose to manage nighttime overflow parking from the Glasshouse in our residential streets?</p>

	<p><b>Answer:</b></p> <p>The planning framework specifies the number of car parking spaces that should be provided for different types of uses as part of a proposal. The proposal for the relocation of the Glasshouse venue includes the required number of car parking spaces for the use.</p> <p>In relation to implementation of any parking limit changes. If any changes are determined appropriate, these would be implemented via the process set out in Council's adopted Parking Policy and will require further consultation with the impacted residents.</p>
<p><b>Jane Karlake</b> <b>Caulfield East</b></p>	<p><b>Question 12:</b></p> <p>I commend Councillors and Council officers on many aspects of the Caulfield structure plan. It is a positive and progressive plan proposing urban greening, open space, community amenities, and improved pedestrian and bike paths all in an education precinct. There is no reference to a major gaming facility in the heart of the precinct. Approval of this venue will undermine the positive legacy that Councillors have worked so hard to achieve and may even set a new precedent in allowing a gaming venue to be built without a gaming planning permit on public land. Are councillors happy for this to be their legacy?</p> <p><b>Answer:</b></p> <p>Council will decide on the planning permit application at an upcoming Ordinary Council Meeting and will be guided in their decision making by a recommendation prepared by Council's planning staff that will outline what can be considered when making a decision and whether the proposal is acceptable.</p>
<p><b>Anne Peris</b> <b>Glen Huntly</b></p>	<p><b>Question 13:</b></p> <p>I request that Glen Eira seek independent legal opinion on the Kings Counsel letter in support of MRC using "existing use" provisions for Gaming &amp; Liquor licenses in moving the Glasshouse. 31 Station Street, Caulfield East 3145 covers all of the racecourse and so "existing use" should be challenged. Will Council seek legal advice?</p> <p><b>Answer:</b></p> <p>Council planning staff frequently consider matters relating to existing use rights. The staff are suitably trained and experienced in planning interpretation, have access to case law and read relevant precedent. Planning staff can critically evaluate the accuracy of assertions that are put to Council on complex matters and will be responsible for reviewing the assertion that the use of the land as a place of assembly and that the relocation of gaming machines benefit from existing use rights.</p>

<p><b>Anne Peris</b> <b>Glen Huntly</b></p>	<p><b>Question 14:</b></p> <p>Given the recent VCAT decisions against developments of licensed premises on public land (PPRZ) and the draft new public land act indicating greater public benefit test, this proposal has no public benefit. Will Council consider denying the permit on public interest grounds? The VCAT decisions were Lorne Pier - VCAT refused a restaurant and place of assembly because they do not support recreational use of parkland. 'It is a commercial use that could be located anywhere'. - Dendy St Beach Life Saving Club, VCAT supported a small kiosk open during the day for enjoying the park location but with no restaurant or private function room.</p> <p><b>Answer:</b></p> <p>Council will decide on the planning permit application at an upcoming Ordinary Council Meeting and will be guided in their decision making by a recommendation prepared by Council's planning staff that will outline what can be considered when making a decision, what the relevant context is for this application and whether the proposal is acceptable.</p>
<p><b>Tamara de Silva</b> <b>Caulfield East</b></p>	<p><b>Question 15:</b></p> <p>At the Glasshouse Planning Conference on 5 June, the MRC representative dismissed my assertion that the Urbis report incorrectly claimed that approvals for Caulfield Racecourse WP3 and WP4 were not reliant on the existing car parking spaces in the Guineas car park by saying that it was "open to interpretation". This is despite the Council document cited below which clearly states that the Guineas carpark is counted as well as temporary WP3 carpark to the east of the Guineas carpark.</p> <p><a href="https://www.gleneira.vic.gov.au/media/11308/caulfield-racecourse-incorporated-document-22-incorpdoc-june-2021-traffic-statement-referenced-in-condition-7.pdf">https://www.gleneira.vic.gov.au/media/11308/caulfield-racecourse-incorporated-document-22-incorpdoc-june-2021-traffic-statement-referenced-in-condition-7.pdf</a> The use of the Guineas car park for new Glasshouse will lead to a loss of 562 car spaces, currently used for raceday and other events. The Urbis report further incorrectly states that the Guineas carpark is not used on event days. Why has council allowed this application to be advertised when it directly contradicts previous traffic management approvals?</p> <p><b>Answer:</b></p> <p>Council is required to administer and determine every application that it receives. Because an application is made and proceeds through the ordinary planning permit application process, it does not imply that it will be approved.</p>
<p><b>John Ivich</b> <b>Caulfield East</b></p>	<p><b>Question 16:</b></p> <p>The planning application by the MRC to relocate the glasshouse venue further to the East towards Queens Ave includes an area at the rear of the venue facing the racetrack for outdoor seating and obvious usage as staging for outdoor entertainment eg. live bands and recorded music that if left unchecked will no doubt impact the residents of Queens Ave. We are already impacted by loud bands throughout the day on racedays plus a solid hour after the last race and with the addition of the extra track will result in more race meetings and multiply the issue. Will the council apply noise restrictions and frequency of use of live</p>

	<p>bands or recorded music to the venue that will impact the residents of Queens Ave as we fear we may be dismissed as a small minority</p> <p><b>Answer:</b></p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting. The assessment will consider whether the proposal has suitable noise attenuation measures in place based on various EPA noise regulations.</p>
<p><b>Murray Cooke</b> <b>Caulfield East</b></p>	<p><b>Question 17:</b></p> <p>I have recently learnt that the MRC's gaming venue has not been required to have a planning permit as a gaming venue as its commencement predated this requirement. I understand that the MRC propose to rely on this loophole to avoid triggering the need for a gaming planning permit when they relocate the glasshouse to a much larger new venue closer to the residential neighbourhood of Caulfield East. It seems extraordinary that the MRC can rely on their status as a leaseholder to determine where this venue will be relocated in the 54 hectares of the racecourse reserve, regardless of community plans the public interest and Council's planning aspirations. If Council approves this development will the MRC be at liberty to propose developments anywhere on the racecourse reserve despite expectations created in the 2014 VAGO report and legislation that the interests of the racing industry and community be balanced?</p> <p><b>Answer:</b></p> <p>Under planning law, an existing use right is established in relation to use of land under the Glen Eira Planning Scheme, if amongst other things, the use was lawfully carried out immediately before the approval date that right was confirmed. This a legal right associated with the <u>use</u> of land and is separate to whether Council considers any new development to be acceptable. Council must always only consider planning permit applications by considering what it is lawfully able to consider.</p> <p>The 2014 VAGO audit is a matter of public record and separate to the consideration of a planning matter.</p>
<p><b>Tamara de Silva</b> <b>Caulfield East</b></p>	<p><b>Question 18:</b></p> <p>The MRC representative was asked at the Glasshouse Planning Conference where the 86 staff required for this new facility will park. He did not address this. One assumes they will be using many of the 143 car spaces planned. The venue has a capacity for 990 patrons plus 86 staff – that's a total of 1076 people. Are 143 car spaces adequate to meet the Statutory Car Parking Requirements Clause 52.06 of the Glen Eira Planning Scheme?</p> <p><b>Answer:</b></p> <p>The number of car parking spaces required for particular uses is set by the State Government. The planning permit application for the relocation of the</p>

	<p>Glasshouse venue includes the required number of car parking spaces for patrons and staff.</p>
<p><b>Marlene Bronstein</b> <b>Caulfield East</b></p>	<p><b>Question 19:</b></p> <p>What guarantee is there that development GE/DP-35745/2022 will not contribute to deterioration of amenities of Queens Avenue, and in particular the Normanby Road end, with relation to: increased noise, lights and activity from traffic flow and parking demands; security to residents from vandalism and break-ins; and general degradation of the surrounds which is often a consequence of gaming and alcohol consuming venues? And how many pokies do we need in the vicinity of Caulfield East, Caulfield and the City of Glen Eira?</p> <p><b>Answer:</b></p> <p>The assessment of the planning permit application will consider whether the proposal unreasonably impacts on the amenity of the surrounds.</p> <p>Council recognises that Gambling is a legal form of entertainment in Victoria, but is also associated with social, health and economic harms to individuals, their families, the workplace and the wider community along with costs to Council such as working with stakeholders to address the harms. When Council is required to form a position of an application that proposes electronic gaming machines, it will have consideration to the legal decision-making framework to determine whether the proposal is acceptable or not.</p> <p>The number of electronic gaming machines permitted in each Council area is determined by the State Government on a municipal basis. Glen Eira currently has 652 electronic gaming machines across nine venues and the cap or maximum number permitted in Glen Eira is 1,119.</p>
<p><b>Jennifer Andrews</b> <b>Caulfield East</b></p>	<p><b>Question 20:</b></p> <p>The Melbourne Racing Club’s proposal to build a new gaming venue on our public land in advance of plans for improved community access and use has upset me. I am concerned about the impact of this new larger and more prominent venue will have on the character and livability of our neighbourhood. I have concerns about increased traffic, parking, and noise not to mention the rubbish in Derby and Queens Avenue that residents are continually picking up. However, I am most concerned that this high-profile venue is being built in close proximity to two other existing venues and so close to the entrance of the station with the clear intention to funnel visitors to the area in. How does this proposal sit with our Council being a signatory to Gambling Harm minimisation?</p> <p><b>Answer:</b></p> <p>Council has a limited role in considering the planning permit application and must make a decision based on planning law and what Council is able to consider.</p> <p>The planning permit applicant has provided legal advice as part of the planning permit application for the relocation of the Glasshouse venue outlining that a planning permit is not required to install or use gaming machines in the relocated Glasshouse venue.</p> <p>It states that because the existing Glasshouse venue lawfully operates with</p>

	<p>gaming machines, that the gaming machines can be relocated on the land to a new building and not require further planning approval. This is known as an existing use right.</p> <p>The legal advice is accepted.</p> <p>It is therefore not open to Council to consider the use or impact of gaming machines as part of the planning permit application for the relocated Glasshouse venue.</p>
<p><b>Jennifer Andrews</b> <b>Caulfield East</b></p>	<p><b>Question 21:</b></p> <p>The Caulfield structure plan places a high priority on plantings to create a canopy and provide green and cooling spaces in the Caulfield station and University precinct. The northeastern corner of the race course is the most logical and possibly only area of the racecourse suited to tree plantings and an obvious and also only logical area for the shared pedestrian and bike path to traverse. Have councillors considered how the new pokies venue will undermine the potential development of this area in the communities interest?</p> <p><b>Answer:</b></p> <p>Council has not formed a view about the proposal to relocate the Glasshouse venue. Council will be provided with an assessment of the merits of the planning permit application at an upcoming Ordinary Council Meeting. The assessment will consider all relevant planning matters.</p>
<p><b>Robert Horwood</b> <b>Caulfield East</b></p>	<p><b>Question 22:</b></p> <p>At the 5th June Planning Conference meeting it was explained that the proposed Glasshouse will activate the Station St and Normanby Rd area. When we brought our home we understood that it was near the station area and racecourse activities but shielded to some extent from noise and activity by the locking of the gates on Queens Ave at 10pm. The greater traffic congestion, increased noise and activity associated with patrons using the proposed Glasshouse from 7am - 4am for 21 hours a day for seven days each week, 365 days of the year. will disturb daytime activities at our homes and our sleep if the Queens Ave gates are open from 7am - 4am. Will the council and MRC permanently close the Queens Ave gates to vehicles or alternatively lock them at 10am and if not how will council and the MRC ensure that the amenity of the residents is protected?</p> <p><b>Answer:</b></p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting. The assessment will consider whether the proposal has suitable amenity protections for people who live in the area directly adjoining the car park exit.</p>
<p><b>Nicola Pronk</b> <b>Caulfield East</b></p>	<p><b>Question 23:</b></p> <p>Is it possible for Council to advocate that an urban forest be created on Queens</p>



	<p>Avenue &amp; Nomanby Road corner given that Glen Eira has the least tree canopy in the State? In the Structure Plan, an urban forest is mentioned but no location on racecourse reserve identified. This is one of the few corners where there would be no interference with sight lines for racegoers. It would create a micro habitat and have a cooling effect. Glen Eira has declared a climate emergency and creating urban forests is one of the solutions. It would also help create a barrier for the noise from new Glasshouse for residents and the many pedestrians, walkers and joggers &amp; cyclists that use the area. The current Queens Avenue gate can become a pedestrians &amp; cyclists only zone.</p> <p><b>Answer:</b></p> <p>The adopted Caulfield Structure Plan prioritises tree planting and landscaping in streets, public spaces (such as parks and plazas) and private developments within the boundaries of the Activity Centre. The Caulfield Racecourse Reserve includes all the land within the boundary of the Caulfield Racecourse (including the racetrack, infield, and northern grandstand precinct) and is managed by the Caulfield Racecourse Reserve Trust and the Melbourne Racing Club. Council will continue to advocate and support proposals from the Trust and/ or MRC that increase landscaping and canopy tree planting around the perimeter of the racetrack and within the central infield area. Council does not have the authority to plant trees and landscape land within the boundaries of the Racecourse Reserve.</p>
<p><b>John Ivich</b> <b>Caulfield East</b></p>	<p><b>Question 24:</b></p> <p>The proposed relocation of the glasshouse venue in my opinion changes the landscape and streetscape of Normanby Rd to a version of a Casino on our doorstep The increase of traffic in out and around the venue will no doubt impact the residents of Queens Ave Will the council do there own assessment of traffic movements-parking conditions or will they rely on the applicants documents only</p> <p><b>Answer:</b></p> <p>Council undertakes its own evaluation of the merits of all planning applications. In the case of the application to relocate the Glasshouse venue, this includes evaluation by Council’s traffic engineers to determine if the traffic generation is acceptable with reference to the planning policy framework within the Glen Eira Planning Scheme.</p>
<p><b>Nicola Pronk</b> <b>Caulfield East</b></p>	<p><b>Question 25:</b></p> <p>The new gaming venue proposed by the MRC is more than just a new building. The proposal represents a new purpose and is described by the applicant as an entertainment venue. Its design and proximity to residential streets pose real concerns for noise, particularly with a licence until 4.00am for 365 days a year. As a resident I am concerned that the size of the development and the likelihood that once built the MRC will have expectations to increase the number of gaming machines to offset the costs of the build. Would councillors be comfortable approving this venue given the expectation of increased gaming machines is likely?</p>



	<p><b>Answer:</b></p> <p>Council must consider a planning permit based on what has been applied for, not what might happen in the future. It is likely that if a planning permit is issued, and the MRC wanted to vary any restrictions on the planning permit in the future, a new application would be required.</p>
<p><b>Robert Horwood</b> <b>Caulfield East</b></p>	<p><b>Question 26:</b></p> <p>Living in close proximity to the corner of Queens Ave and Normanby Road I am aware that the current car park is used by many pedestrians, cyclists and cars to cut through to the station. In effect, this area is a right of way which could be logically enhanced under the Caulfield Structure Plan vision to improve pedestrian and bicycle use. With the dramatic increase in car numbers and associated bottlenecks, the steep gradient of the road to the railway underpass, coupled with the extremely tight pedestrian footpath access to this corner, I am concerned about pedestrian and vehicle safety, and compounded traffic issues, causing adverse amenity to the residents and visitors alike. Given the Caulfield Structure Plan’s commitment to increasing access to public crown open space and pedestrian amenity, and how does the council and the MRC envisage that pedestrian and bicycle access will be enhanced by the proposal?</p> <p><b>Answer:</b></p> <p>Council assumes that this question is in reference to the planning permit application for the relocation of the Glasshouse venue to the corner of Queens Avenue and Normanby Road.</p> <p>Council officers have not yet undertaken an assessment of the merits of the planning permit application for the relocation of the Glasshouse venue. The assessment will consider all relevant planning matters, which will include reference to the Caulfield Structure Plan, amongst a number of other planning policy considerations. It is expected that a recommendation will be considered by Council at an upcoming Ordinary Council Meeting.</p>
<p><b>Nola Sherry</b> <b>Caulfield East</b></p>	<p><b>Question 27:</b></p> <p>Car parking around the Caulfield station precinct has always been in high demand and will be increasingly sought after when the metro tunnel is operational and the Caulfield station becomes an even more desirable place to enter the Melbourne public transport network. The MRC proposal for a pokes venue removes car parking and places even more demand on available parking space. Given the MRC is likely to also build on the existing Glasshouse car park ( the green triangle sown in plans). How does Council intend to manage this significant reduction in parking and the ongoing shortfall for the community and commuters?</p> <p><b>Answer:</b></p> <p>Recently the State Government approved the broad redevelopment of the racecourse including a second racetrack and the renewal of a number of buildings associated with the racecourse. It also included approval of the car parking areas that were required to support the racecourse venue.</p>

	<p>When Council is the Responsible Authority to determine a planning application for a new changed uses at the racecourse, it will consider the suitability of car parking based on the planning framework within the Glen Eira Planning Scheme.</p> <p>Council will otherwise continue to review traffic management and parking availability surrounding the racecourse and the need for any broader management arrangements.</p>
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#### 4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

**Moved: Cr Zhang**

**Seconded: Cr Esakoff**

That the minutes of the Ordinary Council Meeting held on 23 May 2023 be confirmed.

**CARRIED UNANIMOUSLY**

#### 5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

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

Nil

*It is recorded that Cr Zyngier vacated the Chamber at 8:18pm.*

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

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### **7.1 Advisory Committees**

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#### **7.1.1 ADVISORY COMMITTEE MINUTES**

**Moved: Cr Esakoff**

**Seconded: Cr Parasol**

That the minutes of the Advisory Committee meetings as shown below be received and noted and that the recommendations of these Committees be adopted.

1. Arts and Culture Advisory Committee Minutes 18 April 2023; and
2. Community Grants Advisory Committee Minutes 16 May 2023.

**CARRIED UNANIMOUSLY**

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### **7.2 Records of Assembly**

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#### **7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS**

**Moved: Cr Zhang**

**Seconded: Cr Esakoff**

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

1. 9 May 2023 Assembly;
2. 16 May 2023 Assembly; and
3. 23 May 2023 Pre-meeting.

**CARRIED UNANIMOUSLY**

*It is recorded that Cr Zyngier entered the Chamber at 8:23pm.*

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

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**8.1 COMMUNITY FEEDBACK - PROPOSED 2023-24 BUDGET**

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**Moved: Cr Pennicuik****Seconded: Cr Parasol**

That Council receives and notes the community feedback and submissions on the proposed 2023-24 Budget.

**CARRIED UNANIMOUSLY**

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**8.2 FINANCIAL MANAGEMENT REPORT (30 APRIL 2023)**

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**Moved: Cr Pennicuik****Seconded: Cr Zyngier**

That Council notes the Financial Management Report for the period ending 30 April 2023.

**CARRIED UNANIMOUSLY**

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**8.3 COMMUNITY WELLBEING ACTION PLAN 2023-2024**

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**Moved: Cr Esakoff****Seconded: Cr Zhang**

That Council endorses the *Community Wellbeing Action Plan 2023-2024*.

**CARRIED UNANIMOUSLY**

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**8.4 MURRUMBEENA PARK ACTIVE SPACES - COMMUNITY ENGAGEMENT FEEDBACK**

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**Moved: Cr Pennicuik****Seconded: Cr Esakoff**

That Council:

1. endorses the concept plans for the activity space and fitness stations as shown in Attachment 2, 3 & 4 of the Report; and
2. notes the community feedback provided, as detailed within the Community Engagement Report in Attachment 1 of the Report.

**CARRIED UNANIMOUSLY****Extension of Speaking Time****Moved: Cr Magee****Seconded: Cr Zhang**

That Cr Esakoff be granted a two minute extension of speaking time.

**CARRIED UNANIMOUSLY**

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**8.5 SOCIAL AND AFFORDABLE HOUSING ADVOCACY TO STATE GOVERNMENT AND FUTURE ADVOCACY PRIORITIES**

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**Moved: Cr Pennicuik****Seconded: Cr Zyngier**

That Council:

1. endorses advocating for increased public, social and affordable housing development on State Government land to the Victorian State Government and local Members of Parliament at both a State and Federal level; and
2. endorses the following Council advocacy and priority statements, outlining Council's commitments:
  - a) Understanding the needs of our community, particularly the most vulnerable and advocating for public, social and affordable housing to the State Government, Federal Government, Municipal Association of Victoria, Australian Local Government Association and Victorian Local Government Association to meet the needs of our community.
  - b) Taking a whole-of-Council approach to supporting Glen Eira residents experiencing housing stress and homelessness and partnering with housing associations and providers where appropriate to identify opportunities to expand the overall supply of social and affordable housing in Glen Eira.
  - c) Using our influence to reform and improve the quantity, quality and type of social and affordable housing including community housing, public housing, crisis housing, transitional housing and rooming house policy and funding at all levels of government.
  - d) Advocating in collaboration with other Councils and peak local government bodies to the Victorian Government for planning provisions that better facilitate affordable housing, including inclusionary zoning which makes it compulsory for new residential and mixed-use developments to include a proportion of affordable housing dwellings including social and community housing.
  - e) Continuing to negotiate for affordable housing opportunities through the rezoning process for strategic sites and other major developments in Glen Eira.

**CARRIED UNANIMOUSLY****Extension of Speaking Time****Moved: Cr Magee****Seconded: Cr Zhang**

That Cr Pennicuik be granted a two minute extension of speaking time.

**CARRIED UNANIMOUSLY**

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**8.6 INCLUSION OF 5 TREES IN THE CLASSIFIED TREE REGISTER**

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**Moved: Cr Zhang****Seconded: Cr Parasol**

That Council:

1. includes the following trees in the Classified Tree Register:
  - a) Yellow Gum (*Eucalyptus leucoxylon*) located at Virginia Park, Bentleigh East – 495/CTR/2023;
  - b) Mexican Fan Palms x 4 (*Washingtonia robusta*) located at Caulfield Park, Caulfield North – 502/CTR/2023;
2. notifies each person who nominated a tree detailed in this report; and
3. notifies all relevant landholders of the trees detailed in this report; and authorises a notice to be published in the Victorian Government Gazette of the decision to include the trees outlined in this report in the Classified Tree Register.

**CARRIED UNANIMOUSLY**

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**8.7 ALMA VILLAGE POP-UP PARK PROPOSAL**

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

That Council:

1. rescinds the resolution made at item 8.5 of the 12 October 2022 Ordinary Council Meeting to commence a Pop-Up park trial in Alma Village between November 2022 and March 2023 as it was unable to be enacted by officers due to a procedural error in the previous engagement process; and
2. resolves to commence a new statutory consultation process for the proposed Alma Village Pop-Up Park trial, which will include:
  - a) Commencement of the statutory procedures pursuant to Schedule 11, Clause 10(1)(c) of the *Local Government Act 1989* and undertake public engagement, including writing to business and property owners of Orrong Crescent, in accordance with Section 223 of the Act for a temporary road closure of part of Orrong Crescent, Caulfield North as shown on the attached plan, commencing in November 2023 for a minimum period of four months.
  - b) Inviting submitters to attend a scheduled 223 hearing session following the engagement process where they may speak in support of their submissions to Council.
  - c) Broad community engagement including a Have Your Say page, letterbox drops, local signage and social media promotion.

**CARRIED UNANIMOUSLY**

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**8.8 APPOINTMENT OF MEMBERS TO THE COMMUNITY ENGAGEMENT ADVISORY COMMITTEE**

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**Moved: Cr Zyngier****Seconded: Cr Pennicuik**

That Council:

- 1) appoint the 18 community members listed below to the Community Engagement Advisory Committee for a two-year term commencing in May 2023; and
- 2) Update the Terms of Reference to allow a maximum of 18 community members.

**Camden Ward**

Jo Blanshard  
Danielle Clarke  
Naomi Cooper  
Vassiliki Dandanis  
Michael Kurc  
Jacinta Smith

**Rosstown Ward**

Alexander Adamson  
Kudzai Alphonso  
Michael Brown  
Fiona Boyer  
Brenna Dempsey  
Jennifer Knight

**Tucker Ward**

Sarah Bazzicchetto  
Christopher Little  
Jackie King  
Karyn Siegmann  
Peter Venn  
Peter Zeegers

**CARRIED UNANIMOUSLY**

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**8.9 VCAT WATCH**

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**Moved: Cr Pennicuik****Seconded: Cr Esakoff**

That Council notes the update on Victorian Civil and Administrative Tribunal matters.

**CARRIED UNANIMOUSLY**



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**8.10 LEASE TO YESODEI HATORAH COLLEGE, ORMOND**

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**Moved: Cr Esakoff****Seconded: Cr Parasol**

That Council resolves to:

1. enter into a lease with Yesodei HaTorah College Inc. (trading as YHTC) ABN 25 013 018 430 for the premises identified as Council freehold land forming part of the Yesodei HaTorah College playground/outside space located at the rear of 60-82 Glen Orme Avenue, Ormond;
2. authorise officers to finalise the terms of the lease with Yesodei HaTorah College (trading as YHTC) ABN 25 013 018 430 for a term no greater than ten years, comprising an initial term of five years and a further Option to take the lease up to 22 February 2033; and
3. execute the lease in an appropriate manner by affixing the common seal of Council.

**CARRIED UNANIMOUSLY**

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**8.11 GLEN EIRA HISTORICAL SOCIETY LEASE - 965 GLENHUNTLY ROAD, CAULFIELD**

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**Moved: Cr Esakoff****Seconded: Cr Parasol**

That Council

1. authorises officers to finalise the terms of a one-year lease with Mingos Properties Pty Ltd ACN 004 794 870 together with three further Options of one year each; and
2. authorises officers to finalise a community sub-lease with Glen Eira Historical Society A0041700U for a term of one year with three further Options of one year each subject to Council renewing its own lease with Mingos Properties Pty Ltd; and
3. executes the above agreements in an appropriate manner by affixing the Council Seal.

**CARRIED UNANIMOUSLY**

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**8.12 CREATION OF EASEMENT - LOCH AVE ST KILDA EAST**

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**Moved: Cr Esakoff****Seconded: Cr Zyngier**

That Council:

1. authorise officers to finalise the creation of easement documentation associated with the land at 1 Loch Avenue, St Kilda East; and
2. authorise the Chief Executive Officer to sign the necessary documentation to allow for the creation of easement including the use of the Council Seal if required.

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

That Council vote en bloc on the following items:

**Item 8.13 - TENDER 2023.101 CONSULTANCY SERVICES - RECREATION AND PARK SERVICES****Item 8.14 - TENDER 2023.26 CYCLICAL PAINTING MAINTENANCE - NOMINATED COUNCIL BUILDINGS; and****Item 8.15 - TENDER 2023.100 CONSULTANCY SERVICES - CIVIL AND BUILDING SERVICES****CARRIED UNANIMOUSLY**

**8.13 TENDER 2023.101 CONSULTANCY SERVICES - RECREATION AND PARK SERVICES****Moved: Cr Magee****Seconded: Cr Parasol**

That Council having reviewed and considered the confidential Tender Evaluation report (attachment 1 to this report):

1. appoints the following tenderers (as listed below) to undertake consultancy services, as panel contractors under Tender number 2023.100 in accordance with the Schedule of Rates submitted;

<b>Tenderer</b>	<b>A.C.N.</b>	<b>A.B.N.</b>
• <b>2MH Consulting Pty Ltd</b>	090 539 503	83 090 539 503
• <b>ACLA Consultants Pty Ltd</b>	626 438 195	38 626 438 195
• <b>Arcadia Landscape Architecture Pty Ltd</b>	642 196 469	62 642 196 469
• <b>Architecture Matters Pty Ltd</b> , as the trustee for The Gionfriddo & Quigley Unit Trust, trading as Architecture Matters	096 861 611	38 213 895 383
• <b>Beveridge Williams &amp; Co Pty Ltd</b>	006 19235	38 006 197 235
• <b>Canvas Projects Pty Ltd</b>	620 184 081	34 620 184 081
• <b>CCG Architects Pty Ltd</b>	157 777 065	39 157 777 065
• <b>Content Studio Pty Ltd</b>	130 984 468	80 130 984 468
• <b>Currie &amp; Brown (Australia) Pty Ltd</b>	128 823 843	97 128 823 843
• <b>Endeavour Turf Professionals Pty Ltd</b>	118 202 216	97 118 202 216
• <b>The Trustee for Fitzgerald Frisby Landscape Architecture Unit Trust</b> , trading as Fitzgerald Frisby Landscape Architecture	-	62 253 086 731
• <b>Fraser Design Collaborative Pty Ltd</b> , as the trustee for The Fraser Family Trust	653 718 426	21 734 911 235
• <b>Garner Davis Architects Australia Pty Ltd</b>	071 641 220	60 071 641 220
• <b>GK Consultancy Pty Ltd</b>	605 314 501	40 605 314 501
• <b>Homewood Consulting Pty Ltd</b> , as the trustee for Ben and Rachael Kenyon Family Trust, trading as Homewood Consulting	113 595 430	39 531 880 706
• <b>JF Studio Pty Ltd</b>	633 408 170	38 633 408 170
• <b>James O. Millar Pty Ltd</b> , trading as <b>JMA Architects</b>	007 406 206	59 007 406 206
• <b>John Patrick Landscape Architects Pty Ltd</b>	006 343 826	59 612 334 915
• <b>Katherine Ingrid Masiulanis</b> , trading as <b>Leaf Design Studio</b>	-	57 713 687 841
• <b>Malvern Irrigation Supplies Pty Ltd</b> , as the trustee for Malvern Irrigation Supplies Unit Trust, trading as Malvern Irrigation Supplies	143 104 867	17 421 182 033

• <b>Michael Edward Smith, trading as Michael Smith &amp; Associates landscape architecture and urban design</b>	-	65 742 475 072
• <b>OCULUS Landscape Architecture Urban Design and Environmental Planning Pty Ltd</b>	074 882 447	34 074 882 447
• <b>Outerspace Landscape Architects Pty Ltd</b>	137 837 355	56 137 837 355
• <b>Outlines Landscape Architecture Pty Ltd, as the trustee for Forty Three Unit Trust, trading as Outlines Landscape Architecture</b>	123 478 768	62 374 337 456
• <b>Playce Pty Ltd</b>	-	74 596 992 622
• <b>R Greenwood Consulting Pty Ltd, as the trustee for Roger Greenwood Family Trust</b>	074 263 317	54 170 171 876
• <b>Rush Wright Associates Pty Ltd, as the trustee for the Rush Wright Family Trust</b>	118 309 452	96 070 886 682
• <b>SLS Designs Pty Ltd</b>	162 474 722	66 162 474 722
• <b>Smart Water Corporation Pty Ltd</b>	158 488 236	37 158 488 236
• <b>Hill and Canning Consulting Engineers Pty Ltd, trading as Sportseng</b>	168 884 311	73 168 884 311
• <b>Sports Design Group Pty Ltd</b>	661 029 474	95 661 029 474
• <b>Sportsturf Consultants (Australia) Pty Ltd</b>	055 904 526	39 055 904 526
• <b>Thompson Berrill Landscape Design Pty Ltd</b>	082 033 565	57 082 033 565

2. prepares the contracts in accordance with the Conditions of Contract included in the tender;
3. Subject to successful negotiations regarding variations to conditions of contract by Council's Corporate Counsel appoints the following tenderers (as listed below) to undertake consultancy services, as panel contractors under Tender number 2023.100 and prepares the contracts in accordance with the Conditions of Contract included in the tender and negotiated changes;

<b>Tenderer</b>	<b>A.C.N.</b>	<b>A.B.N.</b>
• <b>Jeavons and Jeavons Pty Ltd, trading as Jeavons Landscape Architects</b>	065 809 458	82 065 809 458
• <b>iDwala Business Management Pty Ltd, trading as Idwala Design</b>	163 865 718	13 163 865 718
• <b>Mal Bas Pty Ltd, trading as Mal Bas Architects</b>	641 995 495	35 641 995 495
• <b>Solucio Pty Ltd</b>	659 600 414	53 659 600 414
• <b>Xylem Tree Care Pty Ltd</b>	640 958 532	13 640 958 532

4. authorises the Chief Executive Officer to execute the contracts on Council's behalf;
5. notes the attachments to the report remain confidential in accordance with section 3(1)(g) and section 66(5) of the *Local Government Act 2020* or until Council resolves otherwise; and
6. 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.

**CARRIED UNANIMOUSLY**

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**8.14 TENDER 2023.26 CYCLICAL PAINTING MAINTENANCE - NOMINATED COUNCIL BUILDINGS**

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**Moved: Cr Magee****Seconded: Cr Parasol**

That Council having reviewed and considered the confidential Tender Evaluation report (Attachment 1 to this report):

1. appoints **Programmed Property Services Pty Ltd ACN 106 015 632** as the contractor under Tender number 2023.26 in accordance with the Schedule of Rates submitted;
2. subject to satisfactory independent financial assessment report;
3. prepares the contract in accordance with the Conditions of Contract included in the tender;
4. authorises the Chief Executive Officer to finalise, negotiate and execute the contract on Council's behalf;
5. notes the attachments to the report remain confidential in accordance with section 3(1)(g) and section 66(5) of the *Local Government Act 2020* or until Council resolves otherwise; and
6. 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.

**CARRIED UNANIMOUSLY**

## 8.15 TENDER 2023.100 CONSULTANCY SERVICES - CIVIL AND BUILDING SERVICES

**Moved: Cr Magee****Seconded: Cr Parasol**

That Council having reviewed and considered the confidential Tender Evaluation report (attachment 1 to this report):

1. appoints the following tenderers (as listed below) to undertake consultancy services, as panel contractors under Tender number 2023.100 in accordance with the Schedule of Rates submitted;

<b>Tenderer</b>	<b>A.C.N.</b>	<b>A.B.N.</b>
• <b>AAM Pty Ltd</b>	106 160 678	63 106 160 678
• <b>AME Consultants Pty Ltd</b>	609 456 546	37 609 456 546
• <b>Andrew O'Brien and Associates Pty Ltd, trading as O'Brien Traffic</b>	007 006 037	55 007 006 037
• <b>Berky Developments Pty Ltd, as the trustee for Berkowitz Management Trust, trading as Berkowitz &amp; Associates Quantity Surveyors</b>	105 846 884	68 204 272 653
• <b>Beveridge Williams &amp; Co Pty Ltd</b>	006 197 235	38 006 197 235
• <b>BRT Consulting Pty Ltd, as the trustee for the Bibby Rusden Thomson Unit Trust, trading as BRT Consulting</b>	006 041 989	22 348 245 341
• <b>BSE (Vic) Pty Ltd</b>	604 830 524	30 604 830 524
• <b>Civil Road Solutions Pty Ltd</b>	151 174 104	13 151 174 104
• <b>CRE Consulting Engineers Pty Ltd</b>	078 132 804	11 078 132 804
• <b>Currie &amp; Brown (Australia) Pty Ltd</b>	128 823 843	97 128 823 843
• <b>E2 Design Pty Ltd</b>	151 602 630	21 151 602 630
• <b>EDA Project Management Pty Ltd</b>	162 956 881	97 162 956 881
• <b>EDP Consultants Pty Ltd</b>	624 867 509	13 624 867 509
• <b>Engineering Design Global Enterprise Pty Ltd, trading as Edge Consulting Engineers Australasia</b>	610 150 957	15 610 150 957
• <b>Equal Access Group Pty Ltd</b>	123 979 733	22 123 979 733
• <b>GK Consultancy Pty Ltd</b>	605 314 501	40 605 314 501
• <b>Harris Kmon Solutions Pty Ltd</b>	605 604 144	48 605 604 144
• <b>iinSights Pty Ltd</b>	652 083 997	28 652 083 997
• <b>JDS Civil Designs &amp; Surveys Pty Ltd, as the trustee for Silvestro Family Trust, trading as JDS Civil Designs &amp; Surveys Pty Ltd</b>	145 979 031	56 846 053 738
• <b>Know-Ledge Asset Management Pty Ltd</b>	601 375 571	48 601 375 571
• <b>Mikam Pty Ltd, as the trustee for MK Family Trust, trading as GEBS</b>	105 076 195	87 655 013 374
• <b>Optimatum Pty Ltd, trading as Miglic Macleod</b>	165 162 274	61 165 162 274
• <b>Peter Hortis</b>	-	31 014 831 037
• <b>Prensa Pty Ltd</b>	142 106 581	12 142 106 581
• <b>Sustainable Transport Surveys Pty Ltd, as the trustee for ST Surveys Unit Trust, trading as SALT3</b>	150 090 207	18 439 813 274
• <b>Savills Project Management Pty Ltd</b>	129 012 700	59 129 012 700

• Sokolski Consulting Group Pty Ltd	079 625 479	44 079 625 479
• Trafficworks Pty Ltd	125 488 977	59 125 488 977
• Webb Australia Group (Vic) Pty Ltd	073 585 305	61 073 585 305
• Welhelmus Van Boxtel, trading as Willy Van Boxtel & Associates	-	59 389 627 386
• Zinc Cost Management Pty Ltd	600 499 965	31 600 499 965

- prepares the contracts in accordance with the Conditions of Contract included in the tender;
- Subject to successful negotiations regarding variations to conditions of contract by Council's Corporate Counsel appoints the following tenderers (as listed below) to undertake consultancy services, as panel contractors under Tender number 2023.100 and prepares the contracts in accordance with the Conditions of Contract included in the tender and negotiated changes;

Tenderer	A.C.N.	A.B.N.
• CT Management Group Pty Ltd	072 083 795	15 072 083 795
• Donald Cant Watts Corke (Management) Pty Ltd	108 262 139	49 108 262 139
• Engeny Australia Pty Ltd	656 040 961	70 656 040 961
• Stantec Australia Pty Ltd	007 820 322	17 007 820 322

- authorises the Chief Executive Officer to execute the contracts on Council's behalf;
- notes the attachments to the report remain confidential in accordance with section 3(1)(g) and section 66(5) of the *Local Government Act 2020* or until Council resolves otherwise; and
- 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.

**CARRIED UNANIMOUSLY**

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## 8.16 AUTHORISATIONS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

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**Moved: Cr Esakoff**

**Seconded: Cr Zhang**

That Council in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* (Vic) and section 313 of the *Local Government Act 2020* (Vic) resolves that:

- the staff member referred to in the attached Instrument of Appointment and Authorisation (Attachment 1 to the report) be appointed and authorised as set out in the Instrument;
- the Instrument of Authorisation and Appointment described in part 1 above comes into effect immediately after this resolution is passed by Council.

**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**

Heard at an earlier stage of the meeting



**11. CONFIDENTIAL ITEMS**

**Moved: Cr Magee**

**Seconded: Cr Pennicuik**

That Council:

- 1) pursuant to Section 66(1) and 66(2)(a) of the Local Government Act 2020, resolves that so much of this meeting be closed to members of the public, as is required for Council to consider the following matters that are confidential in accordance with Section 3(1) of the Act:

**11.1 Extension of Contract 2014.034 - Hard Rubbish, Bulk Cardboard and Dumped Rubbish collection services**

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
  - The information in this report contains commercial in confidence information that relates to Council's Waste Services contracts.
- 2) Disables the livestream; and
  - 3) moves this Ordinary Council Meeting In-Camera

**CARRIED UNANIMOUSLY**

**12. CLOSURE OF MEETING**

The meeting closed at 9.13pm.

Confirmed this 4 July 2023

**Chairperson.....**