



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 13 AUGUST 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 Boon Wurrung/Bunurong and Wurundjeri Woi Wurrung peoples of the Kulin Nation as Traditional Owners and Custodians, and pays respect to their Elders past and present.

We acknowledge and uphold Traditional Owner's continuing relationship to the 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.

Cr Simone Zmood - Item Number 8.7 – Glen Eira Business Excellence Awards

Suspend Standing Orders**Moved: Cr Cade****Seconded: Cr Magee**

That Council suspend standing orders at 7.33pm.

CARRIED UNANIMOUSLY

The Mayor and Councillors shared their condolences and spoke in memory of:

- Former City of Moorabbin Councillor and former Member for Bentleigh, Inga Peulich; and
- City of Maribyrnong Councillor and former Mayor, Cr Sarah Carter.

Resume Standing Orders**Moved: Cr Cade****Seconded: Cr Zmood**

That Council resume standing orders at 7.42pm.

CARRIED UNANIMOUSLY**Public Participation**

This evening we had no submitters register for public participation

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

That Council 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

This evening we have 3 Written Public Questions to Council.

<p>Mike Craig Elsternwick</p>	<p>Question 1:</p> <p>What is the current level of support for Car Sharing services in the Glen Eira area. Is there plans to expand more parking spaces for car sharing operators and review current parking allocations. Has there been any positive and negative impacts for car sharing vehicles within the Glen Eira area.</p> <p>Answer:</p> <p>Within the City of Glen Eira, we have 17 car parking spaces for car share operators. The demand for car sharing services is currently driven by the sector not Council. The location of these parking spaces can be found on Council's website https://www.gleneira.vic.gov.au/our-city/getting-around/car-sharing</p> <p>Councils recently adopted Integrated Transport Strategy encourages a range of sustainable transport modes, including car sharing, and this is illustrated through Priority Area 4 – Sustainability and Priority Area 1- Movement.</p>
<p>Mike Craig Elsternwick</p>	<p>Question 2:</p> <p>With the recent state government decision to allow share hire e-scooters to operate in Victoria, what is GECC planning in terms of policies and procedures around the use of these devices within GECC boundaries. What do GECC Councillors think of the recent decision? Will GECC local laws officers have powers to address issues with e-scooters? Also, the public would like to know any GECC data on incidents and near misses of e-scooters with pedestrians/vehicles etc for the FY 22-23 and FY 23-24</p> <p>Answer:</p> <p>As mentioned in answer to Question 1, Council's ITS supports increased use of sustainable transport options including e-scooters. In Victoria, you can legally ride your e scooter however drivers are bound by the regulations set out by the Victorian Government which are enforced by Victoria Police. Council has access to data on injuries and deaths involving scooters through the Department of Transport's Road Crash Information System. In 2022 and 2023 a total of 4 accidents were recorded for each year respectively.</p>

<p>Catherine McNaughton Glen Huntly</p>	<p>Question 3:</p> <p>Thanks for preparing a Green Travel Plan for the Carnegie Pool design as a Green Building. Council's SDAPP (Sustainable Design Assessment in the Planning System) Transport Objective 6 requires new developments 'To minimise car dependency and to ensure that the built environment is designed to promote the use of public transport, walking and cycling'. How many square metres of Koornang Park will be returned to green planted parkland because the Green Travel Plan encourages walking, riding bicycles and public transport; and discourages driving? Old traffic works block access to the pool from the north and Djerring Trail by walking and cycling. What safe new walking and cycling links will be delivered by Council to connect mums and kids to the pool from the 3 nearby rail trails, train, tram and bus?</p> <p>Answer:</p> <p>A Green Travel Plan seeks to encourage centre visitors and staff to choose walking, cycling, public transport or car-pooling in preference of single occupant car trips where possible.</p> <p>The Plan does not seek to review the available green space within Koornang and Lord Reserves, however it will consider the new safe walking and cycling connections.</p> <p>Once the Plan is completed it will be promoted widely with the Glen Eira community and published on our website.</p>
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4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**Moved: Cr Parasol****Seconded: Cr Karslake**

That the minutes of the Ordinary Council Meeting held on 23 July 2024 be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**5.1 PETITION: TO PRESERVE THE HERITAGE OF LEMPRIERE AVE, ST KILDA EAST.****Moved: Cr Zmood****Seconded: Cr Parasol**

That Council:

1. receives and notes the petition; and
2. refers this petition to the relevant officers for investigation with a detailed response to the submitter.

CARRIED UNANIMOUSLY

6. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

Metropolitan Transport Forum – Cr Tony Athanasopoulos

7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY

7.1 Advisory Committees

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

That the minutes of the Advisory Committee meeting as shown below be received and noted.

1. Multicultural Advisory Committee Minutes 24 June 2024
2. Community Grants and Awards Advisory Committee Minutes 16 July 2024
3. Sustainability Advisory Committee Minutes 18 July 2024

CARRIED UNANIMOUSLY

7.2 Records of Assembly

7.2.1 RECORDS OF ASSEMBLIES**Moved: Cr Magee****Seconded: Cr Esakoff**

That Council notes the Records of Assemblies for:

1. 9 July 2024 Assembly;
2. 16 July 2024 Assembly: and
3. 23 July 2024 Pre-meeting.

CARRIED UNANIMOUSLY

8. OFFICER REPORTS (AS LISTED)

8.1 CANOPY TREE PROTECTION LOCAL LAW (CLASSIFIED TREE LOCAL LAW AMENDMENT)

Moved: Cr Pennicuik**Seconded: Cr Karlake****PART A**

That Council resolves, having complied with the requirements of Division 3 of Part 3 of the Local Government Act 2020 (the Act), having obtained a certificate from a qualified person stating that the person is of the opinion that the Proposed Local Law is consistent with the Local Law requirements in section 72 of the Act, and having undertaken community engagement on the Proposed Local Law in line with Council's Community Engagement Policy:

1. to make the Classified Tree Amendment Local Law (Attachment 2);
2. to note that the Classified Tree Amendment Local Law will take effect on the date of publication of a notice in the Government Gazette under section 74(5)(a) of the Act;
3. to authorise the Chief Executive Officer to publish the statutory notices required at section 74 of the Act; and
4. to write to each person who made a written submission and inform them of Council's decision and the reasons for that decision.

PART B

That Council:

1. resolves to adopt the Classified Tree Amendment Local Law and amend the Classified Tree Local Law to the Glen Eira Canopy Tree Protection Local Law;
2. resolves to adopt the Canopy Tree Local Law Assessment Policy; and
3. resolves to adopt the Canopy Tree Protection Local Law Guidelines which are to take effect on the date of publication of the notice of the making of the Classified Tree Amendment Local Law in the Government Gazette.

For the Motion: Crs Athanasopoulos, Magee, Zhang, Zmood, Pennicuik and Karlake (6)

Against the Motion: Crs Esakoff, Cade and Parasol (3)

CARRIED

Extension of Speaking Time**Moved: Cr Zmood****Seconded: Cr Athanasopoulos**

That Cr Pennicuik be granted a one minute extension of speaking time on Item 8.1.

CARRIED UNANIMOUSLY**Extension of Speaking Time****Moved: Cr Zmood****Seconded: Cr Athanasopoulos**

That Cr Karlake be granted a two minute extension of speaking time on Item 8.1.

CARRIED UNANIMOUSLY**Extension of Speaking Time****Moved: Cr Athanasopoulos****Seconded: Cr Zmood**

That Cr Esakoff be granted a one minute extension of speaking time on Item 8.1.

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

That Cr Esakoff be granted a one minute extension of speaking time on Item 8.1.

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

That Cr Parasol be granted a two minute extension of speaking time on Item 8.1.

CARRIED UNANIMOUSLY

Extension of Speaking Time**Moved: Cr Zmood****Seconded: Cr Karlake**

That Cr Athanasopoulos be granted a two minute extension of speaking time on Item 8.1.

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

That Cr Cade be granted a two minute extension of speaking time on Item 8.1.

CARRIED UNANIMOUSLY

8.2 PLAN FOR VICTORIA - SUBMISSION ON DRAFT HOUSING TARGETS

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

That Council endorses the submission at Attachment 2 as Council's response to the draft housing targets associated with Plan for Victoria.

CARRIED UNANIMOUSLY

It is recorded that Cr Athanasopoulos vacated the Chamber at 9:05pm.

It is recorded that Cr Athanasopoulos entered the Chamber at 9:08pm.

Extension of Speaking Time**Moved: Cr Zhang****Seconded: Cr Athanasopoulos**

That Cr Zmood be granted a two minute extension of speaking time on Item 8.2

CARRIED UNANIMOUSLY

8.3 ALTERNATIVE PATHWAY FOR COUNCIL EMISSIONS REDUCTION

Moved: Cr Pennicuik**Seconded: Cr Zmood**

That Council:

1. adopts a target of reducing emissions under the direct control of Council to zero by 2030/31 ('Zero direct Council emissions by 2031');
2. supports that the additional cost of achieving this target will be referred to the 2025/26 annual budget process for consideration; and
3. endorses that Our Climate Emergency Response Strategy 2021-25 *Dhumbali Wurrungi-biik Parbin-ata* is amended to reflect the emission reduction target for Council operations.

CARRIED UNANIMOUSLY

It is recorded that Cr Zhang vacated the Chamber at 9:27pm.

It is recorded that Cr Zhang entered the Chamber at 9:29pm.

8.4 CIRCULAR ECONOMY POSITION PAPER 2024

Moved: Cr Zmood**Seconded: Cr Pennicuik**

That Council endorses the Circular Economy Position Paper 2024 (attachment 1 to this report).

CARRIED UNANIMOUSLY**Meeting Extension****Moved: Cr Athanasopoulos****Seconded: Cr Zmood**

That the meeting be extended to conclude at 11pm.

CARRIED UNANIMOUSLY

8.5 AGED CARE REFORMS - INDEPENDENT LIVING SERVICES PROPOSAL

Moved: Cr Karlake**Seconded: Cr Esakoff**

That Council:

1. authorises officers to continue contractual negotiations for the subcontracting and staffing arrangement where Bayside are to deliver services on behalf of Glen Eira under CHSP, HACCPYP and the future Support at Home Program (SHP) under:
 - a. a Home and Community Care Service Agreement between Glen Eira City Council and Bayside City Council (the Agreement); and
 - b. an Employee Transfer Agreement (Transfer Agreement) between Glen Eira City Council and Bayside City Council.
2. Council authorises the Chief Executive Officer to enter into the Agreement and the Transfer Agreement on Council's behalf.

It is recorded that Cr Magee and Cr Athanasopoulos were absent during the vote

CARRIED UNANIMOUSLY

It is recorded that Cr Magee vacated the Chamber at 9:41pm.

It is recorded that Cr Athanasopoulos vacated the Chamber at 9:49pm.

Extension of Speaking Time**Moved: Cr Zmood****Seconded: Cr Zhang**

That Cr Karlake be granted a two minute extension of speaking time on Item 8.5.

CARRIED UNANIMOUSLY

It is recorded that Cr Magee entered the Chamber at 9:52pm.

It is recorded that Cr Athanasopoulos entered the Chamber at 9:52pm.

Procedural Motion**Moved: Cr Zmood****Seconded: Cr Pennicuik**

that Council defer item 8.6 Elsternwick Cultural Precinct – Call for Report – Traffic Implications for consideration at the 3 September 2024 Ordinary Council Meeting to enable Councillors to seek further advice.

CARRIED UNANIMOUSLY

8.6 ELSTERNWICK CULTURAL PRECINCT - CALL FOR REPORT ON TRAFFIC IMPLICATIONS

RECOMMENDATION

That Council:

1. Supports the traffic assessment contained in the Elsternwick Cultural Precinct – Precinct Design report tabled at the 27 April 2021 Ordinary Council Meeting having adequately addressed the call for report on minimisation options of vehicular impacts on the Selwyn Street Cultural Precinct, and
2. Revokes the need for a separate report to be brought before Council responding to the request.

DEFERRED

*Cr Zmood has declared a general Conflict of Interest to Item 8.7
It is recorded that Cr Zmood vacated the Chamber at 9:54pm.*

8.7 GLEN EIRA BUSINESS EXCELLENCE AWARDS

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

That Council:

1. adopts the minutes and recommendations of the Glen Eira Business and Economy Advisory Committee meeting held on 17 July 2024 (Attachment 1) and authorises officers to publicly announce the winners at the Business Excellence Awards evening on Thursday 29 August 2024.
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.

CARRIED UNANIMOUSLY

It is recorded that Cr Zmood entered the Chamber at 10:01pm.

8.8 COMMUNITY GRANTS

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

That Council:

1. Approves a Small Grant for:
 - a) Yalukit William Nature Association for \$500.
2. Approves a Youth Excellence Grant for:
 - b) Erica for \$1,200.

CARRIED UNANIMOUSLY

8.9 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 2024

Moved: Cr Athanasopoulos**Seconded: Cr Karslake**

That Council notes the report on the Australian Local Government Association National General Assembly 2024.

CARRIED UNANIMOUSLY

It is recorded that Cr Karslake vacated the Chamber at 10:09pm.

8.10 STREET FURNITURE AND ASSET POLICY

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

That Council adopt the Street Furniture and Asset Policy 2024.

CARRIED UNANIMOUSLY

It is recorded that Cr Karslake entered the Chamber at 10:13pm.

8.11 ASSET MANAGEMENT POLICY REFRESH

Moved: Cr Esakoff**Seconded: Cr Magee**

That Council adopts the Asset Management Policy 2024 (attachment 1 to this report).

CARRIED UNANIMOUSLY

8.12 RISK MANAGEMENT FRAMEWORK AND POLICY AND RISK APPETITE STATEMENT

Moved: Cr Pennicuik**Seconded: Cr Zmood**

That Council adopts:

1. the updated Risk Management Framework and Policy (Attachment 1), to replace the current Risk Management Framework and Policy; and
2. the updated Risk Appetite Statement (Attachment 2), to replace the current Risk Appetite Statement.

CARRIED UNANIMOUSLY

8.13 EXTENSION OF AUDIT & RISK COMMITTEE INDEPENDENT MEMBER

Moved: Cr Pennicuik**Seconded: Cr Zmood**

That Council:

1. reappoints Mr Menchi Schneier, Independent Member of Council's Audit and Risk Committee, for a further three-year extension from 1 January 2025 to 1 January 2028.

CARRIED UNANIMOUSLY**9. URGENT BUSINESS**

Nil

10. ORDINARY BUSINESS**10.1 Requests for reports from a member of Council staff****Call for Report****Moved: Cr Magee****Seconded: Cr Zmood**

That Council receives a report at a future Council meeting that:
Investigates initiatives that support the introduction of a vegetation levy to mitigate the impact of urban development on native vegetation and the loss of tree canopy; Supports advocacy to the Minister for Planning and the Minister for Local Government, MPs and shadow counterparts seeking their commitment to:

- 1) take reasonable steps to consult with local government to explore the vegetation levy initiative and other reasonable opportunities to achieve the objective;
- 2) actively investigate opportunities within the Planning and Environment Act 1987 review to support changes to the Act to support the introduction of a new vegetation levy or other such opportunities.

For the Motion: Crs Athanasopoulos, Esakoff, Magee, Cade, Parasol, Zhang, Zmood and Pennicuik (8)

Against the Motion: Cr Karlake (1)

CARRIED**10.2 Right of reply**

Nil

10.3 Notice of Motion

Notice of Motion

Moved: Cr Magee

Seconded: Cr Zmood

That Council writes to the Secretary of the Department of Parliamentary Services, Victorian Electoral Commissioner, and Chief Municipal Inspector seeking their commitment to:

- 1) raise awareness of the Victorian Electoral Commission's Electoral Integrity Framework in the leadup to the local government election.*
- 2) highlight the risks of state and federal resources, such as electorate offices and their staff, being misused to support local government election candidates.*
- 3) take reasonable steps to educate candidates and Members of Parliament around their obligations; and*
- 4) actively investigate any reported instances of misuse of state or federal resources in supporting council election candidates.*

CARRIED UNANIMOUSLY

10.4 Councillor questions

Nil

10.5 Written public questions to Council

Written Public Questions to Council were heard at an earlier stage of this meeting.

11. CONFIDENTIAL ITEMS**Moved: Cr Zmood****Seconded: Cr Athanasopoulos**

That pursuant to Section 66(1) and 66(2)(a) of the Local Government Act 2020, the Council 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 DEED OF VARIATION OF LEASE - MY PHYSIO PTY LTD.

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 private commercial information, being information provided by a business, commercial or financial undertaking that -
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g)); and
- The report contains information relating to proposed lease values, which may be prejudicial to a future Expression of Interest process if disclosed

CARRIED UNANIMOUSLY

The Mayor has instructed the livestream to be disabled and the gallery to be cleared prior to the commencement of Confidential Item 11.1

Following Item 11.1 the meeting is considered closed.

12. CLOSURE OF MEETING

The meeting closed at 22.52pm

Confirmed this 3 September 2024

Chairperson.....