



**CITY OF
MONASH**

**MINUTES OF THE SPECIAL MEETING OF
COUNCIL
HELD ON 20 NOVEMBER 2018**

at 7.20 pm

**Council Chambers
293 Springvale Road,
Glen Waverley**

**MINUTES OF THE SPECIAL MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 20 NOVEMBER 2018 AT 7.20 PM.**

NOTE: At 7.05 pm, the Mayor advised that 5 Councillors were in the Chamber for the scheduled commencement of the meeting, and 2 Councillors were in the Civic Centre, but not in the Chamber.

COMMENCEMENT OF MEETING

At 7.20 pm, the Mayor advised that a quorum had been achieved and the meeting was able to commence.

PRESENT: Councillors S McCluskey (Mayor), B Little (Deputy Mayor), R Davies, G Lake, P Klisaris, R Paterson, MT Pang Tsoi, T Zographos

DISCLOSURES OF INTEREST

Nil.

The Mayor made the following statement:

This Special Meeting of Council has been called for the purpose of considering a proposal from Council Officers for removal of up to 10 trees in Atherton Road Oakleigh.

This Special Meeting of Council was called at short notice and therefore the requirements of the Local Government Act 1989 have not been met, in regard to its public notice.

The matter of the removal of the trees is pivotal to the timely completion of the road reconstruction project in Atherton Road, Oakleigh, between Warrigal Road and Clyde Street.

Any delays in deciding on this matter and therefore, the completion of the works, will also have an impact on the Council, local traders and the Oakleigh community.

APOLOGIES:

Crs James, Fergeus (leave of absence), Saloumi (leave of absence), Paterson

The Mayor noted that Cr Zographos and Davies entered the Council Chamber at 7.22 pm.

Cr Paterson advised the Council as that there was now a quorum, that she would be leaving the meeting. Cr Paterson left the meeting at 7.24 pm.

ITEM OF BUSINESS

1. Proposal from Council Officers of removal of up to 10 trees in Atherton Road Oakleigh

Moved Cr McCluskey

seconded Cr Little

That Council:

- 1. Notes the current progress of the Road Reconstruction Project at Atherton Road, Oakleigh between Warrigal Road and Clyde Street.*
- 2. Notes and endorses the requirement to expeditiously remove a number of trees along the section between Atkinson Street and Clyde Road where all reasonable measures cannot mitigate safety and operational concerns.*
- 3. Notes that further information will be forwarded to Councillors regarding the status of the trees between Warrigal Road and Atkinson Street.*
- 4. Notes that any trees removed will be replaced with advanced species.*
- 5. Notes that a newsletter will be provided to the broader Oakleigh Area highlighting the rationale for tree removal and the proposal to replant with an advanced species and, to also advise of a proposed community meeting in January to discuss the remaining works.*

AMENDMENT

Cr Zographos submitted the following amendment:

That:

- i) Part 2 of the motion be deleted
- ii) Parts 2-5 be renumbered 2-4
- ii) the following parts be added:
 5. Direct officers to undertake an assessment as to the safety risk associated with planting new advanced trees where current mature trees stand in Atherton Road.
 6. Direct officers to undertake an Environmental Impacts Statement and a Tree Protection Management Plan before any further trees are removed or considered for removal.
 7. Notes removing any more trees in Atherton Road is contrary to Council's Street Tree Strategy and Environmental Sustainability Strategy.
 8. Notes the proposed replacement trees will have a canopy less than the canopy of the current trees.
 9. Will explore all management options and exhaust these before tree removal is recommended, including other root protection systems.
 10. Notes that Monash residents have not been given prior warning by Council that many trees may be removed in Atherton Road in coming weeks.

The Mayor advised Cr Zographos that the proposed amendment was in conflict with the motion and could therefore only be considered as an alternative motion, if the motion before Council was defeated.

Cr Zographos advised the Mayor that he did not agree with the Mayor's ruling and it was clear that it was an amendment.

The Mayor reiterated that he would not put the amendment as it was in conflict with the motion.

Crs Zographos left the Chamber.

In response to a question from Cr Little, the Director Infrastructure detailed the design works, action taken by Council staff and arborists, regarding the trees and the impact that any delays in the project would create. He noted that the roots were more extensive than initially identified.

Cr Davies left the Chamber.

LOSS OF QUORUM

At this point, the Mayor advised that Crs Davies and Zographos had left the Chamber, the meeting's quorum had been lost and the meeting would be adjourned.

RECOMMENCEMENT OF MEETING

At 7.27 pm Cr Paterson returned to the Chamber.

The Mayor advised that a quorum had been achieved and the meeting recommenced.

Crs Zographos and Davies returned to the Chamber.

The Director continued with his statement regarding the design of the works and the efforts underway to save as many trees as possible and addressed the issues that the Council would face if there were delays with the project. The Director said that as much investigative work and assessment had been done regarding the trees and officers were confident that the recommendation to Council was appropriate. Every effort had been made to retain trees and under no circumstances could those trees determined to be dangerous be retained.

PROCEDURAL MOTION

Moved Cr Pang Tsoi

seconded Cr Zographos

That the meeting be adjourned to 6.30 pm 27 November 2018.

LOST

DIVISION

A division was called.

For: Crs Pang Tsoi, Zographos, Davies

Against: Crs Klisaris, Paterson, Little, McCluskey, Lake

MOTION

Cr Zographos said that the trees did not need to be removed.

POINT OF ORDER

Cr Lake called a Point of Order, saying that Cr Zographos had already spoken, having asked a question of the Director Infrastructure.

The Mayor advised that he would not uphold the Point of Order as Cr Little had asked the question of the Director Infrastructure, not Cr Zographos.

Cr Zographos continued, saying that Councillors had only recently been briefed on this matter and up to 20 trees were concerned.

The Mayor requested Cr Zographos to confine his comments to the matter before Council, which was the 10 trees.

Cr Zographos continued, saying that it was up to 10 trees, this year. He added that no planning had been done about the risks of the trees, and the process had been rushed, with Councillors only recently being advised that 9 trees were to be removed. Cr Zographos said that this was the main boulevard in Oakleigh and residents would be understandably upset as they had not been consulted about the trees.

The Mayor stated that the underlying aim for everyone concerned was the retention of the trees, where possible. He noted that he had visited the site with Cr Zographos and advised of the issues and challenges. He added that what they had seen was quite unexpected. The Mayor added that every effort was being made to retain as many trees as possible, but problems with tree roots could only be discovered as the resurfacing works progressed and there were possible dangers created where a large part of a tree's root ball had to be removed. The Mayor reiterated that the intention was to retain as many trees as possible.

CARRIED

DIVISION

For: Crs Klisaris, Paterson, Little, McCluskey, Lake

Against: Crs Zographos, Pang Tsoi, Davies

STATEMENT BY CR PATERSON

Cr Paterson advised that she had submitted an apology due to illness, but attended the meeting when advised of a lack of a quorum because of the absence of 2 Councillors.

PERSONAL EXPLANATION

Cr Zographos advised that he was in important discussions with his Councillor colleague on this matter. He added that the process had been rushed and that he had wanted the matter dealt with the following week, during to the absence of 3 Councillors.

In response to a question from Cr Lake, the Mayor advised that Crs Saloumi and Fergeus were on a leave of absence and not expected at this meeting and Cr James was an apology as he was interstate.

POINT OF ORDER

Cr Zographos asked under which part of the local law was Cr Lake permitted to ask the question.

The Mayor advised that he had now declared the meeting closed.

The Mayor declared the meeting closed at 7.43 pm

MAYOR:

DATED THIS DAY OF 2018