



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 31 JULY 2018**

at 7.00 pm

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

**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 31 JULY 2018 AT 7.00 PM.**

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

APOLOGIES:

Nil

DISCLOSURES OF INTEREST

Cr Fergeus – Item 1.1

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 26 JUNE 2018**

Moved Cr Little,

Seconded Cr Paterson

That the minutes of the Ordinary Meeting of the Council held on 26 June 2018, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Cr James, on behalf of the Council, expressed his sincere condolences to the families of those who had lost their lives in the tragic fires just outside the city of Athens, Greece.

PUBLIC QUESTION TIME

The Mayor advised that 2 questions had been received from 1 submitter.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 15 Trevor Court, Mount Waverley Construction of Three (3) Double Storey Dwellings

NOTE: Cr Fergeus disclosed an indirect interest in this item as one of his employees was an objector to the proposal. He left the Council Chamber at 7.10 pm, prior to Council's consideration of the item and returned after the vote had been completed.

Moved Cr James,

Seconded Cr Little

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/48680) for the construction of three (3) double storey dwellings, at 15 Trevor Court, Mount Waverley subject to the following conditions:

Amended plans

- 1. Before the development starts, three copies of amended plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit.*

The plans must be generally in accordance with the plans submitted with the application but modified to show;

- a) The northern wall of Bedrooms 2 and 3 of Unit 3 setback an additional 1m from the northern boundary of the site.*
- b) The setback of the eastern wall of the Master Bedroom Ensuite wall of Unit 2 increased by 1m without extending the first floor envelope*
- c) The east elevation of Unit 3 correctly labelled*
- d) The location and design of any proposed electricity supply meter boxes. The electricity supply meter boxes must be located at a distance from the street which is at or behind the setback alignment of proposed buildings on the site or in compliance with Council's "Guide to Electricity Supply Meter Boxes in Monash", and*
- e) a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) both sides or where an obstruction exists such as an existing side fence, then one side to the satisfaction of Council so that the vehicle crossing is provided with a clear view of pedestrians on the footpath of the frontage road.*

No Alteration or Changes

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.***

Common Boundary Fences

- 3. All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured from above the highest point on the subject or adjoining site, within 3 metres of the fence line.***

Landscaping

- 4. Before the commencement of buildings and works, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-***
- the location of all existing trees and other vegetation to be retained on site***
 - provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development***
 - planting to soften the appearance of hard surface areas such as driveways and other paved areas***
 - a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material***
 - the location and details of all fencing***
 - the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site, and***
 - details of all proposed hard surface materials including pathways, patio or decked areas***

When approved the plan will be endorsed and will then form part of the permit.

Tree Protection

- 5. Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.***
- 6. No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.***

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7. *Prior to the commencement of any works that are permitted by this permit works for trees to be protected should be completed in accordance with the recommendations of the Arborist Report by Blue Gum.*

Landscaping Prior to Occupation

8. *Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and thereafter maintained to the satisfaction of the Responsible Authority.*

Drainage

9. *Stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.*
10. *The private on-site drainage system must prevent discharge from each driveway onto the road reserve. The internal drainage system may include either:*
 - (a) trench grates (150mm minimum internal width) located within the property; and/or*
 - (b) shaping the driveway so that water is collected in a grated pit on the property; and/or*
 - (c) another Council approved equivalent*
11. *All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing. Further information regarding the design of the on site detention system is provided in the notes section of this permit.*
12. *The nominated point of stormwater connection for the site is to the north-east corner of the property where the entire site's stormwater drainage must be directed to for collected and free drained via a pipe to the Council pit in the rear easement to Councils Standards (A new pit is to be constructed if a pit does not exist or is not a standard Council pit) Note: - If the point of discharge cannot be located then notify Council's Engineering Division immediately.*

Vehicle Crossovers

13. *All new vehicle crossings must be a minimum width of 3.0 metres in width and constructed in accordance with Council Standards*
14. *The existing redundant crossing is to be removed and replaced with nature strip, kerb and channel to the Council Standards.*
15. *Permits must be obtained from Councils Engineering Services for new or altered vehicle crossings and for new connections to Council pits and these works are to be inspected by Council (telephone 9518 3555).*

Completion of Buildings and Works

- 16. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority***

Permit Expiry

- 17. This permit will expire in accordance with Section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:***

(a) The development has not started before two (2) years from the date of issue.

(b) The development is not completed before four (4) years from the date of issue.

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Permit Notes

- A. Building approval must be obtained prior to the commencement of the above approved works.***
- B. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.***
- C. A drainage contribution of approximately \$7741 will be accepted in lieu of an on site detention system. This amount is valid until 30 June 2018. After this date an amended amount in accordance with Clause 22.04 of the Monash Planning Scheme will be applicable. This contribution is based on the plans provided and any additional hard surfaced areas included on the landscape or drainage plans will alter this amount.***
- D. Stormwater detention requirements may be obtained from the Monash City Council prior to the design of any stormwater detention system.***
- E. One copy of the plan for the drainage and civil works must be submitted to and approved by the Councils Engineering Services prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.***
- F. Tree planting should be kept clear of the drainage easement.***
- G. Variation to Planning Permit***

Any request for a variation to this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.

H. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

I. The lot/unit numbers on the “Endorsed Plan” are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council’s Valuation Team on 9518 3615 or 9518 3210.

Cr Paterson foreshadowed an alternative motion, in the event that the motion before the Council was not carried. She added that she had called the item in, to be considered by Council and had met the residents of Trevor Court. Cr Paterson said that she could see what a precious cul de sac environment that was and this would be the first multi-unit development in the court. Cr Paterson added that courts were a sensitive environment and could fit only a small number of homes and vehicles. For that reason, she considered the proposal an overdevelopment of the site.

Cr Saloumi said that although she sympathised with the objectors, she considered that at this point the site could have a very large single dwelling constructed on it. She noted that the planning permit conditions for the proposal required the provision of double garages, as well as setbacks and a landscaping plan, including the replacement of trees. Cr Saloumi said that she considered that if this went to VCAT, it would be approved. Cr Saloumi said that often such developments provided more open space than a single dwelling development.

Cr James said that he agreed with Cr Saloumi. He noted how little room a council had to move as it was mandated via State Government planning requirements and councils were required to approve a certain amount of density. Cr James said that the application met State planning laws as well Monash Planning Scheme requirements. He said that an appeal to VCAT would be dismissed. Cr James noted the substantial conditions that would be imposed on the planning permit and the likelihood that if those conditions were appealed by the applicant to VCAT, they could possibly be removed, with a worse result for the local residents. Cr James said that he shared Cr Paterson’s frustrations but considered that the best outcome was to approve the application before Council.

The Mayor said that he had had the opportunity to visit many courts in Mount Waverley and the concern was the overdevelopment in those courts, and the associated traffic management issues. He added that he would not support the motion and was prepared for the matter to go to VCAT, and for the Council to stand up for the community.

CARRIED

1.2 91 Warrigal Road, Hughesdale - Development and Use of Site For A Four Storey Residential Apartment Building

Moved Cr James,

Seconded Cr Fergeus

That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/48554) for the development and use of the site for a four storey residential apartment building and alteration of access to a Road Zone Category 1 (removal of crossover to Warrigal Road) at 91 Warrigal Road, Hughesdale subject to the following grounds:

- 1. The proposal is not consistent with the design guidelines and objectives of Design and Development Overlay 11 (DDO11) in that it is not appropriately recessed and stepped back from residential uses to the west and, as a result, does not provide an appropriate transition in built form and scale across its rear façade.*
- 2. The zero building setback proposed to the rear laneway at ground floor level will have a detrimental impact on the traffic functionality along the rear laneway.*
- 3. Mechanical car stacker modules are inappropriately located along the northern boundary of the lot.*

CARRIED

1.3 102-108 Drummond Street, Oakleigh - Construction of A Multi-Level Building, Use of Land For Accommodation (Residential Apartments) and Reduction In Residential Visitor Car Parking Requirement

Moved Cr Fergeus,

Seconded Cr James

A. *That Council resolves that if it were in a position to make a decision, it would determine to Refuse the application (TPA/48755) for the construction of a multi-level building, use of the land for accommodation (residential apartments) and reduction in the residential visitor car parking requirement at 102-108 Drummond Street, Oakleigh subject to the following grounds:*

- 1. The proposed development is excessive in building height, scale and massing having regard to the surrounding context and applicable state and local policy.*
- 2. The proposal is inconsistent with the objectives and requirements of Design and Development Overlay – Schedule 10.*
- 3. The proposal would result in a poor level of internal amenity for future residents.*
- 4. The development does not provide sufficient visitor car parking.*
- 5. The development does not provide for adequate deep soil planting and landscaping areas.*

6. *The development does not provide for an appropriate commercial interface at street level consistent with the purpose of the Commercial 1 Zone.*

B. *That Council writes to VCAT, the applicant and all other parties advising of its position.*

In response to a question from Cr Davies, the Director City Development advised that there were a number of buildings in the vicinity of the site, that were of a similar scale. He added that the main concern was the proposed height of the development.

Cr James thanked officers and the developers for their participation in and contribution to a consultation meeting with local residents. He said that the main concerns were the proposed building height and parking, but that there was general support for a development of the site.

CARRIED

1.4 71 Clayton Road, Oakleigh East - Extension of Time: Development of Two Dwellings (Comprising A Double Storey Dwelling To The Front and a Single Storey Dwelling to the Rear)

Moved Cr Little,

Seconded Cr Klisaris

That Council:

1. *Resolves to issue an Extension of time to Planning Permit No. TPA/38967 for the development of two new dwellings (comprising a double storey dwelling to the front and a single storey dwelling to the rear) together with associated car parking and landscaping at 71 Clayton Road, Oakleigh East, pursuant to the provisions of Section 69 of the Planning and Environment Act 1987.*

The permit expiry dates extended as follows:

- The development is not started before 25 May 2020***
- The development is not completed before 25 May 2022***

2. *Advises the applicant that it is unlikely that further extensions will be granted should the development not be commenced by 25 May 2020.*

CARRIED

1.5 Amendment C144 - Rezoning of Land At 14-16 Atkinson Street, Chadstone

Moved Cr Little,

Seconded Cr Pang Tsoi

That Council:

- Notes that Amendment C144 to the Monash Planning Scheme was exhibited from 31 May to 2 July 2018 and no submissions were received.***

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- *Adopts Amendment C144 to the Monash Planning Scheme pursuant to Section 29 of the Planning and Environment Act 1987.*
 - *Authorises the Director of City Development (or delegate) to finalise the amendment documentation for Ministerial approval.*
 - *Submits the amendment to the Minister for Planning pursuant to Section 31 of the Planning and Environment Act 1987 for approval.*

Cr Davies said that he had not supported the proposal at the outset of the process and he had not changed his position. He would therefore not support the motion before Council.

CARRIED

1.6 Town Planning Schedules

Moved Cr Klisaris,

Seconded Cr Pang Tsoi

That the report containing the Town Planning Schedules be noted.

CARRIED

1.7 Proposed Road Discontinuance and Sale - 1A Johnson Street, Oakleigh

Moved Cr Paterson,

Seconded Cr Little

That Council:

- 1) *Pursuant to Clause 3 of Schedule 10 and section 189(4) of the Local Government Act 1989 ("the Act"), resolves to commence the required statutory procedures to discontinue the road shown in Attachment 1, located at 1A Johnson Street, Oakleigh, being part of the land contained in certificate of title volume 1960 folio 915 and shown as being part of Haughton Road on plan of subdivision no. LP1696 ("the land") and either:
 - a) *sell the land to VicTrack for no less than market value; or*
 - b) *retain the land;**
- 2) *Pursuant to Sections 207A and 223 of the Act, directs that public notice of the proposed discontinuance of the Road, and sale or retention of the discontinued Road, be given in the local newspaper and on Council's website; and*
- 3) *authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter (Appointed Officer);*
- 4) *Appoints a Committee of Council, comprising the Oakleigh Ward Councillors, to consider any submissions received under Section 223 of the Act at the Civic Centre at a time and date to be fixed and directs that following any hearing of submissions by the Committee of Council, a further report shall be submitted to Council for consideration.*

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- 5) *Notes that should no submissions be received, Council's Appointed Officer will report back to Council to consider whether to proceed with the proposed Road discontinuance and sale or retention of the discontinued Road referred to above at points (1) to (3) above;*
 - 6) *Subject to the outcome of the proposed discontinuance of the road and sale process, authorises the Director of City Development to engage in without prejudice, discussions with VicTrack regarding the potential terms of a sale of the land to VicTrack and the future use and development of both the land and VicTrack's adjoining land known as 1 - 15 Johnson Street, Oakleigh.*
 - 7) *Notes that the outcomes of the discussions with VicTrack will be reported back to Council for consideration.*

CARRIED

PROCEDURAL MOTION

Moved Cr Fergeus,

Seconded Cr Paterson

That Item 6.6 be brought forward as the next item on the agenda.

CARRIED

6.6 Advocacy For The Expansion of the Community Sponsorship Program

Moved Cr Fergeus,

Seconded Cr Paterson

That Council:

- 1) *Notes Amnesty International's campaign 'My New Neighbour' to advocate for an expansion and improvement to the Commonwealth Government's Community Sponsorship Program.*
- 2) *Offers their support to Amnesty's advocacy efforts by writing to the Commonwealth Government, to request the future expansion and improvement of the Community Sponsorship Program, to assist refugees and people seeking asylum with their settlement in the City of Monash.*
- 3) *Writes to Amnesty International expressing its support for the My New Neighbour campaign;*
- 4) *Writes to Victorian Councils notifying them of their support for the My New Neighbour campaign*

Cr Fergeus said that this was a very important issue for Monash, noting the number of overseas born residents there were, how many people had been separated from their families and how many families were still divided. He added that the sponsorship program was important for strengthening the community, promoting multi-culturalism and embracing inclusion and diversity. Cr Fergeus said that this affected a wide range of people with a multitude of life experiences. He

also noted that a number of councils across had supported the program, and Monash, as such a diverse and inclusive community, needed to be on that list.

Cr Paterson said that this was a fantastic program that had government support and the proposal before Council was to support its expansion. She added that she had met many people who wanted to help those affected by a humanitarian crisis or whose families had been affected and separated by such events. Cr Paterson said that the program allowed the community to sponsor people who needed help, bringing them directly into a home and a community. Cr Paterson thanked Amnesty International for its work on the program.

Cr Davies said that the program looks reasonable and likely received bipartisan support. He said that Australia already did more than its fair share in taking in refugees, being the second highest in the world, per capita. Cr Davies said that although the program was good, he did not understand the case for seeking its expansion and it should not be used as part of an agenda to increase the refugee intake. He said that he wouldn't support the motion and it was not up to the Council to advocate for an increase in the refugee intake.

The Mayor spoke in support of the motion noting that the country had been built on the back of people who had come from overseas, and that more could be done to assist those who had suffered. He added that he was not concerned about statistics as he looked at this issue from a humanitarian perspective.

CARRIED

DIVISION

A division was called.

For: Crs Saloumi, Fergeus, Paterson, McCluskey, Klisaris, Little, James, Lake, Pang Tsoi

Against: Crs Davies, Zographos

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Active Monash Grants

Moved Cr James,

Seconded Cr McCluskey

That Council:

- 1. Endorses an allocation of Mount Waverley Bowls Club Term 4 Youth Program \$900 for a one-off cash allocation under the Active Monash Grant Program.***

2. Notes that from 2018/19 onwards, the Active Monash Grants Program will be integrated into the Monash Community Grants Program under a Sports and Recreation category.

Cr James commended the motion to Council and noted that a baby change facility application which had not been successful, would be funded via the Facility Grants Development Fund. He added that with the increased participation of women in sport, he considered that this was something that the Council needed to focus on

Cr McCluskey referred to one of the programs that was recommended for funding, the Mount Waverley Bowls Club Term 4 Youth Program, commending it for seeking to match senior members of the community with younger members. He encouraged more such programs to be implemented and supported.

CARRIED

2.2 Operation and Management of Cafés at Monash Gallery of Art, Monash Aquatic and Recreation Centre, Oakleigh Recreation Centre and Clayton Aquatic Health Club

Moved Cr James,

Seconded Cr Little

That Council:

- 1. Awards the Tender for the operation and management of the Café at the Monash Gallery of Art to G'Day Chef for an initial term of three (3) years with G'Day Chef having one option to renew for a further term of two (2) years. Following an initial 12 month rent free period which begins as at the date of the commencement of the lease, the annual rental payable (including under the further option to renew) will be 4% of annual revenue.***
- 2. Awards the Tender for the operation and management of the Cafés at the Monash Aquatic and Leisure Centre, the Oakleigh Recreation Centre and the Clayton Aquatic and Leisure Centre to M & BT Investments Pty Ltd trading as Healthlink Café for \$109,999.81 (plus GST) or 10% of income, whichever is greater per annum plus a capital investment of \$308,000 for an initial term of five (5) years with one further option at their discretion to renew of five (5) years commencing by 30 September 2018;***
- 3. Authorises the Chief Executive Officer to execute the Lease and Licence agreements; and***
- 4. Authorises the Chief Executive Officer or her delegate, to approve the extension option of two (2) years for G'Day Chef and five (5) years for M&BT Investments as indicated in the Lease and Licence agreements subject to satisfactory performance of the agreement/s and the operator/s exercising this option.***

CARRIED

2.3 Gordon Darling Foundation Travel Grant - MGA Staff Travel To China Request

Moved Cr Klisaris,

Seconded Cr Fergeus

That Council:

- 1. Approves international travel and eight working days for Monash Gallery of Art Gallery Director Anouska Phizacklea to travel to China to coincide with Shanghai Photo September 21-23 and for professional and programming development.*
- 2. Notes that a grant of \$4,896 for this proposal has been received to fully fund this travel by the Gordon Darling Foundation.*

CARRIED

3. CORPORATE SERVICES

3.1 Consultancy Report

Moved Cr Klisaris,

Seconded Cr James

That Council notes the attached Consultancy engagements for the projects completed in 2017-18 ending 30 June 2018.

Cr James said that he would like to see this reporting come back to a strategy or policy meeting and that the definition of what a consultant was needed to be adjusted. He added that he was concerned that the Council had spent money on consultants in the current financial year that had not been included in the report and that all expenditure on consultants within a financial year, needed to be reported. Cr James said that given the current policy, he was happy to support the report.

CARRIED

3.2 Centralised Annual Valuations for Victoria

Moved Cr McCluskey,

Seconded Cr Klisaris

That Council notes the report and the application for a Ministerial exemption from section 186 of the Act to enable the deed of novation to be signed.

CARRIED

4. **INFRASTRUCTURE**

4.1 **City of Monash Urban Biodiversity Strategy**

Moved Cr Fergeus,

Seconded Cr Little

That Council:

- 1. Notes the content of the Draft Urban Biodiversity Strategy and the recommendations which will guide the protection and enhancement of Monash Bushland.*
- 2. Releases the Draft Urban Biodiversity Strategy for community consultation in accordance with the consultation program set out in this report.*
- 3. Notes that a further report will be presented to Council upon the completion of the community consultation to report on the outcomes and to endorse the strategy.*

Cr Fergeus thanked the members of the Council committees and Council staff involved in this matter and looked forward to the strategy being out to community consultation. He said that biodiversity was extremely important in built up environments. He added that it was extremely important for the Council to do all it could to protect and extend biodiversity and this strategy was a good companion to some of the other strategies that the Council had created, and that they will work in tandem to preserve and protect the flora and fauna in the municipality.

Cr Little said that the strategy was a very good piece of work. He noted that the municipality had 260 hectares of 'wilderness', 46 reserves and 742 native flora species and 309 native fauna, including 44 bird species, had been identified. Cr Little added that the areas with rare flora and fauna species were under threat and needed protection. He noted the threat that introduced flora species presented to the native flora and the threat posed to native fauna by foxes, feral cats, etc. Cr Little said that the actions coming out of the strategy would require additional resources and would support such an increase.

CARRIED

4.2 **Drainage Improvement Works Stage 1 – Dandenong Road To Worcester Street, Huntingdale**

Moved Cr James,

Seconded Cr Fergeus

That:

- 1. Council accepts the tender from Jaydo Construction Pty Ltd to undertake the drainage improvement works in the Dandenong Road to Worcester Street area, Huntingdale, for the tendered lump sum of \$478,395.50 (GST inclusive).*
- 2. The anticipated project expenditure of \$520,000 (GST exclusive) for the drainage improvement works (including the contingency and works management fees) be noted.*

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- 3. *The Chief Executive Officer be authorised to execute the contract documents and approve any contract variations that are contained within the project budget.***

CARRIED

4.3 Contract For Street Drainage Pit Cleaning

Moved Cr Pang Tsoi,

Seconded Cr McCluskey

That Council:

- 1. Accepts the tender from Eldarin Services Metro for Contract No. CF2018177, for the inspection and cleaning of side entry pits and grated pits for a period of one (1) year plus extension options for four (4) one year periods, on an annual basis, in accordance with the schedule of rates price of \$11.935 (incl. GST) per pit submitted in the tender with an estimated contract amount of \$1,168,000 (incl. GST) over the five (5) year contract period.*
- 2. Authorises the Chief Executive Officer to execute the contract agreement.*
- 3. Authorises the Chief Executive Officer to approve each of the extension options and CPI adjustment of the contract agreement, subject to satisfactory performance.*

CARRIED

4.4 Update on Reducing Use of Single Use Plastics Across Council Business

Moved Cr Fergeus,

Seconded Cr James

That Council notes the progress of the program to reduce single use plastics across the Council business and events over the last six months.

Cr Fergeus thanked officers for how seriously they were taking this commitment from Council. He noted the efforts of officers in seeking to meet the target set by Council in May last year and looked forward to further reports on progress on this matter.

Cr James noted that this work arose from a joint Notice of Motion submitted by him and Cr Fergeus, in 2017, and thanked officers for all their work in seeking to achieve Council's target. He added that there was a significant amount of waste generated and although Monash was a relatively small area, any effort to reduce waste would have a big impact. Cr James urged the State Government, as Cr Fergeus had previously, to establish a container deposit scheme

CARRIED

4.5 Contract For Playspace Renewals 2018/2019

Moved Cr McCluskey,

Seconded Cr Fergeus

That:

- 1. Council accepts the lump sum tender price of \$869,589.56 (GST Exclusive) or \$956,548.52 (GST Inclusive) submitted by Yellowstone Landscapes Pty Ltd, to undertake the construction of the Playspace Renewals at Glen Waverley North Reserve in Glen Waverley, Dennis Street Reserve in Clayton, Catherine Avenue Reserve in Mount Waverley, Mannering Drive Reserve in Glen Waverley and Adrian Street Reserve in Chadstone.*
- 2. Council notes after an extensive community consultation at Catherine Avenue Reserve in Mount Waverley, installation of a shade sail has been requested, however, is currently outside the scope of works and project budget. Given the community interest, the associated costs of \$24,000 (GST exclusive) is to be funded out of surplus budgets in addition to the contracted sums below.*
- 3. Council notes the overall project cost of \$950,000 (GST Exclusive) which includes a Project Contingency of \$51,910 (GST Exclusive) for latent conditions and \$28,500 (GST Exclusive) for Project Management fees.*
- 4. Authorises the Chief Executive Officer to sign and seal the contract documentation*
- 5. Authorise the Chief Executive Officer to approve any variations that do not exceed the project budget.*

CARRIED

4.6 Contract For Holmesglen Reserve Sports Ground Redevelopment

Moved Cr Pang Tsoi,

Seconded Cr McCluskey

That Council:

- 1. Accepts the tender from Evergreen Turf Group for Contract No. CF2018192, for the sportsground redevelopment at Holmesglen Reserve, for a period of 26 weeks (12 weeks construction, 2 weeks Christmas break, 12 weeks maintenance period) in accordance with the lump sum of \$673,291.80 excluding GST submitted in the tender. This includes 1 provisional item; supply and install 2 new coach's boxes, concrete pads and synthetic grass surface*
- 2. That the anticipated project expenditure of \$800,000 (GST exclusive) also includes Project Management and Design Fees by an external consultant, and a contingency sum be noted; (and)*
- 3. Authorises the Chief Executive Officer to execute the contract agreement.*

CARRIED

4.7 Pinewood Pavilion Renewal - Construction

Moved Cr Davies,

Seconded Cr Paterson

That Council:

- 1. Accepts the fixed lump sum tender price of \$867,960.58(GST Inclusive), or \$789,055.08(GST Exclusive) from Capabuild Pty Ltd for Contract No.CF 2018170 for the Renewal of the Pinewood Reserve Pavilion - Pinewood Drive, Mount Waverley.*
- 2. Approves a project contingency of \$58,390.92 (GST Exclusive) for any latent conditions and service authority works and Project & Construction Management fees of \$23,941 (GST Exclusive).*
- 3. Notes the anticipated total expenditure for the project is \$871,387 (GST Exclusive) inclusive of all fees.*
- 4. Authorises the Chief Executive Officer to approve any variations that do not exceed the project budget.*

CARRIED

4.8 Contract For Atherton Road, Oakleigh – Stage Two Road Reconstruction and Streetscape Enhancement

Moved Cr Fergeus,

Seconded Cr James

That Council:

- 1. Accepts the tender from Ace Landscape Services Pty Ltd to undertake the road reconstruction and streetscape enhancement works in Atherton Road, Oakleigh between Warrigal Road and Clyde Street for the lump sum price of \$4,773,843.32 (GST inclusive).*
- 2. Notes that the anticipated project expenditure is \$5,816,000 (GST exclusive) for the reconstruction works (including the contingency amount, service authority adjustments, manufacture and supply of geotextile root barrier and project management fees) be noted; and.*
- 3. Authorises the Chief Executive Officer to execute the contract documents and approve any contract variations that are contained within the project budget.*

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Assembly of Councillors Record

Moved Cr Klisaris,

Seconded Cr Pang Tsoi

That Council notes the Assembly of Council records submitted as part of the requirements of the Local Government Act 1989.

CARRIED

5.2 Contract for the Provision of Catering Services To the City of Monash

Moved Cr James,

Seconded Cr Klisaris

That Council:

- 1. Appoints the following suppliers to a panel for the provision of Catering Services to the City of Monash for a three (3) year term with options for extension of two (2) x one (1) year periods for the schedule of rates submitted with their respective tenders (Estimated annual expenditure of \$135,000 GST inclusive):*

Chefscene Pty Ltd

Waverley Industries Ltd

Simply Sensational Catering

G'Day Chef

- 2. Authorises the Chief Executive Officer to execute the contract agreement, and at her discretion, to approve the contract extension options in the contract, subject to satisfactory performance.*

CARRIED

5.3 Councillors' Attendance At Conferences - Policy on Reporting Back To Council

Moved Cr Paterson,

Seconded Cr Pang Tsoi

That The Councillors' Attendance At Conferences - Policy On Reporting Back To Council be adopted,

With the approval of the mover and seconder and the Council, it was agreed that Cr Davies' proposal that section 1.2 of the policy would be amended to read that a joint or separate report would be submitted by Councillors who had attended a Council-paid conferences.

CARRIED

5.4 Policy For Provision of Equipment To Councillors and Members of Committees and Reimbursement of Expenses

Moved Cr Saloumi,

Seconded Cr McCluskey

That the proposed revised Policy For Provision of Equipment To Councillors and Members of Committees and Reimbursement of Expenses, be adopted.

Cr Saloumi read out section 75 of the Local Government Act 1989, which related to the requirement for a council to reimburse a Councillor for expenses if the Councillor applied in writing to the Council for reimbursement of expenses; and established in the application to Council that the expenses were reasonable bona fide Councillor out-of-pocket expenses incurred while performing duties as a Councillor. Cr Saloumi said that she wanted to raise that in relation to an item considered at a meeting of Council earlier this year and that there were often reasons for a Councillor to be reimbursed for expenses incurred when they wanted to do the right thing by Council and have impartial advice. She added that she wanted to bring that the attention of all Councillors and staff.

AMENDMENT

Moved Cr Davies,

Seconded Cr Zographos

That the third dot point under the Resources section, and relating to the provision of a Council vehicle for the Mayor, be deleted from the policy.

Cr Davies said that shouldn't pay for the private use of a vehicle for any Councillor and he was happy to have the requirement removed from the policy.

Cr James said that he didn't support the amendment, highlighting that, as Deputy Mayor, he had travelled an average of 186 kms per week for Council related activities. He added that the Mayor of the day travels considerable distances within the city and why would they use their own vehicle. He said that a possible alternative could be that the Mayor was reimbursed for the distances travelled, if they were to use their own vehicle, although he was not certain that the Local Government Act provided for that. Cr James said that a vehicle for the Mayor's used seemed reasonable to him.

Cr Zographos said that when he was a Council candidate 10 years ago one of his policies was to get rid of the Mayoral vehicle and that it was a symbol of largesse and that it was passed its use by date. He added that there were a number of alternative transport options available, and his concern was about efficiency and providing better value for the rate dollar. He also suggested that a fuel card could be provided to the Mayor; or a MYKI. Cr Zographos said that if the amendment was not carried, it would be prudent for the Council to find out which other Councils in the metropolitan area provided a Mayoral vehicle. He noted that the

Lord Mayor of Melbourne had made a commitment to get rid of the Council provided vehicle.

In response to a question from Cr Fergeus, the Chief Operating Officer advised that the benchmarking against other Councils regarding the provision of a vehicle for the Mayor had been undertaken some years ago.

Cr Fergeus said that he wouldn't be averse to the proposal but considered that the policy provided that all members of the community would be able to represent their community of elected to Council. He said that not everyone had a vehicle or a large income or the same level of family support. Cr Fergeus said that it was dangerous for local democracy if these things were taken away and was hesitant to remove the provision of a vehicle for the Mayor, from the policy. He said that the Mayor was able to decline the provision of a vehicle. Cr Fergeus noted that even if the provision of a vehicle was removed from the policy, the policy provided for cab charges to be used by a Councillor and he preferred that a fleet vehicle be used rather than cab charges, as use of fleet vehicles was more economically viable. Cr Fergeus said that transport as a whole could be considered rather than looking at a proposal such as this, on the fly.

Cr Little said that he opposed the amendment. He said that the Mayor had to be mobile at an instance's notice and available virtually 24/7 and attended meetings at all hours of the day and that the provision of a vehicle was entirely appropriate.

Cr Saloumi said that it would be more appropriate for the Mayor to be reimbursed for the use of their own vehicle rather than the Council purchasing a vehicle. She noted that the MAV had organised a conference relating to electric vehicle fleets for the sector and that either Darebin or Moreland Councils had electric fleet vehicles and that could be considered by Council as a way of doing things that were environmentally friendly.

Cr Lake said that the policy was right and it was a matter for the Mayor of the day how they wished to organise their transport and not every Mayor in the past had used a Council issued vehicle. He noted that a motor vehicle was not specified in the policy and some councils have provided various types of vehicles. He said that these were all options available under the policy. Cr Lake said that the provision of a vehicle to the Mayor should not be seen as excessive or inappropriate. He said that he was not aware of any council other than Melbourne, where a vehicle was not provided to the Mayor. If there were, he said that he would be stunned if it was more than a handful. Cr Lake noted that there was one council that provided vehicles for council-related activities and private use, to each of its councillors. Cr Lake said that this matter should trouble the Council no longer and the policy should be passed, as submitted.

Cr Paterson said that last year, as Mayor, she travelled over 10,000 kilometres in the mayoral vehicle, but did not use it for private purposes. She noted that without that vehicle her family would not have been able to travel while she was on Council business. Cr Paterson said that it made sense for the Mayor to have a

vehicle and would work out cheaper than Council providing taxis, or any other form of transport. She said that the Council should always be examining options and how to do things better, but currently, there were few other viable options and that it was up to the individual Mayor to determine their transport needs.

LOST

DIVISION

A division was called.

For: Crs Davies, Zographos, Saloumi

Against: Crs Little, Fergeus, Paterson, McCluskey, Klisaris, James, Lake
Cr Pang Tsoi was absent from the Chamber.

MOTION

The motion was put to the vote and declared carried.

CARRIED

5.5 Review of Councillors' Discretionary Fund Policy & Procedures

Moved Cr Klisaris,

Seconded Cr Little

That the revised Councillors' Discretionary Fund Policy and Procedures be adopted.

CARRIED

5.6 Results of 2018 Community Satisfaction Survey

Moved Cr Klisaris,

Seconded Cr Paterson

That Council notes the findings of the 2018 Community Satisfaction Survey for Monash, including the areas which have been nominated by the community as needing improvement.

Cr James thanked Council officers, especially the CEO, who had driven the increase in customer focus. He noted that officers did a lot with a tight budget and the result of the survey was a credit to the Chief Executive Officer and to her staff. Cr James, on behalf of the Council, thanked the Chief Executive Officer and her staff, and the Monash Pride crew

Cr Paterson said that she supported Cr James' statement and could not be more pleased to be a part of Monash. She said that she know how hard the staff worked and noted the actions Council had taken over the last few years to

increase its visibility in the community, including Listening Posts and Council's social media presence. Cr Paterson thanked the 800 survey participants. She noted that the Council would always be trying to improve and thanked the Chief Executive Officer and her staff and was very proud of the survey results.

Cr Zographos noted that this was the second time that this polling company had been used for the survey and that this survey was conducted face to face and only included residents. He said that they were very good survey results. Cr Zographos said that people with English as their second language were under-represented to a certain extent, as survey participants and would have had difficulty in participating if they did not understand the questions or have anyone available to interpret for them. He added that the biggest issue appeared to be parking and 1 in 2 residents were worried about becoming a victim of crime, which was a reflection of the crime tsunami in Monash and Victoria, at the moment.

Cr Fergeus said that the category of parking in the survey was not just about providing more parking, but also involved parking infringements and other parking-related issues; it was a broad and agreed that Council needed to monitor that. He added that there was a great deal of detail in the survey results and people could drill down when looking at issues that they were interested in.

Cr Lake said that in addition to this survey, Council should participate in the State-wide survey organised by the State Government and which almost all councils participated in. He said that he had been advised that the results between the 2 surveys were comparable, but was not confident that that was the case and to validate that Council should participate in the State survey. Cr Lake said that the data collection methodologies differed between the surveys and he liked the methodologies used in this survey. He said that what was missed in this survey was a meaningful comparison with other councils. Cr Lake added that those councils that were compared against in this survey were not ones that the Council would compare itself to; they did not border Monash and were in other parts of Melbourne. He added that the results show that the Council was high performing, but considered the results to be inflated and higher than if Council had participated in the State wide survey. He asked that a report be submitted to Council, committing to participation in the State wide survey in future years.

Following a comment from the Mayor Cr Lake suggested that a Notice of Motion be prepared for him, for the next Council meeting.

The Mayor said that he had come across one of Council's rapid response vehicles and had a positive interaction with the staff member driving that vehicle, and that was the legacy of the work and commitment by the Chief Executive Officer and her team. He also noted the positive way in which the Monash Pride Crew conducted themselves and their commitment to their tasks. The Mayor called out Council officers Simon Rose and Chris Thompson for their work with the most vulnerable members of the community. He added that Monash was a safe place, noting the over 3,000 new police officers recruited by the State Government. He added that the company that conducted the survey had recruited staff who spoke

multiple languages, so that issue was addressed. The Mayor praised the results of the survey.

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications - Mayor

Moved Cr Klisaris,

Seconded Cr Fergeus

That Council resolves to approve the following application for funding from the Councillors Discretionary Expenditure Fund:

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Mythri Social and Cultural Association of Victoria</i>	<i>Hire of Community facility</i>	<i>\$300</i>
<i>Hindi Niketan Inc</i>	<i>Hire of community facility</i>	<i>\$753.50</i>

CARRIED

6.2 Completion of Monash Community Safety Special Advisory Committee and Commencement of 'Meet Your Street' Campaign

Moved Cr Fergeus,

Seconded Cr Paterson

That Council:

- 1. Notes the completion of the Monash Community Safety Special Advisory Committee' meeting tenure [the Committee];*
- 2. Notes the intention of the Committee to become a Council officer-led Working Group to meet bi-monthly and to report its progress to Council;*
- 3. Notes the commencement of the 18-month 'Meet Your Street' campaign on July 1 2018; a direct outcome of the Committee's work and advocacy to Council;*
- 4. Notes the intention of Committee officer representatives to apply for funding through State Government grant streams to further resource the 'Meet Your Street' campaign;*
- 5. Notes the letter enclosed to be sent to all State and Federal Local Members seeking their support for the 'Meet Your Street' campaign endeavours; and*

6. Notes the letter enclosed to the Minister for Police, The Hon. Lisa Neville MP, bringing the 'Meet Your Street' campaign to the Minister's attention and to seek her support for the campaign and Council's intention to apply for a number of State Government grant funding streams to further resource the campaign.

Cr Paterson said that it had been a pleasure to be part of the committee and the committee had had involvement from Criminologist Rebecca Wickes, a Superintendent of Victoria Police, Susan Alberti, as chair, representatives of Neighbourhood Watch and Council officers. Cr Paterson said that there had been discussions about the community's feelings on safety and how the community could be assisted to feel a little more safer, knowing that the statistics showed that Monash was a safe city and a safe place to live and the Council wanted people to feel that way. Cr Paterson noted that only 9.3 percent of respondents in the Community Satisfaction Survey responded that they felt concerned about being a victim of crime. But even this small amount of people was too many. Cr Paterson said that the Meet Your Street program aimed to connect communities in a greater way, so that people came to know their neighbours. Cr Paterson noted that with the rapid growth of society and longer working hours, people did not know their neighbours as they would have in years gone by. Cr Paterson added that when people knew their neighbours and could rely on them, their sense of safety increased. Cr Paterson thanked everyone involved in the development of the program and looked forward to it commencing.

Cr Zographos said that it was very concerning that the Council had been forced to take this measure and spend this amount of ratepayers' money, when it should have been the State Government taking action to combat the rising level of crime in the city. He added that more people were becoming victims of crime and crime rates had risen in Monash, particularly violent crime. He said that if there was a solution, people felt safer, but if the Government ignored the issue, the problem will spiral out of control. Cr Zographos said that the project didn't solve the fundamental problem of people who should be in gaol are not and the issue could be resolved by judicial reform, as well as re-opening the local Monash's police stations. Cr Zographos said that where the Police Minister was under police investigation, there was a massive crisis in law and order in Victoria and Monash. He added that the Council should be passing a motion, asking the Government to fix the law and order crisis and said that there had been dozens of high profile cases of crime in Monash. Cr Zographos added that he would not for the motion unless Neighbourhood Watch had greater involvement in it and foreshadowed an amendment in that regard.

Cr Lake said that Monash was a safer place than it was 6 years ago when Cr Zographos came to Council. He said that the project was about a proactive community-based approach to the issue of perceptions of crime that were not borne out by the reality, and things that bring the community together and make people feel safer. Cr Lake said that Monash was one of the safest places in Melbourne and had never been safer than it was now. He said that the focus had to be on the positive things that the Council could do, support the community and

help people feel safe in their homes, and help people to connect with their neighbours.

Cr Davies said that Cr Lake said that there wasn't a crime problem but crime statistics were up. If there was no crime problem why were hundreds of thousands of dollars being spent on this initiative. It was low-quality spend. He said that there was a crime problem and that it was up to the State Government to be spending money on the issue, not the Council. There was a crime problem in the Mulgrave area, including Wheelers Hill, with crime up 44 percent over the last 4 years in Wheelers Hill and continued to be a problem across the city. There was a problem, but this was not the way to solve it. He said that the Government was itself under investigation for crimes. He said that the problem was complex, it needed to be addressed and was not and ratepayers' money should not be spent on this proposal. He said that he would not support the motion.

Cr Saloumi said that she wondered why some who supported the motion stopped funding for Neighbourhood Watch's newsletter and the printing was now funded via the Member for Mount Waverley's office. She added that it was an established organisation that should be supported. Cr Saloumi said that she got to meet many people in her street when 33 cars were vandalised, earlier this year. She proposed that the money could be spent on managed CCTV in high risk areas and passive surveillance around open space. Cr Saloumi said that a lot of people, including traders, who she had spoken to had safety concerns about parking in the Euneva car park. Cr Saloumi said that neighbours met each other through taking their children to school, playgroup, and at neighbourhood houses, etc. She added that she could not see this project working and it was a lot of money for something that was hit and miss. Cr Saloumi said that she preferred the money be spent on the surveillance and on improved lighting in car parks and open areas, including sports fields.

Cr Fergeus said that he appreciated the scepticism of some Councillors about the work of the committee. He said that he was pleased to see the work of the committee was based on community strengthening and development and that there was a strong evidence base for the work being done, with the involvement of Monash University and globally well respected criminologists to provide advice. Cr Fergeus said that this was not about crime; it was about perceptions of safety, and the Council set out on the path to address perceptions of safety. He said that the Council did not have a problem with crime compared with some other areas. Cr Fergeus said that this was about safety and Monash had a problem with perceptions of safety, with some sections of the community's perception of their safety being out of kilter with what was happening. Cr Fergeus referred to Crime Statistics Agency statistics and said that Monash had the same rate of crime per head of population as it did 10 years ago. He added that crime remained an issue but no more than it was 10 years ago. Cr Fergeus noted that the number of criminal incidences in Monash were down in the latest year of reporting – 9,031 instances reported in 2017 and 8, 310 reported in 2018. He said that he recognised the view of some of his colleagues that crime was a problem, but that was overblown for political purposes. Cr Fergeus noted that Neighbourhood

Watch was consulted and were pleased with the proposal and he saw the Council working in tandem with Neighbourhood Watch, and the project may lead to more people joining Neighbourhood Watch. Cr Fergeus said that this project would use an evidence based approach and would be rigorously assessed.

Cr James said that he supported Cr Fergeus' comments – the matter was not about crime rates but it was about the perception of safety. He said that it was disappointing as a Councillor and a representative of the community that there were individuals seeking to make people more scared.

AMENDMENT

Moved Cr Zographos,

Seconded Cr Davies

That part 2 of the motion be amended by the addition of the following words: "and all executive members of Monash Neighbourhood Watch Chapters be appointed to lead this project, in conjunction with Council officers."

LOST

A division was called.

For: Crs Zographos, Davies, Saloumi, Pang Tsoi

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

Cr James was absent from the Chamber at the time of the Division

MOTION

Cr Little said that he wanted to reinforce some of the comments made by Crs Lake, Fergeus and James. He said that the project sought to bring neighbours together and it was not just about crime, but about neighbours helping and supporting each other

CARRIED

6.3 Mulgrave Library Feasibility Study Outcomes

Moved Cr ,

Seconded Cr

That Council:

- 1. Notes the outcomes from the Mulgrave Library Feasibility Study that was funded through the 2017/8 budget;*
- 2. Endorses the proposal to increase the opening hours of Mulgrave Library from 17 to 30 hours per week and to increase the range of community programs on*

offer in accordance with Option 3 of the Mulgrave Library Feasibility Study at a cost of \$50,000 effective from September 2018 for a twelve (12) month trial period;

- 3. Receives a further report detailing the utilisation, impact and outcomes resulting from the trial period;*
- 4. Provides in-principle support for the proposal to expand the floor space of Mulgrave Library from 30 m² to 60 m² in accordance with Option 4 of the Mulgrave Library Feasibility Study;*
- 5. Notes that funding for the Mulgrave Neighbourhood Library expansion detailed in recommendation 4 above has been submitted by the Wellington Reserve Community Centre for consideration in the State Government's 'Pick My Project' initiative. If this is successful, the expansion may require additional funding support from Council; and*
- 6. Considers the allocation of capital funding to progress the physical expansion of the Mulgrave Library as part of the 2019/20 Council budget process if funding via the 'Pick My Project' submission is unsuccessful.*

At Cr McCluskey's request, it was agreed by the Council to correct the conclusion of the Notice of Motion, to remove the words "on going" and "per annum", to ensure that the intent, regarding funding, aligned with the motion.

AMENDMENT

Moved Cr Fergeus,

Seconded Cr Saloumi

That:

Part 2 of the motion reads : "2.Refers the proposal to increase the opening hours of Mulgrave Library from 17 to 30 hours per week and to increase the range of community programs on offer in accordance with Option 3 of the Mulgrave Library Feasibility Study at a recurrently cost of \$50,000 effective from January 2019 for a twelve (12) month trial period to be considered as part of the mid-year budget review process;"

Part 3 of the motion be deleted.

Part 4 of the motion reads: "4. Provides in-principle support and refers the proposal to expand the floor space of Mulgrave Library from 30 m² to 60 m² in accordance with Option 4 of the Mulgrave Library Feasibility Study to the capital works project variation process."

Part 5 of the motion reads:"5 Notes that funding for the Mulgrave Neighbourhood Library expansion detailed in recommendation 4 above has been submitted by the Wellington Reserve Community Centre for consideration in the State Government's 'Pick My Project' initiative. If this is successful, the expansion may require additional

funding support from Council and referred for approval in the capital works project variation process.”

Cr Fergeus said that he was broadly supportive of the motion but didn't see the need for the haste put forward in the motion. He added that he wanted this proposal considered properly, alongside other projects that Council may want to consider as part of a mid-year review, so that the costs and benefits of each could be looked at and projects prioritised accordingly. Cr Fergeus said that the Council had just adopted its Budget in July and the motion was calling for additional expenditure. He said that \$50,000 could represent the rates bill for an entire street and that Council owed it to ratepayers to consider these things properly. Cr Fergeus said that to consider this project in isolation was not good governance.

Cr Saloumi said that she had visited the site and that the project should be considered as part of the 2019/20 Budget process. Cr Saloumi noted the hours the library was opening and discussions with staff about possible expansion of the library space and the integration of the adjacent art room. She added that it was premature to look at just the library and that there was some inconsistency around the opening hours. Cr Saloumi noted that the library patron who was present when she visited, also visited Clayton and Wheelers Libraries and that other libraries were really close to Mulgrave Library. Cr Saloumi said that she preferred that this proposal go through the next Budget process.

Cr Davies said that the library was in a small room and that there were a range of issues with the project. He said that looking at the consultant's conclusion, it noted that Mulgrave residents had access to a high performing library service and that there was no service gap. He said that the Mulgrave library was small but residents had other options. He noted that the library had 6.8 visits per open hour as against the standard libraries which had 58 visits. Cr Davies said that it was an underutilised library and if the hours were to be extended wouldn't that be for something that was overused, not underused? Cr Davies said that he supported the amendment to allow for a refinement of the proposal and this project needed to be weighed up against others. Cr Davies noted the projects that had recently come before Council for funding and said that they needed to be dealt with via the Budget process and Councillors should not be bringing forward their pet projects. He said that he didn't support the original motion, but supported the amendment and that the project had to be re-thought regarding the services.

Moved Cr Davies,

Seconded Cr Zographos

That Cr Davies be granted an extra 1 minute to speak

CARRIED

Cr Davies continued, saying that the solution needed to be reconsidered. He added that he did not support the expansion into the forecourt, which had been upgraded 18 months ago at a cost of \$60,000. Cr Davies said referring this to the budget process would allow for adequate consideration of what was needed to be accomplished.

Cr Zographos said that it must be Melbourne's quietest library, with only 6 people per hour using it. He said that although he had not been to it, from what he had been told, Council should reconvert it to another use. Cr Zographos noted the quality of the Monash Public Libraries, with branches close to Mulgrave. He said that the library had been anticipated for a long time, and local residents would be very disappointed with what they were getting. He said that he supported the amendment based on the proposal going through a proper process

The Mayor said that \$50,000 was approved in last year's budget for a feasibility study, and that had been concluded, with a raft of options proposed. He added that the study provided information on improvements in library service delivery and which helped to meet the needs of the community. The Mayor said that this was a community strengthening project. He said that it was unfair to compare this library with others: this was a small, local library, which connected the local community, and had gone from strength to strength. The Mayor said that he did not subscribe to the position of not looking outside the Budget envelope to deliver outcomes to the community.

Cr James said that although he generally agreed with Cr Fergeus' views, this was a little different, in that it was a follow up arising from a successful budget bid, last year, and it seemed silly to receive recommendations from this to then push those to the budget process. He said that although he was not confident that the desired outcome would be achieved, he supported the decision making process and exploring those recommendations from the study

LOST

DIVISION

A division was called.

For: Crs Fergeus, Saloumi, Zographos, Davies

Against: Crs Little, Paterson, McCluskey, Klisaris, Pang Tsoi

Abstained: Crs Lake, James

MOTION

Cr McCluskey said that the reasons stated for not proceeding with the proposal, actually supported the motion. He noted that this library could not be compared with others; it was used by the local community for social interaction. It was more than just a library. He added that the feasibility study had proposed some good recommendations and it will be the best expenditure of \$50,000 that the Council will have made in the last 18 months. Cr McCluskey noted the consultant's advice that people went to other libraries, when this one was closed. He noted that the proposal included a review after 12 months, and the expansion into the forecourt was subject to other funding considerations.

Cr James said that the best \$50,000 the Council would have spent was on the Cabeena child care facility.

Cr Pang Tsoi said that one of the Council's responsibilities was to serve the community and noted Cr McCluskey's comments that the library provided for community interaction. He said that he was happy to support the motion.

Cr Saloumi reiterate the number of hours the library was open, almost as long as the office of the Neighbourhood House. She noted that the Librarian was in touch with the users of the library. Cr Saloumi said that there would be Councillors who supported the motion who had not been to the library and \$50,000 represented 25 peoples' rates. Cr Saloumi said that she would support the expansion of the library room, but something small and cosy was often useful, and was next to a room that could be used for a range of purposes. She agreed to support referring this to the budget process and the consultant did not necessarily support a bigger library there.

Cr Davies said that this was poorly thought out and the proposed expansion could be better and more easily done and did not think that the extra hours were justified. He said the annual visits to the library were around 6,000, and the extended hours would provide for an extra 4,500, but it was probably the same people who were visiting the library. Expanding the hours did not mean that more people were going to use the library. He said that it was proposed to spend \$50,000 which was \$11 per visit. Cr Davies said that the proposal was poorly thought out and should not be supported.

CARRIED

DIVISION

A division was called.

For: Crs Little, Paterson, McCluskey, Klisaris, James, Lake, Pang Tsoi

Against: Crs Saloumi, Fergeus, Zographos, Davies

6.4 Greek National Day Proposal

Moved Cr Klisaris,

Seconded Cr James

That Council:

- 1. Approves a budget allocation of \$30,000 to support the Oakleigh Village Traders Association to host and deliver the Greek National Day community and cultural celebration in Eaton Mall Oakleigh in March 2019; and***
- 2. Considers ongoing funding for this event as part of the 2019/20 budget process.***

Cr Davies said that this was another proposal that was outside of the budget process and the Council had already approved festivals outside of that process, in the last few months. He added that the Council needed to get back to the Budget process.

Cr Fergeus said that he recognised what the Mayor was seeking to do and understood the events earlier in the year went well, but had a similar problem with this motion as he had had with the one just considered. He added that he had proposed to put an amendment to refer the proposal to mid-year budget review, but would not, as he was not convinced that it would be supported. Cr Fergeus said that he would not support the motion, but would have liked to consider it via the appropriate process, and noted that the Oakleigh traders and constituents of Greek heritage would likely want it to be supported. He said that it could be referred to the mid-year Budget review, as the event was proposed for March 2019. Cr Fergeus said that it was also timely to examine the festivals and events and would not support any new festival or event that could become a regular event, until a review was undertaken.

Cr Saloumi spoke against the motion, noting that funding for the Evzones visit; a festival Live at Warrawee, held near to the time of the proposed event, and the Glendi Festival which used Warrawee Park. Cr Saloumi said that the traders could conduct this event on their own. She also questioned the accuracy of the cost for the event and said that the amount represented 15 people's rates, for one festival, for one ethnic group. Cr Saloumi said that there were 2 festivals now proposed for the Greek community and Live at Warrawee which was focussed on Oakleigh. Cr Saloumi said that there should be a festival that accommodated all ethnic groups. She added that she would not support the motion.

Cr Zographos said that if the proposal was supported, it should not be at this meeting. He had seen it for the first time, last Tuesday and a good decision on a new allocation could not be made within 7 days. He said that he wasn't against a festival in Oakleigh in March, but was against approving spending \$30,000 at this meeting and there was a potential for festival overload, particularly where it had a Greek description in it and that it could create problems over the next few years. Cr Zographos said that promoting Eaton Mall at that time of year would be great, without tying it to celebrating Greek National Day. He said that the premier Greek event was the Glendi, which had had strong support over the last 4 years. He said that he supported the proposal's deferral to the Budget process.

Cr James said that he had been advised by the Mayor that there had been problems with the traders and the Council getting together and that's why the proposal had been delayed and not submitted via the Budget process appreciated that the motion sought 1 year's funding with consideration for future funding via the Budget process. He said that festivals defined a community and got people together and engaged with each other. He added that, within reason, he would support any festival or event that had a community basis and drew people and brought them together. He noted that he and his family had attended the event to welcome the Evzones, as had Cr Saloumi and none of them were Greek. He said

that it wasn't about being Greek; a Greek event was just the catalyst to bring people together. People participated because they wanted to enjoy themselves. Cr James said that in the last decade and up to 12 months ago, the Oakleigh traders group had been dysfunctional and these events had galvanised the traders to work together to provide something positive for the community.

AMENDMENT

Moved Cr Zographos,

Seconded Cr Davies

That part 1 of the motion be amended to read: "1. Refers the budget allocation of \$30,000 to support the Oakleigh Village Traders Association to host and deliver the Greek National Day community and cultural celebration in Eaton Mall Oakleigh in March 2019 to be considered in the mid-year budget review process."

PROEDURAL MOTION

Moved Cr James,

Seconded Cr Kliaris

That the amendment be put to the vote

CARRIED

The amendment was put to the vote and declared lost.

LOST

DIVISION

A division was called.

For: Crs Zographos, Davies, Saloumi, Fergeus, Pang Tsoi

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

PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr Klisaris

That the motion be put to the vote.

CARRIED

DIVISION

A division was called.

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

Against: Crs Zographos, Davies, Saloumi, Fergeus, Pang Tsoi

MOTION

The motion was put to the vote and declared carried.

CARRIED

DIVISION

A division was called.

For: Crs Little, Paterson, McCluskey, Klisaris, James, Lake, Pang Tsoi

Against: Crs Zographos, Davies, Saloumi, Fergeus

6.5 Cities Power Partnership Summit 2018

Moved Cr Fergeus,

Seconded Cr McCluskey

That Cr Fergeus be given approval to attend the Cities Power Partnership Summit, in Kiama, New South Wales, from 18 to 19 October 2018, both dates inclusive.

CARRIED

DIVISION

A division was called.

For: Crs Little, Paterson, McCluskey, Klisaris, James, Lake, Pang Tsoi, Zographos, Saloumi, Fergeus

Against: Cr Davies

6.7 Council Meeting Minutes

Moved Cr Zographos,

Seconded Cr Davies

*That Council:
Instructs officers to publish on the Council website the unconfirmed minutes of every Council meeting within one week after the meeting.*

Cr Zographos said that he was motivated to submit this matter to Council because he believed that it was missed in the meeting procedures local law review in 2017, to deal with how Council minutes are published on Council's website. He added

that the minutes were published after being confirmed at the subsequent Council meeting, ie over a month after the meeting that the minutes reflected. Cr Zographos said that the unconfirmed minutes needed to be labelled as such and made publicly available as soon as possible. He added that his motion required the unconfirmed minutes to be published within a week of the meeting, but would not object to an amendment to change that to 2 or 3 weeks. Cr Zographos said that the community now knew the process about the minutes, noting that Councillors were able to edit the draft minutes before they became public, as opposed to that being discussed in open Council. Cr Zographos noted that with the videoing and webcasting of meetings, there was no debate about what a Councillor said or how they voted and that Council minutes weren't as important as they once were, but were still a reflection on how a Councillor voted on an issue. The Decisions that were published shortly after a meeting did not document how Councillors voted.

Cr James said that 12 months ago Council reviewed its meeting procedures local law and that it was required to be reviewed every 4 years

C
PROCEDURAL MOTION

Moved Cr Zographos, Seconded Cr Davies

That Cr James not longer be heard.

LOST

DIVISION

A division was called.

For: Crs Zographos, Davies

Against: Little, Paterson, McCluskey, Klisaris, James, Lake, Pang Tsoi, Saloumi, Fergeus

Cr James continued. He said that he did not support the local law provisions being altered outside of this cycle.

Cr Davies said that he wanted to remind Cr James that through a Notice of Motion that he had submitted, the Council Meeting Procedures Code had been amended earlier this year. He added that although a meeting was videoed, that was not the minutes of a meeting and didn't validate the decisions made by Council, and this was a reasonable proposal and added to Council's transparency.

AMENDMENT

Cr Saloumi moved a motion, seconded by Cr James that the motion be amended by the substitution of the words “one week” with the words “two weeks.” As this was acceptable to the mover and seconder of the motion and the Council, it formed part of the substantive motion.

SUBSTANTIVE MOTION

Cr Saloumi said that she understood Cr Zographos’ position on this matter, noting that members of the public liked to know how Councillors voted on a matter. She added that the proposed timeframe would allow the draft minutes to be corrected. Cr Saloumi supported the motion, saying that it met Council’s transparency obligations that Crs Lake and Paterson had put forward in 2017.

Cr Fergeus said that he appreciated what some of his colleagues were seeking to achieve but making public unconfirmed and potentially inaccurate minutes public, was detrimental to transparency and good governance and the timeframe put pressure on officers to interpret what Councillors had said and left them open to accusations of various kinds, which was not fair. Cr Fergeus said that it was incumbent on Councillors, as a group of people, to confirm the minutes and that was good governance. HE added that Councillors were the decision makers and they decided what was a factual record of the events of a meeting. He added that he didn’t agree with the release of an unofficial record of a meeting, interpreted by anyone; only once the official decision had been made on the minutes. Cr Fergeus said that the video was available, which was a true and accurate record of what proceeded and people could interpret that however they liked. Cr Fergeus said that the Council had the video and the Decisions document publicly available and that was enough. Releasing unconfirmed minutes was a dangerous proposition.

Cr Paterson said that she supported Cr Fergeus’ statements, adding that as part of her company director’s course there was discussion about the importance of ensuring that minutes of a meeting were absolutely correct and that she had grave concerns about having unconfirmed minutes released to the public. She noted that she often made corrections to the draft Council minutes. Cr Paterson noted that if residents wanted to know what decisions had been made, the Decisions document was released very quickly after a meeting and the video of the meeting was also available. Cr Paterson noted that even in the minutes, how a Councillor voted on an item was not recorded for each item, noting that for most items voted on a division, which would detail how Councillors voted, was not requested. Cr Paterson said that the current process was good, allowing the minutes released to the public, to be correct, as they had been vetted; checked for accuracy, spelling and grammatical errors, and there was no need to change the process. Cr Paterson said that she had not spoken to any resident who had concerns about the current process. She added that her concern was to ensure that the community was not confused by inaccurate minutes; the community deserved to see an accurate transcription of what took place in the Council Chamber.

RIGHT OF REPLY

Cr Zographos said that he guaranteed that if the draft minutes were published 2 weeks after a meeting, they would be checked for grammatical errors and every effort would be made to ensure that they were correct, because they would be published. He added that it would be unreasonable if a Councillor could not make any corrections within that timeframe. Cr Zographos said that he did not see how this proposal would be a problem, but it had been made out to be one. He noted that under the proposal, the document released would be titled "unconfirmed minutes". He noted that the amendment sought to address any practicalities that were of concern. Cr Zographos said that the community would judge people on how they acted not on how they spoke on transparency.

LOST

DIVISION

A division was called.

For: Crs Zographos, Davies, Saloumi, Pang Tsoi

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

6.8 Removal of the Nature Strip Tree Outside 66 Harlington Street, Clayton

Moved Cr Zographos,

Seconded Cr Davies

That Council removes the nature strip tree outside 66 Harlington Street, Clayton in order to improve the sight line for the resident reversing out of the driveway.

Cr Zographos said that the resident was concerned about the sight line, given the location of where it had been planted, and that the issue was compounded by the location of a nearby light pole.

In response to a question from Cr Fergeus, the Director Infrastructure advised that Council officers had visited the site on several occasions and had concluded that the tree did not present a sight issue for the driver of a vehicle exiting the property.

In response to a question from Cr Saloumi, the Director Infrastructure advised that the branches of the tree had been trimmed and the resident advised of the action taken.

LOST

6.9 Browns Road Cycling Path Consultation

Moved Cr Zographos,

Seconded Cr

That Council:

Instruct officers to ask local residents regarding use of the public open space in the nature strip along Browns Road adjacent to Fregon Reserve Clayton if this should be used to construct more car spaces or the proposed cycling path and to report back to Council by September this year.

LOST

6.10 Glen Waverley Library & Civic Precinct

Moved Cr Saloumi,

Seconded Cr

That Council:

- 1) *Notes that the Glen Waverley Activity Centre is a key destination for the community of Monash and the broader region activity;*
- 2) *Notes that as the population of Monash continues to grow, the role that the Glen Waverley Activity Centre will also expand;*
- 3) *Notes that, aside from the construction of multi deck car parking, there has been little improvement to civic facilities and infrastructure in this Activity Centre for many years;*
- 4) *Accepts in principle that the Civic Precinct is an important anchor site at the southern end of Kingsway;*
- 5) *Notes that due to insufficient office space in the Civic Centre, Council has leased, since 2007, 1100sq m of office space, and associated staff parking, in the Ibis building adjacent to the Civic Centre i.e. at 295 Springvale Road, Glen Waverley;*
- 6) *Notes that by the end of the current five year lease in 2022, the cost of leasing these offices and parking bays for a total of fifteen years , will be in the vicinity of \$5.9 million;*
- 7) *Notes that the wider footprint of the Glen Waverley Library, built in 1976 and refurbished in 1999, covers approximately 4000sq m of the 1.6 hectares that remain in Council ownership at the southern end of Kingsway. This entire site includes the Library, the Civic Centre at 293 Springvale Road, short term parking, surrounding parkland and the Cenotaph, and is collectively referred to as the Civic Precinct;*
- 8) *Accepts in principle that the Civic Precinct, as a whole, should be considered for future development in order to:*
 - (a) *Enhance accessibility to civic spaces, parking and public realm, within that precinct*
 - (b) *Provide Glen Waverley with a modern future focused, multi-use library*
 - (c) *Facilitate the relocation of Council staff from the Ibis building to a Council facility*

- 9) *Accepts in principle that a feasibility study will be required to support a business case for relocation of services and any expansion of the facilities offered by the Glen Waverley Library.***

AMENDMENT

Moved Cr Lake,

Seconded Cr Little

That parts 1-9 of the motion be deleted and replaced with the following:

- 1. That Council notes that Council officers began work earlier this year on considering possible options for a new library and civic space on the existing Glen Waverley Library site and that further information is planned to be reported to Council in the coming months.***
- 2. Given this work is underway, it is more appropriate, at this point, to let this work be completed prior to seeking any upfront or premature commitment from Council on possible ways forward.***

POINT OF ORDER

Cr Zographos called a Point of Order, stating that the amendment did not meet the requirements of an amendment under the Meeting Procedure Local Law and that an amendment could not be a direct negative of a motion.

In response to a question from Cr Zographos, the Chief Operating Officer confirmed that an amendment could not be a direct negative of a motion.

Cr Lake read out the amendment again.

The Mayor did not accept the Point of Order, stating that the amendment was not a direct negative of the motion.

Cr Lake said that work had already been done on considering the appropriateness of redevelopment options in the Civic Centre area, and he supported that work taking place. He said that it was unnecessary to jump the gun and to let the work be completed and for that work to come to Councillors. He added that Councillors would need to turn their minds to the dimensions of the proposal and the cost, possibly more than \$60 million and therefore the biggest and most expensive project this Council had ever undertaken. Cr Lake said that this was worth looking at but many aspects needed to be considered. He also said that he noted that after years of opposing a new library in Glen Waverley, he was pleased to see that the other Councillor for Glen Waverley was prepared to consider this option.

At 10.00 pm, the Mayor moved a Procedural Motion.

PROCEDURAL MOTION

Moved Cr Klisaris,

Seconded Cr McCluskey

That the meeting continue for a further 60 minutes.

CARRIED

Cr James asked Cr Saloumi why the Notice of Motion was before Council, as his understanding at the Councillors' briefing meeting was that the matter would be deferred to allow her and Cr Lake to discuss the issue.

The Mayor disallowed the question from Cr James, saying that it would lead to debate directly between Councillors.

Cr Davies took umbrage with an amendment that took out all of the parts of a motion and adding a new one. He said that an amendment should change a motion, not replace it. He said that this was poor procedure. He noted that earlier this year the Council had cancelled considering a project for a 6,000 metres square library and this occurred in March, so officers had not had time to invest considerable time in developing work on this project. Cr Davies said that it was appropriate for Council to give direction to the management, not the other way around. He said that the motion was seeking to give officers direction on this matter and that the amendment represented poor governance and was misleading in presenting the idea that management had supposedly done work on a big project, which would have had to commence immediately after the March Council decision on the Glen Waverley Central car park. HE urged Councillors not to support the amendment.

Cr Fergeus said that he wouldn't support the amendment as the principle argument seemed to be that it locked Council into the position that Council officers came to. He said that parts 1-7 of the motion simply noted information about the issues to be considered and only part 8 of the motion gave any direction in relation to 3 specific points, but still did not bind the Council to any position. Cr Fergeus said that many matters would need to be considered for a project that was likely to be one of the most expensive undertaken by the Council. He added that he accepted Cr Lake's argument and in other circumstances it would make sense, but in this instance the wording of Cr Saloumi's motion was not binding Council to do anything and providing direction to officers on matters that should be considered as part of the work. He said that the motion was worthy of support.

Cr Saloumi said that Cr Lake had put another spanner in the works and at this stage the motion sought to have Council consider whether it went forward with something or it did not, and accepted that a feasibility study was needed, to support any action. Cr Saloumi said that this had not been done before and this was the problem with the last project, and the cost of the project should not be pre-empted, as Cr Lake had done. She said that no one had identified costs or the size of the project. Cr Saloumi said that there was a need to save money as a previous Council had decided to sell 295 Springvale Road in 2005 for \$2.5 million

and then Council was locked into a 10 year lease, plus another 5 years, for space in the building, for \$6 million. She said that the proposal involved relocating Council staff from that building to either the Civic Centre or the library building. Cr Saloumi said that she had assistance from Council officers in preparing the motion and they supported it and the amendment would not lead to what was needed.

Cr Little spoke in support of the amendment, but agreed with Cr Fergeus that parts 1-7 of the motion were simply noting information that the Council was aware of. He added that in his view, the 3 points in part 8 were prescriptive and for that reason alone part 8 would not be acceptable to him. He said that part 9 of the motion was also unacceptable. He said that the project was likely to cost \$30-60 million. To justify that cost and save \$500,000 per annum in rental, would take 100 years. Cr Little said that under those circumstances a business case was not going to support the project. He said that he endorsed the amendment.

Cr Zographos said that if the amendment was passed, there would not be further consideration of the Glen Waverley Library, in the next few years. He said the main reason that he would be voting against the amendment was that he believed that it did not accord with the meeting procedures local law and this was an alternative motion and would not vote for anything that he believed was unlawful. Cr Zographos said that the amendment should not be supported in any way, shape or form.

CARRIED

DIVISION

A division was called.

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

Against: Crs Saloumi, Fergeus, Zographos, Pang Tsoi, Davies

The Mayor advised that the amendment formed part of the substantive motion.

PROCEDURAL MOTION

Moved Cr Zographos,

Seconded Cr Davies

That this matter be deferred to allow for the Council to receive legal advice on the amendment was in accordance with Council's Meeting Procedures Local Law No.1.

LOST

DIVISION

A division was called.

For: Crs Saloumi, Zographos, Davies

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

Abstained: Cr Pang Tsoi

Cr Fergeus was absent from the Chamber for the division

Cr Lake spoke in support of the substantive motion, saying that he had been a long time supporter of improving the Glen Waverley Library; it was too small and old and it creating a library of the future was overdue and he was happy for that to be created anywhere in Glen Waverley and that he considered that it would have worked well at the Central Car Park, but the current site had real potential for a library that would serve the community for decades to come. He said that he wanted to address the comments that Cr Saloumi had made as most of them had been directed at him.

POINT OF ORDER

Cr Davies called a Point of Order, saying that Cr Lake was required to direct his comments through the Chair and Cr Lake had referred directly to another Councillor.

The Mayor did not accept the Point of Order.

Cr Lake continued. He said that he wanted to address the issues that Cr Saloumi raised although he didn't think that people put much stock into what she had to say about them.

POINT OF ORDER

Cr Davies raised a Point of Order, saying that Cr Lake was casting aspersions on and being derogatory about another Councillor.

The Mayor did not accept the Point of Order, but asked Cr Lake to show discipline in his statements.

Cr Lake continued, saying that there were comments made about the cost estimates and he maintained that it would be \$60 million plus, and this was based around figures that related to the project regarding the Central Car Park, where the minimum costs for recreating the Glen Waverley Library, at its current size, would cost at least \$15 million, with another \$15 -20 million to recreate what was at the IBIS building. He said that further costs of \$20-30 million would be incurred regarding parking and enhancement of civic spaces. Cr Lake said that if the Council was to rebuild the library, it would not be the same size as the current

one, which was not able to service its demand. He said that this was an opportunity to do it right and why it should be officer-directed.

In response to a question from Cr James, the Director City Development advised that a joint meeting between himself and Crs Lake and Saloumi had not been held on this matter.

POINT OF ORDER

Cr Zographos called a Point of Order, saying that Cr James had already spoken.

The Mayor did not accept the Point of Order, saying that Cr James had spoken on the amendment, not the motion and was entitled to speak within the allocated time, after having asked his question.

Cr James said that he was supportive of the project, but was unsure about where the process was at, given the clear understanding he had gained that its consideration would be delayed to at least August, to allow the Ward Councillors to discuss the work done so far, with officers.

Cr Davies said that he didn't agree with the motion and it was in violation of the local law and was divisive. He added that the original motion had been hijacked and he held grave concerns for the Glen Waverley Civic and Library Precinct. Cr Davies said that the Council needed to work together on this project.

POINT OF ORDER

Cr Zographos called a Point of Order, saying that the Councillor who moved the motion has the right of reply.

Cr McCluskey said that he didn't support the original motion, as he had the same recollection as Cr James, of the discussion at the briefing meeting, and he had some concerns about the prescriptive nature of parts of the motion. He noted that if parts of the original motion were acted on, it would require an expenditure outside the Budget process. Cr McCluskey said that the discussion at the briefing meeting appeared to be heading towards a collaborative approach and the substantive motion now before Council would allow for that.

RIGHT OF REPLY

Cr Saloumi said that she had had an e-mail exchange with Cr Lake and said on 26 July 2018 that they should hold joint discussions with the Director City Development and Director Community Development and Services in early August. She said that it seemed that there was agreement that something should be done in the area, if only to ensure that leasing of 295 Springvale Road was discontinued as soon as possible. So she submitted a motion highlighting the need to explore options to achieve this. Cr Saloumi said that she hadn't sought any funding or specified what development may or may not be incorporated. She added that the

proposal was a high level and put onus on a future feasibility to support or not support a business case for any development of the area. Cr Saloumi said that at this early stage she had not asked officers for details on expenditure to the value of \$108,000 on concept designs, as a feasibility study on what a library or civic area needed to be done first and could be done for \$50,000, which was a suggestion from officers. Cr Saloumi said that it made sense to follow through on possible project inclusions with officers proposing using external consultants, although she preferred discussions to be held first. Cr Saloumi said that she had suggested that Cr Lake co-submit a motion with her on this. She added that it was not appropriate to talk about costs as a feasibility study had not been undertaken. Cr Saloumi added that she had not prescribed anything for this project, in her motion. She said that at the end of the day, they were on the same page, but Cr Lake had submitted his amendment to put a spanner in the works. She added that the amendment was inappropriate and that there was a legal issue in relation to that.

CARRIED

DIVISION

A division was called.

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

Against: Crs Saloumi, Fergeus, Zographos, Davies

Abstained: Cr Pang Tsoi

7. COMMITTEE REPORTS

7.1 Audit & Risk Committee Minutes – 19 June 2018

Moved Cr Klisaris,

Seconded Cr Paterson

That Council:

- 1. accepts the unconfirmed minutes of the 19 June 2018 Audit & Risk Committee (the Committee); and***
- 2. notes that the minutes will be signed by the Chair of the Committee at the next Committee meeting, and any substantive changes to the unconfirmed minutes will be reported to the next Council meeting***

Cr Saloumi noted that the Committee's practice of submitting unconfirmed minutes of its meetings to Council was at odds with Council's decision to not support Cr Zographos' motion on the release of unconfirmed Council minutes.

CARRIED

7.2 Strategic Internal Audit Plan 2018/19

Moved Cr Fergeus,

Seconded Cr Pang Tsoi

That Council approves the Strategic Internal Audit Plan for 2018/19.

CARRIED

7.3 Monash Neighbourhood Matching Grants

Moved Cr Paterson,

Seconded Cr James

That Council endorses the Monash Community Grants Evaluation Panel's recommendation to provide \$2,000 as a one-off cash grant allocation through the Monash Neighbourhood Matching Grant program to the following application:

- *Online Community and Street Christmas Party*

CARRIED

8. URGENT BUSINESS

Moved Cr Klisaris,

Seconded Cr James

That the matter of the Council contributing \$1,000 to the Hellenic Red Cross to aid in the relief efforts relating to the recent fires near Athens, Greece, be admitted as an item of Urgent Business

CARRIED

Moved Cr Klisaris,

Seconded Cr James

That the Council resolves to donate \$1,000 to the Hellenic Red Cross to assist with its work in addressing the devastation caused by the recent bushfires around Athens.

AMENDMENT

Moved Cr Davies,

Seconded Cr Fergeus

That the proposed donation be funded through the Councillors' Discretionary Fund.

Cr Davies said that he was reluctant to support an unbudgeted expenditure, but the amendment offered a good compromise.

The Mayor noted that the Council had donated to the relief efforts for the Victorian bushfires and the tsunami that devastated parts of South East Asia. He

added that the Councillors' Discretionary Fund had been established to address requests for assistance from the community, rather than matters such as this.

Cr James said that this was an unforeseen tragedy and a humanitarian crisis, and at this point his greatest concern was not where the proposed contribution was to be funded from.

LOST

DIVISION

A division was called.

For: Crs Davies, Zographos, Davies, Fergeus

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

Abstained: Crs James, Pang Tsoi

Cr Pang Tsoi

Cr Fergeus said that this was a terrible tragedy and his thoughts were with the families of the victims of the fires. He proposed that officers develop a draft policy and procedure for considering future ad hoc contributions of this nature, including to causes such as humanitarian crises and natural disasters.

Cr McCluskey said that the Council's small contribution would add to the larger relief effort. He added that this was a humanitarian issue.

Cr Zographos said that this was a difficult issue and time, noting that Greece had received great support from other European countries and an immense fundraising effort had been established by the Greek community in Australia. He said that the Council had a duty to make a contribution.

CARRIED

9. CONFIDENTIAL BUSINESS

Moved Cr McCluskey,

Seconded Cr Klisaris

That Council, having reviewed and considered the certificates in relation to the matters listed for confidential business, and being satisfied that it is appropriate and necessary to consider these matters at a closed meeting, resolves to close the meeting to the public in accordance with section 89(2) of the Local Government Act 1989 for the reasons specified in the certificates.

CARRIED

10. PERSONAL EXPLANATIONS

Nil

11. COUNCILLORS' REPORTS

Nil

The Mayor declared the meeting closed at 10.56 pm

MAYOR:

DATED THIS DAY OF 2018