



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 26 NOVEMBER 2019**

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 26 NOVEMBER 2019 AT 7.00 PM.**

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

APOLOGIES:

Cr MT Pang Tsoi (Deputy Mayor)

DISCLOSURES OF INTEREST

Urgent Business Item 8.1: Crs Fergeus, Saloumi, Davies, Zographos

Urgent Business Item 8.2: Cr Fergeus

Item 9.1: Crs Fergeus, S James, R Davies, B Little, S McCluskey, P Klisaris, L Saloumi, T Zographos

CONFIRMATION OF MINUTES

Moved Cr Paterson,

Seconded Cr McCluskey

That the minutes of the Ordinary Meeting of the Council held on 29 October 2019 be taken as read and confirmed.

CARRIED

Moved Cr Paterson,

Seconded Cr McCluskey

That the minutes of the Special Meeting held on 11 November 2019, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil

PUBLIC QUESTION TIME

The Mayor advised that no questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 29 Browns Road, Clayton Amendment To Approved Development Plan – Reduction In Visitor Car Parking Provision

Moved Cr Little,

Seconded Cr Klisaris

1. *That should Council have been in a position to decide the application, it would resolve to support the proposed amendment to the Development Plan for 29 Browns Road, Clayton and allow a reduction in the prescribed visitor car parking requirement.*
2. *Allow the Director City Development, or their delegate, to resolve the current matter before VCAT by consent order.*

CARRIED

1.2 Proposed Road Discontinuance and Sale of Land To Abutting Landowners - May Park Avenue, Shaw Street, High Street Road And Warrigal Road Ashwood

Moved Cr Paterson,

Seconded Cr Little

That Council:

1. *Acting under section 17(4) of the Road Management Act 2004 (Vic), resolves that the road shown highlighted green in Attachment 1 to this report, being referred to as road on plan of subdivision 2648 ('Road') be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the reasons set out in the report.*
2. *Agrees to commence the statutory procedures pursuant to Clause 3 of Schedule 10 and section 189(4) of the Local Government Act 1989 (Vic) ('the Act') to consider discontinuing the Road and selling the land from the discontinued Road to the adjoining land owners for market value or as otherwise agreed.*
3. *Pursuant to Sections 207A and 223 of the Act, directs that public notice of the proposed discontinuance of the Road be given in the local newspaper and on Council's website.*
4. *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 respect of the proposal ('Appointed Officer').*
5. *Appoints a Committee of Council comprising the Mount Waverley Ward Councillors and the Mayor to hear and consider any submitters requesting to be heard under Section 223 of the Act at a time and place to be fixed.*
6. *Directs that following any hearing and considering of submissions by the Committee of Council, or if no submissions are received, the Committee of Council report back to Council on its proceedings and a summary of the hearings*

following the Section 223 process and seek a decision on whether or not to proceed to discontinue the Road.

CARRIED

1.3 Town Planning Schedules

Moved Cr Little,

Seconded Cr Zographos

That the report containing the Town Planning Schedules be noted.

CARRIED

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Monash Aquatic and Recreation Centre Needs Assessment – Key Findings & Next Steps

Moved Cr Paterson,

Seconded Cr Little

That Council:

- 1. Notes the key findings of the Monash Aquatic and Recreation (MARC) Centre Needs Assessment as summarised in this report and as detailed in the MARC Needs Assessment Summary Report;*
- 2. Notes that officers will commission a Feasibility Study to assess the feasibility of facility development priorities identified in the needs assessment (and summarised in Table 2 and 3 of this report) to ascertain the value proposition of delivering these improvements in stages over time;*
- 3. Require officers to report back on the findings of the Feasibility Study and a recommended redevelopment program with staged works packages for MARC that responds to community needs, optimises community benefit and provides a best value proposition by 30 June 2020; and*
- 4. Directs officers to pursue funding opportunities from State and Federal Government and other external sources to support the planning and design of MARC redevelopment priorities.*

AMENDMENT

Moved Cr Lake,

Seconded Cr Klisaris

That part 2 of the motion be replaced with:

- 2. Directs officers to undertake a feasibility study to develop and assess options for a significant redevelopment of MARC to achieve the following objectives:*

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- a) to address the priorities identified in the Needs Assessment and summarised in tables 2 and 3 of the Officers Report;*
 - b) to provide a unique and landmark water play offering, including a consideration of water slides and other recreational water-related activities that will attract significant interest to the facility; and*
 - c) position MARC as one of Melbourne's leading and iconic water centres for the next 20 years.*

CARRIED

SUBSTANTIVE MOTION

The motion, as amended, was put to the vote and declared carried.

CARRIED

2.2 Consultation Outcomes From Legend Park Supported Playgroup Families

Moved Cr Klisaris,

Seconded Cr James

That Council

- 1. Notes that the consultation with families who use the Legend Park playgroup has been completed.*
- 2. Notes the clear message from the playgroup families that the playgroup remain at Legend Park.*
- 3. Resolves not to progress the Mulgrave Community Centre for additional playgroups.*

CARRIED

2.3 Tender For Monash Aquatic Centres – Pool Chemical Supply and Delivery

Moved Cr Little,

Seconded Cr McCluskey

That Council:

- 1. Awards the tender from Aquachem (Vic) Pty Ltd, Ixom Operations Pty Ltd, Omega Chemicals and Waler Australia Pty Ltd, to form a panel of suppliers for Contract No. 2019203 Monash Aquatic Centres Pool Chemical Supply and Delivery, for a schedule of rates based contract with an estimated annual contract value of \$144,000, (\$82,000 Monash Aquatic and Recreation Centre (MARC), \$30,000 Clayton Aquatics and Health Centre (CAHC), \$32,000 Oakleigh Recreation Centre (ORC)) and an estimated total contract value of \$432,000 inclusive of all available extension options.;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement; and*

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3. *Notes that the contract will commence on 1st November 2019, with an initial term of three (3) years with three (3) separate extension options of three (3) years each, and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance.*

*(*Please note that all dollar figures are GST Inclusive unless stated otherwise)*

CARRIED

2.4 Creating Inclusive and Welcoming Sporting Facilities: Audit Findings

Moved Cr McCluskey,

Seconded Cr Little

That Council:

- 1. Endorses officers to use the Inclusive and Welcoming Sporting Facilities and Community Safety audit findings to assist in prioritising capital upgrades to sports facilities.*
- 2. Endorses officers to explore external funding opportunities to progressively improve the inclusiveness of sports facilities and notes the immediate provision of sanitary bins being supplied into pavilion changing rooms and the lopping of vegetation canopies to improve personal safety.*
- 3. Endorses the development of an Active Monash Sports Club Framework to influence behaviour and outcomes.*

CARRIED

2.5 Connecting With the Monash LGBTIQ Community – Year One Summary

Moved Cr Fergeus,

Seconded Cr McCluskey

That Council notes the actions that Council Officers have implemented to better recognise, represent and connect with LGBTIQ members of the Monash community, within the scope of existing operational activities and resources as outlined in the October 2018 endorsed report.

CARRIED

3. CORPORATE SERVICES

3.1 2019/2020 Financial Management and Capital Works Progress Report – First Quarter 30 September 2019

Moved Cr Paterson,

Seconded Cr Little

That Council:

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- 1. Notes the Quarterly Financial Management, Annual Plan and Capital Works Progress Report for the period ending 30 September 2019, presented in accordance with Section 138 of the Local Government Act 1989.*
 - 2. Approves the project variations contained therein.*

CARRIED

4. INFRASTRUCTURE

4.1 Tender For Electronic Access Systems

Moved Cr Little,

Seconded Cr Paterson

That Council:

- 1. Awards the tender from The trustee for D&N Kennedy Trust trading as Britech Security for Electronic Access Systems, Contract No. 2019152 for a schedule of rates based contract with an estimated annual contract value of \$186,000 and an estimated total contract value of \$1,540,000 inclusive of all available extension options;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement; and*
- 3. Notes that the contract will commence on 3 January 2020, with an initial term of 18 months and the contract has three separate extension options of two years each and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance.*

*(*Please note that all dollar figures are GST Inclusive unless stated otherwise).*

CARRIED

4.2 Response To Infrastructure Victoria Report on Recycling

Moved Cr Little,

Seconded Cr Klisaris

That Council endorses the attached Submission to the Infrastructure Victoria report on Recycling and Resource recovery.

RIGHT OF REPLY

As part of the debate on this item, Cr Little, as the mover of the motion, exercised his right of reply.

CARRIED

5. **CHIEF EXECUTIVE OFFICER'S REPORTS**

5.1 **Assembly of Councillors Record**

Moved Cr Little,

Seconded Cr Paterson

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

CARRIED

6. **NOTICES OF MOTION**

6.1 **Discretionary Fund Applications - Mayor**

Moved Cr McCluskey,

Seconded Cr Klisaris

That Council resolves to approve the following applications for funding from the Council's Discretionary Expenditure Fund:

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Girish Gopalakrishna</i>	<i>Charity event. Requesting hall hire charges for event that took place on 16.11.19</i>	<i>\$238 excl. GST</i>
<i>Emma Finch</i>	<i>Black Dog Community Art Project</i>	<i>\$1,966</i>

AMENDMENT

With the agreement of the mover and seconder of the motion and the agreement of Council, the motion was amended by the dollar figure of \$1,966 for funding for the application from Emma Finch, for Black Dog Community Art Project being replaced with the figure \$2,494.82.

SUBSTANTIVE MOTION

The motion, as amended, was put to the vote and declared carried.

CARRIED

7. COMMITTEE REPORTS

7.1 Sale of 14 Bogong Avenue and 155 Coleman Parade Glen Waverley

Moved Cr Lake,

Seconded Cr Paterson

That Council:

- 1. Receives this report from the Committee established by Council in respect of the proposed sale of Council's properties at 14 Bogong Avenue Glen Waverley (Volume 7933 Folio 192) and 155 Coleman Parade Glen Waverley (Volume 9770 Folio 636) (Properties) and:*
 - a) notes that no submissions were received in respect of the proposed sale of the Properties;*
 - b) accepts the Committee's recommendation to sell the Properties; and*
 - c) having complied with its obligations under ss189 and 223 of the Local Government Act 1989, directs the Chief Executive Officer or her delegate to progress the sale of the Properties by public auction or, if passed in at auction, by private treaty.*
 - d) authorises the Chief Executive Officer or her delegate, on behalf of Council, to negotiate a sale of the Properties in the event that the reserve price is not achieved during auction;*
 - e) authorises the Chief Executive Officer or her delegate, on behalf of Council, to sign and seal all documentation (including a transfer of land) required to effect a sale of the Properties.*
- 2. Notes that the sale of the Properties is required to fully fund the Euneva Car Park Level 1 Community Infrastructure Project including the replacement car parking and agrees that any surplus funds are put towards future community infrastructure projects as may be endorsed by Council at future Council meetings.*
- 3. Notes that the sale of the Properties will not be finalised until the Euneva Car Park Level 1 Community Infrastructure Project is constructed and occupied, minimising disruption to the Monash Youth Services (Glen Waverley site) and Wavecare Counselling Services respectively.*
- 4. Notes that a further report will be considered by Council regarding the valuation of the Properties prior to any sale.*

CARRIED

DIVISION

A division was called.

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

Against: Crs Saloumi, Davies, Fergeus, Zographos

8. URGENT BUSINESS

Moved Cr Lake,

Seconded Cr Klisaris

That Council move into Confidential Business to consider as Urgent Business, an item which may prejudice the Council

CARRIED

The Council moved into Confidential Business at 7.40 pm.

OPEN COUNCIL

The Council returned to Open Council at 8.19 pm.

9. CONFIDENTIAL BUSINESS

Moved Cr Klisaris,

Seconded Cr Paterson

That Council, having reviewed and considered the certificates in relation to the matter 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 certificate.

CARRIED

The Council moved into Confidential Business at 8.20 pm.

OPEN COUNCIL

The Council returned to open Council and 8.38 pm.

10. PERSONAL EXPLANATIONS

Nil

11. COUNCILLORS' REPORTS

Nil

The Mayor declared the meeting closed at 8.39 pm

MAYOR:

DATED THIS DAY OF 2019