



CITY OF  
**MONASH**

**MINUTES OF THE ORDINARY MEETING OF  
COUNCIL  
HELD ON 24 APRIL 2018**

**at 7.00 pm**

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

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**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY  
ON 24 APRIL 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 Tsoi – Item 9.1.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL  
MEETING HELD ON 27 MARCH 2018**

Moved Cr James,

Seconded Cr Little

*That the minutes of the Ordinary Meeting of the Council held on 27 March 2018, be taken as read and confirmed.*

**CARRIED**

**RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS**

MEMORIAL

Cr Zographos advised the Council that Noah McMahon, a young resident of Hughesdale, who passed away on 9 April, aged 16 years old. He was dedicated to his community, attending many Council meetings and had been active in debate on the 'sky rail' project, and other community-related matters, had passed away recently. Cr Zographos noted the support that Mr McMahon had provided to him, including accompanying him to last year's ANZAC Day Dawn Service at Clayton RSL.

Cr James also spoke about Mr McMahon, noting that he and Mr McMahon didn't agree on anything. But he said that it was a blight on society that young people such as Mr McMahon found themselves in a situation where they felt that they had no other choice. Cr James extended his condolences to Mr McMahon's family and to Cr Zographos, who had been greatly affected by Mr McMahon's passing.

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**PUBLIC QUESTION TIME**

The Mayor advised that questions from 3 submitters had been received.

**OFFICERS' REPORTS**

**1. CITY DEVELOPMENT**

**1.1 Units at 8 Freda Street, Hughesdale**

Moved Cr Fergeus,

Seconded Cr James

*That Council:*

- 1. Notes that the Lions Club of Oakleigh has provided notice to Council that the existing management agreement at 8 Freda Street Hughesdale will cease on 31 August 2018.*
- 2. Conducts a procurement process for the operation and management of the properties at 8 Freda Street Hughesdale and subsequent to the process appoints a preferred specialist not-for-profit management provider for a 3-5 year period.*
- 3. Authorises the Chief Executive Officer to sign the management agreement once the preferred management provider has been selected.*
- 4. Authorises officers to develop and implement a consultation process to advise existing tenants of 8 Freda Street Hughesdale of the process outlined in point 2, including providing confirmation of no change to tenancy agreements, prior to the commencement of the procurement process.*

**CARRIED**

**1.2 Eastern Innovation Business Centre Ltd**

Moved Cr Fergeus,

Seconded Cr Paterson

*That Council:*

- 1. Notes that the Director City Development has resigned as a Board member of the Eastern Innovation Business Centre Pty Ltd.*
- 2. Notes that the Eastern Innovation Business Centre Pty Ltd Constitution as originally developed by Council (and as amended from time to time by the Board) requires that at all times three (3) Councillors and one (1) Council Officer at Director level must be appointed by the City of Monash and 7 (seven) other Directors.*
- 3. Endorses that it is more appropriate that the Director City Development or other Council officer at Director level or their delegate acts as a liaison to the Eastern Innovation Business Centre Pty Ltd Board in its interactions with Council on an as needs basis as determined by either Council or the Board.*

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4. *Requests that the Eastern Innovation Business Centre Pty Ltd amend its constitution by removing the requirement one (1) Council Officer at Director level and replaces with Council retaining the right to appoint a fourth board member at any time at its sole discretion.*
  5. *Requests that the Eastern Innovation Business Centre Pty Ltd Board in amending their constitution in accordance with point 4, adds to their constitution that the Director City Development or other Council officer at Director level or their delegate acts as a liaison (without voting rights) to the Eastern Innovation Business Centre Pty Ltd Board on an as needs basis as determined by either Council or the Board.*

**CARRIED**

### **1.3 Town Planning Schedules**

Moved Cr James,

Seconded Cr Lake

*That the report containing the Town Planning Schedules be noted.*

**CARRIED**

## **2. COMMUNITY DEVELOPMENT AND SERVICES**

### **2.1 Restructuring the Previous Ethnic Seniors Forum to the Positive Ageing Forum**

Moved Cr Lake,

Seconded Cr Paterson

*That Council:*

1. *Recognises that the Positive Ageing Forum will incorporate what was previously known as 'the Seniors Forum'.*
2. *Acknowledges that the forum will now invite and include representatives from all seniors groups across Monash.*
3. *Endorses the Positive Ageing Forum as a networking and information sharing resource and not a formal advisory committee to Council.*
4. *Appoints a Councillor to the Forum as a Liaison Councillor.*
5. *Endorses the updated Terms of Reference.*

**CARRIED**

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## 2.2 INELI-Oceania Scholarship – International Travel

Moved Cr Paterson,

Seconded Cr James

*That Council approves Monash Public Library Service staff member Pamela McGowan to travel to Fiji as part of the conclusion of her INELI-Oceania Program 2016-18 scholarship at no additional cost to Council.*

Cr Paterson congratulated Ms McGowan on her scholarship, noting her enthusiasm and passion for libraries and information.

**CARRIED**

## 2.3 Euneva Car Park Level 1 Community Infrastructure Project

Moved Cr Lake,

Seconded Cr James

*That Council:*

- 1. Authorises officers to progress to a detailed design for the proposed office accommodation on Level One Euneva Car Park and receive a further report containing the final design and quantity surveyor estimates at which time officers will seek approval to commence works;*
- 2. Endorses the relocation of Monash Youth Services (Glen Waverley site) and Wavecare Counselling Service to the refurbished Level One Euneva Avenue Car Park;*
- 3. Endorses the relocation of Kerrie Road Maternal and Child Health (MCH) service to the ground floor of the Euneva building within Link Health and Community;*
- 4. Agree to the sale of 155 Coleman Parade Glen Waverley (Volume 9770 Folio 636) and 14 Bogong Avenue Glen Waverley (Volume 7933 Folio 192) with the funds from the sale of the two properties financing the redevelopment of the Euneva Car Park Building Level One at Euneva Avenue Glen Waverley;*
- 5. Notes that the sale of both properties is required to fully fund the project including the replacement car parking and agrees that any surplus funds are put toward future community infrastructure projects as may be endorsed by Council at future Council meetings.*
- 6. Notes that the sale of the two properties will not be finalised until the Euneva Avenue site is constructed and occupied, minimising disruption to the two services;*
- 7. Notes that Kerrie Rd MCH in Boyanna St, Glen Waverley will be retained for community use through a public Expression of Interest process once the relocation to Euneva has been completed;*
- 8. Authorises the CEO or her delegate at the appropriate time to:*

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- a. *give public notice of Council's intention to sell the following parcels of Council owned land by way of public auction:*
    - i. *155 Coleman Parade, Glen Waverley; and*
    - ii. *14 Bogong Avenue, Glen Waverley;*
  - b. *appoint a Committee of Council comprising the Mayor and the Glen Waverley Ward Councillors to consider submissions received under Section 223 of the Act;*
  - c. *having complied with its obligations under ss 189 and 223 of the Act, resolve to sell by public auction (or, if passed in at auction, by private treaty);*
  - d. *authorise the Chief Executive Officer or her delegate, on behalf of Council, to negotiate a sale in the event that the reserve price is not achieved during auction;*
  - e. *authorise 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 each property referred to in paragraph 4 above.*

Cr Davies said that he could support the motion and there was no need to sell the land and the project needed to stand on its own, financially. He added that it would provide a poor return and there were very high development costs, as well as the costs of replacing car parking. Cr Davies said that it made more sense to rent appropriate facilities rather than redevelop and the project did not present best value. He added that the Council was seeking permission to vary its rate cap, yet it was proposing to sell land and develop.

#### PROCEDURAL MOTION

Moved Cr Davies,

Seconded Cr James

*That Cr Davies be granted an additional 2 minutes to speak.*

**CARRIED**

Cr Davies continued asking why the Council was seeking a rate variation when it had land to sell. It could sell the land and keep the rates low. He said that it did not make sense financially or strategically and he would not support the motion.

Cr James said that he supported the motion, and wanted to address the issue Cr Davies raised regarding the application to the ESC for a variation to the rate capping. Cr James said that the proposed 2018/2019 Budget had several million dollars' worth of discretionary funding, a lot of it in Mulgrave Ward. He said that if Council wanted to save money, it could cut a range of services. So, he did not support Cr Davies' argument. Cr James said that ideally, he supported the retention of Council owned land, but officer advice was that the land was surplus to Council needs and it would cost more to maintain it. Cr James said that the project stacked up and he supported it.

Cr Saloumi said that she had no problem with the co-location of services. She said that she had a problem with the project because of changing demands on car parking in the area, with Euneva Car Park increasing in use. Why put offices on the first floor of that

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building? Cr Saloumi also asked why Council was proposing to sell a property located near the railway station and 14 Bogong Avenue, which is opposite a car park and Centrelink. Cr Saloumi asked why would Council sell 1600 square metres of valuable land. Cr Saloumi said that the proposal called for the replacement of 26 car parking spaces at \$45,000 per space. She added that 14 Bogong Avenue could be rented out and develop the other site, currently occupied by Wavecare. She said that it made no sense to build into a car park when the Council had 2 good properties.

Cr Lake said that the project would deliver several outcomes. It would produce facilities that the Council does not have, co-locate a number of key services, including Wavecare and provide a bigger, purpose built facility adjacent to MonashLink. Cr Lake said that the project did stack up financially and would return a surplus to the Council. It would also enable the Council to divest itself of two ageing sites; two house blocks. He said that this would be a project that would benefit everyone and it was quite innovative.

Cr Fergeus said that he supported the project, but did not support the sale of Council land. He added that the Council needed to explore and develop other ways of funding projects and needed to address the need for increased funding for community facilities and services.

**CARRIED**

DIVISION

A Division was requested.

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

Against: Crs Saloumi, Zographos, Fergeus, Tso, Davies

### **3. CORPORATE SERVICES**

#### **3.1 Proposed Annual Budget 2018/2019 Incorporating the Strategic Resource Plan**

Moved Cr James,

Seconded Cr Lake

***That Council:***

- 1. approves the proposed Annual Budget 2018/2019 incorporating the Strategic Resource Plan, as presented, for the purpose of giving public notice in accordance with Sections 125 and 129 of the Local Government Act 1989 (the Act);***
- 2. adopts the Schedule of Fees & Charges, as detailed in the Annual Budget 2018/19, to be effective from 1 July 2018 (except as otherwise indicated);***
- 3. applies differential rating using Capital Improved Value (CIV) as the basis of valuation to all rateable land to raise rates by 3.53 per cent in 2018/19 (pending approval from Essential Services Commission);***

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4. *recognising that ratepayers receiving pensions should be given assistance to remain in their homes, maintains the Council funded \$50 rate rebate to assist eligible pensioners with their Council rates;*
  5. *notes that in order to comply with Section 129 of the Act, public notice of the preparation of the proposed budget will be published in The Age;*
  6. *notes that at the time of publication of the public notice, the information contained in the public notice and the requirements for statutory information set out in the Local Government (Planning and Reporting) Regulations 2014 will be available for public inspection between 28 April and 28 May 2018 (both dates inclusive), during normal business hours at the following locations:*
    - *Civic Centre 293 Springvale Road, Glen Waverley;*
    - *Oakleigh Service Centre, Atherton Road, Oakleigh;*
    - *Oakleigh Library, Drummond Street, Oakleigh;*
    - *Clayton Branch Library, Cooke Street, Clayton;*
    - *Mount Waverley Library, 41 Miller Crescent, Mt Waverley;*
    - *Wheeler's Hill Library, 860 Ferntree Gully Road, Wheeler's Hill;*
    - *Glen Waverley Library, Kingsway, Glen Waverley;*
    - *Wellington Community Centre, Mackie Road, Mulgrave; and*
    - *on Council's web site: [www.monash.vic.gov.au](http://www.monash.vic.gov.au).*
  7. *appoints a Committee of Council, in accordance with Section 223 of the Act, comprising all Councillors to consider submissions received on the Annual Budget 2018/2019, and determines that the meeting of the Committee shall be held at the Council Chambers at the Civic Centre, 293 Springvale Road Glen Waverley, at 7.30pm on Tuesday 12 June 2018;*
  8. *directs that any written submissions on any proposal contained in the proposed Annual Budget 2018/2019 received by the Council by close of business, 28 May 2018, in accordance with Section 129 of the Act, be considered by the Committee;*
  9. *directs that any requests for verbal submissions received in accordance with Section 223 of the Act be heard by the Committee; and*
  10. *subject to the consideration of any written or verbal submissions received in accordance with Sections 125, 129 and 223 of the Act and any recommendations of the Committee appointed pursuant to Part 7 of this resolution, adopts the Annual Budget 2018/2019 and at its meeting on 26 June 2018.*

#### AMENDMENT

Moved Cr Zographos,

Seconded Cr Davies

*"That Council further allocates \$100,000 from the development fund to plan, consult and construct 31 parking spaces in Clapham Road, Hughesdale, and that all necessary edits be made to the attached draft budget document."*

Cr Zographos said that he had submitted this proposal during the deliberations on the draft Budget, but without success. He said that the area included the Oakleigh Grammar School and the Greek Orthodox Church, with the facilities at the school being used for a range of activities by community and sporting groups. Cr

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Zographos said that the proposal for extra parking had been on the table since 2015, at the school's request. He added that the proposal would involve consultation with the residents, school, church and the users of the school facilities, with the costs for the parking split evenly between the school and the Council.

Cr James said that 12 months ago he spoke against last minute amendments to the Budget as he considered it to be bad financial management. He added that he would not support this amendment, on that basis.

Cr Lake said that he didn't support the amendment as it was unnecessary. He referred to a 16 April 2018 e-mail from Council's Manager Engineering to all councillors, which he said contradicted Cr Zographos' statement, including the proposal for the Council to assist with the design for the parking and to manage the project, not contribute half the costs. Cr Lake advised that the e-mail also outlined that the costs for the parking would be \$200,000, and that a traffic survey conducted by Council on 2 nights nominated by the school showed that most of the parking need was generated by residents and the school,; the school had been advised of the results of the survey and had agreed to fund the parking.

Cr Paterson said that she supported Cr Lake's statement, having had discussions with the school during her term as Mayor, where the school advised that it was prepared to pay for the extra parking.

Cr Davies said that the Manager Engineering did not speak for the Council and his position was not a definitive ruling of Council. He said that the proposal had been put off during the deliberations on the draft Budget and that there was money available for the project. Cr Davies added that he did not believe that the school was prepared to pay for the parking and that extra parking was needed by the school and local residents.

The Director Infrastructure advised that parking surveys were undertaken at the times and days suggested by Oakleigh Grammar. The surveys showed that the parking was predominantly taken up by the school, with minimal community use. The proposal was that the extra parking would be constructed within the road reserve and the Council would undertake the management of the construction of the extra parking bays.

**LOST**

DIVISION

A Division was requested.

For: Crs Zographos, Davies and Tsoi

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

Cr Saloumi abstained

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MOTION

Cr Fergeus said that the project was not without merit and there were many worthy projects that weren't getting funded, and the project may be worth doing, at some point. He added that he had mixed feelings about the Budget and felt that the process had been particularly poor with focus being placed on a small portion of the budget allocation and neglected broader strategic work, which he hoped the Council would get to, next year. Cr Fergeus said that some of that related to the funding of community infrastructure. He said that the service performance indicators didn't align well with the initiatives put forward and that Councillors hadn't spoken about the Council Plan in relation to the Budget. He said these aspects had not been discussed, nor how the Council was to hold itself to account over the year. Cr Fergeus said that Councillors had spent time discussing their pet projects and had not ensured that the document would deliver the next year of the Council Plan. Cr Fergeus said that in the future he would like to see a range of things, as well as an improved process, and an indexation of the pensioner rate rebate, reduced spending on sporting pavilion renewal, increased funding for passive open space, an increase in community infrastructure spending to support the disadvantaged and vulnerable members of the community, spending on pedestrian infrastructure, involving residents more in budgeting. He said that he would support the Budget.

Cr James said that he didn't think that this year's process was succinct, with elements of the draft budget being revisited and that Cr Fergeus raised some good points on the change in the process. In relation to the funding of the disadvantaged and vulnerable in the community, Cr James said that sporting organisations assisted and supported many disadvantaged and vulnerable people in the community, with the clubs becoming their family; somewhere where they could belong. He said that sport encompassed vulnerable and disadvantaged people.

Cr Saloumi said that not every Councillor got a budget bid through in the last financial year, as she didn't. This year she had the Men's Shed budget bid through. She added that she had wanted to have population forecast work undertaken in Glen Waverley and whether there would be adequate open space, and a park and ride shuttle to relieve parking pressure in and around activity centres. Cr Saloumi said that she still wanted the forecast work done, given that there were figures showing 400 people per day moving to Melbourne and increase of 350 cars per day. Cr Saloumi said that the Council needed to go back to its core business and look at footpaths and drainage and not go off doing things best done by either State or Federal Government.

Cr Little said that he was astonished at the negativity in the Chamber, saying that the Budget was an astonishingly difficult process, taking months of hard work on the part of Council officers and Councillors. He said that this was a \$190 million budget, with Council in a rate capped environment where Council was limited to a 2.2 percent rate increase and Council's costs rising much higher than that. Cr Little said that it was a process of compromise. He said at the beginning of the process,

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Councillors had only \$3 million discretionary funding in which to make a bid on projects, and there were 200 projects, with 24 projects being approved. Cr Little said that most Councillors put forward projects that were not funded and that did not take away that the Budget was an extraordinary piece of work. He said that on page 7 of the draft Budget, there was a breakdown of all the different costs and although many of the discretionary projects were sport based, only 7 percent of the Budget was to be spent on aquatic and recreation centres and 11 percent on drainage; property maintenance – 20 percent. Cr Little commended the Budget to Council.

Cr Davies said that there were 2 reasonably large projects in Mulgrave Ward that were to be funded – lights at Freeway Reserve, which will complete the Freeway Reserve master plan, and the Brentwood Reserve Pavilion. He said that he was happy to work with Cr Fergeus on a new budget process and agreed that too much time was spent on the discretionary projects, which made up less than 5 percent of the budget amount. Cr Davies said there was a need to focus on reducing expenditure. He said that investment in sporting infrastructure was what the community wanted; this is where families spent their time, it brought the community together, building community cohesion. Cr Davies said that Monash had the nearest lowest rates in metropolitan Melbourne; a \$16 million surplus, much of which was used up by Council's capital investment, which this year was \$47 million and next year would be \$71 million. He said that this level of investment was unprecedented. Cr Davies said that it was a fantastic result and a fantastic budget.

Cr McCluskey said that it was a great budget, for the most part and agreed that the process could be improved, but noted that it was a difficult process. He said that a lot of the expenditure was on matters that the Council needed to address, adding that while it was one of the lowest rating councils that meant that it had less money to spend than others. Cr McCluskey noted that this Council had greater needs than many others that charged higher rates and rate capping made the challenge greater. He noted that the Council had to contend with unforeseen circumstances such as the change in the recycling industry and projects that would be bigger than originally planned, such as the refurbishment of the Oakleigh Recreation Centre, which was an outstanding project. Cr McCluskey said that he had no concerns in supporting expenditure on such a facility. He said that ensuring that there were things such as adequate female change facilities was more important than focussing on things that belonged to other levels of government. Cr McCluskey said that there was the need to get the balance right and this budget, whilst not perfect, headed in that direction and he was happy to support it in its current form.

The Mayor said that he was extremely proud of what was being presented to Council and the community. He said that he agreed with his colleagues that the budget process was not an easy one, which had commenced in October 2017. He noted that during the process, the Council had to deal with the change in circumstances regarding the recycling industry, and the Council had to make some tough decisions. The Mayor said that all Councillors were champions for their

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community and advocated as hard as they could on their behalf. He said that as the Mayor, he was proud of the draft Budget and made no apology for the amount of money invested in social infrastructure, which morphed into recreation centres and pavilions, and community centres. He said that he was proud of the Council being one of the lowest rating councils in Victoria, and was proud of what had been achieved in the 18 odd years that he and Cr Lake had been on Council. The Mayor said that Monash was the envy of the sector. The Mayor commended the Chief Financial Officer and his staff for their work on preparing the Budget. The Mayor said that he commended the Budget and looked forward to receiving community feedback on it.

**CARRIED**

#### **4. INFRASTRUCTURE**

##### **4.1 Use of Galbally Reserve for Level Crossing Removal Project**

Moved Cr Fergeus,

Seconded Cr McCluskey

***That Council:***

- 1. Permits the temporary use of Galbally Reserve for approximately 3-5 months for construction purposes to assist with the removal of the Poath Road level crossing for an agreed compensation amount of \$150,000 towards facility upgrades at the reserve;***
- 2. Requires a comprehensive reinstatement and repair to the reserve in readiness for playground /equipment to be installed;***
- 3. Notes that LXRA will replace the BBQ at their cost to a location in the reserve nominated by Council; and***
- 4. Requires the Level Crossing Removal Authority to conduct extensive community consultation on the project and consult with Council on key messages, primarily around the proposed new playground and facilities planned.***

Cr Zographos said that he had a number of concerns. He was perplexed as to the timing of the report as it concerned the use of the reserve from 16 April 2018; the matter should have to Council at least 3 months ago, which would have provided the opportunity to consult with residents around the reserve, and the rest of the community. Cr Zographos said that a number of mature trees had already been removed from the reserve and the priority was to retain as many mature trees as possible and to state his concerns about the removal of trees without pre-warning to the community. Cr Zographos noted that the trees were on State Government land. He said that the community had been ignored in how the reserve was to be used for the 'sky rail' project and that he had predicated such an outcome. Cr Zographos said that \$150,000 was not enough to compensate for the trees that had been removed.

Cr Fergeus said that this would a great outcome for the community; Council would receive \$150,000 that did not have to come out of its budget and the space would

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be renewed 18 months earlier than Council could deliver it. Cr Fergeus said that it would be an improved facility that Council and the community would get, for a relatively small inconvenience. He said that this was an excellent deal.

**CARRIED**

#### DIVISION

A division was requested.

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

Against: Crs Davies, Zographos

#### **4.2 No Right Turn From Churchill Avenue into Huntingdale Road, Chadstone**

Moved Cr James,

Seconded Cr Little

*That Council endorses the restriction of right turns out of Churchill Avenue into Huntingdale Road, Chadstone from 7.30am-9.00am, Monday to Friday.*

Cr James said that this came about following a meeting he had with a resident almost 12 months ago, who was concerned about the development of apartments at the end of Adrian and the increase in traffic where he had to wait up to 15 minutes to turn left out of Churchill Avenue because 1 vehicle was turning right. He said that it was a win for local residents as it was a very busy area.

Cr Davies said that Churchill Avenue was one lane each way. He asked if consideration had been given to widening Churchill Avenue, to allow a turning lane. He added that drivers may turn left and then do a u-turn

**CARRIED**

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

##### **5.1 Assembly of Councillors Record**

Moved Cr Klisaris,

Seconded Cr Little

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

**CARRIED**

## 5.2 Board Appointment

Moved Cr Fergeus,

Seconded Cr Paterson

*That Council notes the appointment of the Chief Executive Officer to St John Ambulance Board.*

Cr James congratulated the Chief Executive Officer on her appointment to the St Johns Ambulance Board.

**CARRIED**

## 6. NOTICES OF MOTION

### 6.1 Discretionary Fund Applications

Moved Cr Klisaris,

Seconded Cr Paterson

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

<b>APPLICANT</b>	<b>PURPOSE</b>	<b>AMOUNT RECOMMENDED</b>
<i>Monash University Islamic Society</i>	<i>Donation towards Iftars on 25 and 31 May 2018</i>	<i>\$1,000</i>
<i>Waverley Garden Club Inc., Bonsai Group</i>	<i>Hire charges for community hall for annual event</i>	<i>\$500</i>

**CARRIED**

### 6.2 Amendment to Meeting Procedures Code 2017

Moved Cr James,

Seconded Cr Little

- A.** *That clause 12.1 of the Meeting Procedures Code 2017, be amended by:*
- 1. Substituting the figure and words "14 days", with the figure and words "13 days".*
  - 2. Including, after the words "Chief Executive Officer", the words "or any officer nominated by the Chief Executive Officer".*
  - 3. Clause 12.2 be amended by substituting the figure "5" with the figure "4".*
- B.** *A notice be published in the local press and on Council's website, advising of the amendment to the Meeting Procedures Code 2017.*
- C.** *That a revised version of the Meeting Procedures Code 2017 be made publicly available and circulated to all councillors.*

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**CARRIED**

**6.3 Bluestone Within the Oakleigh Activity Centre Precinct**

Moved Cr James,

Seconded Cr Little

*That Council:*

- 1. Continues to retain the historic character of the Oakleigh Activity Centre precinct by reusing historic materials such as bluestone where practical.*
- 2. Uses bluestone as a feature in the borders around the plane trees garden beds in the next stage of the Atherton Road reconstruction.*

Cr James said that this came from a concern from residents, especially by those concerned about the history of Oakleigh, about the removal of bluestone from the base of trees in 2016 and 2017, as tree roots were pushing up the bluestone. Cr James said that. This motion provides for the bluestones to be replaced, along the base of the trees., as part of the second part of the Atherton Road reconstruction.

**CARRIED**

**6.4 Street Tree Removal – 1 Garden Court, Wheelers Hill**

Moved Cr Davies,

Seconded Cr Klisaris

*That Council:*

- 1. Supports in principle the removal of one nature strip street tree at 1 Garden Court, Wheelers Hill.*
- 2. Directs officers to prepare and submit a planning application proposing the removal of the tree within the Vegetation Protection Overlay.*

Cr Davies said that the tree was problematic and inappropriate in a residential area. It was not native to the area and had grown to a size that was problem for residents; it was dangerous, with branches falling; it created significant leaf litter; there were major infrastructure costs - \$25,000 to keep the tree. Cr Davies said that he visited the site in 2013 and considered that the tree would be assessed as part of the street tree strategy. However, that strategy changed and it was now appropriate to bring this before Council. Cr Davies said that the tree needed to be removed.

Cr McCluskey said that it was a beautiful tree but it was in the wrong location. Cr McCluskey noted the works done by Council on the kerb and channel and footpath, around the tree. He said that the tree had and would continue to cause damage. He said that it was a beautiful tree that would be great in a park such as Jells Park. Cr McCluskey added that the Council would have to continue to spend money repairing the footpath and kerb and channel if the tree was retained. He noted that the residents had agreed to planting of a replacement tree.

Cr James said that he didn't support the tree's removal. He said that it would be unusual for him to support the removal of a tree unless it posed what he considered was a significant risk to property or people. Cr James acknowledged that the residents had concerns. He added that trees were the second highest reasons for complaints that he received from residents. HE said that the Council needed to be careful not to set a precedence for applications for trees to be removed. Cr James noted an e-mail sent to all councillors by a resident, concerned about the removal of trees. Cr James also noted the recommendation from officers to remove a portion of the tree.

Cr Saloumi said that she had seen the tree twice and considered it to be in good condition and the majority of the branches were overhanging the street and that Council officers had developed a plan for its management. Cr Saloumi said that the tree was no different to other trees in the municipality. She noted that any tree was likely to lose a branch in a big storm. Cr Saloumi said that she supported the retention of the tree and Council assisting the residents in addressing issues such as the leaf litter.

Cr Zographos said that the tree should never have been planted and 2 to 3 canopy trees could be planted in its place

In response to a question from Cr Zographos, the Director Infrastructure advised that the tree's value was determined by a formula which included the size of the tree, including its diameter, the health of the tree and its likely remaining life. He added that although \$25,000 was proposed to be spent on infrastructure around the tree, there would be on-going costs, given the size of the tree.

Cr Zographos said that the maths stacked up as well – it was worth spending \$3-4,000 on the tree's removal, and not spend many more thousands of dollars over the coming years. He said that he would support the motion.

Cr Fergeus said that the residents had done the right thing, going through the process and advocating to their Ward councillors. However, he did not support the tree's removal. He said that councillors said that they loved trees, but voted to remove them. He noted that this was a 21 metre tall mature tree and it would take a very long time for any replacement tree to reach that size. Cr Fergeus said that this was not a tree that could be replaced overnight. Cr Fergeus said that there was an agreed process for the removal of trees. He said that if the current process was jettisoned, then he was concerned about the impact on the Monash canopy. He said that holistically, the community wanted trees and vegetation protected, with 71 percent of people surveyed identifying trees as being very important for their neighbourhood and 80 percent were displeased with the loss of vegetation and trees, due to increased development.

Cr Lake said that he voted against the removal of a street tree at the last Council meeting. He said that he'd formed a different view on this matter. Cr Lake said that these matters came down to common sense; the Council would be spending \$25,000 to retain the tree in an urban environment and causing concerns to

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residents for at least 10 years. He said that removal of the tree made financial common sense and common sense for the residents who had to live with the tree. The Mayor said that he believed that his colleagues were genuine in their support of the retention of trees. He said that the Council valued trees and what they did for the community and the environment. The Mayor said that the trigger for him was the wellbeing of the community, and the Council needed to act when members of the community were concerned for their health and safety. He commended Cr Davies for submitting the motion. The Mayor also noted that the tree, if removed, would be replaced by other canopy trees.

**CARRIED**

#### DIVISION

A Division was requested.

For: Crs Davies, Zographos, Klisaris, McCluskey, Lake, Tsoi

Against: Crs Fergeus, Saloumi, James, Little, Paterson

#### 6.5 Youth Mental Health

Moved Cr Klisaris,

Seconded Cr Paterson

***That Council:***

- 1. Acknowledges the headspace advocacy undertaken to date;***
- 2. Acknowledges the increase of mental health services for young people in Monash;***
- 3. Acknowledges the letter received from Wendy Black, Chief of Staff from the Office of Hon Greg Hunt MP, Minister for Health; and***
- 4. Write to Julia Banks MP seeking her support to advocate for funding for a headspace in Monash and to make representation to the Honourable Greg Hunt MP, Minister for Health and Ageing and her parliamentary colleagues for this funding.***

Cr Fergeus said that he ran a charity that was expert in therapeutic horticulture, used to benefit the mental health of young people. He said that the headspace advocacy was really important and which had been undertaken over a long time. Cr Fergeus said that the Council had to take seriously, how it designed the community, how it invested in the community and protected assets such as trees, as they were all part of a holistic approach to looking after the mental health of young people. He said that the Council needed to look holistically at these issues and that there was significant evidence to show that trees had an impact on people's mental health.

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Cr Davies said that he supported the provision of mental health facilities and noted that there was a contentious discussion at the last Council meeting regarding the advocacy approach on this item, and said that she had spoken to Julia Banks MP, who was not impressed with the Council's response. Cr Davies supported Council writing to Minister Hunt and to Ms Banks. He said that there was another avenue, noting the State Opposition's pledge of \$1.1 million for the Berea College Health and Wellbeing Centre, which would provide mental health services for young people. Cr Davies added that the Council should look to partner with a local service provider and the State Government, as the current strategy had not been successful.

The Mayor said that mental health problems were killing Australians; mental health issues did not discriminate and could affect anyone, at any time. He said that he recently sat in on a youth forum, where participants, whose average age was 14, said that they were struggling and did not have the capacity to seek services outside of Monash. The Mayor said that while the Council would advocate to both sides of politics, it would, in the meantime offer a 'headspace' type service, for a few hours per week. The Mayor said that the issue of mental health impacts over 5 percent of the community and that the 9,600 people affected are young and were suffering. The Mayor said that mental health issues affected 25 percent of all Australians

**CARRIED**

#### DIVISION

A Division was requested.

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

Against: Crs Zographos

NOTE: The Mayor left the Chamber at 8.43 pm, at which point the Deputy Mayor assumed the Chair as Acting Chairperson. Upon the Mayor's return to the Chamber, at 8.45 pm, while the matter was still being considered, the Deputy Mayor retained control of the meeting until the conclusion of the vote on this item.

#### **6.6 EIBC – Tom Morrissey Building Refresh**

Moved Cr Little,

Seconded Cr Paterson

- 1. That Council provides the EIBC with a loan of up to \$270,000 to enable the Tom Morrissey building refresh and the establishment of a 130-person function space in the Jessie Tait building.*
- 2. That the loan be provided over 15 years with monthly repayments.*
- 3. That the loan be provided at an interest rate of 0%.*

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Cr Little said that the EIBC operated out of 2 buildings, one of which now needed to be updated. The proposal would allow for the 2 buildings to work better, together and provide new, improved and updated facilities. Cr Little said that the EIBC was a not for profit organisation it would be difficult for it to obtain funding through a bank. The EIBC Board decided to seek that funding from the Council and would pay the money back. Cr Little noted that the EIBC may not need the entire amount, to complete the project. He said that the outcome would be a big benefit, providing for presentation, meeting and work spaces.

AMENDMENT

Moved Cr Davies,

Seconded Cr James

***That part 3 of the motion be amended by replacing the figure "0", with the figure "1".***

Cr Davies said that it was appropriate for the Council to charge interest for the loan and proposed an interest rate consistent with the Reserve Bank's cash rate as it would reflect some level of commerciality to the proposal.

Cr James said that he agreed with the amendment. If it had been a community organisation that the loan was for, he would agree with pat 3 of the motion. HE added that the current RBA cash rate was appropriate.

Cr Fergeus said that the money would be spent on making improvements to a Council-owned asset and that is where the Council would get value for money.

Cr Saloumi said that charging interest would encourage earlier payment of the loan and a small interest rate was fair to ratepayers.

Cr Little said that the money would be spent on a Council asset and would receive an improved capital asset.

Cr Paterson noted that the EIBC was a not for profit organisation. The money would be spent on improving a Council facility to attract innovative start-ups and contribute to the economic activity in Monash and benefit the Monash community. Cr Paterson noted that facility needed to be of a standard that would attract innovative start-ups and that the buildings needed to be updated to ensure that they met the needs of the current start-ups and entrepreneurs. Cr Paterson said that the EIBC was sowing the seeds of innovation into the Monash community and contributing to a thriving business community.

Cr Tsoi said that the EIBC had done fantastic work and that the Council would benefit from the capital improvement of the building. He said that he would not support charging interest on the loan.

**LOST**

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MOTION

Cr Fergeus commended the EIBC Board on its work. He said that more innovative solutions were needed to projects that the Council considered had value. Cr Fergeus said that the Council had been presented with an innovative model, which made sense given the project. He said that it would be good for the community, for the Council and the development of economic activity. Cr Fergeus said that this was the way for the Council to realise some of the things that it wanted to do, at minimal or no cost to it,

**CARRIED**

**6.7 Response to the 'Monash Forum'**

Moved Cr Fergeus,

Seconded Cr James

***That Council:***

- 1. Notes that a group of Federal MPs are using the name and image of General Sir John Monash to promote coal-fired power generation.***
- 2. Joins with the Saluting Monash Council and the descendants of General Sir John Monash in objecting to the use of the Monash name in this manner.***
- 3. Notes Council's commitment to proactively managing risks from climate change and reducing Council's greenhouse emissions, as detailed in the Council Plan.***

Cr Fergeus said that this was an issue that the Council needed to address this issue and that it was a banding issue for the Council. He said that the Monash name was being used in a way that was not in line with the Council Plan or strategic objectives. That is why he considered it important for the Council to address.

Cr Davies said that he didn't support the motion. He said that he didn't think that it was relevant to Local Government - commenting on what Federal MP's were doing and it was a waste of time. He said that he thought that coal was a great resource, helping billions of people come out of poverty, powered the industrial revolution. He added that there were 1600 coal plants being constructed world wide, with many of them being high efficiency low emission plants. Cr Davies said that if Australia replaced all its current plants with this type of plant, it would meet its emission reduction targets. He said that it was a more convenient option than water or nuclear energy for energy generation.

Cr Little said that the motion was concerned with the use of the Monash name without the consent of the family. It was not about coal generated energy and there was no efficient coal-powered generators. He added that coal was an inordinately inefficient way of generating power, and the brown coal in Victoria was not very efficient as a source of power, compared to other coal. Cr Little said that the coking coal from NSW was the only reasonably efficient coal. He said that Sir John Monash was an innovator, as a civil engineer pioneering the use of reinforced concrete and a tremendous thinker ahead of his time. Cr Little said

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that if Sir John Monash was alive today he would be looking at alternative power supplies, not a century old technology. He said that the Council should object to the misuse of the name little.

Cr James said that Cr Davies had missed the point. He said that this had nothing to do with coal or coal for generating energy the issue was not about coal, but rather about protecting the Monash brand and what the Council stood for and against the misuse of the name for matters that did not align with the Council's Plan and strategic direction.

Cr Zographos said that he didn't believe that any organisation named after someone else had ownership over that name, as great as the name may be. This was a complete waste of time as the name Monash was used by many organisations.

Cr Lake said that agreed with Cr Fergeus and the Energy Minister, who described the Monash Forum's support of coal powered generation as "a horse and buggy era policy". He said that there was no doubt that if General Sir John Monash was alive today, he would be associated with renewable energy and technologies. In propelling countries forward, coal has had an impact on the environment. Cr Lake said that it was wrong to associate the name Monash with what was essentially a group of far right regressive conservatives in the Federal Parliament. Cr Lake said that it was important as to what the name Monash was associated with, including one of Australia's great and its biggest universities, and one of the country's outstanding hospitals. He said that others did not have the right to hijack the name Monash.

Cr Saloumi said that the Bradman family had sued over the use of the Bradman name in 2011. She added that she was appalled that members of two political parties would use that name and couldn't see how they could associate their group with General Sir John Monash. She said that she agreed with the motion.

**CARRIED**

DIVISION

A Division was requested.

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

Against: Crs Davies, Zographos

Cr Tsoi was absent from the Chamber.

## **6.8 Container Deposit Scheme**

Moved Cr Fergeus,

Seconded Cr Little

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***That Council:***

- 1. Supports the introduction of Container Deposit Scheme (CDS) legislation in Victoria; and***
- 2. Submits a motion to the Municipal Association of Victoria (MAV) State Council Meeting – 18 May 2018.***
- 3. Requests the MAV to reiterate its support for the introduction of CDS legislation in Victoria.***

Cr Fergeus said that Victoria was the only State without container deposit legislation and it was timely for Council to be submitting this to the MAV's May State Council. He said that given what was happening with recycling, it was obvious that what was being collected would be cleaned and appropriately sorted and the community's help was needed, which is what a CDS did.

Cr Davies said that he was happy to support this, but that Council had to be cautious with these types of schemes as the law of unintended consequences could come into effect easily. He noted the comments made by broadcaster Alan Jones regarding the NSW CDS where container producers had increased the cost of their products to cover the costs of the container deposits. Cr Davies said that such schemes needed to be carefully constructed to avoid additional costs to consumers, with no environmental benefit.

Cr James said that in South Australia, a levy was placed on every beverage container and the producers would hold that levy, similar to GST, and refund that money when a container was deposited. He said that there did not appear to be the concern that Cr Davies had expressed. He added that there was a container deposit scheme in the 70's. He said that the proposal was sensible and it was dumbfounding that one didn't currently exist in Victoria. Cr James noted that the NSW scheme provides for container deposits via vending machines. He said that it was a sensible and easy way to avoid such containers littering the environment.

Cr Saloumi noted that there were warehouses full of glass and other items, which weren't being recycled. She said that the idea was admirable but didn't know how it would work because there were so many different containers, made in different countries. Cr Saloumi said that it was hard to conceive of such items being recycled, particularly as China was now no longer taking recyclables.

In response to a question on the viability of the deposit scheme, from Cr Saloumi, the Director Infrastructure advised that the experience in other States showed that the scheme worked and although Victoria hadn't designed a scheme yet, there would be significant benefit to the environment and Council and community participation, in collecting containers could reduce litter. He also advised that the containers would be deposited at various locations, by container producers and other receivers.

Cr Saloumi said that it was a great idea but was not sure how it would work.

**CARRIED**

## **6.9 Clayton Police Station**

Moved Cr Zographos,

Seconded Cr Tsoi

*That Council notes its disappointment and concern that Clayton Police Station has yet to be refurbished, one year after Council's resolution of April 2017.*

Cr Zographos said that the motion spoke clearly to what was being asked.

Cr Davies asked when Council wrote the letter on this matter, when it first came to Council, was a response received.

The Mayor advised that a response had been received, and agreed to Cr Davies' request that the response be circulated to Councillors.

Cr James said that supported the motion in 2017 and the District Inspector also supported the motion. He said that if the current NOM was correct, he was dismayed that nothing had been done. He subsequently contacted the Minister for Police and spoke to her office. He said that he had a response, which he then read out in the Chamber. The response said that at no time was there any proposal to close the police station and that the community continued to receive the same level of police service. Victoria Police had been consulting with stakeholders on how to best implement the recommendations made following an OHS inspection of the station and that a number of upgrades had been made in 2017.

Cr McCluskey said that there did not appear to be much point in the Council expressing its disappointment at the delays in the refurbishment of the police station. This was an operational issue for Victoria Police and the police station was operating. Cr McCluskey noted that the police station was operating as normal and there was no intention to have the station closed.

### **RIGHT OF REPLY**

Cr Zographos said that he recalled that only 2 Councillors had voted against the motion he submitted in 2017 and if the 9 were interested in supporting the motion, they would be interested in whether the station had been refurbished or not. He said that he hadn't seen any information on refurbishment works regarding OHS standards, at the station but it was a significant issue if that had not taken place. Cr Zographos said that the community wanted police stations to be up to standard and it was Council's responsibility to represent community concerns if there was a possibility of a police station not being operational.

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He said that he was happy to go to Clayton to see how operational it was and thought it pertinent for Council to note.

**LOST**

DIVISION

A Division was requested.

For: Crs Zographos, Davies, Tsoi, Saloumi

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

Cr Fergeus was absent from the Chamber.

#### **6.10 Most Dangerous and Congested Intersections in Monash**

Moved Cr Zographos,

Seconded Cr Davies

***That Council:***

- 1. Notes the policy commitment of the State Opposition that it will grade separate 55 of the most dangerous and congested road intersections in Melbourne and Geelong.***
- 2. Writes to the State Roads Minister seeking a bi-partisan commitment to remove these dangerous congestion bottlenecks.***
- 3. Directs officers to identify further intersections that Council would like to lobby for inclusion into the State Opposition's list (of which 20 will be announced later this year) and report back by the June 2018 ordinary Council meeting.***

Cr Zographos said that this was considered by Council in December 2017 and was defeated by 1 vote, and considered it appropriate for Council to reconsider, particularly given recent State Government announcements regarding the Mordialloc Freeway and that traffic congestion was a key issue in the community.

Cr Zographos said that it was important for certain intersections in Monash to be grade separated, noting that driving to the meeting, he was stuck in traffic for 45 minutes on Springvale Road, at major intersections. He added that something needed to be done and there was a solution. He said that he hoped one Councillor would change their mind, so that there could be some action taken for the community.

Cr James said that the policy did not make sense; it was a bad policy. He said that he couldn't see how building a bridge over a road was going to solve the problem, as that would only shift a problem further along, not solve it. He noted the outcome of the Oakleigh overpass was to divide the community in half, adversely affecting the shopping around the overpass, moving the centre of Oakleigh, to an area that did not allow for expansion. Cr James said that it was a policy that did not make sense. He said that a change in how congestion was dealt with was

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needed; super freeways and widening existing ones was not going to be effective. Cr James said that more money needed to be put into public transport and mass transit and that governments needed to plan for the future.

Cr Fergeus said that the motion in 2017 was substantially amended, partly on his suggestion, at the time. He said that he didn't support this motion, particularly part 2, because he didn't support this being the number 1 priority for the Victorian transport budget. Cr Fergeus said that Council's integrated transport strategy and its advocacy around transport would see a preference for investment in rail, the bus network. He said that there was a lot of other work that needed to be done before billions of dollars were spent on road infrastructure. Cr Fergeus said that he could not support this being a bipartisan commitment. He said that he would prefer to see light rail in Rowville.

#### AMENDMENT

Cr Zographos sought to move an amendment to remove part 2 of the motion.

The Mayor advised that as the mover of the motion, he was unable to.

Moved Cr James,

Seconded Cr Saloumi

*That part 2 of the motion be deleted.*

Cr James said that although he was happy to move the amendment as Cr Zographos was not able to, he did not support the amendment, as he did not support the substantive motion.

**LOST**

#### DIVISION

A Division was requested.

For: Crs Zographos, Davies Tsoj, Saloumi, James

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

#### PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr Klisaris

*That the motion be put to the vote.*

**CARRIED**

MOTION

The motion was put to the vote and declared lost.

**LOST**

DIVISION

A Division was requested.

For: Crs Zographos, Davies Tsoi, Saloumi

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

**6.11 Pokies Free Hawthorn Football Club**

Moved Cr Fergeus,

Seconded Cr Lake

***That Council:***

- i) Congratulates the Melbourne Football Club on their plan to withdraw the club from any financial interests attached to the gaming industry;***
- ii) Notes the long relationship between the Hawthorn Football Club and the City of Monash;***
- iii) Notes that venues associated with the Hawthorn Football Club were responsible for more pokies losses than any other AFL Club in the 2016-17 financial year<sup>1</sup>, topping \$23.9 million;***
- iv) Notes that \$10.86 million of pokies losses occurred at the Hawthorn Football Club gaming venue Vegas at Waverley Gardens in the 2016-17 financial year; and***
- v) Calls on the Hawthorn Football Club to follow the example of the Melbourne Football Club and withdraw the club from any financial interests attached to the gaming industry.***

Cr James noted that his name was meant to be included on the Notice of Motion.

The Mayor requested that that be recorded in the minutes and the Notice of Motion be corrected.

Cr Fergeus said that this was an opportunistic motion. The Melbourne Football Club had announced that it was withdrawing any of its interests attached to the gaming industry. In line with Council's advocacy regarding problem gambling and the relationship between Hawthorn Football Club and the City of Monash, he considered the matter should be brought to Council. Cr Fergeus said that venues associated with the club, in Monash, were associated with greater losses in pokies than any other AFL club in the 2016/17 financial year. He added that the losses

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were almost \$24 million and \$10.86 million of losses occurred at the gambling venue in Waverley Gardens. Cr Fergeus said that there were AFL clubs that survived without revenue from gambling and hoped that was the way of the future. He said that the Council should ask Hawthorn Football Club to follow Melbourne's example. He said that he wanted to see the club stand up for the Monash community and say that that was not how they wanted to make their income, into the future.

Cr James said that he was a member of Melbourne Football Club and the strategy of investing in poker machines was discussed at the 2014/15 AGM and moving away from EGM's. He noted that Western Bulldogs and North Melbourne may have withdrawn from involvement with gaming machines and that it was important for football clubs send a message on this, and take the gambling out of sport.

Cr Davies said that he didn't have a particularly strong view on pokies. It was legal entertainment. He said that the 'jihad' on pokies by the Council was amusing. Cr Davies said that the income stream of football clubs was irrelevant to the Council and he didn't support the motion. He added that pokies was a dying business, with its clientele getting older and the younger generation using on line sports betting. That was the area of concern and the number of EGM's in Victoria had been stable for many years.

Cr McCluskey said that he would have been happy to support the first part of the motion, but he was not sure that the rest of the motion was within Council's purview. He said that he thought that the Council was too pokie-focussed, whereas on-line and phone betting seemed to be more prevalent. Cr McCluskey said that he understood the harm done by pokies.

Cr Lake said that Hawthorn Football Club held itself out as the family-friendly club, yet it, in particular, could not be further from a family-friendly club, when they operate the number of machines in vulnerable communities. He said that it was no accident that machines are located in Waverley Gardens. He said that the club didn't have pokies in Hawthorn, Toorak or South Yarra; they had them in disadvantaged suburbs, such as Waverley Gardens, which was on the border with Greater Dandenong, which was one of the most disadvantaged local government areas in the State. Cr Lake said that clubs were tarnished because of their dependency on poker machines. He said that the new AFL Commissioner was right to try to wean clubs off poker machine revenue. He said that Luddites, such as Jeff Kennett, should be condemned for protecting the old way.

#### PROCEDURAL MOTION

Moved Cr Zographos,

Seconded Cr Davies

*That the motion be put to the vote.*

**LOST**

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Cr Tsoi said that he supported part 1 of the motion, but not the other 2 parts. He said that the Hawthorn Football Club should be left to make its own decision.

Cr Saloumi said that was the Council going to write to the ALP asking it to stop funding its political campaigns from poker machine revenue in Canberra? She said if the Council was going to write to the Hawthorn Football Club, why not the ALP, also?

RIGHT OF REPLY

Cr Fergeus said that he would second that motion if she brought it to the next Council meeting. He said that the officers' advice on the Notice of Motion clearly spelled out why the Council would be speaking to Hawthorn Football Club, because of its high influence in Monash, its longstanding relationship with Monash, the fact that it had relationships with local junior football teams. The Club was a local corporate citizen. He added that it was appropriate and not outside the Council's remit.

**CARRIED**

**7. COMMITTEE REPORTS**

PROCEDURAL MOTION

Moved Cr Little,

Seconded Cr McCluskey

*That item 7.4 be brought forward as the next item on the agenda to be considered by Council.*

**CARRIED**

**7.4 2018/19 Monash Community Grants Allocations**

Moved Cr Davies,

Seconded Cr James

*That Council approves the in-principle allocation of the 2018/19 Monash Community Grants Program budget (\$2,563,767.07), subject to the adoption of Council's 2018/19 budget, in the following way:*

- a) Allocate a total of \$2,530,287.52 in cash and in-kind grant allocations to local community groups and organisations in line with the Monash Community Grants Program Policy & Guidelines;*
- b) Allocate \$22,692.90 to fund a one-off project to develop a volunteer framework in collaboration with South Eastern Volunteers for Monash; and*
- c) Allocate \$10,786.65 as an increase to the 2018/19 Neighbourhood Matching Grants program budget for one year only.*

AMENDMENT

Moved Cr Klisaris,

Seconded Cr Little

***That part b) of the motion be replaced with the following: “b) fund South Eastern Volunteers for Monash at their revised budget request of \$125,256.67 conditional on South Eastern Volunteers for Monash committing to ensure the program is delivered in accord with Council grant guidelines and eligible costs are attributed to the grant;”***

As this amendment was acceptable to the mover and seconder of the motion, and the Council, it was incorporated into and became part of the substantive motion.

The Mayor said that he was a member of the Community Grants Panel, which always seeks to get the best outcome for the public purse. He said that the Panel had to ensure that the guidelines were being met, when deciding which applications it would recommend for funding. He said that he and his colleagues had reflected, in recent days and that he considered that this amendment was required. The Mayor said that he knew that SEV’s would continue its great work in the community.

Cr Davies congratulated the Mayor and the Panel on proposing the change, noting that SEV’s supported the most vulnerable people in the community.

Cr McCluskey said that this was a win-win, with SEV’s clients getting the support they need and the Council ensuring that the funding to SEV’s is used in the best possible way. He said that he supported the amendment.

Cr James said that being part of the Panel was the most rewarding thing that he had done on his time on Council. He said that it was flabbergasting to see how many community groups worked tirelessly and a lot of people working hard to bring people together and to support them. He said that his only disappointment was that not all applications could be funded.

Cr Saloumi said that she was at Highvale Retirement Village for the ANZAC service and noted that the residents spoke very highly of SEV’s and the service that it provided to them in getting to their medical appointments, etc.

Cr Lake said that this was a wakeup call for SEV’s as it had lost the confidence of some Councillors and Council officers. He said that there was some concern about feedback from officers regarding unresponsiveness to communications, unwillingness to explain and justify the very significant contribution this community made to SEV’s in terms of the capital accommodation that’s provide and the recurrent grant funding. He said that if the original motion had been carried, there would have been a significant cut to SEV’s funding. Cr Lake added that by funding the \$20k program in the original recommendation that was getting Council to point where there the entire funding amount could potentially have

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been discontinued from next year onwards. He said that that was not off the agenda and this was a reprieve for 12 months. Cr Lake said that it was important that everyone worked together to provide the best volunteer package for the community in Monash. He said that it was also important that the targets that had been agreed to were delivered.

**CARRIED**

### **7.1 Audit & Risk Committee Minutes**

Moved Cr Fergeus,

Seconded Cr Paterson

*That Council:*

- 1. Accepts the unconfirmed minutes of the 6 March 2018 Audit & Risk Committee (the Committee).*
- 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.*

**CARRIED**

### **7.2 Monash Gallery of Art: Committee of Management Departing Members and Approval of New Members**

Moved Cr McCluskey,

Seconded Cr Davies

*That Council:*

- 1. Approves the appointment of Ms Val Brown to the Monash Gallery of Art Committee of Management in accordance with its Terms of Reference.*
- 2. Formally thanks and acknowledges Dr David Rosenthal for his nine years on the MGA Committee of Management and the MGA Collections Subcommittee, concluding in May 2018.*
- 3. Formally thanks and acknowledges Mr Phil Virgo for his four year term on the MGA Committee of Management.*
- 4. Approves the appointment of Ms Kirsty Grant to the MGA Committee of Management on the departure of Dr Rosenthal in May 2018.*

Cr McCluskey thanked the 2 outgoing committee members of their contribution and service. He noted that the committee was quite vibrant and diverse in its membership, working collaboratively and cooperatively to achieve the best possible outcome for the MGA and the Monash community. Cr McCluskey congratulated the new committee members on their appointments.

**CARRIED**

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PROCEDURAL MOTION

Moved Cr James,

Seconded Cr McCluskey

*That the meeting be extended by 30 minutes*

**CARRIED**

**7.3 Monash Neighbourhood Matching Grants**

Moved Cr Paterson,

Seconded Cr Fergeus

*That Council accepts the Monash Community Grants Evaluation Panel recommendations to fund a total of \$3,300 for a one-off cash allocation supporting two (2) Monash Neighbourhood Matching Grant applications as follows:*

- 1. African Australian Mothers of Pre-schoolers Project for \$2,000.*
- 2. OC Connections for \$1,300.*

**CARRIED**

**7.5 Appointment of New Members to the Environmental Advisory Committee**

Moved Cr Fergeus,

Seconded Cr Little

*That Council approves the appointment of the following thirteen (13) community representatives to the 2018-2020 Environmental Advisory Committee (EAC) for a period of two years according to the current Terms of Reference:*

*Andrew Armstrong-Andrew Allan*

<i>Ayush Gupta</i>	- <i>Carlie Dann</i>
<i>Howard Rose</i>	- <i>Kym Boekel</i>
<i>Kallista Sears</i>	- <i>John Krohn</i>
<i>Lee Tan</i>	- <i>Meredith Ralph</i>
<i>Phei (Faye) Lok</i>	- <i>Romany Cullen</i>
<i>Steven Owens</i>	

Cr Fergeus thanked Council officers for undertaking an efficient process that involved 29 candidates, any one of which could have been appointed and the result would be positive. He added that the EAC had, through its members, a high level of technical expertise, passion and enthusiasm. He thanked everyone who had applied to be appointed to the advisory committee.

**CARRIED**

**8. URGENT BUSINESS**

Moved Cr Lake,

Seconded Cr Klisaris

*That the matter of the Victorian Redistribution conducted by the AEC be accepted as an item of Urgent Business.*

**CARRIED**

MOTION

**AEC Victorian Redistribution**

Moved Cr Lake,

Seconded Cr Fergeus

*That Council submits an objection to the proposed renaming of the Federal seat of McMillan to Monash and suggest that the AEC instead consider renaming the seat of Hotham as Monash.*

Cr Lake said that the timing for consideration of the redistribution didn't fit into the Council's meeting deadlines and objections and he was not aware until the AEC released its draft recommendations, about the proposed renaming of the seat of McMillan to Monash. He also noted that objections to the proposals close on 4 May 2018. Cr Lake said that the motion warranted support, as it goes to the issue of the potential confusion the proposal would create and the renaming of a Federal seat after General Sir John Monash, as one of the top 10 Australians. If any Federal seat could logically be named Monash, it would be the seat that covers the majority of this municipality, and after the proposed redistribution, the seat of Hotham was that seat. He added that the seat would also contain Monash University, Monash Medical Centre and the busiest section of the Monash Freeway.

AMENDMENT

Moved Cr James,

Seconded Cr Tsoi

*That*

- 1. the following words be removed from the motion "and suggest that the AEC instead consider renaming the seat of Hotham as Monash."*
- 2. all references to "Monash" be removed from the motion and the body of the document supporting the motion.*

Cr James said that he agreed that the current proposal would induce confusion, and there would be confusion with the second part of the motion, with people being in the Federal seat of Monash but not in the City of Monash, or in the City of Monash but not in the Federal seat of Monash. He added that people were already confused about

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Federal State and local boundaries and seats. So, to have two areas named Monash would be confuse things.

Cr Zographos said that he had an interest in this issue, but in a private capacity, having made his own submission to the AEC and did not consider it should be taking up the Council's time. He added that other than a few people expressing concern.

#### POINT OF ORDER

Cr James called a Point of Order, saying that Cr Zographos was speaking to the motion, not the amendment.

The Mayor did not uphold the Point of Order.

Cr Zographos continued, saying that he didn't think that Monash residents were concerned about the naming of Federal seats, but agreed that the name Monash brought great respect and strength to a Federal seat. Cr Zographos said that people were already confused about boundaries and were not always aware if they related to Federal, State or local government. He said that this would create enormous confusion, particularly for new citizens, which is why he supported the amendment.

Cr Saloumi said that people were used to the name Hotham and that the proposal would create confusion and result in people failing to vote at a particular level of government. Cr Saloumi said that she supported the amendment.

Cr Davies said that he also made a submission to the AEC, in a private capacity, but not on this matter. He said that the AEC refused to accept a proposal to rename the seat of Melbourne Ports Monash, but agreed to McMillan being renamed Monash. He said that the proposal before Council would create electoral chaos and supported the amendment.

Cr Lake said that he acknowledged the concerns of some of his colleagues about confusion, but said that it was misplaced.

#### POINT OF ORDER

Cr Davies called a Point of Order, saying that Cr Lake had spoken.

The Mayor did not uphold the Point of Order, clarifying that Cr Lake was talking on the amendment before Council.

Cr Lake continued, saying that there were several instances where Federal electorates and Council areas shared the same name, including La Trobe, Casey, Hume and others. He said that the confusion was about Monash as a local government geographic area and a seat of that name based in Gippsland. He said that the question was what would be a more fitting name for the electorate that took up the predominant part of this municipality, and the most fitting recognition of a great Australian. Cr Lake said that the AEC was right in seeking to recognise General Sir John Monash. He said that General Sir John Monash was far more deserving of recognition than Charles Hotham,

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the former Governor of Victoria, who was born in England and was Governor at the time of the Eureka Stockade incident. Cr Lake said that Hotham was not the appropriate person to be recognised as a great Australian. He said that General Sir John Monash had a greater affinity with this area.

Cr Fergeus said that the amendment weakened the motion considerably and did not support it. He said that the intention was to protect the brand and recognise General Sir John Monash, as well as replacing the name of someone who was unsuited to the Federal electorate that would cover the majority of the municipality. He said that the benefit of the proposal would be to have 2 seats named after Australians that the community could be proud of. Cr Fergeus said that he understood the argument about confusion but did not consider it warranted and having the one name for areas relating to different levels of government could be an advantage for electors.

Cr Tsoi said that he supported the amendment, adding that he supported the objection to the renaming of the seat of McMillan, but not agreeing that a proposal should be put to the AEC about renaming any other seat.

Cr Little said that he supported the positions of Crs Lake and Fergeus and to suggest that the proposal would cause confusion underestimated the intelligence of electors

**LOST**

#### DIVISION

A Division was requested.

For: Crs James, Tsoi, Davies, Zographos, Saloumi

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

Cr Zographos said that this could be argued both ways, but his position was that the motion would cause confusion. He added that the seats of Casey and La Trobe had very different demographics, with migration rates being higher in the City of Monash. Cr Zographos said that the ALP submission didn't ask for Hotham to be renamed. He said that there would be other seats which could be considered for renaming on the basis of history. People lived in a different era. Cr Zographos said that the AEC would not look at what Councils wanted seats in their area to be named.

#### PROCEDURAL MOTION

Moved Cr James,

Seconded Cr Davies

*That the motion be put to the vote.*

**CARRIED**

## MOTION

The motion was put to the vote and declared carried.

**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**

The Council entered Confidential Business at 10.20 pm and returned to Open Council at 10.26 pm.

## 10. PERSONAL EXPLANATIONS

Nil

## 11. COUNCILLORS' REPORTS

- 11.1** Cr Davies advised the Council of his attendance at a commemoration service for the anniversary of the Armenian Genocide, which he said, was dark period in the history of the Armenian people. He also advised Council of the joint statement and thanked Cr Paterson for her apology and that he looked forward to working with her in the future.
- 11.2** Cr James advised Council of the following: his attendance at "Live at Warrawee". Which was a very successful event and better than the previous year's; his attendance, together with the Mayor and other Councillors, at the event to welcome the Evzones, the Greek Presidential Guard. He congratulated the Oakleigh Traders' Association for organising the event, with the support of the Council; Clayton Cricket Club making the final of its Division 1 competition; the "Festival of Colours" which also was a great event and well organised.
- 11.3** Cr Saloumi advised Council of the following: attendance at the opening of the Central Reserve South Pavilion at Central Reserve; attendance at the ANZAC Day commemoration service at Glen Waverley, on Sunday; attendance at Highvale

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Retirement Village ANZAC commemoration service; her plans to attend the ANZAC Day Dawn Service at the Cenotaph.

- 11.4** Cr McCluskey advised Council that he represented the Mayor and the Lions Club Family Fun Day at Jells Park; acknowledged Damien Schuman who was a Commonwealth Games gold medallist in beach volleyball and former teacher at Mazenod College.

The Mayor declared the meeting closed at 10.30 pm

**MAYOR:** .....

**DATED THIS ..... DAY OF ..... 2018**