



**CITY OF
MONASH**

**MINUTES OF THE
MEETING OF COUNCIL
HELD ON 30 MARCH 2021**

at 7.00 pm

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

**MINUTES OF THE MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 30 MARCH 2021 AT 7.00 PM.**

PRESENT

Councillors B Little (Mayor), S McCluskey (Deputy Mayor), A de Silva, J Fergeus, S James, P Klisaris, G Lake, N Luo, R Paterson, T Samardzija, T Zographos

APOLOGIES

Nil.

DISCLOSURES OF CONFLICT OF INTEREST

Cr Samardzija disclosed a general conflict of interest for item 1.7. Cr Samardzija left the meeting at 7:32pm and returned to the meeting at 7:33pm.

**CONFIRMATION OF MINUTES OF THE MEETINGS OF COUNCIL HELD ON
23 FEBRUARY 2021**

Moved Cr Zographos

Seconded Cr McCluskey

That the minutes of the Meeting of Council held on 23 February 2021, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil.

PUBLIC QUESTION TIME

The Mayor advised that one (1) question had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Town Planning Schedules

Moved Cr James

Seconded Cr Zographos

That the report containing the Town Planning Schedules be noted.

CARRIED

1.2 178 Lawrence Road, Mount Waverley – Extension of Time – Two double Storey Dwellings and Removal of Vegetation

Moved Cr McCluskey

Seconded Cr James

That Council resolves to issue an extension of time to Planning Permit No. TPA/44929 for development of two double storey dwellings with associated double garages and removal of vegetation at 178 Lawrence Road, Mount Waverley pursuant to the provisions of Section 69(2) of the Planning and Environment Act 1987.

- *That in accordance with Section 69(2) of the Planning and Environment Act 1987, the time for the completion of the development be extended for a further 2 years. Accordingly, the development must be commenced by 11 February 2023 and completed by 11 February 2025.*

CARRIED

1.3 36 Smyth Street, Mount Waverley – Extension of Time – Development of Two Double Storey Dwellings

Moved Cr James

Seconded Cr McCluskey

That Council resolves to issue an extension of time to Planning Permit No. TPA/44896 for development of two double storey dwellings at 36 Smyth Street, Mount Waverley pursuant to the provisions of Section 69(2) of the Planning and Environment Act 1987:

- *That in accordance with Section 69(2) of the Planning and Environment Act 1987, the time for the completion of the development be extended for a further 12 months. Accordingly, the development must be commenced by 18 February 2022 and completed by 18 February 2024.*
- *That the applicant be advised it is unlikely a further extension of time will be granted given the time that has passed since the permit was granted and the non-compliance with Council Policy.*

CARRIED

1.4 149 Hansworth Street, Mulgrave – Amendment To An Existing Planning Permit Which Allows Development Of Two Residential Apartment Towers Up To 10 Storeys In Height and 30 Townhouses

Moved Cr James

Seconded Cr Luo

A

That Council resolves to support the application for an amendment of Planning Permit (TPA/45451) under Section 87 of the Planning and Environment Act 1987 for land at 149 Hansworth Street, Mulgrave as the application is lodged in general compliance with relevant Council Policies and the provisions of the Monash Planning Scheme, subject to the following changes:

Staging Plans

- a) The staging plan to include details of the built form of the apartment component;*
- b) The staging plan to be revised to remove the colour hatching of the easement, and clarify that this area is located within Stage 1;*
- c) The staging plan to include written details of all works to be included in each stage;*
- d) The triangular open space / landscaped area on the eastern side of Townhouses 24-28 to be included within Stages 1 or 2;*

Stage 1 Plans

- e) A landscaping area to be provided within the accessway, between the garages associated with Townhouse 8 and 9;*

Stage 2 Plans

- f) Elevation plans to be titled which represent the elevation provided (i.e. north, south, east, west);*
- g) The front fence to Townhouses 23, 25 and 27 reduced in height to 1.5 metres and set back a minimum of 500mm from the pedestrian footpath;*
- h) The clothes lines associated with Townhouses 23, 25-28 removed and the clothes lines associated with Townhouses 22 and 24 relocated to be adjacent to the fence adjoining the vehicle driveway;*
- i) Boundary fences on the northern side of Townhouses 22 and 24 to be a maximum of 1.8 metres in height;*
- j) A minimum of two windows on the ground floor, south facing walls associated with Townhouses 27 and 28;*
- k) The first floor master bedroom windows associated with Townhouses 23-28 to be screened using louvres which allow views downwards and up to the sky, however prevents overlooking to bedroom windows opposite;*
- l) Full details as required by the endorsed Waste Management Plan;*

Stage 3 Plans

- m) Full details as required by the endorsed Waste Management Plan.*

B

That the above resolution be Council's position at the VCAT hearing and authorises the Director City Development to consent to any further consequential amendments to the permit conditions required provided that they do not substantially alter the development from that agreed above.

CARRIED

1.5 Mount Waverley Activity Centre Structure Plan

Moved Cr James

Seconded Cr McCluskey

That Council:

- 1. Notes that the Council meeting of August 25 2020 officer advice was requested on a Motion that proposed to reduce building heights in three precincts within the Mount Waverley Structure Plan.*
- 2. Notes that officer advice on the changes proposed in that Motion now form an addition to this report.*
- 3. Notes that since the August report in 2020 additional submissions have been received from some members of the Mount Waverley community.*
- 4. Receives and notes the submissions made in response to the community consultation for the Draft Mount Waverley Activity Centre Structure Plan.*
- 5. Notes the Officer's response to submissions as outlined in this report and in Attachment 1.*
- 6. Endorses the proposed changes to the draft Mount Waverley Activity Centre Structure Plan as set out in this report.*
- 7. Adopts the revised Mount Waverley Activity Centre Structure Plan in accordance with the proposed changes set out in this report and appended as Attachment 3. Notes that a report will be presented to a future Council meeting to consider changes required to the Monash Planning Scheme to give effect the vision of the Structure Plan.*

AMENDMENT

Moved Cr Paterson

Seconded Cr de Silva

That Council:

- 1. Notes that at the Council meeting of August 25 2020 officer advice was requested on a Motion that proposed to reduce building heights in three precincts within the Mount Waverley Structure Plan.*
- 2. Notes that officer advice on the changes proposed in that Motion now form an addition to this report. Notes the misunderstanding and concern in some sections of the community about the role of the Mount Waverley Activity Centre Structure Plan, and seeks to in particular address the concern regarding the potential sale and development of the Council owned car park and clarify that this is not proposed nor an outcome of the plan, but as a parcel of land in the Activity Centre, Council, as the planning authority has a responsibility to identify its*

development potential. Notes that since the August report in 2020 additional submissions have been received from some members of the Mount Waverley community.

- 3. Receives and notes the submissions made in response to the community consultation for the Draft Mount Waverley Activity Centre Structure Plan.*
- 4. Notes the Officer's response to submissions as outlined in this report and in Attachment 1.*
- 5. Endorses the proposed changes to the draft Mount Waverley Activity Centre Structure Plan as set out in this report.*
- 6. Adopts the revised Mount Waverley Activity Centre Structure Plan in accordance with the proposed changes set out in this report and appended as Attachment 3.*
- 7. Notes that a report will be presented to a future Council meeting to consider changes required to the Monash Planning Scheme to give effect to the vision of the Structure Plan.*
- 8. Prepares an information package that explains:*
 - 8.1.1. why we need a structure plan,*
 - 8.1.2. the process undertaken for the creation of the Mount Waverley Activity Centre Structure Plan, including consultation undertaken and how we have responded to community feedback,*
 - 8.2. the role of the Mount Waverley Activity Centre Structure Plan in guiding the future of the centre, and*
 - 8.3. the next steps in any implementation program for the Mount Waverley Activity Centre Structure Plan.*
- 9. Includes an information article in the next available edition of the Monash Bulletin containing the information set out in Point 8 above.*
- 10. Writes to all submitters and petitioners advising of the adoption of the Mount Waverley Activity Centre Structure Plan and provides them with the information being prepared in accordance with Point 8 above.*

The amendment was accepted by all Councillors and becomes the substantive motion.

SUBSTANTIVE MOTION

The substantive motion was put to the vote.

DIVISION

For: Crs de Silva, Fergeus, James, Klisaris, Lake, Little, Luo, McCluskey, Paterson, Samardzija, Zographos

Against: Nil.

CARRIED

1.6 Public Toilet Strategy

Moved Cr Fergeus

Seconded Cr Paterson

That Council:

Adopts the draft Monash Public Toilet Strategy (attachment 1) for public exhibition and invites community submissions before finalising the strategy having regard to any submissions received and presenting it to a future Council meeting for consideration and adoption.

AMENDMENT

Moved Cr James

Seconded Cr Little

That Council:

Adopts the draft Monash Public Toilet Strategy (attachment 1) for public exhibition and invites community submissions before finalising the strategy having regard to any submissions received and presenting it to a future Council meeting for consideration and adoption, subject to the draft strategy document being amended by:

- 1. Removing the column containing numbers from the table at 6.1*
- 2. Adds a note to the top of each table indicating that the table below is not in any particular order and priority rankings will be determined following consultation with the community.*

The amendment was accepted by all Councillors and becomes the substantive motion.

SUBSTANTIVE MOTION

The substantive motion was put to the vote.

CARRIED

PROCEDURAL MOTION

Moved Cr Little

Seconded Cr James

That Council adjourn the meeting for 5 minutes to allow Cr Paterson to re-join the meeting.

CARRIED

The meeting was adjourned at 7:25pm and resumed at 7:32pm.

1.7 Early Years – Proposed Multiple Leases To Local Independent Service Providers

Cr Samardzija disclosed a general conflict of interest for item 1.7. Cr Samardzija left the meeting at 7:32pm and returned to the meeting at 7:33pm.

Moved Cr James

Seconded Cr Paterson

That Council:

1. Negotiates leases with the following local Not For Profit organisations to deliver Early Year's Services at the facilities located at the following Council owned sites:

- *Columbia Park Early Learning Centre Inc. - Columbia Park Early Learning Centre, 28a Columbia Drive, Wheelers Hill*
- *Syndal Pre-School Association Inc. - Syndal Preschool, 2 Matthew Street Glen Waverley*
- *Ashwood Children's Centre Incorporated - Ashwood Children's Centre, 4-8 Yooralla Street Ashwood*
- *Hughesdale Kindergarten Incorporated - Hughesdale Kindergarten, 10 Freda Street Hughesdale*
- *Jells Park Preschool Association Inc. - Jells Park Preschool, 37-39 Petronella Avenue Wheelers Hill*
- *Highvale Pre-School Association Inc. - Highvale Pre-School, 56-58 Campbell Street Glen Waverley*
- *Waverley Meadows Preschool Association Inc. - Waverley Meadows Preschool, 6 Farnham Avenue Wheelers Hill*
- *Pinewood Pre-School Centre Inc. - Pinewood Pre School, 13 Pinewood Drive Mount Waverley*
- *Brandon Park Children's Centre Inc. - Brandon Park Children's Centre, 649-659 Ferntree Gully Road Glen Waverley*
- *Appletree Hill Pre-School Association Inc. - Appletree Hill Pre School, 37 Shepherd Road Glen Waverley*
- *Brentwood Pre-School Association Inc. - Brentwood PreSchool, part 52-58 View Mount Road Wheelers Hill*

Incorporating the following terms and conditions: Rent: \$1.00 per annum (plus GST)

Term: 5 Years

Further Term: 5 Years

Use: For the purposes associated with the activities of a kindergarten including three and four year old kindergarten programs, playgroups, activity programs for young children and other activities such as kindergarten meetings and fundraising functions.

("the Proposal")

- 2. Give public notice of the proposal in accordance with Section 190 of the Local Government Act 1989, in a newspaper and on Council's website from 7 April 2021 and invite submissions on the proposal.***
- 3. Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in respect of the proposal ('Appointed Officer').***

-
4. *Appoint a Committee of Council comprising of all Councillors to hear any submitters requesting to be heard and consider any submissions received under section 223 of the Act at a time and place to be fixed.*
 5. *Consider and determine the outcome of the section 223 process on the proposal at a scheduled Meeting of Council on a date and time to be fixed.*

CARRIED

1.8 Montclair Multi-level Car Park, Glen Waverley

Moved Cr McCluskey

Seconded Cr Fergus

That Council:

1. *Notes that at the Ordinary Council Meeting on 25 August 2020 Council resolved to suspend Project 2019147 – Principal Consultancy Services – Detailed design for a mixed-use multi-level car park, 31-39 Montclair Avenue, Glen Waverley (the Contract) for a further six month term.*
2. *Notes that following the resolution of Council at the 25 August 2020 meeting, a letter of suspension of the Contract was sent to the Consultant – Warren & Mahoney Architects Pty Ltd suspending the Contract for a further six month term.*
3. *Notes that Council officers continue discussions with the Suburban Rail Loop Authority (SRLA) regarding the location for the Suburban Rail Loop (SRL) station in the Glen Waverley Activity Centre (GWAC) including identifying potential issues and opportunities that arise as a consequence.*
4. *Agrees, given recommendation 3 above, and with no detailed announcements having been made, that the contract 2019147 – Principal Consultancy Services – Detailed design for a mixed-use multi-level car park, 31-39 Montclair Avenue, Glen Waverley (the Contract) be suspended for a further six month period until 30 September 2021.*
5. *Writes to the consultant – Warren & Mahoney Architects Pty Ltd to extend the suspension of the contract to October 2021.*
6. *Writes to key stakeholders providing a further update on the Contract and prepares a media release regarding the same.*
7. *Receives a further report at its September 2021 scheduled meeting (or earlier in light of any progress) regarding the status of discussions with the SRLA and the impact to contract.*
8. *Notes that officers have had a discussion with the new CEO of the SRLA, Frankie Carroll, and that the Glen Waverley Activity Centre Advisory Committee also met with him on 23 March 2021 to discuss matters associated with the SRLA in the Glen Waverley Activity Centre.*

CARRIED

2. COMMUNITY SERVICES

2.1 Waverley Women's Sport Centre Precinct Plan

Moved Cr James

Seconded Cr Luo

That Council:

- 1. Notes the further consideration of the matters raised through the community consultation and discussed with Councillors at a meeting on 11 February 2021 (Appendix C).*
- 2. Endorses the Waverley Women's Sports Centre Precinct Plan (Appendix B).*

AMENDMENT

Moved Cr Samardzija

Seconded Cr McCluskey

That Council:

- 1. Notes the further consideration of the matters raised through the community consultation and discussed with Councillors at a meeting on 11 February 2021 (Appendix C).*
- 2. Endorses the Waverley Women's Sports Centre Precinct Plan (Appendix B), noting that Package 1 (Outdoor Netball Courts Upgrade) works are underway, and the remaining packages 2 to 6 are subject to Council budget approval and/or external funding, detailed design and community consultation.*

The amendment was accepted by all Councillors and becomes the substantive motion.

SUBSTANTIVE MOTION

The substantive motion was put to the vote.

CARRIED

2.2 LGBTIQA+ Advisory Committee – Councillor Nominations

Moved Cr James

Seconded Cr Fergeus

That:

- Council nominates Councillors Fergeus, James and Paterson to the LGBTIQA+ Advisory Committee;*
- Council endorses the Terms of Reference for the LGBTIQA+ Advisory Committee.*

PROCEDURAL MOTION

Moved Cr James

Seconded Cr McCluskey

That Council allow the mover of the motion to raise an amendment.

CARRIED

AMENDMENT

Moved Cr James

Seconded Cr McCluskey

That:

- *Council nominates Councillors Fergeus, James and Paterson to the LGBTIQ+ Advisory Committee;*
- *Council endorses the Terms of Reference for the LGBTIQ+ Advisory Committee, subject to the following:*

Reword first paragraph of Membership to:

The LGBTIQ+ Advisory Committee will consist of no more than 14 representatives from outside Council and will include representation from:

- *Community organisations, agencies and service providers who have a focus on providing services to the Monash LGBTIQ+ community, capped at four*
- *Community members living or working in Monash representing the diversity of the Monash LGBTIQ+ community and allies*

In addition, Council will determine Councillor(s) to sit on the committee.

Add to terms of appointment:

- *No member may serve more than two terms.*

The amendment was accepted by all Councillors with the knowledge Cr James would like to move another amendment.

CARRIED

AMENDMENT

Moved Cr James

Seconded Cr Fergeus

That:

- *Council nominates Councillors Fergeus, James and Paterson to the LGBTIQ+ Advisory Committee;*
- *Council endorses the Terms of Reference for the LGBTIQ+ Advisory Committee, subject to the following:*

Reword first paragraph of Membership to:

The LGBTIQ+ Advisory Committee will consist of no more than 14 representatives from outside Council and will include representation from:

- *Community organisations, agencies and service providers who have a focus on providing services to the Monash LGBTIQ+ community, capped at four*
- *Community members living or working in Monash representing the diversity of the Monash LGBTIQ+ community and allies*

In addition, Council will determine Councillor(s) to sit on the committee.

Add to terms of appointment:

- *No community member may serve more than two terms.*

The amendment was accepted by all Councillors and becomes the substantive motion.

CARRIED

SUBSTANTIVE MOTION

The substantive motion was put to the vote.

CARRIED

2.3 Potential Social Housing Sites in Monash

Moved Cr Fergeus

Seconded Cr Paterson

That Council:

1. Notes and endorse the three potential sites being:

- a) 1399 – 1401 Centre Road, Clayton;*
- b) 329 - 333 Waverley Road, Mount Waverley; and*
- c) 65A Power Avenue, Chadstone*

which have been identified as possibly being suitable for social housing in Monash in response to the Victorian State Government's landmark 'Big Housing Build' \$5.3 billion investment package into social and affordable housing.

- 2. Provides in-principle support to the three Council owned sites identified within this report and notes that these sites will form the basis for any further discussions with Homes Victoria for the possible provision of social housing within the municipality.*
- 3. Advocates to the State Government that they also identify land controlled by VicTrack and Melbourne Water that may be suitable as potential sites amongst their significant land holding in metropolitan Melbourne, such as the site*

identified at 1A Johnson Street, 1 – 15 Johnson Street & Part Johnson Street, Oakleigh.

- 4. Notes that this stage is a first step in planning for the opportunities to be announced by Homes Victoria when they provide further timelines and direction to local government in 2021, and that officers will brief Council when the next stages are known.*
- 5. Notes that the preferred model would be for Council to retain ownership of the land and provide a long-term lease over the land to facilitate the provision of social housing.*

PROCEDURAL MOTION

Moved Cr Zographos

Seconded Cr McCluskey

That Cr Zographos be given an extra 30 seconds to speak.

CARRIED

Cr Zographos completed his contribution on the item.

The matter was put to the vote.

CARRIED

2.4 Monash Integrated Cultural Precinct

Moved Cr McCluskey

Seconded Cr Samardzija

That Council notes and endorses the Monash Gallery of Art (MGA)/Wheelers Hill Library (WHL) Monash Integrated Cultural Precinct (ICP) Feasibility Study business case for submission to the Victorian State Government.

CARRIED

3. CORPORATE SERVICES

3.1 Procurement Policy 2020/21 Update

Moved Cr Zographos

Seconded Cr Samardzija

That Council adopts the updated Procurement Policy 2020/21 (attached), in accordance with Section 186A of the Local Government Act 1989 and places a copy on Council's web site, www.monash.vic.gov.au.

CARRIED

4. INFRASTRUCTURE & ENVIRONMENT

4.1 Local Roads and Community Infrastructure Program (Phase 2)

Moved Cr Fergeus

Seconded Cr Luo

That Council endorses the nominated list of projects being submitted for consideration under the second phase of Local Roads and Community Infrastructure Program.

That Council approves the nominated list of projects for funding in Council's 2020/21 Capital Works Program and inclusion in Council's 2021/22 draft Budget.

CARRIED

4.2 Vicinity Centres and Monash University Trackless Rapid Transit Options

Moved Cr James

Seconded Cr Zographos

That Council:

- 1. Notes the current progress of the transport option being developed and promoted by Vicinity Centres and Monash University as a Stage 1 connects Caulfield Station to Chadstone Shopping Centre, Monash National Employment and Innovation Cluster [NEIC] and Monash University Clayton, with Stage 2 proposing a connection to Rowville.*
- 2. Supports officer involvement in the ongoing discussions and development of the project.*
- 3. Notes previous Council in principle support for proposals for heavy rail from Huntingdale to Rowville and light rail from Caulfield to Rowville.*
- 4. Notes that the trackless rapid transit proposal includes the option of sustainable transport in the form of electric vehicles.*
- 5. Restates the need for enhanced public transport options through the Monash National Employment Cluster and the immediate region, noting that these options could include Heavy Rail, Light Rail, Bus Rapid Transit and/or Trackless Rapid Transit.*
- 6. Notes the officers will provide regular updates to Council on the progress of this project.*
- 7. Provides in principle support for the Trackless Rapid Transit Project.*

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Councillors' Meeting Records

Moved Cr Samardzija

Seconded Cr McCluskey

That Council notes the record of Committee Meetings and Informal Councillors' Meetings.

CARRIED

5.2 Mayor and Councillor Allowances

Moved Cr James

Seconded Cr Luo

A. *That public notice be given in accordance with Sections 74 and 223 of the Local Government Act 1989 that:*

1. *The Councillor and Mayoral allowances for 2021 are proposed to be set as follows:*

- *Councillor allowance: \$31,444 per annum*
- *Mayoral allowance: \$100,434 per annum*

2. *The following equivalent of the Superannuation Guarantee Contribution for 2021 is proposed to be made:*

- *Councillor: \$2,987.18 per annum*
- *Mayor: \$9,541.23 per annum*

B *That:*

1. *A committee comprising all Councillors be appointed to consider all submissions received, at 7.00 pm, Tuesday 11 May 2021.*

2. *Subject to the consideration of any submissions received, in accordance with Sections 74(4) and 223 of the Local Government Act 1989 (the Act), the Council resolves on the Councillor and Mayoral allowances, and consequently the superannuation contributions, for 2021 at its meeting on 29 June 2021.*

C. *That a fully-maintained Council vehicle be provided for the Mayor's use during their term of office as Mayor.*

D. *That the Chief Executive Officer be given the authority to make all administrative arrangements in relation to the meeting under s.223 of the Act.*

E. That it be noted that, in accordance with the Council resolution of 26 May 2020 to refuse an increase, the value of the allowances has not increased.

CARRIED

5.3 Councillor Gift Policy

Moved Cr James

Seconded Cr Lake

That the draft Councillor Gift Policy attached to this report, be adopted by Council.

CARRIED

5.4 Conflicts of Interest Policy for Advisory Committees

Moved Cr James

Seconded Cr Zographos

That Council:

- 1. Adopts the revised "Conflicts of Interest For Advisory Committees Policy".*
- 2. Directs officers to forward the policy to all Council's advisory committees that have non-councillor members.*

CARRIED

5.5 National General Assembly – Australian Local Government Association

Moved Cr Zographos

Seconded Cr Luo

That Council approves the attendance of the following Councillors at the Australian Local Government Association's National General Assembly in Canberra from 20 to 23 June 2021 both dates inclusive:

Crs de Silva, Fergeus, Little, Luo, McCluskey, Samardzija and Zographos

CARRIED

5.6 Authority to Access Procurement Australia Contract

Moved Cr McCluskey

Seconded Cr Little

That Council:

- 1. Approves access to the Procurement Australia contract for Recruitment, Training & Associated Services (PA Contract No. 2312-0618) for the following categories of service:**
 - **Category 1: Permanent Recruitment – Executive**
 - **Category 2: Permanent Recruitment – Entry/ Middle/ Senior**
 - **Category 3: Temporary Recruitment**
 - **Category 4: Managed Services Program (MSP) Providers for Contingent Labour**
 - **Category 9: Psychometric Testing & Skills Assessment**
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement/s;**
- 3. Notes that the contract will commence on notification to Procurement Australia, with an initial term ending 31 December 2023 and the contract has two separate extension options of one year each and authorises the Chief Executive Officer to approve extension options subject to extension by Procurement and Australia and satisfactory performance for the City of Monash;**
- 4. Notes that spend under the contract will be governed by existing budget management processes, including current commitments to achieve savings related to temporary workforce (Agency) spend and is currently estimated at \$3,000,000 per year.**

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

CARRIED

6. NOTICES OF MOTION

6.1 Council's Discretionary Expenditure Fund Applications – Mayor

Moved Cr Little

Seconded Cr McCluskey

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

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
Oakleigh-Carnegie RSL Sub Branch	Replacement of a shade sail which was vandalised. Requesting a donation of \$2,901.	\$2,901
Fusion Australia	'Lunchtime with a difference' Program. Every Thursday 12pm – 2pm held at the Fusion Youth and Community Centre.	\$1,000
Bhakti Tarang	'Mata ki Chowki' -18.4.21 Universal Peace and Prayers at Huntingdale Hall	\$329.90 GST excl

CARRIED

6.2 Sport and Climate Change – Cr Fergeus

Moved Cr Fergeus

Seconded Cr de Silva

That Council:

- 1. Notes the Climate Council's recent report "Game, Set, Match: Calling Time on Climate Inaction" and its key findings that:***
 - Australia's summer of sport is under threat from climate change;***
 - By 2040, heatwaves in Melbourne could reach highs of 50 degrees Celsius;***
 - Increasingly hot summers are a health hazard for those playing and watching sport.***

CARRIED

6.3 Freedom of the Press – Cr Fergeus

Moved Cr Fergeus

Seconded Cr de Silva

That Council:

- 1. Asserts the City of Monash's staunch support for Freedom of the Press;***
- 2. Notes that WikiLeaks has played an important and effective role in disclosing war crimes, corporate fraud, environmental damage and other criminal abuses;***
- 3. Notes that WikiLeaks founder Julian Assange has been held on remand in maximum security prison in the United Kingdom without charge, locked in a cell for 23 hours per day and that he continues to remain incarcerated;***
- 4. Notes that Mr Assange is now in very poor health and is facing extradition from the United Kingdom to the United States of America in an unprecedented Espionage Act prosecution for engaging in journalistic activity and, if convicted, faces 175 years imprisonment and potentially the***

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- death penalty for revealing the truth about the wars in Afghanistan and Iraq;*
5. *Notes that the treatment and experience of Mr Assange sets a dangerous precedent for journalists worldwide;*
 6. *Notes that the United Nations Working Group on Arbitrary Detention has called for Mr Assange's immediate release and that the United Nations Special Rapporteur on torture, Nils Melzer, has examined Mr Assange in Belmarsh Prison and believes that his life is in danger;*
 7. *Notes and supports Amnesty International's call for the UK to hold firm and refuse to extradite Mr Assange to the USA and for the UK to abide by its obligations under international human rights law that forbids the transfer of individuals to another country where they would face serious human rights violations;*
 8. *Notes and supports the other major civil liberties, media freedom and human rights groups which have spoken out against the arrest and treatment of Julian Assange including:*
 - *The International BAR Association of Human Rights Institute;*
 - *The European Council;*
 - *Freedom of the Press Foundation;*
 - *Local, state and federal governments;*
 - *Reporters Without Borders;*
 - *Human Rights Watch;*
 - *Australian Media Entertainment and Arts Alliance;*
 - *Center for Constitutional Rights;*
 - *Human Rights Law Centre;*
 - *Digital Rights Watch;*
 - *International Association for Media and Communication Research;*
 9. *Writes to Prime Minister and the Minister for Foreign Affairs requesting that the Australian Government urgently request that UK authorities address Mr Assange's poor health and mistreatment and uphold the human rights of Mr Assange as an Australian citizen;*
 10. *Issues a public statement detailing Council's position and writes to local State and Federal MPs advising them of this position.*

LOST

6.4 Welcoming the Yoo-rrook Justice Commission – Cr Fergeus

Moved Cr Fergeus

Seconded Cr de Silva

That Council:

1. *Notes the announcement this month of the Yoo-rrook Justice Commission, which will examine the lasting effects of colonisation on social, economic and health outcomes for First Nations people;*
2. *Publicly expresses its support for the establishment of the Commission, and for the Uluru Statement from the Heart which preceded it;*

-
3. *Acknowledge that First Nations people never ceded sovereignty of their lands and have continuously cared for their country for over 60,000 years, as the world's oldest living culture;*
 4. *Notes that the first Day of Mourning was held on January 26 1938, being the 150th anniversary of the British invasion, attended by First Nations people and non-indigenous supporters in protest of the national holiday and the treatment of First Nations people;*
 5. *Lowers the Aboriginal and Torres Strait Islander flags to half-mast each year on January 26 to acknowledge the pain and suffering experience by First Nations people, befitting a day of grief and remembrance;*
 6. *To contribute to Makarrata, truth-telling, justice and reconciliation, commits to hosting a dawn service on January 26 from the year 2022 onwards, acknowledging the loss of culture, language and identity felt by many First Nations people on January 26;*
 7. *Commits to talking with our community and improving their understanding of First Nations issues, as well as strengthening our understanding of community views on these issues.*

AMENDMENT

Moved Cr Klisaris

Seconded Cr James

Cr Klisaris moved that the following point be added as point 1 and that the remaining points be renumbered to suit.

Re-affirms its resolved decision of 28 November 2017 that Council will continue to celebrate whatever date the Federal Government gazettes for Australia Day;

The amendment was not accepted by the mover and a request for discussion was made. After discussion, the amendment was put to the vote to become the substantive motion and declared carried.

CARRIED

SUBSTANTIVE MOTION

The substantive motion was then debated.

AMENDMENT

Cr McCluskey moved the following amendment

That point 7 be removed from the substantive motion.

Note: Before the Mayor could call for a seconder to the amendment, Cr Fergus called a procedural motion, saying that he wanted to exercise his right of reply.

RIGHT OF REPLY

Cr Fergeus moved a procedural motion to exercise his right of reply.

Cr McCluskey advised the Mayor that he withdrew his amendment to permit Cr Fergeus to speak.

Cr Fergeus exercised his right of reply.

AMENDMENT

Moved Cr McCluskey

Seconded Cr Samardzija

That point 7 be removed from the substantive motion.

LOST

The substantive motion was put to the vote.

CARRIED

6.5 Sexual Harassment In Local Government – Cr de Silva

Moved Cr de Silva

Seconded Cr Paterson

That Council:

- 1. notes the Victorian Auditor-General’s recent report “Sexual Harassment in Local Government” and its key findings that:***
 - councils are not providing workplaces that are free from sexual harassment;***
 - more than one in four survey respondents said that they had experienced workplace sexual harassment in the last 12 months, including 30% of Councillors, 30% of women, 48% of LGBTQIA+ respondents, and 41% of respondents with a disability;***
 - councils rarely engage staff in meaningful conversations about sexual harassment and its drivers; and***
 - sexual harassment was found to be more prevalent in metropolitan councils;***
- 2. accepts the recommendations of the Auditor-General contained in the report;***
- 3. acknowledges the work that Officers have already completed in response to the recommendations of the Auditor-General contained in the report, including a gap analysis in relation to current policies and processes; and***
- 4. requests that Officers provide recommendations to Council on potential further improvements to its policies and processes, with a view to Council:***
 - a. further providing a workplace with zero tolerance for sexual harassment and appropriate redress for victims of sexual harassment; and***

-
- b. seeking to be an exemplar Council in this area, so that Council's focus and response on sexual harassment in local government is consistent with best practice standards across the local government sector and amongst Australian workplaces more generally; and*
- 5. Conveys its broad and unwavering commitment to continuing to support any measures recommended by Officers to address sexual harassment in the workplace.**

CARRIED

7. COMMITTEE REPORTS

7.1 Disability Advisory Committee – Appointment of New Members

Moved Cr Luo

Seconded Cr McCluskey

That Council:

- 1. Endorses the appointment of the following eight (8) community representatives and two (2) local organisation representatives to the Disability Advisory Committee, each for a two (2) year term:**

- *Helen Haughton*
- *Harini Guddanti*
- *Mona Singh*
- *Sue Rees*
- *Heather Miller*
- *Peter Hocking*
- *Linda Teng*
- *Tess Marotta*
- *Marian Jacobs (representing Waverley Help Mates)*
- *Sharon Roxby (representing OC Connections)*

- 2. Endorses the updated Disability Advisory Committee Terms of Reference, reflecting an increase to the number of members appointed to this committee. Membership will increase to eighteen (18) members, consisting of fourteen (14) community representatives, two (2) local organisation representatives and two (2) Councillors.**

CARRIED

7.2 Gender Equity Advisory Committee – Appointment of New Members

Moved Cr Paterson

Seconded Cr Zographos

-
1. *That Council endorses the appointment of the following five people to the Gender Equity Advisory Committee, each for a two-year term:*

*Emily Pham
Christopher Unwin
Jade McNamara
Nandini Sungupta
Prabha Arachchige*

2. *That Council endorses two-year extensions for the following eight existing committee members:*

*Jasmine Howlett
Fiona Marshall
Diana Hansen
Tania Rose
Debbie Lee
Shamiso Murambi
Alex Mills
Kirsty Kain*

3. *That Council acknowledges and thanks the outgoing committee members for their contribution over the four-year term:*

*Gauri Kapoor
Poonam Mehra
Puvana Sivakuma
Elleleen Springer
Lucy Wickham*

4. *That Council notes the revised Terms of Reference (TOR) for the Gender Equity Advisory Committee.*

CARRIED

7.3 Multicultural Advisory Committee – Appointment of New Members

Moved Cr Samardzija

Seconded Cr Luo

That Council:

1. *Endorses the appointment of the following four community representatives to the Multicultural Advisory Committee, each for a two-year term:*

- *Dakhina Mitra*
- *Oksana King*
- *Rida Khan*
- *Mohamed Mohideen*

2. Endorses the updated Multicultural Advisory Committee Terms of Reference

CARRIED

8. URGENT BUSINESS

PROCEDURAL MOTION

Moved Cr James

Seconded Cr Zographos

That the item titled 'Assistance with ANZAC Day Ceremony at Oakleigh RSL' be admitted as urgent business.

CARRIED

8.1 Assistance with ANZAC Day Ceremony at Oakleigh RSL

Moved Cr James

Seconded Cr Zographos

That Council provide assistance to the Oakleigh RSL, by way of technological support, for their ANZAC Day 2021 services to be livestreamed.

CARRIED

9. CONFIDENTIAL BUSINESS

Moved Cr McCluskey

Seconded Cr James

That Council, having reviewed and considered the certificate in relation to the matter listed for confidential business, and being satisfied that it is appropriate and necessary to consider this matter at a closed meeting, resolves to close the meeting to the public in accordance with section 66(2) of the Local Government Act 2020 for the reasons specified in the certificate.

CARRIED

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Cr James noted the success of Live at Warrawee and thanked Council staff for their efforts.

Cr James noted the resignation of Senior Communications Officer, Emily Webb. He thanked her for her assistance to him during his mayoral term and wished her the best for her future.

Cr McCluskey noted that he and Cr Zographos attended the 100 years of rotary celebration which recognised the many successes of the group.

Cr McCluskey noted that he attended a 100 year birthday celebration for a Mulgrave resident, Melponenci (Molly) Bivolcheff.

Cr Little echoed comments about the success of the Live at Warrawee event.

Cr Little noted the success of the live citizenship ceremonies and thanked Council staff for their efforts.

The Mayor declared the meeting closed at 9.16 pm.


MAYOR:

DATED TUESDAY THE 27TH DAY OF APRIL 2021