



Council Meeting - Minutes

Held on Monday 6 February 2023

Council Chamber, Malvern Town Hall
Corner Glenferrie Road & High Street, Malvern

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The meeting commenced at 7:00pm

Councillors Present:

Cr Jami Klisaris, Mayor
Cr Melina Sehr, Deputy Mayor
Cr Nicki Batagol
Cr Joe Gianfriddo
Cr Marcia Griffin
Cr Kate Hely
Cr Matthew Koce (virtual attendance)
Cr Polly Morgan
Cr Mike Scott

Apologies:

Nil

Council Officers Present:

Rick Kwasek	Interim Chief Executive Officer
Annaliese Battista	Director Planning & Place
Cath Harrod	Director Community & Wellbeing
Simon Holloway	Acting Director Environment & Infrastructure
David Thompson	Executive Manager Legal & Governance
Daniela Mazzone	Acting Chief Customer and Transformation Officer
Julia Gallace	Acting Director Organisation Capability
Jane Lovell	Acting Manager Communications & Engagement
Alexandra Kastaniotis	Manager Statutory Planning
Loren Lawford	Executive Assistant to the Mayor and Councillors
Judy Hogan	Civic Support Officer
Fauzi Rahman	Information Technology Support

1 Reading of the Statement of Reconciliation

The Mayor, Cr Jami Klisaris read the following Statement of Reconciliation:

We acknowledge we are meeting on the Traditional Lands of the Wurundjeri Woi Wurrung and Bunurong peoples of the East Kulin Nations and pay our respect to their Elders past, present and emerging.

We extend that respect to all Aboriginal and Torres Strait Islander peoples. We acknowledge their living connection to Country, relationship with the land and all living things extending back tens of thousands of years.

2 Reading of the Statement of Commitment

The Mayor, Cr Jami Klisaris read the following Statement of Commitment:

We are reminded that as Councillors we are bound by our Oath of Office to undertake the duties of Councillor in the best interests of the people of the City of Stonnington and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act and any other relevant Act.

3 Introduction of Councillors & Executive Staff

The Chair introduced the Councillors and the Interim Chief Executive Officer introduced the Council Officers present.

4 Apologies

There were no apologies.

5 Confirmation of the Minutes of the previous meeting

5.1 Minutes of the Council Meeting held on 12 December 2022.

MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Melina Sehr

That the Minutes of the scheduled meeting of the Council held on 12 December 2022 be confirmed as an accurate record of the proceedings.

Carried

6 Disclosure of Conflicts of Interest

There was no disclosure of any conflicts of interest.

7 Questions From the Community

Two (2) set of questions from members of the community were submitted for the Council meeting. In accordance with the Governance Rules, a summary of the questions submitted follow.

The summary of the two (2) questions submitted by Mr Peters are:

Question 1 - would the Council consider a comprehensive plan to implement bundling of overhead powerlines in those areas that have significant trees to reduce maintenance costs, increase the canopy, reduce stress on trees and reduce ambient heat in neighbourhoods through greater shade?

Question 2 - would the Council consider a cost participation model for bundling overhead powerlines to achieve the matters as set out in question 1 in a shorter time period?

The summary of the two (2) questions submitted by Mr Hurlston are:

Question 1 - what is the number of viewers (excluding staff) of Council meetings for each meeting over the last 12 months?

Question 2 - have the plans for the Percy Treuvaud stadium changed and is there now no underground car park at all? Is all parking on grade at street level?

The Mayor, Cr Jami Klisaris, stated a written response to the questions will be sent to Mr Peters and Mr Hurlston within ten (10) business days in accordance with the Customer Service Charter. Further, in accordance with the Governance Rules, the responses will then be tabled and inserted into the Minutes of the following Council meeting.

8 Business

Change to Order of Business

In accordance with the Governance Rules, the Mayor, Cr Jami Klisaris sought the consent of the Council to bring forward Item 8.6 - Declaration of Affirmation of Office for consideration.

Consent of the Council was given to bring forward Item 8.6 - Declaration of Affirmation of Office for consideration.

8.6 Declaration of Affirmation of Office

MOTION:

MOVED: Cr Joe Gianfriddo

SECONDED: Cr Nicki Batagol

That Council resolve to note:

- 1. Cr Joseph Gianfriddo has taken the affirmation of office.***
- 2. A copy of the affirmation of office by Cr Joe Gianfriddo will be recorded in the minutes of the Council meeting.***
- 3. The affirmation of office by Cr Joe Gianfriddo was made before the Interim Chief Executive Officer in his office on 23 January 2023.***

Carried

8.1 Aged Services 2023-2024 CHSP Funding Agreement Extension Offer

MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Melina Sehr

That the Council:

- 1. AUTHORISE officers to accept relevant activities in the CHSP 2023-2024 funding extension offer.***
- 2. NOTE officers will continue to liaise with the Commonwealth Government to further understand Council's role in the program as of 2024.***
- 3. NOTE ongoing information on aged care reforms will be provided to the community as these are released.***

Carried

8.2 Planning Application 1146/21 - Shop 15-16/1 Grange Road, Toorak

MOTION:

MOVED: Cr Kate Hely

SECONDED: Cr Matthew Koce

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 1146/21 for the land located at Shop 15-16/1 Grange Road, Toorak under the Stonnington Planning Scheme for the use of the land for the sale and consumption of liquor (Restaurant and Café Liquor Licence) in association with the use of the land as a food and drinks premises (as-of-right use) subject to the following conditions:

1. ***Before the commencement of the use, one (1) copy of plans drawn to scale and fully dimensioned, must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the 'Revised Plans' (Council date stamp 14 September 2022) prepared by Sam Boehm but modified to show the following:***
 - a. ***Tables and chairs to be shown on the floor plans, with no more than 24 seats.***
 - b. ***An area for the storage of waste receptacles identified within the property.***
 - c. ***A Noise and Amenity Action Plan as per Condition 2.***

All to the satisfaction of the Responsible Authority.

2. ***Before the endorsement of plans, an amended Noise and Amenity Action Plan (NAAP), must be submitted to and approved by the Responsible Authority. The NAAP must be generally in accordance with the plan submitted with the application, but modified to include the following information:***
 - a. ***Reflect the updated operating hours.***
 - b. ***How noise and amenity complaints will be managed, including contact details of the responsible manager of the premises.***
 - c. ***How the restaurant will take steps to ensure that staff and customers do not congregate outside the restaurant after 8pm***

When approved, it will form part of the permit and the tenancy must operate in accordance with the applicable plan to the satisfaction of the Responsible Authority.

3. ***A maximum of 24 seats may be housed on the premises at any one time to the satisfaction of the Responsible Authority.***
4. ***Without the prior written consent of the Responsible Authority, the sale and consumption of liquor shall only occur within the licensed area between the following hours:***
 - a. ***Monday to Saturday - 10am to 11pm.***
5. ***The predominant activity carried out at all times on the licensed premises must be the preparation and serving of meals to be consumed on the premises to the satisfaction of the Responsible Authority.***
6. ***Tables and chairs must be placed in position on the licensed premises so as to be available for at least 75% of the patrons in each area at any one time, to the satisfaction of the Responsible Authority.***
7. ***No speakers are to be located externally.***
8. ***Noise emanating from the subject land must comply with Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.2, Environment Protection Authority, November 2020), to the satisfaction of the Responsible Authority. Any works required to ensure and maintain the noise levels from the premises are in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.***
9. ***Without the prior written consent of the Responsible Authority, the provision of music and entertainment on the premises must be limited to background music or entertainment by performers using non-amplified instruments or equipment.***

10. **Bottles and rubbish must not be removed from within the premises to the waste storage area between the hours of 10pm and 7am the following day.**
11. **The collection of wastes and recyclables from the premises (other than normal Stonnington City Council collection) must be in accordance with Council's General Local Laws.**
12. **Prior to the commencement of use, the applicant must display a sign at the exit of the premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner, to the satisfaction of the Responsible Authority**
13. **This permit will expire if one of the following circumstances applies:**
 - a. **The use is not started within two years from the date of this permit.**
 - b. **The use is discontinued for a period of two years or more.****In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing within the prescribed timeframes, where the use allowed by the permit has not yet started.**

NOTES

- A. **This permit is for the use of the land and/or buildings and does not constitute any authority to conduct a business requiring Health Act/Food Act registration without prior approval from the Council's Health Services.**
- B. **This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.**
- C. **Unless a permit is not required under the Stonnington Planning Scheme, signs must not be constructed or displayed without a further planning permit.**
- D. **Background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial level.**
- E. **This permit does not give any authority to occupy the footpath for trading without prior approval from Council's Local Laws department. A permit must be obtained for footpath trading and it must accord with the relevant Footpath Trading Code.**
- F. **At the permit issue date, Section 69 of the Planning and Environment Act 1987 stated that the Responsible Authority may extend the periods referred to if a request is made in writing within the following timeframes:**
 - i. **Before or within 6 months after the permit expiry date, where the development allowed by the permit has not yet started; and**
 - ii. **Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.**

Carried unanimously

8.3 Planning Amendment 0941/08 - 32-36 Greville Street, Prahran

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Melina Sehr

That Council AUTHORISE Officers to issue a Notice of Decision to Grant an Amended Planning Permit No: 941/08 for the land located at 32-36 Greville Street, Prahran under the Stonnington Planning Scheme for buildings and works to an existing building in a Heritage Overlay and Residential 1 Zone; and a waiver of parking associated with an increase in floor area under Clause 52.05 of the Stonnington Planning Scheme subject to the following conditions:

- 1. The development allowed by this permit and shown on the plans endorsed to accompany the permit must not be amended without the written consent of the Responsible Authority.***
- 2. Prior to the completion of works, the vehicle crossover to Greville Street made redundant by these works must be re-instated to the satisfaction of the Responsible Authority.***
- 3. This permit will expire if one of the following circumstances applies:***
 - a) The development is not started within two years of the date of this permit.***
 - b) The development is not completed within four years of the date of this permit,***
The Responsible Authority may extend the periods referred to if a request is made in writing before the permit or within three months afterwards.

NOTE: This permit does not include permission for the sale and consumption of liquor (clause 52.27 Stonnington Planning Scheme) in the area of the approved buildings and works.

Carried

8.4 Planning Applications 0596/22 - 150 Union Street, Windsor

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Mike Scott

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 596/22 for the land located at 150 Union Street, Windsor under the Stonnington Planning Scheme for use of the land for offices and construction of a mixed-use development within an Activity Centre Zone and Special Building Overlay and a reduction in the statutory car parking requirement, subject to the following conditions:

1. **Before the commencement of the development, 1 copy of plans drawn to scale and fully dimensioned, must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the Section 57A revised plans prepared by Tandem, Drawing No's: TP00, TP05-TP07, TP10-TP14, TP20, TP21, TP30, TP35, TP40 and TP55, Council date stamped 21 December 2022, but modified to show:**
 - a) **The pedestrian flashing lights removed and an alternative measure to provide appropriate sight lines when leaving the car parking stackers.**
 - b) **External shading devices as required by Condition 5.a. and 5.b. to be clearly shown/noted on the plans and elevations.**
 - c) **Notate that the default position of the car stacker is for the empty stackers to always be moved to the entrance.****All to the satisfaction of the Responsible Authority.**
2. **The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason, without the prior written consent of the Responsible Authority.**
3. **The rooftop terrace must only be used between the hours of 6am to 9pm Monday to Saturday unless with the prior written consent of the Responsible Authority.**
4. **Prior to the endorsement of any plans in accordance with Condition 1, an amended Landscape Plan must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The Landscape Plan must be generally in accordance with the Landscape Design Report prepared by Tract, Council date stamped 10 October 2022, but modified as follows:**
 - a) **Quantity of proposed plantings.**
5. **Prior to the commencement of the occupation of the building, the landscaping works as shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority. Landscaping must then be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.**
6. **Prior to the endorsement of any plans in accordance with Condition 1, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the SMP will be endorsed and will then form part of the permit. The development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The SMP must be generally in accordance with the SMP prepared by WRAP consulting engineering, Council date stamped 10 October 2022, but modified as follows:**
 - a) **Fixed external shading devices (a fixed overhang such as an eave) are to be provided to all north facing glazing to prevent passive solar gain in summer while enabling warming winter sun access. This ensures that north windows are shaded from the spring equinox till the autumn equinox (21 September to 21 March).**
 - b) **Adjustable vertical shading devices provided to all east and west facing glazing to habitable spaces. Shading devices could be in the form of operable louvres, sliding shutters or external blinds.**

- c) *Rainwater from the rooftop terrace must be filtered and connected to all toilets for flushing along with landscape irrigation.*
- d) *BESS report amended so that credit 3.2 (Food production – non-residential) is not claimed.*

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the Sustainable Management Plan may occur without the written consent of the Responsible Authority.

- 7. *Prior to the occupation of the building, a report from the author of the Sustainability Management Plan approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.*
- 8. *Prior to the endorsement of any plans, a Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. When approved, the WMP will be endorsed and will then form part of the permit. The WMP must be generally in accordance with the WMP prepared by Ratio Waste, Council date stamped 10 October 2022.*
- 9. *Waste collection from the development must be in accordance with the Waste Management Plan, to the satisfaction of the Responsible Authority.*
- 10. *Prior to commencement of the development (including excavation and demolition), a tree protection fence must be erected around the street tree on Union Street. Fencing is to be compliant with Section 4 of AS 4970. Signage identifying the need for approval from Council's Parks Unit for any root cutting (prior to it occurring) must also be displayed on the fence.*
- 11. *The car stacker modules must be installed in accordance with the technical specifications shown on the endorsed plans. Including, that the default position of the stacker must be set so that the empty stackers are always moved to the entrance.*
- 12. *The car stackers must be maintained in good working order and be made permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.*
- 13. *The car stackers and associated building are subject to flooding of up to 350mm depth associated with the Special Building Overlay. The design of the building must allow flooding to pass through the car stackers from the rear right-of-way to Bowling Green Street without unreasonable obstruction. Both the rear and the front door of the car stackers must be provided with vertical bars that extend from the Bowling Green Street footpath and the top of the kerb in the rear right-of-way respectively, to at least 600mm high. Those bars must be provided with at least 100mm minimum horizontal clearance to allow flood water to pass into the area and through without unreasonable obstruction.*
- 14. *The design of the building and associated car stackers must allow flooding up to 350mm in depth to pass through without damaging the car stackers.*

15. ***The floor level of the car stackers must be no lower, and match, the Bowling Green footpath and be graded to allow flooding entering the area to discharge to Bowling Green Street without accumulating in the building.***
16. ***In order to help transfer the flooding at the rear through to Bowling Green Street, a 300mm diameter drain must be provided extending from the rear right-of-way through to the existing 375mm diameter drain on the Western side of Bowling Green Street. 600 x 600mm grated pits must be constructed at the rear in the right-of-way and the front of the property in Bowling Green Street, to convey flooding clear of the car parking area. A design for that drain must be prepared by a registered civil engineer and approved by Council. The works must be completed in accordance with the approved design under the supervision and to the satisfaction of Council's Asset Management Unit. Supervision fees and a security deposit will be required for the works. All works must be at the cost of the owner and be completed prior to the occupation of the building.***
17. ***Prior to the endorsement of any plans in accordance with Condition 1, the owner of the land must enter into an agreement with the Responsible Authority pursuant to the provisions of Section 173 of the Planning and Environment Act 1987 in which it must be covenanted as follows:***
 - a) ***That the requirements contained in this agreement must form part of any lease of the premises which the owner of the land under this permit may enter into with another party.***
 - b) ***Pursuant to the provisions of Section 181 of the Planning and Environment Act 1987 this agreement must be registered with the Registrar of Titles and must run with the land.***
 - c) ***The owner of the land under this permit must pay the legal costs and be responsible for the preparation and registration of the said agreement***
 - d) ***The owner must indemnify Council against any damage, loss and/or injury as a result of any flooding that may impact on the car parking area which is subject to flooding.***
 - e) ***The owners must inform all prospective purchasers, tenants and or occupiers that the car parking area floor level is below the applicable flood level and is subject to flooding. Based on Council flood mapping, the depth of this flooding is up to 350mm.***
 - f) ***All appliances including the car stackers must be such that the flooding will not damage or impact their use.***
 - g) ***All electrical wiring and appliances must be located a minimum of 650mm above the finished floor level.***
 - h) ***All fixed storage must be no less than 650mm above the finished floor level.***
 - i) ***All goods that may be damaged by flooding shall be stored at less than 650mm above the finished floor level.***
 - j) ***Any potential pollutants such as garden fertiliser or fuel that may be impacted by the flooding and subsequently may cause harm to the environment shall be stored at least 650mm above the finished floor level.***

- k) **The design of the building including all doors must allow for any additional loading or surcharge caused to the structure by the flooding.**
 - l) **The floor slab must be no lower than the Bowling Green footpath and graded to the car park door opening to allow the flooding to drain from the car parking area and to facilitate debris associated with the flooding to be able to be swept clear of the car park.**
 - m) **The 300mm diameter drain and associated pits in the rear right-of-way and Bowling Green Street required by the Planning Permit must be regularly maintained by the owners at their cost.**
 - n) **The car parking area must not be used for any other purpose and must not be converted to residential, office, or any other use.**
 - o) **A clearly visible sign no smaller than 600mm x 600mm stating that 'the car parking area floor is 350mm below the flood level' must be erected and maintained.**
 - p) **The building must be fully maintained and kept clear of any items that would obstruct the overland flow/flooding that is expected to pass through the building.**
18. **The flood level associated with the Special Building Overlay varies as it passes through and around the property. Prior to the occupation of the building the finished floor levels of the building must be protected to satisfy the following:**
- a) **At least 650mm above the abutting back of footpath of Union Street. This may be achieved by placing the entry/lobby at that level and stepping the floor level down subject to the floor being impermeable concrete to prevent any flooding entering the building. The immediate entries to the building may be below the flood level to allow access.**
 - b) **At least 650mm above the top of the kerb in the right-of-way with the exception of the 'Bin Storage' area which must be no lower than the abutting kerb and channel.**
19. **Prior to a building permit being issued, a report for the legal point of discharge must be obtained from Council and a drainage design for the development must be prepared by a Registered Professional Civil Engineer (VIC) in accordance with all 'recommendations' and requirements contained in that report. All drainage must be by means of a gravity based system and not pumped, with the exception of runoff from any agricultural drains which may be pumped. The relevant building surveyor must check and approve the drainage design and ensure that protection of the building is provided from a 1 in 100 A.R.I. rainfall event as required by the Building Regulations.**
20. **Prior to an 'Occupancy Permit' being issued and prior to a 'Statement of Compliance' being issued for the subdivision, levels taken by a Licensed Land Surveyor must be provided on the finished floor levels to show compliance with Council requirements relating to the 'Special Building Overlay'.**

21. *Prior to the commencement of the development hereby approved, the owner/developer must obtain approval from Council's Building and Local Laws Department to modify any vehicle crossover providing access to the subject site. The issue of a planning permit does not provide approval for vehicular crossovers which are outside of the title boundary.*
22. *All fixed plant and equipment (including air-conditioning units) must be located and screened to visually integrate into the development to the satisfaction of the Responsible Authority.*
23. *Any poles, service pits or other structures/features on the footpath required to be relocated to facilitate the development must be done so at the cost of the applicant and subject to the relevant authority's consent.*
24. *All utility services to the subject land and buildings approved as part of this permit must be provided underground to the satisfaction of the Responsible Authority by completion of the development.*
25. *Prior to the occupation of the building, the walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.*
26. *The canopy must be constructed and maintained to the satisfaction of the Responsible Authority.*
27. *This permit will expire if one of the following circumstances applies:*
 - a) *The development is not started within two years of the date of this permit.*
 - b) *The development is not completed within four years of the date of this permit.*
 - c) *The use is not commenced within five years of the date of this permit.*
 - d) *The use is discontinued for a period of two years or more.**In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.*

NOTES

- A. *This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.*
- B. *Nothing in the permit hereby issued may be construed to allow the removal of, damage to or pruning of any street tree without the further written consent of the Stonnington City Council. Contact the Council's Arborists on 8290 1333 for further information.*
- C. *The crossover must be constructed to Council's Standard Vehicle Crossover Guidelines unless otherwise approved by the Responsible Authority. Separate consent for crossovers is required from Council's Building and Local Law Unit.*
- D. *At the permit issue date, Section 69 of the Planning and Environment Act 1987 stated that the Responsible Authority may extend the periods referred to if a request is made in writing within the following timeframes:*
 - i. *Before or within 6 months after the permit expiry date, where the development allowed by the permit has not yet started; and*

- ii. ***Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.***

Carried unanimously

8.5 Contract T23001 - Prahran Market Heritage Building Remediation Works

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Marcia Griffin

That the Council resolve:

- 1. To AWARD Contract No. T23001 – Prahran Market; Heritage Building Remediation Works, to SIDA Constructions Pty Ltd (ABN 91 154 051 180) at the lump sum price of \$1,353,891.45 ex GST (\$1,489,280.56 incl. GST) for the completion of heritage building remediation works at Prahran Market.***
- 2. To AUTHORISE the Chief Executive Officer to execute the contract agreements with the above contractor.***
- 3. To NOTE that expenditure under this contract is in accordance with Council's Budget for Financial Year 2022/23 and provisions will be made accordingly for the associated future budget periods for this contract.***

Carried

9 Correspondence

Cr Kate Hely tabled the following correspondence:

- Report of Summary of Consultation Personal Watercraft Usage in Our Bay from City of Kingston.

Cr Marcia Griffin tabled the following correspondence:

- Email from Toorak Traders Association regarding Toorak streetscape final design and construction.

Cr Marcia Griffin then congratulated Council Staff in responding to queries from residents promptly over the summer period.

The Mayor, Cr Jami Klisaris tabled the following correspondence:

- Email regarding the current state of Chapel Street, Windsor.

The Deputy Mayor, Cr Melina Sehr tabled the following correspondence:

- Email from a supplier of aquatic products to the Prahran and Harold Holt pool.

10 Tabling of Petitions and Joint Letters

Cr Melina Sehr tabled a petition containing 17 signatures regarding noise emissions from the Osborne Bar & Rooftop, 117-119 Commercial Road, South Yarra.

PROCEDURAL MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Polly Morgan

That the Council resolve:

1. ***The petition be received and noted.***
2. ***The petition be referred to the Director Planning & Place for consideration.***
3. ***The first named signatory to the petition be advised of the Council decision.***

Carried

Cr Mike Scott tabled a petition containing 140 signatures requesting the Council to actively participate and work with all levels of government and across the community to educate and advocate for a Voice to Parliament in the lead up to the Prime Minister's proposed referendum.

PROCEDURAL MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Polly Morgan

That the Council resolve:

1. ***The petition be received and noted.***
2. ***The petition be referred to the Director Community & Wellbeing for consideration.***
3. ***The first named signatory to the petition be advised of the Council decision.***

Carried

11 Notices of Motion

There were no notices of motion presented to the meeting.

12 Reports by Councillors

Procedural Motion – En Bloc

PROCEDURAL MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Melina Sehr

That the following reports by Councillors:

12.1 Minutes of the Audit and Risk Committee Meeting held on 17 November 2022

12.2 Record of Councillor Briefing Session held on 30 January 2023

be moved en bloc as per the Council officers' recommendations outlined in the agenda.

Carried

12.1 Minutes of the Audit & Risk Advisory Committee Meeting held on 17 November 2022

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Melina Sehr

That the Council:

- 1. NOTE the minutes of the meeting of the Audit & Risk Advisory Committee held on 17 November 2022.***

Carried

12.2 Record of Councillor Briefing Session held on 30 January 2023

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Melina Sehr

That the Council RECEIVE the Record of the Councillor Briefing Session held on 30 January 2023.

Carried

Reconciliation Action Plan Advisory Committee

Cr Nicki Batagol, as Chair of the Reconciliation Action Plan Advisory Committee informed her colleagues about the matters discussed at the recent meeting held on 2 February 2023. Cr Nicki Batagol then highlighted the discussion regarding the Healing Ceremony held on 26 January 2023.

Percy Treyvaud Memorial Park Steering Committee

Cr Polly Morgan informed her colleagues about the matters discussed at the Percy Treyvaud Memorial Park Steering Committee meeting held on 31 January 2023. Cr Polly Morgan then highlighted the discussion regarding possible naming options for the site.

13 Questions to Council Officers

Cr Marcia Griffin asked the following question to the Acting Director Environment & Infrastructure.

Can I have an update on the timeline for the Toorak Village design and construction program?

The Acting Director Environment & Infrastructure responded.

Cr Kate Hely left the Council Chamber at 7:50pm

Cr Mike Scott asked the following question to the Director Community & Wellbeing.

Given the publication of suicide rate statistics for 2020-2022, does Council have a plan for an analysis of the data?

The Director Community & Wellbeing responded.

14 Urgent Business

There was no urgent business submitted to the meeting.

Cr Kate Hely returned to the Council Chamber and resumed her seat at 7:52pm

15 General Business

Cr Marcia Griffin informed her colleagues she has attended along with Cr Kate Hely the Toorak Road South Yarra Business Association Annual General Meeting where Dr Michelle Ananda-Rajah MP, Federal Member for Higgins and Sam Hibbins MP, State Member for Prahran were also in attendance.

Cr Polly Morgan commented on the Healing Ceremony which was held on 26 January 2023 at the Malvern Cricket Ground with over 400 people in attendance. Cr Polly Morgan stated it was a wonderful event with a Welcome to Country, smoking ceremony and speech by Wurundjeri Wo Wurrung Elder Auntie Diane Kerr, performances by Nhanbu Togip and Indigenous Outreach Projects hip hop crew and a barbeque lunch.

Cr Nicki Batagol reported on her attendance at the Midsumma Pride March held on 5 February 2023 and stated it was a great success and community celebration.

The Mayor, Cr Jami Klisaris commented on the sad news of the passing of former Councillor Chris Gahan, OAM, JP. The Mayor, Cr Jami Klisaris then read the following statement:

In sad news, former Prahran and Stonnington Councillor and Mayor, Christopher (Chris) Gahan passed away on Tuesday 13 December 2022.

Chris was first elected to Council at the age of 21. Chris served multiple terms as a Councillor and Mayor for both the former City of Prahran and the City of Stonnington, during the following terms:

- *Former City of Prahran Councillor: 1966 - 1972 and 1979 - 1994*
- *Former City of Prahran Mayor: 1969/70 and 1981/82*
- *City of Stonnington Councillor: 1996 - 2008*
- *City of Stonnington Mayor: 1998/99*

From an early age, Chris was encouraged by his father, George Gahan a former City of Prahran Councillor and Mayor himself, to take an active interest in Council. He prided himself on taking personal responsibility for others and believed that every community member was entitled to receive the same level of service from Council, no matter who they were or who they voted for. He was particularly passionate about being actively involved in supporting the elderly and members of the culturally and linguistically diverse (CALD) communities.

In 2008, Chris retired from Council after more than 33 years of service to the City of Stonnington and the former City of Prahran. At his last Council meeting, Councillors recognised his extensive service to the community, and the ongoing support provided by his wife Joy and family.

Chris will be remembered fondly by all who knew him and benefitted from his dedication to what is now the City of Stonnington, and we thank him for his service.

Cr Melina Sehr commented on the passing of former Councillor Chris Gahan and noted he had always been passionate about the municipality and his service to the community was second to none.

Cr Melina Sehr offered her condolences to his wife Joy, David, Jennifer, Helen and Narelle and family during this sad time.

16 Confidential Business

There was no confidential business to be discussed.

The meeting concluded at 8:01pm.

Confirmed on 20 February 2023

.....
CR JAMI KLISARIS, MAYOR


Affirmation of Office

I, Joseph Gianfriddo, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.

Sworn before the Interim)
Chief Executive Officer)
this 23rd day of January)
in the year 2023 at)
Malvern, Victoria)



Councillor Joseph Gianfriddo

Rick Kwasek
Interim Chief Executive Officer