



Council Meeting - Minutes

Held on Monday 14 November 2022

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

Council Meeting Minutes Monday 14 November 2022 Order of Business

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The meeting commenced at 7:00pm

Councillors Present:

Cr Melina Sehr, Deputy Mayor
Cr Nicki Batagol
Cr Marcia Griffin
Cr Kate Hely
Cr Matthew Koce
Cr Alexander Lew
Cr Polly Morgan
Cr Mike Scott

Apologies:

Cr Jami Klisaris, Mayor (Leave of Absence)

Council Officers Present:

Rick Kwasek	Acting Chief Executive Officer
Annaliese Battista	Director Planning & Place
Cath Harrod	Director Community & Wellbeing
Georgie Birch	Acting Director Organisation Capability
Simon Holloway	Acting Director Environment & Infrastructure
David Thompson	Executive Manager Legal & Governance
Judy Hogan	Civic Support Officer

1 Reading of the Statement of Reconciliation

The Deputy Mayor, Cr Sehr 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 Deputy Mayor, Cr Sehr 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 Acting Chief Executive Officer introduced the Council Officers present.

4 Apologies

The Deputy Mayor, Cr Melina Sehr informed the meeting the Mayor, Cr Jami Klisaris was an apology for the meeting.

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Matthew Koce

That the apology received from the Mayor, Cr Jami Klisaris for non-attendance at the Council Meeting held on 14 November 2022 be accepted and leave of absence granted.

Carried

5 Confirmation of the Minutes of the previous meetings

5.1 Minutes of the Council Meetings held on 24 October 2022

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Polly Morgan

That the Minutes of the Scheduled meeting and the Unscheduled meeting of the Council held on 24 October 2022 be confirmed as an accurate record of the proceedings.

Carried

6 Disclosure of Conflicts of Interest

Cr Matthew Koce declared a general conflict of interest in Item 8.4 titled Amendment C316ston - Malvern Heritage Review - Panel Report.

Cr Alexander Lew declared a general conflict of interest in Item 8.4 titled Amendment C316ston - Malvern Heritage Review - Panel Report.

Cr Nicki Batagol declared a general conflict of interest in Item 8.6 titled Transport Advisory Committee.

Cr Kate Hely declared a general conflict of interest in Item 8.6 titled Transport Advisory Committee.

7 Questions From the Community

Ms Nasser - Response to Questions asked at the Council meeting on 24 October 2022.

Question 1

“When presented with the mandates, did you request that the state government provide you with copies of the science reports that were relied upon by the state government to support these measures If not, why not?”

Response

No, the legislated Government mandates were issued as a legal requirement that required businesses to comply with. The City of Stonnington must comply with all State and Federal Government legislation. The mandates were issued under the *Public Health and Wellbeing Act 2008 (Vic)*.

Question 2

“If you did request the reports and access was not provided, what action, if any did the Council consider taking to obtain the reports prior to advising business owners that vaccination of employees was mandatory?”

Response

Council did not advise any business owners in relation to mandatory vaccination. Council referred to the State government public information.

Question 3

“What scientific evidence did the Council rely on to support its decision to exclude unvaccinated rate payers from Council buildings and events”?

Response

Council legally complied with the Victorian State Government legislation that was issued under the *Public Health and Wellbeing Act 2008 (Vic)*.

In addition, the Council complied with the Victorian Government *COVID-19 Vaccinated Activities Directions* and subsequent Directions and / or Orders.

Question 4

“What consultation, if any, did the Council undertake with the community prior to making its decision to exclude unvaccinated people from Council buildings and events”?

Response

Council legally complied with the Victorian State Government directives and legislation that was issued under the *Public Health and Wellbeing Act 2008 (Vic)*.

Council complied with the Victorian Government *COVID-19 Vaccinated Activities Directions* and subsequent Directions and /or Orders.

Compliance with the abovementioned resulted in no community consultation.

Question 5

“Did the Council request a copy of the scientific evidence that substantiated the decision to close playgrounds in Stonnington or raise concerns with the state government about this direction? If not, why not”?

Response

Council legally complied with the Victorian State Government directives and legislation that was issued under the *Public Health and Wellbeing Act 2008 (Vic)*.

The then City of Stonnington Mayor wrote on behalf of the Stonnington Councillors to the Victorian Government in August 2021 expressing concern with regard to the COVID-19 requirement for the closure of playgrounds.

Two (2) sets of questions from members of the community were submitted to the Council. In accordance with the Governance Rules, a summary of the questions submitted by Mr Hurlston and Mr Hawkins follow:

Question 1 - will the Council look into expenditure made by Council staff, the Executive and councillors and report the outcomes to the community?

Question 2 - with the collapse of the roof at the Kew Recreation Centre, is the Percy Treyvaud site safe?

Question 3 - on what grounds does the Council deny access to the recording of the debate on the 'Service Review'?

The questions submitted by Mr Hawkins relate to the planning permit conditions for Korowa Aquatics, located in Glen Iris. In particular, whether or not there has been any changes to the planning permit conditions and if the Council is enforcing these planning permit conditions. Further, should there be any proposed changes to the planning permit conditions will residents be consulted.

The Deputy Mayor, Cr Melina Sehr, stated a written response to the questions will be sent to Mr Hurlston and Mr Hawkins within ten (10) business days in accordance with the Customer 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

8.1 Planning Application 0794/21 - 38 Anderson Street, Malvern East

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Melina Sehr

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 0794/21 for the land located at 38 Anderson Street, Malvern East under the Stonnington Planning Scheme for the construction of two (2) dwellings on a lot in a General Residential Zone subject to the following conditions:

- 1. Before the commencement of the development, one (1) copy of Architectural Plans drawn to scale and fully dimensioned, must be submitted to and approved by the Responsible Authority. The Architectural Plans must be generally in accordance with the 'Amended Plans' (Council date stamp 21 October 2022) prepared by Petridis Architects but modified to show the following:***
 - a) Bedroom 03 window of Dwelling 01 modified to comply with the requirements of Standard B22 (Overlooking) unless it can be demonstrated that there is no unreasonable overlooking to areas of secluded private open space or habitable room windows at No. 318A Wattletree Road, Malvern East.***
 - b) Notation stating that rainwater tanks for each dwelling will be connected to toilets for flushing.***

- c) Location of external storage areas for Dwelling 01 and Dwelling 02 shown on the Ground Floor Plan.**
- d) Vehicle crossovers for Dwelling 01 and Dwelling 02 modified to be in direct alignment with the property boundary.**
- e) Vehicle accessway for Dwelling 02 notated on the Ground Floor Plan.**
- f) Any modifications required by Condition 3 (Landscape Plan) shown on the plans.**
- g) Any modifications required by Condition 5 (Tree Management Plan) shown on the plans.**
- h) Any modifications required by Condition 7 (Sustainable Design Assessment) shown on the plans. The plans must be consistent with the Sustainable Design Assessment.**
- i) Material Schedule updated to include material codes. Material codes must be accurately referenced and shown on all elevations and must include a light grey colour to the garage doors.**
- j) The existing brick wall located at the south end of the eastern boundary to be retained**
- k) The structural integrity and stability of the existing brick wall located along the southern boundary to be maintained for the full length**
- l) Retention of the existing brick boundary wall along Wattletree Road and part of the Anderson Street frontage, allowing pedestrian access to Dwelling 1.**
- m) Root barriers to be installed along the eastern boundary.**

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. Prior to the commencement of the development, a Landscape Plan to be prepared by a Landscape Architect or suitably qualified or experienced Landscape Designer, 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 in accordance with the Landscape Plan (Council date stamped 21 October 2022) prepared by Keystone Alliance but modified to show:**

- a) ***The survey of existing vegetation modified to specifically outline which trees will be removed and / or retained, in accordance with the Landscape Plan.***
 - b) ***Any modifications required by Condition 1 (Architectural Plans) shown on the plans.***
 - c) ***Any modifications required by Condition 5 (Tree Management Plan) shown on the plans.***
 - d) ***Removal of the China Gold Bamboo planting and replaced with an alternative plant species, to the satisfaction of the Responsible Authority.***
 - e) ***Root barriers to be installed along the eastern boundary.***
4. ***Prior to 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.***
5. ***Prior to the commencement of the development, a Tree Management Plan (TMP) prepared by a suitably qualified arborist must be submitted to and approved by the Responsible Authority. When approved, the Tree Management Plan will form part of this permit and all works must be done in accordance with the Tree Management Plan (AS 4970).***

The Tree Management Plan must detail measures to protect and ensure the viability of all trees proposed to be retained as part of the development (including the street trees) in accordance with the Landscape Plan (Council date stamp 21 October 2022) prepared by Keystone Alliance.

Among other things, the Tree Management Plan must include the following information:

- a) ***Pre-construction (including demolition) – details to include a tree protection zone, height barrier around the tree protection zone, amount, and type of mulch to be placed above the tree protection zone and method of cutting any roots or branches which extend beyond the tree protection zone. A plan must be submitted detailing any tree protection fencing, where the fencing is clearly identified and dimensioned.***
- b) ***During-construction – details to include watering regime during construction and method of protection of exposed roots.***
- c) ***Post-construction – details to include watering regime and time of final inspection when barrier can be removed, and protection works, and regime can cease.***

Pre-construction works and any root cutting must be inspected and approved by the Responsible Authority's Parks Unit. Removal of protection works, and cessation of the Tree Management Plan must be authorised by the Responsible Authority's Parks Unit.

- 6. Prior to commencement of the development (including excavation and demolition), tree protection fence(s) must be erected around the trees proposed to be retained on site (including the street trees) in accordance with the Landscape Plan prepared by Keystone Alliance (Council date stamp 21 October 2022). 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.***
- 7. Prior to the commencement of works, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. When approved the SDA will be endorsed and will then form part of the permit. The development must incorporate the sustainable design initiatives outlined in the SDA to the satisfaction of the Responsible Authority. The SDA must be in accordance with the SDA prepared by Fraser Consulting Services (Council date stamped 2 June 2022) but modified to show:***
 - a) Revised STORM Assessment that correctly states the impervious area for each dwelling. This information must be correctly shown on the Architectural Plans.***
- 8. The project must incorporate the Water Sensitive Urban Design (WSUD) initiatives detailed in the endorsed SDA.***
- 9. Prior to the occupation of the building, fixed privacy screens (not adhesive film) designed to limit overlooking as required by Standard B22 (Overlooking) in accordance with the endorsed plans must be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.***
- 10. 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 suitably qualified Engineer 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. 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.***
- 11. The existing footpath levels must not be raised or altered in any way at the property line (to facilitate the driveway ramps).***

- 12. The redundant vehicular crossing must be removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.**
- 13. The owner must at their cost provide a stormwater detention system to restrict runoff from the development to no greater than the existing runoff based on a 1 in 10 A.R.I. to the satisfaction of Council's Infrastructure Unit. Alternatively, in lieu of the stand-alone detention system, the owner may provide stormwater tanks that are in total 2,5000 litres greater than those tanks required to satisfy WSUD requirements for the development. Those tanks must be connected to all toilets.**
- 14. 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.**
- 15. 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.**

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 this permit hereby issued shall be construed to allow the removal of, damage to or pruning of a significant tree (including the roots) without the further written approval of Council.**

"Significant Tree" means a tree or palm:

- i. with a trunk circumference of 140 cm or greater measured at 1.4 m above its base;**
- ii. with a total circumference of all its trunks of 140 cm or greater measured at 1.4 m above its base;**
- iii. with a trunk circumference of 180 cm or greater measured at its base;
or**
- iv. with a total circumference of all its trunks of 180 cm or greater measured at its base.**

Please contact the Council Arborists on 8290 1333 to ascertain if permission is required for tree removal or pruning or for further information and protection of trees during construction works.

- C. 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.**
- D. 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.**
- E. 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

8.2 Planning Application 0259/22 - 31 Beatty Avenue, Armadale

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Melina Sehr

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 0259/22 for the land located at 31 Beatty Avenue, Armadale under the Stonnington Planning Scheme for the partial demolition, construction of a multi-storey building to be used as an office (as of right) in a Commercial 1 Zone and Heritage Overlay, buildings and works in common property and reduction in the associated car parking requirement subject to the following conditions:

- 1. Before the commencement of the development (including demolition), one (1) copy of Architectural Plans drawn to scale and fully dimensioned, must be submitted to and approved by the Responsible Authority. The Architectural Plans must be generally in accordance with the 'Advertised Plans' (Council date stamped 6 July 2022) prepared by Ashley Lochhead Architects but modified to show the following:**

- a. ***Pedestrian entry along Kestle Lane increased to a setback of 1.00 metre from the boundary and a gate to be provided along the boundary at the entrance***
- b. ***Notation on the ground floor plan stating that metre cupboards will not open out on to Kestle Lane.***
- c. ***Bicycle parking detail on Drawing TP4-001 updated to include the dimensions of the bicycle parking.***
- d. ***Notation on all floor plans (Drawing TP1-100 to Drawing TP1-201) stating that the mechanical ventilation system will provide an increase in outdoor air (in L/s) of at least 50% above the AS1668.2:2012 and monitor and maintain CO2 concentrations of 800ppm maximum.***
- e. ***Material schedule on Drawing TP4-200 updated to include the materiality of the existing heritage building. The colour must be an appropriate heritage colour. A notation must also be included to state that paint from the face of the existing brickwork heritage building must be removed prior to repainting the surface. Colour codes / references must be shown on the relevant elevations.***
- f. ***Material schedule on Drawing TP4-200 updated to include the fixed privacy screen detail with a different material code / reference, which must be shown on the relevant elevations.***
- g. ***Ground floor reconfigured with the unisex bathroom relocated from the south-east corner and that area replaced with office floor area, or a similar habitable area.***
- h. ***Privacy glazing removed from the south-east window located on the ground floor and replaced with standard glazing.***
- i. ***Screening detail provided on Drawing TP4-001 updated to demonstrate how the proposed screening achieves a maximum 25% transparency.***
- j. ***Privacy screen to a height of 1.70 metres included on the northern and western boundaries of the terrace located on the second floor.***
- k. ***Bicycle parking spaces on site are increased from two (2) to four (4) bicycle parking spaces.***
- l. ***No screening is to be provided on the southern side of the terrace, adjoining 30 Beatty Avenue.***
- m. ***Details of a baffled security lighting solution to be provided to the pedestrian entrance at Kestle Lane.***
- n. ***All office floor to ceiling heights to be reduced to 2.9m and the subsequent reduction in building height by 300mm.***

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. ***Prior to the commencement of the development (including demolition), a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. When approved the SDA will be endorsed and will then form part of the permit.***

The development must incorporate the sustainable design initiatives outlined in the SDA to the satisfaction of the Responsible Authority. The SDA must be in accordance with the SDA prepared by Ark Resources (Council date stamped 1 July 2022).

- 4. Prior to the occupation of the building, a report from the author of the SDA 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 SDA have been implemented in accordance with the approved plan.***
- 5. The project must incorporate the Water Sensitive Urban Design (WSUD) initiatives detailed in the SDA prepared by Ark Resources (Council date stamped 1 July 2022).***
- 6. Prior to the commencement of the use, the walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.***
- 7. The level of the footpaths and laneways must not be lowered or altered in any way to facilitate access to the site.***
- 8. Any poles, service pits or other structures / features on the footpath and laneway 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.***
- 9. 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.***

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 this permit hereby issued shall be construed to allow the removal of, damage to or pruning of a significant tree (including the roots) without the further written approval of Council.***
- C. "Significant Tree" means a tree or palm:***

- i. with a trunk circumference of 140 cm or greater measured at 1.4 m above its base;*
- ii. with a total circumference of all its trunks of 140 cm or greater measured at 1.4 m above its base;*
- iii. with a trunk circumference of 180 cm or greater measured at its base; or*
- iv. with a total circumference of all its trunks of 180 cm or greater measured at its base.*

D. Please contact the Council Arborists on 8290 1333 to ascertain if permission is required for tree removal or pruning or for further information and protection of trees during construction works.

E. 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.

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

8.3 VCAT Quarterly Report - Third Quarter 2022 (July-September 2022)

MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Kate Hely

That the Council:

- 1. RECEIVES and NOTES the VCAT Quarterly Report – Third Quarter (July-September 2022).**

Carried

8.4 Amendment C316ston - Malvern Heritage Review - Panel Report

Cr Matthew Koce declared a general conflict of interest.

Cr Matthew Koce stated the general conflict of interest was “*my residential address is in close proximity to one of the properties listed for heritage*”.

Cr Matthew Koce left the Council Chamber at 7:23pm prior to the consideration and vote on the item.

Cr Alexander Lew declared a general conflict of interest.

Cr Alexander Lew stated the general conflict of interest was “*my house and the street where I live is affected by the Heritage Review*”.

Cr Alexander Lew left the Council Chamber at 7:23pm prior to the consideration and vote on the item.

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Mike Scott

That the Council:

- 1. NOTE the public release of the Planning Panel Report for Amendment C316ston.***
- 2. CONSIDER the Planning Panel Report for Amendment C316ston (refer Attachment 1).***
- 3. ADOPT Amendment C316ston to the Stonnington Planning Scheme, with changes since exhibition (Attachment 3) pursuant to Section 29(1) of the Planning and Environment Act 1987, including the removal of 1225 Malvern Road, Malvern from the proposed Heritage Overlay and the Amendment documentation.***
- 4. SUBMIT the adopted Amendment C316ston to the Minister for Planning for approval, in accordance with Section 31(1) of the Planning and Environment Act 1987.***
- 5. ADVISE submitters to Amendment C316ston of Council's decision.***
- 6. AUTHORISE the Director Planning and Place to make necessary minor alterations to Amendment C316ston where they do not materially impact on the intent of the Amendment.***

Carried

Cr Matthew Koce and Cr Alexander Lew returned to the Council Chamber and resumed their respective seat at 7:28pm

8.5 Next steps for business support at Stonnington

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Polly Morgan

That the Council:

- 1. ENDORSE the methodology and timeline for broad quantitative and qualitative engagement with City of Stonnington's business community, commencing in November 2022, to understand the future needs of and support opportunities for the Stonnington business community from Council.*
- 2. NOTE this engagement will help inform the future model for business support from the Council, and a report outlining both the findings of the engagement and a proposed model for providing support for City of Stonnington's businesses, will be brought to Council for decision in Q4 of 2023.*
- 3. NOTE that Council Officers will continue to support the five (5) Business Associations in implementing the recommendations from the Grant Thornton audits, and work with them to understand and implement the necessary actions and responsibilities as the five schemes end on 30 June 2023.*

Procedural Motion - Extension of Speaking Time

PROCEDURAL MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Mike Scott

That Cr Polly Morgan be granted an extension of time of one minute to speak to the motion.

Carried

The motion was put and Lost

DIVISION

Cr Polly Morgan called for a division.

Voting For the motion: Cr Matthew Koce, Cr Melina Sehr and Cr Polly Morgan

Voting Against the motion: Cr Alexander Lew, Cr Kate Hely, Cr Marcia Griffin, Cr Mike Scott and Cr Nicki Batagol

The Deputy Mayor, Cr Melina Sehr declared the motion **Lost**

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Kate Hely

That the Council:

1. ***ENDORSE the following methodology and timeline for broad and focused quantitative and qualitative engagement with City of Stonnington's business community, commencing in November 2022, to understand the future needs of and support opportunities for the Stonnington business community from Council:***
 - a. ***Repurpose the budget simulator tool or a similar cost effective tool to test the business development, business engagement and marketing needs of different industry and geographic segments across the municipality.***
 - b. ***Hold a series of focus groups, ensuring representation across the industry and geographic segments, facilitated by a consultant with experience in community engagement.***
 - c. ***Ensure we target all foot traffic driven businesses including those outside special rated areas.***
2. ***NOTE this engagement together with findings from the Business engagement that informed the development of the Place Led Economic Development Strategy (January-August 2022) and 2022 Deloitte Service Review will inform the future model for business support from the Council, and a report outlining both the findings of the engagement and a proposed model for providing support for City of Stonnington's businesses, will be brought to Council for decision in March of 2023. This report will include a high-level analysis of the various support models against the needs of the businesses (including risk analysis, costs and timelines to deliver) and will include a Year 1 solution for business support in 2023/24.***
3. ***NOTE that Council Officers will continue to support the five existing (5) Business Associations in implementing the recommendations from the Grant Thornton audits, and work with them to understand and implement the necessary actions and responsibilities as the five schemes end on 30 June 2023.***
4. ***AUTHORISE the CEO to make necessary minor alterations to the methodology and budget where they do not materially impact the outcomes of the engagement.***

AMENDMENT:

MOVED: Cr Polly Morgan

SECONDED:

That the Council:

1. *ENDORSE the following methodology and timeline for broad and focused quantitative and qualitative engagement with City of Stonnington's business community, commencing in November 2022, to understand the future needs of and support opportunities for the Stonnington business community from Council:*
 - a. *Repurpose the budget simulator tool or a similar cost effective tool to test the business development, business engagement and marketing needs of different industry and geographic segments across the municipality.*
 - b. *Hold a series of focus groups, ensuring representation across the industry and geographic segments, facilitated by a consultant with experience in community engagement.*
 - c. *Survey retail hospitality and other businesses that generate foot traffic who were not surveyed in the earlier 2022 survey.*
2. *NOTE this engagement together with findings from the Business engagement that informed the development of the Place Led Economic Development Strategy (January-August 2022) and 2022 Deloitte Service Review will inform the future model for business support from the Council, and a report outlining both the findings of the engagement and a proposed model for providing support for City of Stonnington's businesses, will be brought to Council for decision in March of 2023. This report will include a high-level analysis of the various support models against the needs of the businesses (including risk analysis, costs and timelines to deliver) and will include a Year 1 solution for business support in 2023/24.*
3. *NOTE that Council Officers will continue to support the five existing (5) Business Associations in implementing the recommendations from the Grant Thornton audits, and work with them to understand and implement the necessary actions and responsibilities as the five schemes end on 30 June 2023.*
4. *AUTHORISE the CEO to make necessary minor alterations to the methodology and budget where they do not materially impact the outcomes of the engagement.*

Adjournment

PROCEDURAL MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Kate Hely

That the Council resolve to adjourn the Council meeting.

Carried

The Council meeting was adjourned at 8:03pm.

Resumption

PROCEDURAL MOTION:

MOVED: Cr Kate Hely

SECONDED: Cr Polly Morgan

That the Council resolve to resume the Council meeting.

Carried

The Council meeting was resumed at 8:08pm with all Councillors present except the Mayor, Cr Jami Klisaris.

There was no seconder to the Amendment from Cr Polly Morgan. Leave of the Council was granted for Cr Polly Morgan to withdraw her Amendment.

PROCEDURAL MOTION:

MOVED: Cr Alexander Lew

SECONDED: Cr Matthew Koce

That consideration of this matter be deferred for two Council meeting cycles.

Lost

The motion was put to the vote and Carried

DIVISION

Cr Polly Morgan called for a division.

Voting For the motion: Cr Kate Hely, Cr Marcia Griffin, Cr Matthew Koce, Cr Melina Sehr, Cr Mike Scott, Cr Nicki Batagol and Cr Polly Morgan

Voting Against the motion: Cr Alexander Lew

The Deputy Mayor, Cr Melina Sehr declared the motion **Carried**

8.6 Transport Advisory Committee

Cr Kate Hely declared a general conflict of interest.

Cr Kate Hely stated the general conflict of interest was *"I was named as a reference for one candidate"*.

Cr Kate Hely left the Council Chamber at 8:37pm prior to the consideration and vote on the item.

Cr Nicki Batagol declared a general conflict of interest.

Cr Nicki Batagol stated the general conflict of interest was *"I know one candidate well personally and another put my name down as a reference".'*

Cr Nicki Batagol left the Council Chamber at 8:37pm prior to the consideration and vote on the item.

MOTION:

MOVED: Cr Mike Scott

SECONDED: Cr Matthew Koce

That the Council:

1. ***ENDORSE the appointment of the following Transport Advisory Committee members for an initial term of 12 months, with the option of an additional 12 months to be approved by the CEO:***
 - ***Carolyn Madden***
 - ***Elizabeth Kim***
 - ***Fiona da Silva***
 - ***Jeremy Gammon***
 - ***Karen O'Shanesy***
 - ***Katherine Murray***
 - ***Marc Gauci***
 - ***Matthew Katzen***
 - ***Rosie Pham***
 - ***Stuart Outhred***

2. ***NOTE that a maximum of two (2) Stonnington Councillors will be nominated to the Transport Advisory Committee at the Council meeting of the 22 November 2022.***

Carried

Cr Kate Hely returned to the Council Chamber and resumed her seat at 8:42pm

Cr Nicki Batagol returned to the Council Chamber and resumed her seat at 8:42pm

8.7 Endorsement of the Eleven (11) Strategic Risks for the Council

MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Matthew Koce

That the Council resolve to ENDORSE the eleven (11) Strategic Risks of the Council.

Carried

8.8 Councillor and Member of a Delegated Committee Expenses Policy

MOTION:

MOVED: Cr Alexander Lew

SECONDED: Cr Polly Morgan

That the Council defer consideration of the Councillor and Member of a Delegated Committee Expenses Policy for one Council meeting cycle.

Carried

9 Correspondence

Cr Mike Scott tabled the following correspondence:

- email from a resident regarding lack of consultation regarding Beatty Avenue, Armadale summer roadside dining installation.
- email from resident drawing Council attention to poor road treatment surface in Williams Road, South Yarra.

Cr Marcia Griffin tabled the following correspondence:

- email from Toorak Village Traders Association regarding Toorak Village Facade Feasibility Study.
- email from Toorak Village Traders Association regarding Item 8.5 on the Council agenda titled Next Steps for Business Support at Stonnington.

Cr Nicki Batagol tabled the following correspondence:

- email from resident regarding Beatty Avenue, Armadale.

10 Tabling of Petitions and Joint Letters

There was no petitions or joint letters tabled.

11 Notices of Motion

There were no notices of motion presented to the meeting.

12 Reports by Councillors

12.1 Record of Councillor Briefing Session held on 7 November 2022

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Marcia Griffin

That the Council RECEIVE the Record of the Councillor Briefing Session held on 7 November 2022.

Carried

Cr Kate Hely informed her colleagues about her attendance and the matters discussed at the Economic & Place Development Advisory Committee meetings held on 15 September 2022 and 10 November 2022.

13 Questions to Council Officers

Cr Mike Scott asked the following question.

Can I get some clarity or an update around the timeline for auditing footpaths and crossovers?

The Acting Director Environment & Infrastructure responded.

Cr Marcia Griffin asked the following question.

Who would be culpable if a person fell over an abandoned 'lime bike'?

The Acting Chief Executive Officer responded.

14 Urgent Business

There was no urgent business submitted to the meeting.

15 General Business

Cr Alexander Lew informed his colleagues he would be attending the next two (2) Council meetings by electronic means of communication because of work commitments.

Cr Matthew Koce expressed the view the Harold Holt Swim Centre was a unique heritage facility and was being actively utilized by the public who were enjoying the facility.

Cr Matthew Koce commented the Mayor, Cr Jami Klisaris had on 9 November 2022 in the company of himself and Cr Polly Morgan attended the laying of the foundation stone for the Percy Treyvaud Multipurpose Facility.

16 Confidential Business

There was no confidential business considered at the meeting.

The meeting concluded at 9pm.

Confirmed on 28 November 2022.

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Cr JAMI KLISARIS, MAYOR