



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

WEDNESDAY 12 APRIL 2017

Minutes for Meeting
held in the Council Chambers,
Corner Hawthorn & Glen Eira Roads, Caulfield
At 7.30 pm

*"The primary object of a Council
is to endeavour to achieve
the best outcomes for the local community
having regard to the
long term and cumulative effects of decisions."*

- s3c(1) Local Government Act

Councillors: The Mayor, Councillor Mary Delahunty
Councillor Tony Athanasopoulos
Councillor Clare Davey
Councillor Margaret Esakoff
Councillor Jamie Hyams
Councillor Jim Magee
Councillor Joel Silver
Councillor Dan Sztrajt
Councillor Nina Taylor

Chief Executive Officer: Rebecca McKenzie

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9.8	Review of Mayor and Councillor Allowances

10. URGENT BUSINESS**11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****11.2 Right of reply****11.3 Councillor questions****11.4 Public questions to Council****12. CONSIDERATION OF IN CAMERA ITEMS****Recommendation**

That the meeting be now closed to members of the public under Section 89(2)(d) of the *Local Government Act 1989* in order to consider:

12.1 which relates to the awarding of the contract for 2017.042 Printing of Glen Eira News

Number of tenders received	14
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$582,340.00

12.2 which relates to the awarding of the contract for Tender number 2016.050 Provision of Mechanical Maintenance Services

Number of tenders received	11
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$961,000.00 (GST exclusive)

13. CLOSURE OF MEETING



**MINUTES for the ORDINARY MEETING OF THE
GLEN EIRA CITY COUNCIL held on WEDNESDAY, 12 APRIL 2017**

1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement

In the spirit of respect Council acknowledges the people and elders of the Kulin Nation who have traditional connections and responsibilities for the land on which Council meets.

2. APOLOGIES

There were no apologies submitted to the meeting.

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

Councillors are reminded that we remain bound by our Oath of Office to undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Glen Eira and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act or any other Act, to the best of our skill and judgement.

Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or which are considered at this meeting, in accordance with Sections 77 to 79 of the Local Government Act.

Disclosures of Interest - **NIL**

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

Recommendation

That the minutes of the Ordinary Council Meeting held on 21 March 2017 be confirmed.

4.1 Confirmation of the Minutes**Moved: Cr Athanasopoulos****Seconded: Cr Silver**

That the minutes of the Ordinary Meeting of Glen Eira City Council held on Tuesday 21 March 2017 be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**5.1 Petition – Carnegie Pool**

(a) A petition containing 498 signatories was submitted for the Council meeting.

The petition read as follows:

“This petition of certain residents of the City of Glen Eira draws to the attention of the Council the need Carnegie Pool to be open for swimmers for an extended period for the full year. Your petitioners therefore pray that this matter can be resolved by keeping Carnegie Pool (Moirs Ave) open for swimmers for the full year. A Carnegie Masters Swim Club is being formed, based at this wonderful pool asset. (outdoor 50m pool).”

Moved: Cr Esakoff**Seconded: Cr Athanasopoulos**

That Council:

- 1 receives and notes the petition; and
- 2 considers the petition in conjunction with the planning for the redevelopment of the Carnegie Pool.

CARRIED UNANIMOUSLY

5.2 Joint Letter – Murrumbeena Village Traders

A submission prepared on behalf of the Murrumbeena Village Traders was tabled at the Council Meeting to be considered in conjunction with the following petition containing 21 signatures.

“We the undersigned, petition the Glen Eira City Council to include the recommendations outlined in this letter in the final Transforming Murrumbeena proposal to be presented to the Level Crossing Removal Authority (LXRA) to be included as a part of the level crossing removal works.”

Moved: Cr Athanasopoulos

Seconded: Cr Esakoff

That Council:

1. receives and tables the petition and submission; and
2. considers the submission as part of the Stage 2: Transforming our neighbourhoods together, concept proposal consultation for Murrumbeena.

CARRIED UNANIMOUSLY

5.3 Petition: Parking in Sylverly Grove

A petition with 50 signatures and reading as follows was tabled at the Council Meeting.

We, the residents of and regular visitors to family and friends living in Sylverly Grove Caulfield and surrounding streets:

- Face significant and ongoing difficulties being able to park near to our houses or to the location of our friends. One side of Sylverly Grove is restricted two hour parking and the other, unrestricted parking. Visitors to and the employees of Caulfield Hospital and Glen Eira Town hall are using our streets to park in each and every day;
- Note the difficulty we experience on a daily basis when entering and leaving our driveways due to the positioning of parked cars and the speed of cars using our street;
- We request Glen Eira Council to re-institute two hour parking in the areas that are currently unrestricted and introduce measures, such as designated parking bay markings (via road markings) to ensure cars are parked in legally and safely (ie: not too close to the end of our driveways).

Moved: Cr Silver

Seconded: Cr Sztrajt

That Council:

1. receives and notes the petition;
2. continues to patrol the area and respond to resident concerns about parking restriction breaches and blocked driveways; and
3. receives a further report at the 2 May 2017 Ordinary Meeting of Council outlining options for reinstating appropriate parking restrictions in the precinct (including consideration of restrictions in Sylverly Grove, Harcourt Avenue, Hillside Avenue, Gerard Street, Hartley Avenue and Alfred Street).

CARRIED UNANIMOUSLY

6. DOCUMENTS FOR SEALING

There were no documents for sealing submitted to the meeting.

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

There were no reports by delegates submitted to the meeting.

8. REPORTS FROM COMMITTEES**a. Advisory Committees**

There were no minutes of Advisory Committees submitted to the meeting.

b. Records of Assembly

- i. 28 February 2017
- ii. 7 March 2017
- iii. 14 March 2017
- iv. 21 March 2017

Recommendation

That the Records of the Assemblies as shown below be received and noted.

- 28 February 2017
- 7 March 2017
- 14 March 2017
- 21 March 2017

Moved: Cr Hyams

Seconded: Cr Silver

That the Record of the Assemblies as shown below be received and noted.

- 28 February 2017
- 7 March 2017
- 14 March 2017
- 21 March 2017

CARRIED UNANIMOUSLY

Prior to the motion to suspend standing orders, the Mayor provided further information advising that the questions and responses will not be minuted.

Procedural Motion

Moved: Cr Delahunty

Seconded: Cr Magee

The Standing Orders be suspended for 15 minutes at 7.56pm.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Delahunty

Seconded: Cr Magee

The Standing Orders be resumed at 8.12pm.

CARRIED UNANIMOUSLY

Council Pre-Meeting

28 February 2017

Record under S 80 A (2)

Meeting Commenced at 6.pm

A. Present

Cr Mary Delahunty, Mayor
Cr Tony Athanasopoulos
Cr Clare Davey
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt
Cr Nina Taylor

Apologies -

Officers

Rebecca McKenzie, CEO
Peter Jones
Samantha Krull
Ron Torres
Peter Swabey
Janice Pouw

B. Matters considered

6.45pm Cr Esakoff declared a conflict of interest in item 9.1 and left the meeting.

- (i) Agenda Item 9.1 – 472 & 476-482 Kooyong Road & 11 Saturn Street, Caulfield South

7.02pm Cr Esakoff entered the meeting.

- (ii) Agenda Item 9.2 – 670-672 Centre Road and 51 Browns Road, Bentleigh East

7.10m Cr Magee left the meeting.

7.15pm Cr Magee entered the meeting

- (iii) Agenda Item 9.3 – 813-815 Glen Huntly Road, Caulfield

- (iv) Agenda Item 9.5 – 360 Neerim Road, Carnegie

- (v) Agenda Item 9.7 – Parking Review of streets around Hawthorn Road, Glen Eira Road and Kooyong Road, Caulfield

- (vi) Agenda Item 11.1 – Request for Reports

- (a) Cr Taylor – Community Garden

- (b) Cr Taylor – 'Verge(s)'grass cover on nature strips with other vegetation.
- (c) Cr Hyams – McKinnon Primary School – Traffic Safety
- (d) Cr Hyams – Feasibility Analysis traffic flow Cecil St Bentleigh East

Pre-meeting finished at 7.27pm

Assembly of Councillors

7 March 2017

Record under S 80 A (2)

Meeting commenced at 6.45PM.

A. Present

Cr Mary Delahunty
Cr Tony Athanasopoulos
Cr Clare Davey
Cr Margaret Esakoff
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt
Cr Nina Taylor

Council Officers

Rebecca McKenzie, CEO
Peter Jones
Samantha Krull
Peter Swabey
Ron Torres
Janice Pouw
Rocky Camera
Gaye Stewart
Mark Collins

B. Matters considered.

- (i) Apologies – Cr Hyams
- (ii) General Business proposed development, Anzac Day
- (iii) Presentation: VCAT presentation
- (iv) GECC participation in National Disability Insurance Scheme

7.50pm Cr Silver left the briefing room

7.52pm Cr Silver entered the briefing room

- (v) Sports Ground Allocation

8.46pm Cr Delahunty left the briefing room

8.49pm Cr Delahunty entered the briefing room

9.14pm Briefing adjourned

9.27pm Briefing resumed

Cr Mary Delahunty
Cr Tony Athanasopoulos
Cr Clare Davey

Cr Margaret Esakoff
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt
Cr Nina Taylor

(vi) CEO Performance Review – Process Discussion

(vii) Joyce Park Master Plan Community Consultation

10.14pm Cr Taylor left briefing
10.18pm Cr Taylor entered briefing

(viii) Reconciliation Policy and Action Plan

(ix) General Business

Cr Silver - Council meeting 12 April 2017
Cr Taylor – Planning conferences
Updates – Caulfield Racecourse
- Anzac Day

Assembly finished at 10.52 PM

Assembly of Councillors

14 March 2017

Record under S 80 A (2)

Meeting commenced at 6.45PM.

A. Present

Cr Mary Delahunty (Mayor)
Cr Tony Athanasopoulos
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Joel Silver
Cr Nina Taylor

Council Officers

Rebecca McKenzie, CEO
Peter Jones
Samantha Krull
Peter Swabey
Ron Torres
Effie Tangelakis
Aidan Mullen
Mark Collins
Sophie Holdsworth

B. Matters considered.

- (i) Apologies – Cr Clare Davey
- (ii) Presentation: Activity Centre Strategy
- (iii) General Business – Orrong Road Car Park – Reinstatement of Laneway

7.40pm Cr Esakoff declared a conflict of interest when the Orrong Road Car Park matter was raised and left the briefing

7.43pm Cr Magee entered the briefing

7.54pm Cr Esakoff re-entered the briefing

- (iv) Presentation: Poseidon Life Saving Technology for Pools
- (v) Pavilion Redevelopment Strategy Approach
- (vi) Recreation Needs Study Review

9pm Briefing was adjourned

9.14pm Briefing was resumed

Present:

Cr Mary Delahunty
Cr Tony Athanasopoulos
Cr Margaret Esakoff

Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Nina Taylor

(vii) Council Papers for the 21 March 2017 Council Meeting comprising 23 officer reports together with standing items on the agenda.

- 4 Confirmation of the Minutes of the previous meeting
- 8(a) Advisory Committees
- 8(b) Records of Assembly
- 9.1 88-199 McKinnon Road Planning Scheme Amendment C143
- 9.2 Hawthorn Road & Briggs Street Caulfield Planning Scheme Amendment C146
- 9.3 83 Tucker Road, Bentleigh
- 9.4 277-279 Centre Road Bentleigh
- 9.5 348-352 Centre Road Bentleigh
- 9.6 294 Kooyong Road Caulfield
- 9.7 1254-1258 Glen Huntly Road Carnegie
- 9.8 82 Truganini Road Carnegie
- 9.9 23 Koornang Road Carnegie
- 9.10 Caulfield Village – Review of Planning Controls
- 9.11 4 Bute Street Murrumbeena
- 9.12 VCAT Watch

10.43pm Cr Sztrajt entered the briefing

- 9.13 Joyce Park - Open Space Conversion and Consultation

11.16pm Cr Athanasopoulos declared a conflict of interest for item 9.14 and left the briefing.

- 9.14 Reintroduction of Special Rate Scheme – Carnegie Shopping Centre
- 9.15 Reintroduction of Special Rate Scheme – Elsternwick Shopping Centre

11.18pm Cr Athanasopoulos entered the briefing

- 9.16 Lease to Camelot Traffic School
- 9.17 Car Share Policy
- 9.18 Payment of Rates Policy
- 9.19 Heritage Policy Update – Planning Scheme Amendment C149
- 9.20 McKinnon Primary School – Safety Review
- 9.21 Instrument of Appointment & Authorisation under Planning and Environment Act 1987
- 9.22 Audit Committee Charter
- 9.23 February Financial Management Report
- 11 Ordinary Business
- 11.1 Request for report from officers - Cr Magee – Public Toilet in East Bentleigh Shopping Centre

(viii) General Business

- Cr Taylor – Cricket clubs use of ovals outside of home and away season
- Cr Esakoff – Belsize and Neerim development – naturestrips make good gutters
- Cr Delahunty – 2 April Budget Workshop
- Drainage – extreme storm events at Jean Street
- Caulfield Park small sided soccer – discussed as part of item 9.13 earlier in the briefing

Assembly finished at 11.56PM

Council Pre-Meeting

21 March 2017

Record under S 80 A (2)

Meeting Commenced at 6.45pm

A. Present

Cr Mary Delahunty, Mayor
Cr Tony Athanasopoulos
Cr Clare Davey
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt
Cr Nina Taylor

Apologies - NIL

Officers

Rebecca McKenzie, CEO
Samantha Krull
Ron Torres
Peter Swabey
Lauren Bialkower
Robyn Taft
Wendy Mason

B. Matters considered

- (i) Agenda item 9.1 – 88-100 McKinnon Road, McKinnon
- (ii) Agenda item 9.2 – Hawthorn Road, Caulfield South
- (iii) Agenda item 9.3 – 83 Tucker Road, Bentleigh
- (iv) Agenda item 9.7 – 1254-1258 Glen Huntly Road, Carnegie
- (v) Agenda item 9.16 – Lease Camelot Traffic School
- (vi) Agenda item 9.17 – Car Share Policy
- (vii) Agenda item 9.20 – McKinnon Primary School – Safety Review
- (viii) Agenda item 10 – Urgent Business
- (ix) Agenda item 11.1 – Request for report – Cr Esakoff – Heritage Review
- (x) Agenda item 11.4 – Public Questions

Pre-meeting finished at 7.29pm

9. PRESENTATION OF OFFICERS REPORTS

9.1	532 North Road Ormond
9.2	248 Jasper Road McKinnon
9.3	VCAT Watch
9.4	Montgomery House Heritage Protection
9.5	Street Trees In Narrow Road Reserves Trial
9.6	Development of a Reconciliation Action Plan
9.7	Car Parking Waivers in Statutory Planning Application Decision Making
9.8	Review of Mayor and Councillor Allowances

ITEM 9.1 532 North Road, Ormond**Author:** *Effie Tangelakis, Acting Manager Town Planning***File No:** *GE/PP-30198/2017***Attachments:** *Advertised plans***PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	A five storey building comprising six dwellings and a ground floor retail premise, the reduction of one visitor car space, the waiving of the loading bay requirement and to alter access to a Road Zone One.
MUNICIPAL STRATEGIC STATEMENT	Housing Diversity Area Policy (Ormond Neighbourhood Centre)
APPLICANT	North Nutbrown Pty Ltd
PLANNING SCHEME CONTROLS	Mixed Use Zone
OBJECTIONS	One (at the time of printing)

RECOMMENDATION

That Council issues a Notice of Refusal to Grant a Planning Permit for Application No. GE/PP-30198/2016 at 532 North Road, Ormond in accordance with the following grounds:

1. The proposed development is inconsistent with the Local Planning Policy for Housing and Residential Development pursuant to Clause 21.04 of the Glen Eira Planning Scheme as it fails to adequately protect the amenity of the area by providing sole vehicle access via the right of way to the rear of the property.
2. The design and location of the access to the parking area via the right of way at the rear is not satisfactory as it does not create a safe environment.
3. The design and access to the car stackers does not comply with Clause 52.0-8 of the Glen Eira Planning Scheme.
4. Waste collection services as well as loading/unloading activities may impact on the flow of traffic on North Road.

BACKGROUND

In 2015, a Planning Permit for a five storey building comprising 10 dwellings and a shop was refused under manager delegation. The main grounds of refusal related to car parking and poor internal amenity.

ISSUES AND DISCUSSION

- Zoning and policy context
- Neighbourhood character
- Height, scale and massing
- Amenity impacts
- Landscaping
- Internal amenity
- Car parking and traffic
- Objector's concerns

Proposal

The application proposes a five storey building comprising a retail tenancy and car park at ground floor with six dwellings above comprising four one-bedroom dwellings and two two-bedroom dwellings.

Car parking is provided in a large car stacker at the rear of the site with access via the laneway from Glen Orme Avenue. Each dwelling is provided with one stacker space and the retail premise is provided with one space. No visitor parking is provided.

Objector's concerns

- Traffic and car parking congestion.
- Out of character
- Overshadowing
- Visual Bulk
- Noise
- Loss of amenity.
- Disruption of business during construction.

Referrals*Transport Planning*

- Serious concerns exist over access to the site from the rear laneway and the functionality of the proposed car stacker system.
- No issue with the waiver of 1 visitor space due the sole access to the parking area being via the right of way. This would make it difficult for visitors to the site to navigate. Further, the parking is proposed to be provided in car stackers and visitors will not be familiar with how to use them nor have easy access to the car stacker system. Additionally, given the site's proximity to Glen Orme Ave there would be ample on street car spaces for the one visitor car space shortfall.
- 1 space to be allocated to each dwelling.
- 1 staff space is not adequate for the Retail component because it is not clear what the retail actually is. The provision of car parking for the retail would presumably trigger a requirement for disabled car parking and it is difficult to see how this could be accommodated given the type of car stacker system proposed.

Vic Roads

Vic Roads notes while the proposed development is not without some merit, there are a number of deficiencies as follows:

- There would be at least seven bins which would have to be transferred to the North Road kerbside for collection each week. This may take up a significant amount of space and may not be collected if the kerbside parking bays were all occupied. Vic Roads recommends that Council consider converting one of the existing 1 hour parking bay at the front of the property to a 15 minute loading bay to address this issue and ensure that waste collection services as well as loading/unloading activities do not impact on the flow of traffic on North Road.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS**Zoning and policy context**

State and Local Planning Policy broadly supports development in this location, which increases housing supply in an existing urban area with good access to employment, services and public transport.

The subject site is located within the Mixed Use Zone associated with the Ormond Neighbourhood Centre. Properties which surround the subject site are also located within the Ormond Neighbourhood Centre. While there is a General Residential Zone and a Heritage Overlay directly to the south, the site is non-residential (St Kevin's Primary School). The sites directly to the east and west are also located within the Mixed Use Zone. There is no height limit in the Mixed Use Zone.

The Housing Diversity Area Policy applies to the site and seeks to:

- *Ensure that the density, mass and scale of residential development is appropriate to that of the neighbourhood centre.*
- *Ensure that residential development is sited and designed so that it does not dominate the streetscape.*
- *Encourage a decrease in the density of residential development as the proximity to the commercial area of the neighbourhood centre decreases*

It is considered that the proposed development complies with Council's Housing Diversity Area Policy. The height, density, mass and scale of the development is considered appropriate for this location.

Neighbourhood character

The current character along the section of North Road in the vicinity of the site consists of a mix of older two storey shops and more recent three to five storey mixed use developments. It is clear that the local area is undergoing a significant level of change as two storey terraced buildings typical of a traditional strip shopping centre make way for the higher density development envisaged by the Housing Diversity Area policy.

The proposed design is consistent with other recently approved multi-storey mixed use developments in the near vicinity. The building is built to all boundaries, with balconies facing north and south on all levels above ground floor.

The proposed design is also consistent with other recent similar developments as it maintains an active frontage along North Road with a commercial use at ground floor facing the road.

Height, scale and massing

The height and scale of the proposal are in keeping with the emerging character of the area encouraged by State and Local Policy.

The proposal has a maximum height of 16.7 metres. This is comparable to the approved development under construction next door at 534-538 North Road which also has a height of 16.7 metres.

The setbacks of the proposal are also similar to the approved development next door at 534-538 North Road as the building is proposed to be constructed to the front and rear boundary for the first four levels, with the upper fifth level recessed.

The architectural style of the proposal is generally considered acceptable, with the facade incorporating a reasonable level of visual interest, articulation, various construction materials and a contemporary form which is characteristic of the area. It is considered that this style will successfully respond to the neighbourhood character.

Amenity impacts

Whilst there will be overshadowing created by the proposal it is not considered to have any unreasonable impact on any adjoining land given the mixed use zoning to the east and west and the non-residential use immediately to the rear.

Given the orientation of the site, half of the dwellings proposed have south facing balconies and bedrooms relying on a light well.

Internal amenity

Internal amenity is deemed satisfactory. Given the orientation of the site, half of the dwellings proposed have south facing balconies and bedrooms relying on a light well.

The application was submitted with a daylight assessment that shows that habitable rooms within the development will achieve compliance with best practice standards for daylight penetration.

Car Parking and Traffic

The proposal is seeking to waive the requirement for one visitor parking space. Given the proximity of the site to the Ormond Train Station (less than 100 metres), this reduction is supported. It is noted that Council's Traffic Engineers did not raise any concerns with the waiver of the visitor car space.

The proposed waiver of the loading bay requirement for the retail premise is problematic. Vic Roads has noted that there may be impact to the flow of traffic on North Road due to the possibility of trucks unloading/loading on North Road. This is significant concerns as cars would have to swerve to avoid a vehicle that is stopped on North Road.

However, Transport Planning has identified significant concerns with the proposed access to the site from the rear laneway and the functionality of the proposed car stacker system. It has not been satisfactorily demonstrated that the layout and access to the car park creates a safe environment for users and enables easy and efficient use for future residents. The issues inherent in the proposed car parking are fundamental to the design and cannot be resolved by way of permit condition. It is therefore considered necessary to refuse the application on this basis.

COMMUNICATION AND ENGAGEMENT1. **Public Notice (Statutory)**

- 8 properties notified
- 22 notices sent (owners and occupiers)
- 2 signs erected on site
- One objection received

2. **Planning Conference (Non Statutory)**

The Conference, chaired by Cr Esakoff, provided a forum where all interested parties could elaborate on their respective views. The objector did not attend the meeting. The applicant's traffic engineer presented on the operation of the car stacker and general vehicle access and car parking issues associated with the site.

Undertakings by the Applicant

N/A

LINK TO COUNCIL PLAN

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

That a Notice of Refusal to Grant a Planning Permit be issued.

The Mayor advised that the applicant has lodged an amendment to their application and therefore it will be considered as a new application. Council is unable to make a decision on the application and report contained in the agenda.

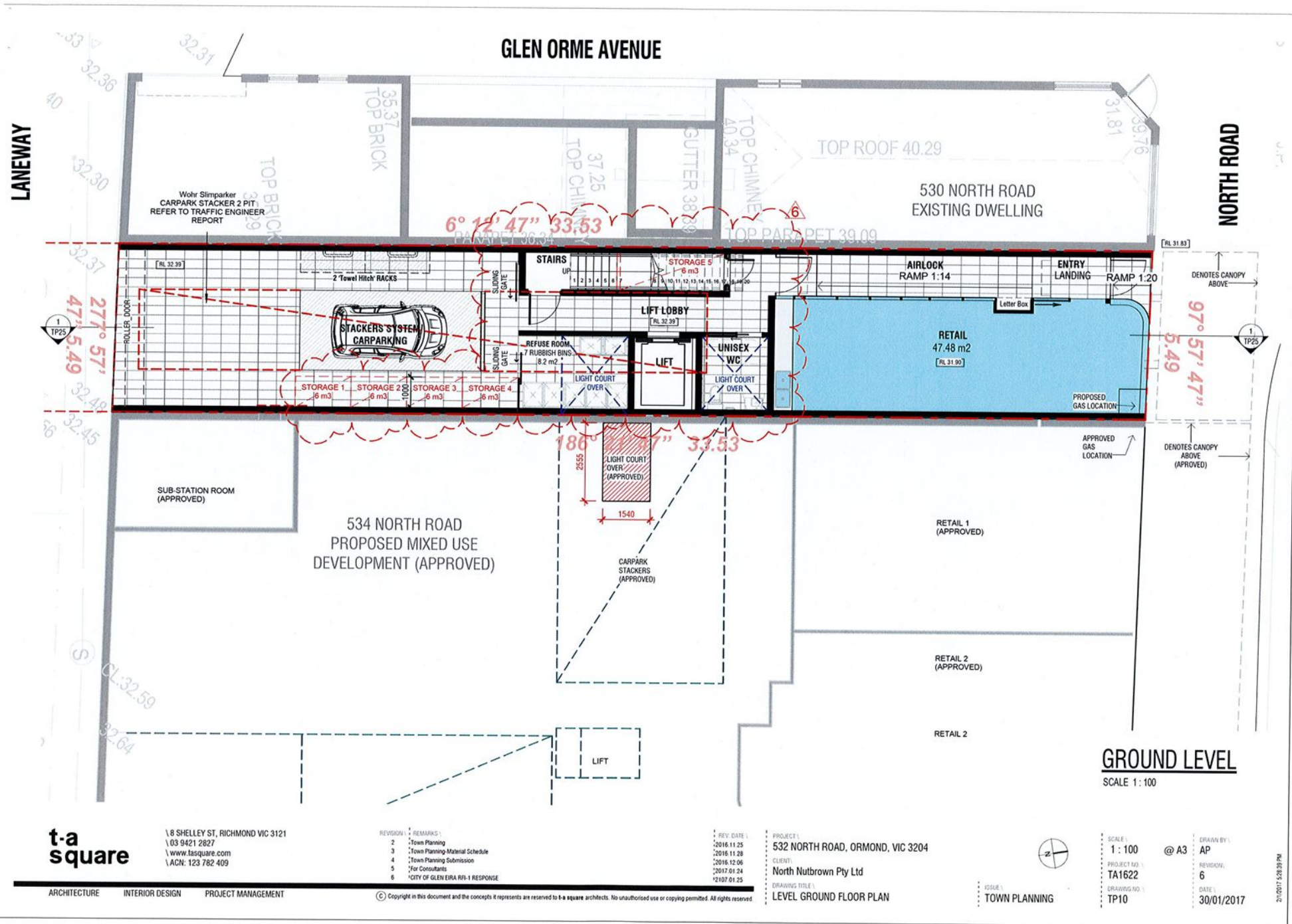
Procedural Motion

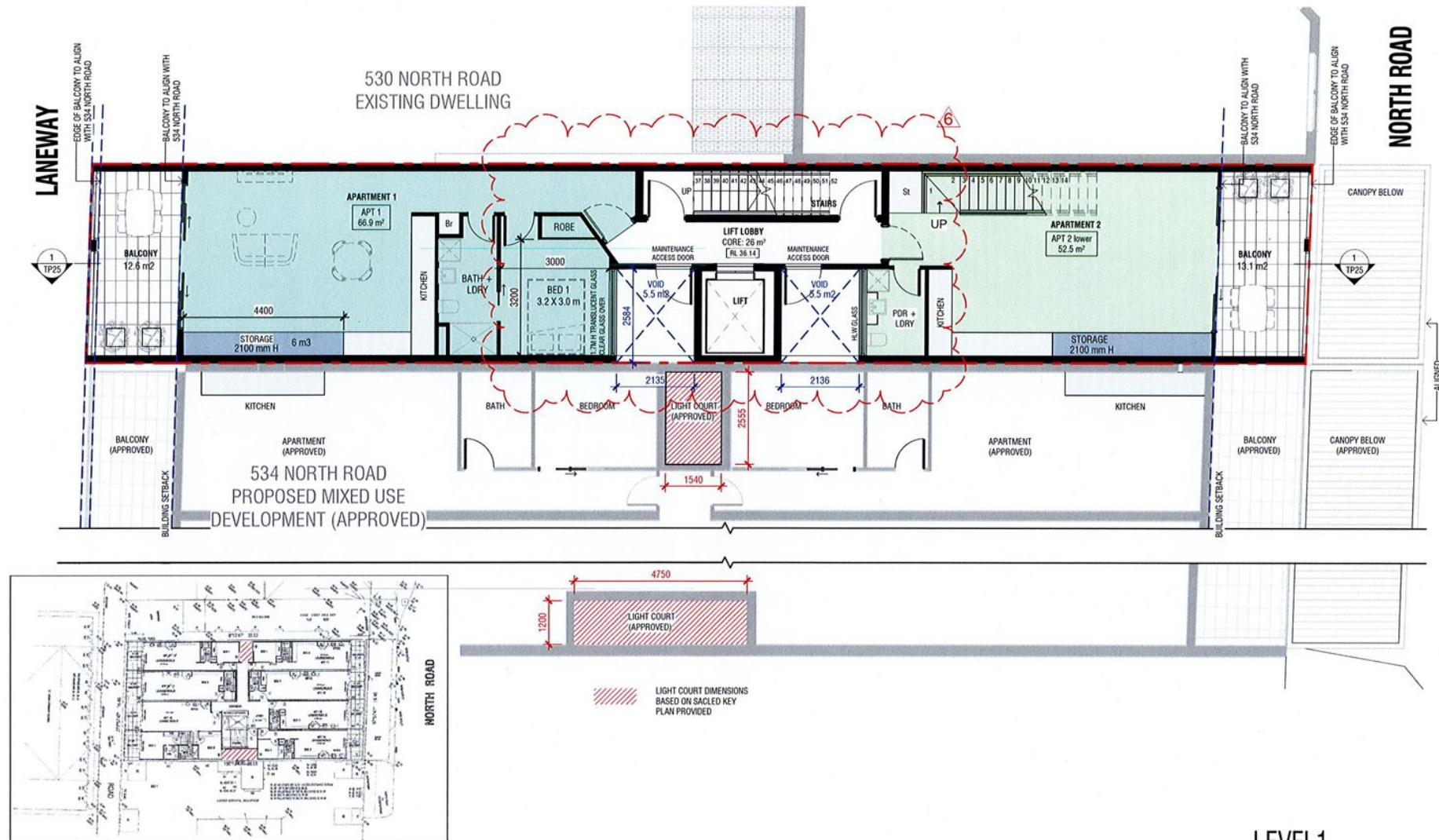
Moved: Cr Delahunty

Seconded: Cr Magee

That Council withdraws item 9.1 – 532 North Road Ormond from the business of this meeting as the applicant has lodged an amended application.

CARRIED UNANIMOUSLY





**t-a
square**

18 SHELLEY ST, RICHMOND VIC 3121
03 9421 2827
www.tasquare.com
ACN: 123 782 409

REVISION \ REMARKS \

- 1 Town Planning
- 2 Town Planning Material Schedule
- 3 Town Planning Submission
- 4 For Consultants
- 5 CITY OF GLEN EIRA RFP-1 RESPONSE

REV. DATE \

- 1 2016.11.25
- 2 2016.11.28
- 3 2016.12.06
- 4 2017.01.24
- 5 2017.01.25

PROJECT \

532 NORTH ROAD, ORMOND, VIC 3204

CLIENT \

North Nutbrown Pty Ltd

DRAWING TITLE \

LEVEL 1 FLOOR PLAN



ISSUE \

TOWN PLANNING

SCALE \

As indicated @ A3

PROJECT NO \

TA1622

DRAWING NO \

TP11

DRAWN BY \

AP

REVISION \

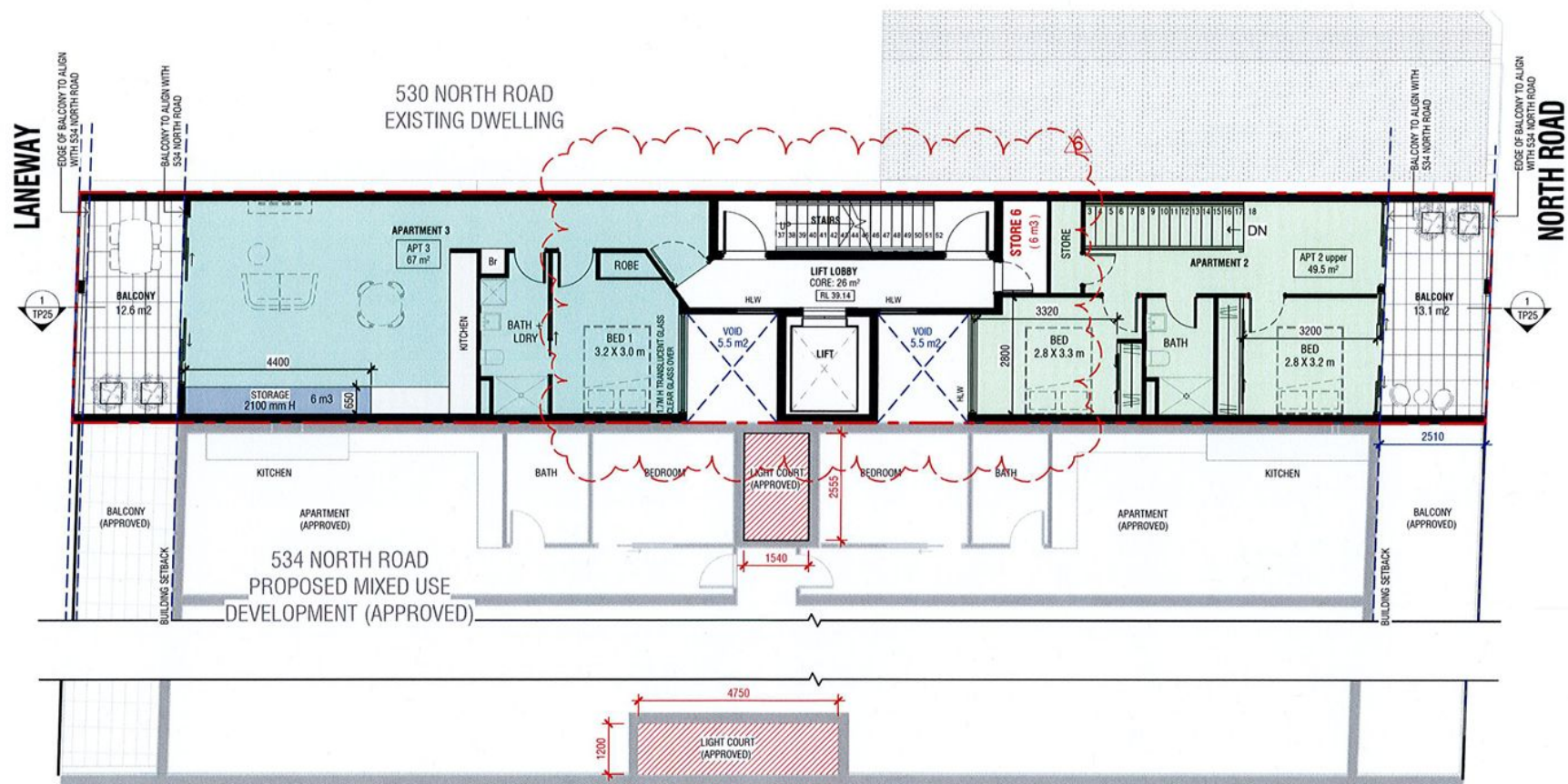
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DATE \

30/01/2017

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REVISION: 1. REMARKS:
2. Town Planning
3. Town Planning Material Schedule
4. Town Planning Submission
5. For Consultants
6. CITY OF GLEN EIRA RFS-1 RESPONSE

REV. DATE:
2016.11.25
2016.11.28
2016.12.06
2017.01.24
2107.01.25

PROJECT:
532 NORTH ROAD, ORMOND, VIC 3204
CLIENT:
North Nutbrown Pty Ltd

DRAWING TITLE:
LEVEL 2 FLOOR PLAN



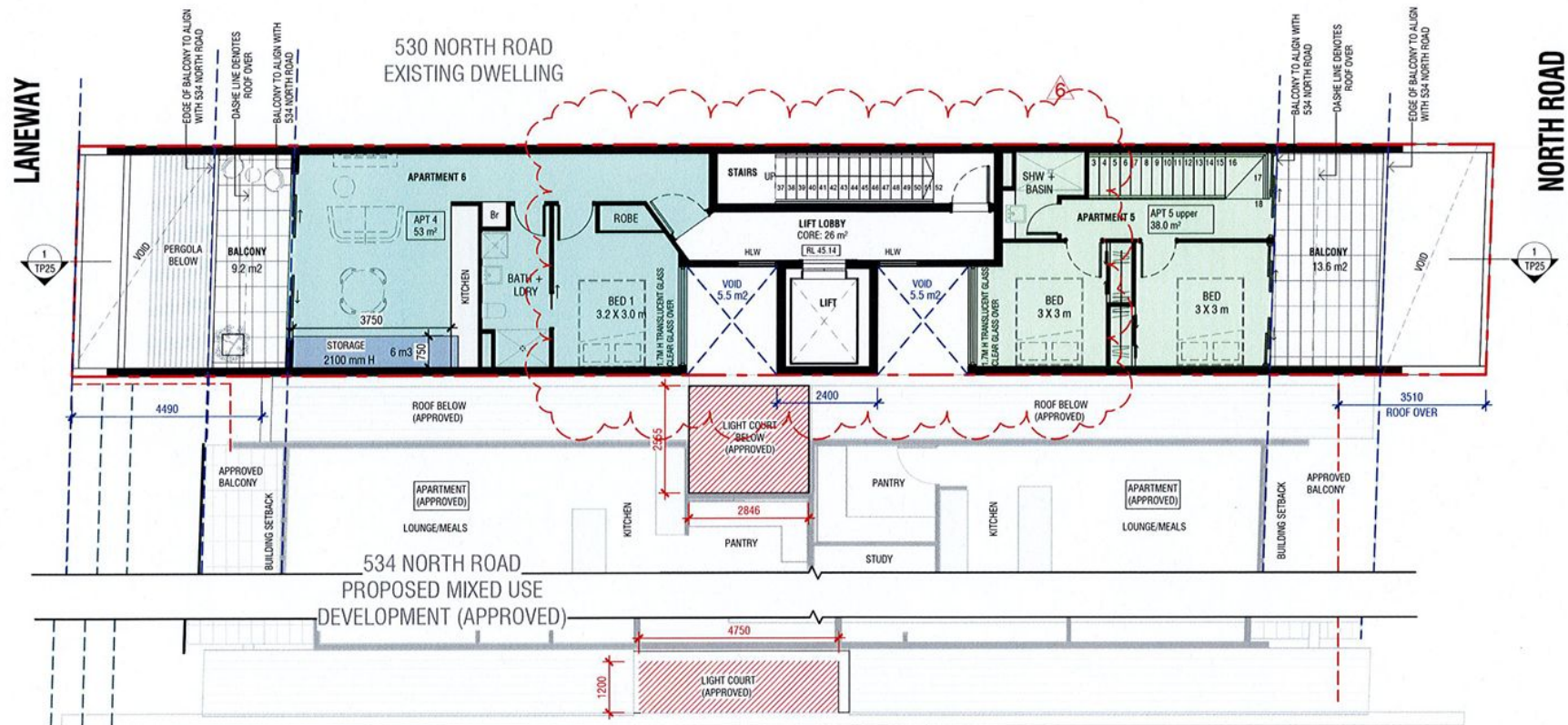
ISSUE:
TOWN PLANNING

SCALE:
1:100
PROJECT NO:
TA1622
DRAWING NO:
TP12

@ A3
AP
REVISION:
6

DATE:
30/01/2017

30/01/2017 10:14:15



LEVEL 4

SCALE 1: 100

**t-a
square**

8 SHELLEY ST, RICHMOND VIC 3121
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REVISION	REMARKS
1	Town Planning
2	Town Planning-Material Schedule
3	Town Planning Submission
4	For Consultants
5	CITY OF GLEN EIRA RPI-1 RESPONSE

REV	DATE
1	2016.11.25
2	2016.11.28
3	2016.12.06
4	2017.01.24
5	2107.01.25

PROJECT
532 NORTH ROAD, ORMOND, VIC 3204
CLIENT
North Nutbrown Pty Ltd

DRAWING TITLE
LEVEL 4 FLOOR PLAN



SCALE
TOWN PLANNING

SCALE
1: 100
PROJECT NO.
TA1622
DRAWING NO.
TP14

@ A3
AP
REVISION
6

DRAWN BY
AP
DATE
30/01/2017

30/01/2017 10:14:15

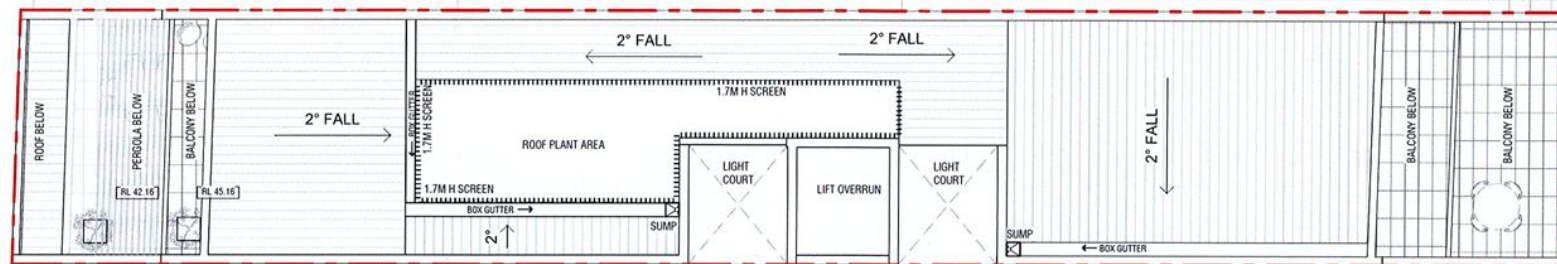
ARCHITECTURE INTERIOR DESIGN PROJECT MANAGEMENT

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LANEWAY

NORTH ROAD

530 NORTH ROAD
EXISTING DWELLING



534 NORTH ROAD
PROPOSED MIXED USE
DEVELOPMENT (APPROVED)

PLANT ZONE

LIFT OVERRUN

LEGEND:

RL	RELATIVITY LEVEL
NGL	NATURAL GROUND LINE
POS	PRIVATE OPEN SPACE
SL	SKY LIGHT
dp	DOWN PIPE
dps	DOWN PIPE SPREADER
EG	EAVES GUTTER
BG	BOX GUTTER
SU	SUMP
RH	RAINWATER HEAD
HW	HIGH WINDOWS
OG	OBSCURED GLASS
PS	PRIVACY SCREEN

ROOF
SCALE 1 : 100

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\ www.tasquare.com
\ ACN: 123 782 409

REVISION	REMARKS
1	Consultants Review Prior to Town Planning
3	Town Planning Material Schedule
4	Town Planning Submission
5	For Consultants
6	CITY OF GLEN ERA RP-1 RESPONSE

REV DATE	REV
2016.11.24	1
2016.11.28	3
2016.12.06	4
2017.01.24	5
2107.01.25	6

PROJECT
532 NORTH ROAD, ORMOND, VIC 3204

CLIENT
North Nutbrown Pty Ltd

DRAWING TITLE
ROOF PLAN



SCALE
1 : 100
PROJECT NO
TA1622
DRAWING NO
TP15

@ A3

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REVISION
6
DATE
30/01/2017

ARCHITECTURE INTERIOR DESIGN PROJECT MANAGEMENT

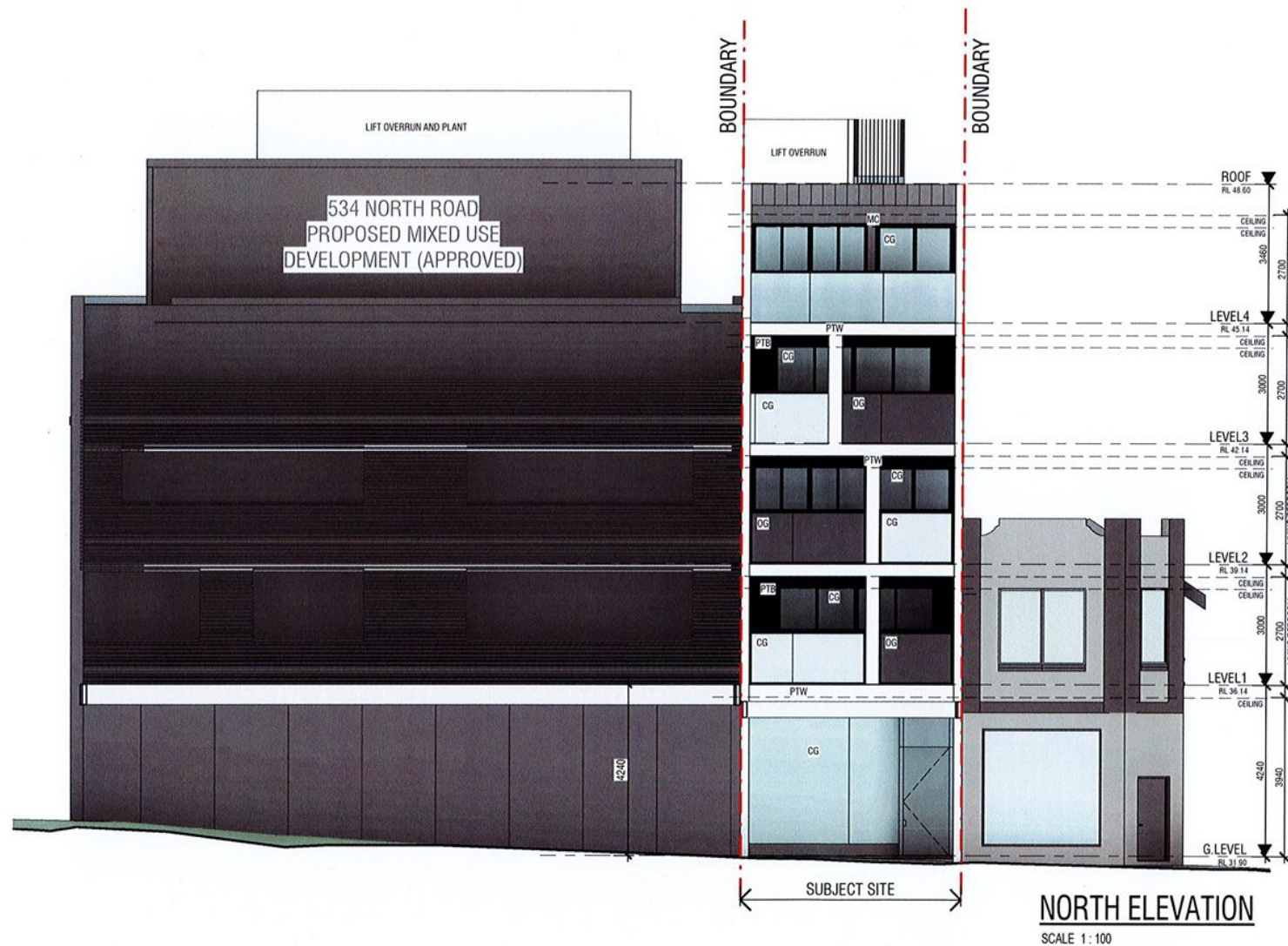
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ISSUE
TOWN PLANNING

30/01/2017 10:14:15

SCHEDULE OF FINISHES:

TAG	DESCRIPTION/COLOUR	MATERIAL IMAGE
BAL	BALUSTER -CLEAR GLAZING-	
CG	CLEAR GLASS -WINDOWS-	
CPY	CANOPY	
MC	PROFILED METAL WALL CLADDING	
PTB	PAINT FINISH -WALL, CEILING- BLACK	
PTW	PAINT FINISH -FRAME- WHITE	
SC1	DECORATIVE PERFORATED METAL PANEL. WHITE COLOUR	
SC2	DECORATIVE PERFORATED METAL PANEL. 25% MAX OPEN AREA. WHITE COLOUR	
PR	PRECAST PANELS NATURAL COLOUR	
FPR	FEATURED PRECAST PANELS	



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REVISION | REMARKS |
2 | Town Planning
3 | Town Planning Material Schedule
4 | Town Planning Submission
5 | For Consultants
6 | CITY OF GLEN EIRA RH-1 RESPONSE

REV. DATE |
2016.11.25
2016.11.28
2016.12.06
2017.01.24
2017.01.25

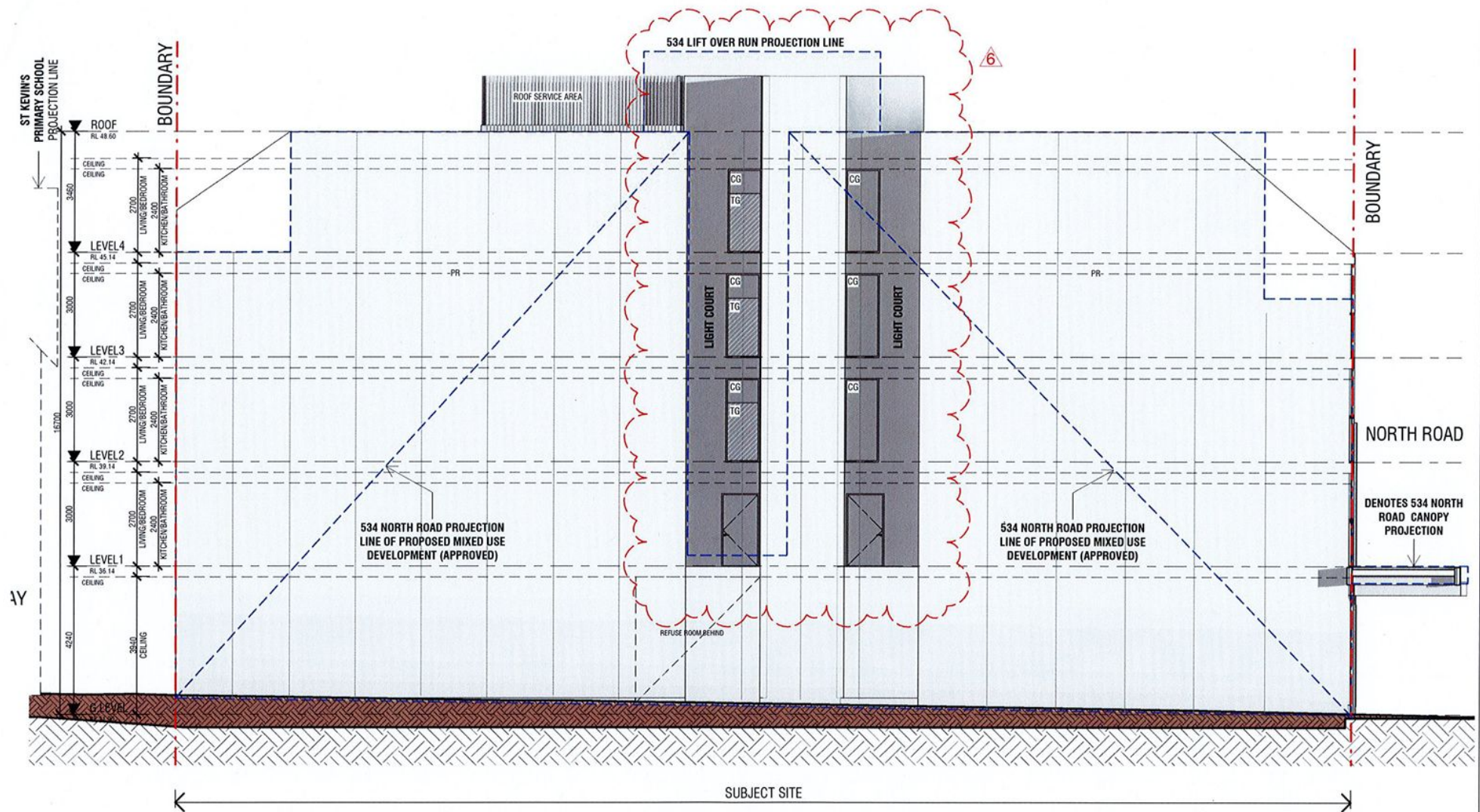
PROJECT |
532 NORTH ROAD, ORMOND, VIC 3204
CLIENT |
North Nutbrown Pty Ltd

DRAWING TITLE |
ELEVATION - NORTH

ISSUE |
TOWN PLANNING

SCALE |
As indicated @ A3
PROJECT NO |
TA1622
DRAWING NO |
TP20
DRAWN BY |
AP
REVISION |
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DATE |
30/01/2017

30/01/2017 10:14:18



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REVISION: 1. REMARKS:
2. Town Planning
3. Town Planning Material Schedule
4. Town Planning Submission
5. For Consultants
6. CITY OF GLEN EIRA RP-1 RESPONSE

REV. DATE:
2016.11.25
2016.11.28
2016.12.06
2017.01.24
2017.01.25

PROJECT:
532 NORTH ROAD, ORMOND, VIC 3204

CLIENT:
North Nutbrown Pty Ltd

DRAWING TITLE:
ELEVATION - EAST

ISSUE:
TOWN PLANNING

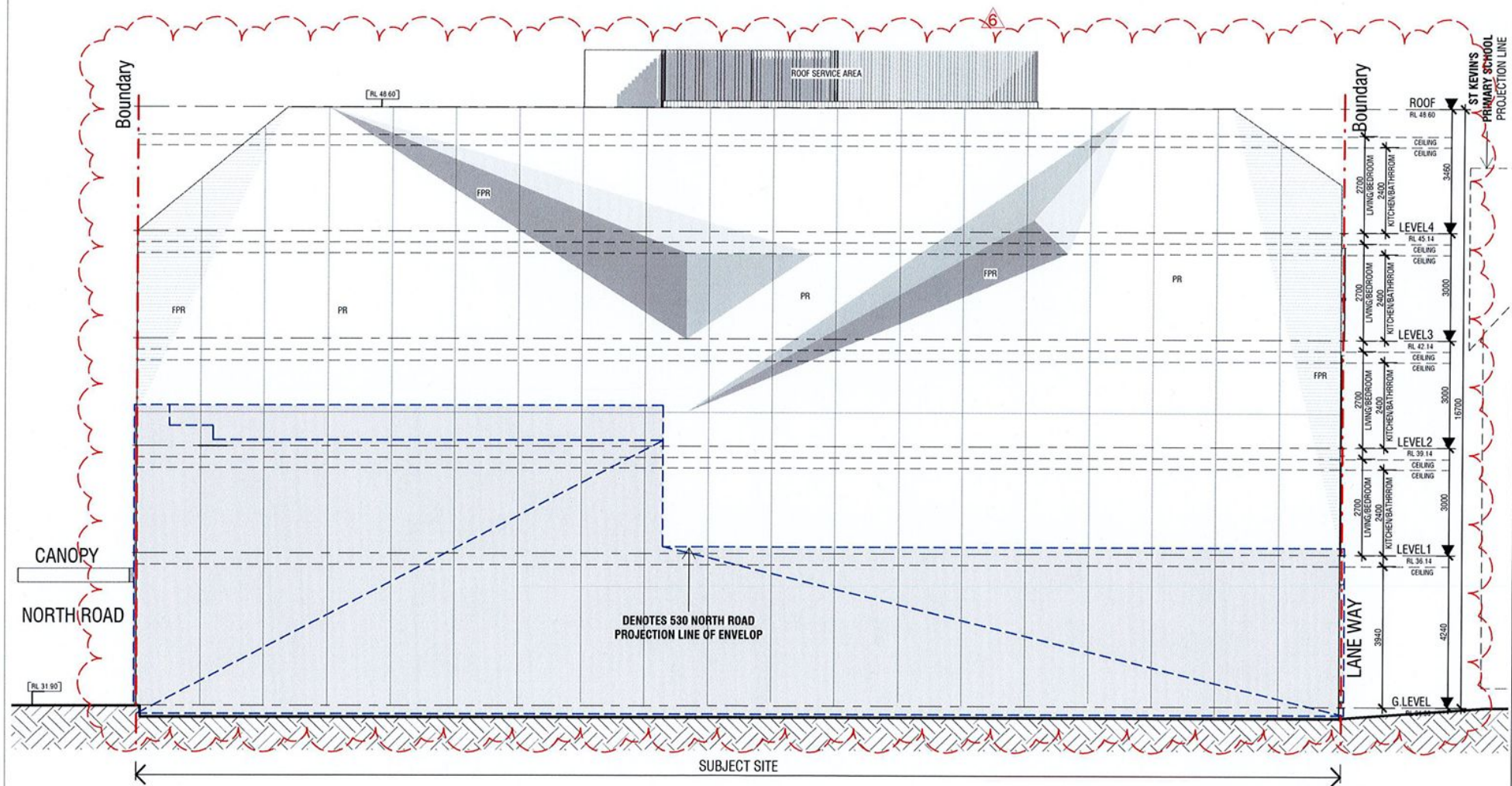
EAST ELEVATION

SCALE 1:100

SCALE:
1:100
PROJECT NO:
TA1622
DRAWING NO:
TP22

DRAWN BY:
AP
REVISION:
6
DATE:
30/01/2017

30/01/2017 10:14:23



WEST ELEVATION

SCALE 1:100

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REVISION	REMARKS
2	Town Planning
3	Town Planning-Material Schedule
4	Town Planning Submission
5	For Consultants
6	CITY OF GLEN EIRA RFI-1 RESPONSE

REV. DATE	REV. DATE
2016.11.25	2016.11.25
2016.11.28	2016.11.28
2016.12.06	2016.12.06
2017.01.24	2017.01.24
2107.01.25	2107.01.25

PROJECT: 532 NORTH ROAD, ORMOND, VIC 3204

CLIENT: North Nutbrown Pty Ltd

DRAWING TITLE: ELEVATION - WEST

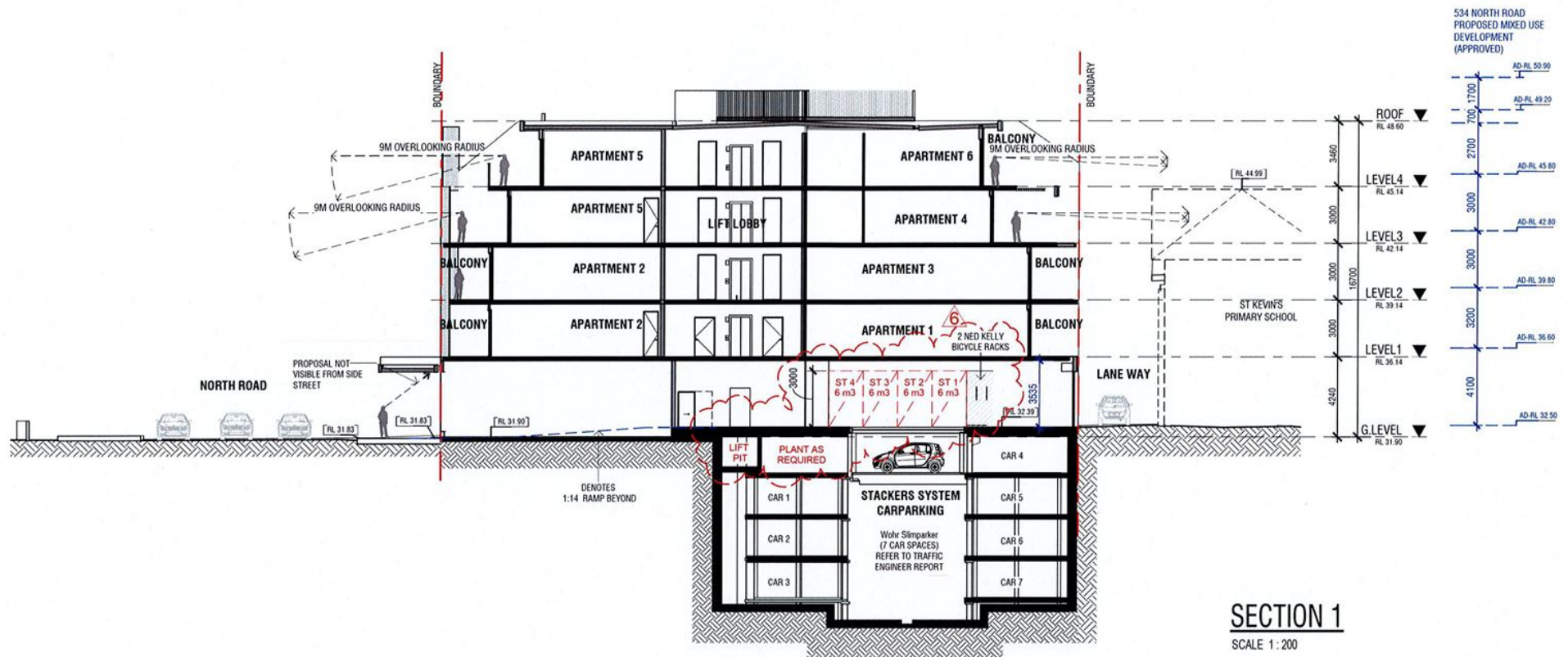
ISSUE: TOWN PLANNING

SCALE: 1:100
PROJECT NO: TA1622
DRAWING NO: TP23

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DRAWN BY: AP/JY
REVISION: 6
DATE: 30/01/2017

30/01/2017 12:48:12

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SECTION 1
SCALE 1:200

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REVISION | REMARKS
2 | Town Planning
3 | Town Planning Material Schedule
4 | Town Planning Submission
5 | For Consultants
6 | CITY OF GLEN EIRA R15-1 RESPONSE

REV. DATE
2016.11.25
2016.11.28
2016.12.06
2017.01.24
2017.01.25

PROJECT |
532 NORTH ROAD, ORMOND, VIC 3204

CLIENT |
North Nutbrown Pty Ltd

DRAWING NO. |
SECTION

SCALE |
1:200

PROJECT NO. |
TA1622

DRAWING NO. |
TP25

@ A3

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REVISION |
6

DATE |
30/01/2017

ARCHITECTURE | INTERIOR DESIGN | PROJECT MANAGEMENT

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ISSUE |
TOWN PLANNING

30/01/2017 10:14:26

ITEM 9.2 248 JASPER ROAD, MCKINNON**Author:** *Effie Tangelakis, Acting Manager Town Planning***File No:** *GE/PP-29510/2016***Attachments:** *Advertised plans***PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	Four storey building comprising a food and drink premise, four (4) dwellings and the waiver of the car parking requirement for the food and drink premise.
MUNICIPAL STRATEGIC STATEMENT	Housing Diversity Area Policy (McKinnon Neighbourhood Centre)
APPLICANT	Fastnet Consulting
PLANNING SCHEME CONTROLS	Commercial 1 Zone Special Building Overlay
OBJECTIONS	1

RECOMMENDATION

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29510/2016 at 248 Jasper Road, McKinnon in accordance with the following conditions:

- 1) Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as TP3.00 – TP3.04 & TP4.00, prepared by Pink Architecture, dated 10 October 2016) but modified to show:
 - (a) A 3m x 3m corner splay on the south-western corner of the ground floor level with the change to be absorbed within the approved building envelope.
 - (b) The provision of 1 on-site bicycle parking facility in accordance with Clause 52.34 of the Glen Eira Planning Scheme to the satisfaction of the Responsible Authority.
 - (c) The car stacker system to be fully dimensioned with the car spaces to be in accordance with Clause 52.06 of the Glen Eira Planning Scheme (eg, pit depths, height clearances, gate widths, platform widths, etc). The exact model of the car stacker is to be shown on the plans.
 - (d) The foyer to the apartments must be constructed with finished floor levels set no lower than 32.22 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the site for development of 31.92m to AHD. *(Condition required by Melbourne Water)*
 - (e) The car stacker must be constructed with finished surface levels set no lower than 32.22 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the site for development of 31.92m to AHD. *(Condition required by Melbourne Water)*
 - (f) Bedroom 2 to Unit 4 provided with natural daylight in the form of a window/skylight or similar to the satisfaction of the Responsible Authority.When approved, the plans will be endorsed and will then form part of this Permit.
2. The food and drink premise must operate only between the hours of 4:30pm to 11:00pm Monday to Sunday.
3. Not more than 2 staff members/employees must be present on the site at any one time.
4. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements. *(Condition required by Melbourne Water)*
5. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways. *(Condition required by Melbourne Water)*
6. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.

7. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:
- (a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
 - (b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
 - (c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
 - (d) Details for best practice waste management once operating.

Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

8. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
- (a) delivery and unloading points and expected frequency;
 - (b) Truck haulage routes, circulation spaces and queuing lanes;
 - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
 - (d) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (e) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (f) any requirements outlined within this permit as required by the relevant referral authorities;
 - (g) hours for construction activity in accordance with any other condition of this permit;

- (h) measures to control noise, dust, water and sediment laden runoff;
 - (i) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (j) any construction lighting to be baffled to minimise intrusion on adjoining lots.
9. Privacy screens must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens must be maintained to the satisfaction of the Responsible Authority.
10. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;
- to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
11. The car parking allocation for the approved development must be not less than one (1) car space per one or two bedroom dwelling.
12. The mechanical car stackers must be maintained by the Owner's Corporation in a good working order and be permanently available for the parking of vehicles in accordance with their purpose to the satisfaction of the Responsible Authority. Should no Owner's Corporation be established, then the lot owner must bear responsibility for ongoing maintenance of the car stacker.
13. During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
14. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note C.
15. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.
16. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the

Responsible Authority. Note: This does not obviate the need for a permit where one is required.

17. This Permit will expire if:

- The development does not start within two (2) years from the date of this Permit; or
- The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

Notes:

A. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.

B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

C. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).

D. Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.

E. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.

F. The proposed development abuts a Right of Way that was constructed for commercial purposes. Commercial uses still utilise the Right of Way therefore residents of the development should not expect the same access opportunities as a typical local street.

G. The applicable flood level for the property is 31.92 metres to Australian Height Datum (AHD). (*Note required by Melbourne Water*)

- H. For the purpose of the Building Code of Australia - Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second. *(Note required by Melbourne Water)*
- I. If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference **283194**. *(Note required by Melbourne Water)*.

BACKGROUND

Plans were amended after advertising of the application to respond to Traffic Engineering issues regarding the location of the car stacker system. The plans were not re-advertised as there was no change to the any part of the proposal with the exception of the location of the car stacker system.

ISSUES AND DISCUSSION

- Zoning and policy context
- Neighbourhood character
- Height, scale and massing
- Amenity impacts
- Car parking and traffic
- Objector's concerns

Proposal

- Construction of a four storey building comprising four (4) dwellings
- The existing food and drink premise (pizza shop) will continue to operate on the ground floor level with a floor area of 97m²
- Each dwelling consists of 2 bedrooms with secluded private open space in the form of a balcony
- Car parking is provided within a car stacker system (4 spaces proposed) with access via the rear laneway
- One on-site car space is provided for each dwelling and no on-site car space is proposed for the food and drink premise.

Objector's concerns

- Visual bulk
- Overshadowing impact
- Neighbourhood character
- Traffic and car parking.

Referrals

Transport Planning

- The residential car parking requirement under the Planning Scheme has been met.
- Waiver of car parking for the food and drink premise is not supported. At least one on-site car parking space should be retained for the food and drink premise as there is limited all-day parking available within the area.
- Not providing pedestrian access between the car parking area and the building lobby area is not supported.
- A corner splay at the south-west corner of the site is required to improve pedestrian sightlines and circulation of vehicles.

- The proposal does not meet the guidelines for bicycle parking. One bicycle parking space should be provided.

Melbourne Water

- Melbourne Water is supportive of the proposal subject to conditions (4) to be included on the permit to protect this area from flooding.

Vic Roads

- VicRoads advised that they have no comments on the proposal.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

State and Local planning policy broadly supports development in this location, which increases housing supply in an existing urban area with good access to public transport and services. The subject site is located within the Commercial 1 Zone of the McKinnon Neighbourhood Centre with an interface to Neighbourhood Residential Zone to the east (rear).

Both the objectives of the Housing Diversity Area Policy and the purpose of the zone encourage mixed use developments that are complementary to the role and scale of the commercial centre. The proposal achieves this as it retains the active retail function at the ground floor while providing for residential uses. In addition, the density, mass and scale of the development is appropriate for this location and compatible with adjoining developments.

Neighbourhood character

The subject site is located at the intersection of Jasper Road and McKinnon Road with interface to residential properties to the east. The immediate neighbourhood consists of a mixture of single and double storey dwellings and commercial buildings including the McKinnon Hotel located directly across the subject site. Approvals for four storey developments have been issued within close proximity to the subject site at 236 Jasper Road (across from the subject site), 251-253 Jasper Road and 254 Jasper Road, McKinnon.

Height, scale and massing

The proposed four storey building is consistent with the height of the recently approved developments in the immediate area. The development has been designed to 'step down' at the rear (on both second and third floors). The laneway which has a width of 5.5 metres acts as a buffer to the rear residential properties. This transition is considered adequate between the proposed building and the residential property to the rear (east) at 255 McKinnon Road.

The presentation of the development along both Jasper Road and McKinnon Road is generally considered acceptable. The design incorporates a black and white "checker" pattern to provide visual interest, and articulation is also provided through the use of various building materials along with setbacks.

Amenity impacts

The proposal achieves compliance with the State Government's guidelines in relation to overlooking and overshadowing.

A combination of fixed external screens and 1.7m sill height windows are provided to the rear to prevent unreasonable overlooking to the residential property at 255 McKinnon Road, which complies with the guidelines.

The overshadowing impact of the development will be limited and is in compliance with the State Government's guidelines with the majority of shadows cast onto the road throughout the day.

Internal amenity

The internal layout and amenity of dwellings within the development is generally appropriate to meet the living needs of future occupants. Each dwelling is provided with a functional sized balcony measuring a minimum size of 8m² with good access to daylight. There is one bedroom for unit 4 that does not have direct access to daylight. A permit condition rectifies this by requiring a window or a skylight.

Given the orientation of the site, the majority of habitable room windows are south facing. This is generally considered acceptable since full size windows with clear glass are provided to ensure adequate access to daylight into each dwelling.

Car Parking and Traffic

The State Government car parking guidelines for dwellings require 1 car space for each 2 bedroom dwelling. A car stacker system with 4 car spaces is provided for the development and each dwelling is allocated one car space. This satisfies the car parking requirement for the residential component of the development. The proposed car stacker system is generally satisfactory but more details of the dimensions of the system is required as well as the provision for bicycle parking on-site.

The proposal is however seeking a waiver of the required car parking spaces for the existing food and drink premise (pizza shop). Currently, the existing food and drink premise has two on-site car spaces and therefore Council's Traffic Engineering Department have recommended that a minimum of one on-site car space to be provided for the food and drink premise. Taking into consideration the site's proximity to public transport, the availability of on-street car parking and, in particular, the hours of operation limited to evenings only, the waiver of the car spaces for the existing food and drink premise is considered acceptable. A condition will however be included to limit operation hours and staff numbers to ensure the on-street parking will not be significantly impacted upon.

Council's Traffic Engineering Department have also raised concerns in terms of no on-site pedestrian access from the car parking area to the dwellings. Given the site is a corner block and the entrance to all apartments is located along the McKinnon Rd frontage, it is considered that residents can conveniently, safely and quickly access their apartment from the car parking area via the public pedestrian pathway. If the site was located further down the strip of shops without such quick, safe and easy access to the footpath, not having on-site pedestrian access from the parking area would not be supported.

A splay at the south-west corner is necessary to ensure public safety and improve pedestrian sightlines and circulation. This is included as a condition of the permit.

Management Plan Requirements

A Construction Management Plan (CMP) is required. A condition has been included in the Appendix outlining the requirements of the CMP.

A Waste Management Plan (WMP) is required. A condition has been included in the Appendix outlining the requirements of the WMP.

COMMUNICATION AND ENGAGEMENT

1. Public Notice (Statutory)

- 7 properties notified
- 14 notices sent (owners and occupiers)
- 2 signs erected on site
- 1 objection received

2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Hyams, provided a forum where all interested parties could elaborate on their respective views. Objectors mainly emphasised their original reasons for objection. It is considered that the main issues arising from the discussions were:

- Visual bulk impact
- Shadowing to the front yard which is used as the main open space area
- Lack of car parking within the area

Undertakings by the Applicant

- N/A

LINK TO COUNCIL PLAN

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

That a Notice of Decision to Grant a Planning Permit be issued.

Moved: Cr Hyams**Seconded: Cr Athanasopoulos**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29510/2016 at 248 Jasper Road, McKinnon in accordance with the following conditions:

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as TP3.00 – TP3.04 & TP4.00, prepared by Pink Architecture, dated 10 October 2016) but modified to show:
 - (a) A 3m x 3m corner splay on the south-western corner of the ground floor level with the change to be absorbed within the approved building envelope.
 - (b) The provision of 1 on-site bicycle parking facility in accordance with Clause 52.34 of the Glen Eira Planning Scheme to the satisfaction of the Responsible Authority.
 - (c) The car stacker system to be fully dimensioned with the car spaces to be in accordance with Clause 52.06 of the Glen Eira Planning Scheme (eg, pit depths, height clearances, gate widths, platform widths, etc). The exact model of the car stacker is to be shown on the plans.
 - (d) The foyer to the apartments must be constructed with finished floor levels set no lower than 32.22 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the site for development of 31.92m to AHD. *(Condition required by Melbourne Water)*
 - (e) The car stacker must be constructed with finished surface levels set no lower than 32.22 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the site for development of 31.92m to AHD. *(Condition required by Melbourne Water)*
 - (f) Bedroom 2 to Unit 4 provided with natural daylight in the form of a window/skylight or similar to the satisfaction of the Responsible Authority.
- When approved, the plans will be endorsed and will then form part of this Permit.
2. The food and drink premise must operate only between the hours of 4:30pm to 11:00pm Monday to Sunday.
3. Not more than **3** staff members/employees must be present on the site at any one time.
4. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements. *(Condition required by Melbourne Water)*
5. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways. *(Condition required by Melbourne Water)*

6. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.
7. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:
 - (a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
 - (b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
 - (c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
 - (d) Details for best practice waste management once operating.

Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

8. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
 - (a) delivery and unloading points and expected frequency;
 - (b) Truck haulage routes, circulation spaces and queuing lanes;
 - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
 - (d) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (e) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (f) any requirements outlined within this permit as required by the relevant referral authorities;
 - (g) hours for construction activity in accordance with any other condition of this permit;
 - (h) measures to control noise, dust, water and sediment laden runoff;

- (i) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (j) any construction lighting to be baffled to minimise intrusion on adjoining lots.
9. Privacy screens must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens must be maintained to the satisfaction of the Responsible Authority.
10. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;
- to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
11. The car parking allocation for the approved development must be not less than one (1) car space per one or two bedroom dwelling.
12. The mechanical car stackers must be maintained by the Owner's Corporation in a good working order and be permanently available for the parking of vehicles in accordance with their purpose to the satisfaction of the Responsible Authority. Should no Owner's Corporation be established, then the lot owner must bear responsibility for ongoing maintenance of the car stacker.
13. During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
14. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note C.
15. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.
16. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.
17. This Permit will expire if:
- The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.
- The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

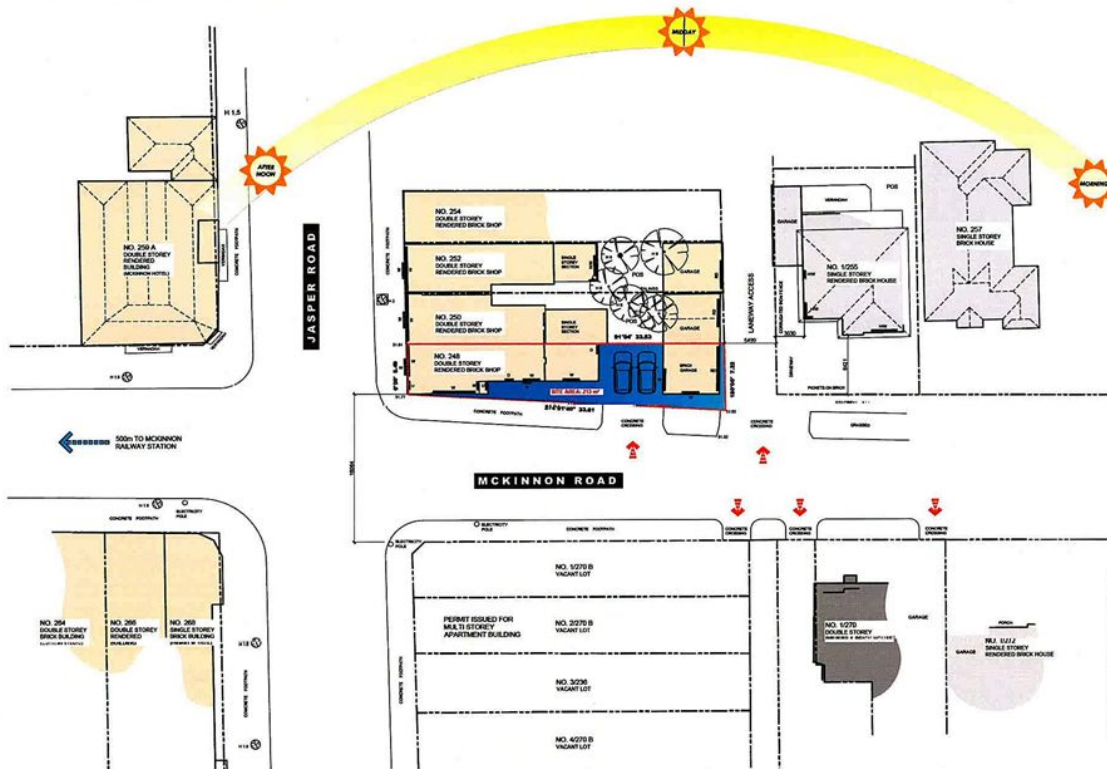
If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

Notes:

- A. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.
- If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.
- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- D. Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- E. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- F. The proposed development abuts a Right of Way that was constructed for commercial purposes. Commercial uses still utilise the Right of Way therefore residents of the development should not expect the same access opportunities as a typical local street.
- G. The applicable flood level for the property is 31.92 metres to Australian Height Datum (AHD). *(Note required by Melbourne Water)*.
- H. For the purpose of the Building Code of Australia - Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second. *(Note required by Melbourne Water)*
- I. If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference **283194**. *(Note required by Melbourne Water)*.

CARRIED

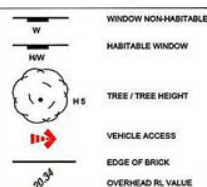
RFI SET FOR ADVERTISING



LOT DESCRIPTION
LOTS 1, 2 & COMMON PROPERTY
ON PS 34672C
LOT 1 ON TP 20717C

TITLE DESCRIPTION
VOL. 10319 FOL. 287
VOL. 10319 FOL. 288
VOL. 10721 FOL. 428

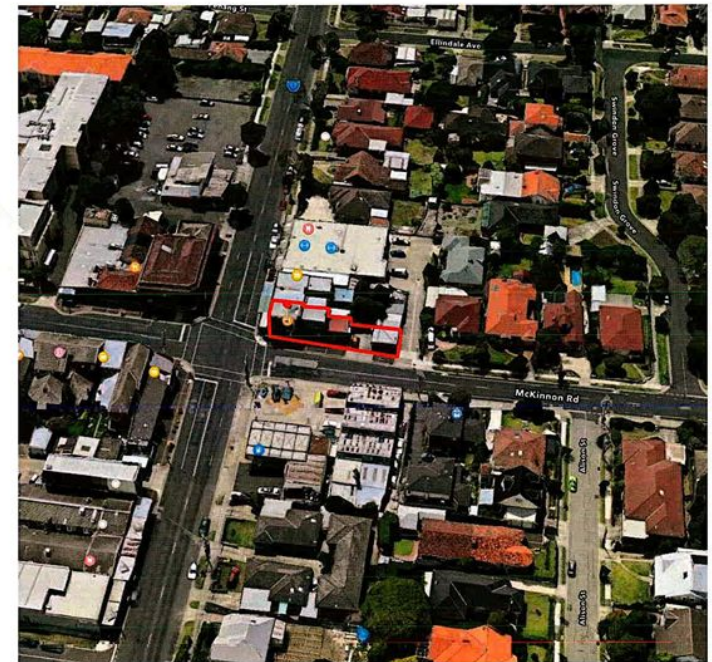
NOTE
THESE PLANS ARE TO BE READ IN STRICT CONJUNCTION WITH THE PLANNING REPORT



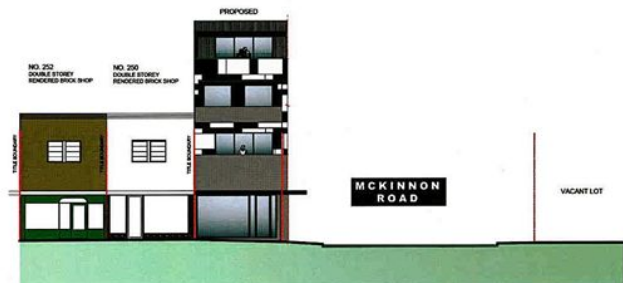
GENERAL NOTES
1. ALL EXISTING BUILDINGS TO BE REMOVED FROM SITE

LEGEND
SUBJECT SITE
RESIDENTIAL USE - SINGLE STOREY
RESIDENTIAL USE - DOUBLE STOREY
COMMERCIAL USE

TP 1.00 - NEIGHBOURHOOD SITE DESCRIPTION



AERIAL VIEW OF SURROUNDING CONTEXT



STREETSCAPE - JASPER ROAD
NTS

Records Management
28 FEB 2017
Received



TOWN PLANNING
10 OCTOBER 2016
SCALE 1:250 @ A1
1:500 @ A3
01



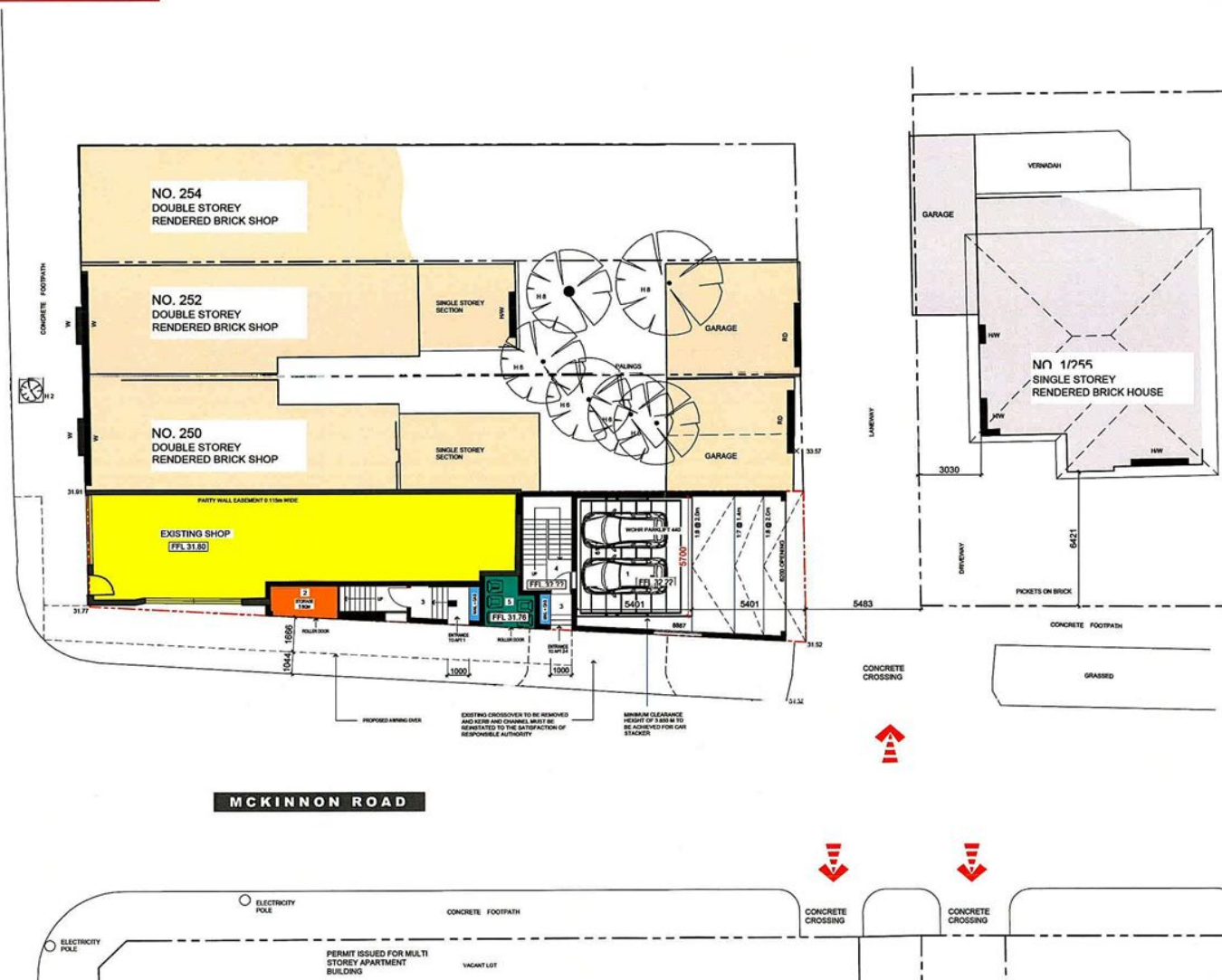
PINK ARCHITECTURE

248 JASPER ROAD, MCKINNON

RFI SET FOR ADVERTISING

TP 3.00 - PROPOSED GROUND FLOOR

JASPER ROAD



MCKINNON ROAD

RM NO	ROOM SCHEDULE
1	GARAGE
2	STORE 6m ²
3	PEDESTRIAN ENTRANCE
4	ENTRANCE STAIRWELL
5	BINS

DEVELOPMENT SUMMARY	
EXISTING FOOD & DRINK PREMISES	
TOTAL GROUND FLOOR	87 m ²
TOTAL	87 m ²
APARTMENT 1	
TOTAL UNLAIN FIRST FLOOR	42 m ²
TOTAL UNLAIN SECOND FLOOR	30 m ²
TOTAL BALCONY	18 m ²
TOTAL	90 m ²

DEVELOPMENT SUMMARY	
APARTMENT 2	
TOTAL UNLAIN FIRST FLOOR	61 m ²
TOTAL UNLAIN SECOND FLOOR	53 m ²
BALCONY	8 m ²
TOTAL	122 m ²

DEVELOPMENT SUMMARY	
APARTMENT 3	
TOTAL UNLAIN FIRST FLOOR	61 m ²
TOTAL UNLAIN SECOND FLOOR	53 m ²
BALCONY	16.5 m ²
TOTAL	130.5 m ²

DEVELOPMENT SUMMARY	
APARTMENT 4	
TOTAL UNLAIN THIRD FLOOR	121 m ²
BALCONY	32 m ²
LIGHT COURT	9 m ²
TOTAL	162 m ²

DEVELOPMENT SUMMARY	
TOTAL COMMON AREAS & STAIRS - UP TO 2 ND	87 m ²
BINS	8 m ²
CAR STAKER GARAGE	4 CARS 80m ²
STORAGE	1 m ²
TOTAL SITE AREA	213 m ²

MELBOURNE WATER FLOOD
LEVEL 31.92

248 JASPER ROAD, MCKINNON



TOWN PLANNING
10 OCTOBER 2016
SCALE 1:100 @ A1
1:200 @ A3

05



PINK ARCHITECTURE

TP 3.01 - PROPOSED FIRST FLOOR



TOWN PLANNING
10 OCTOBER 2016
SCALE 1:100 @ A1
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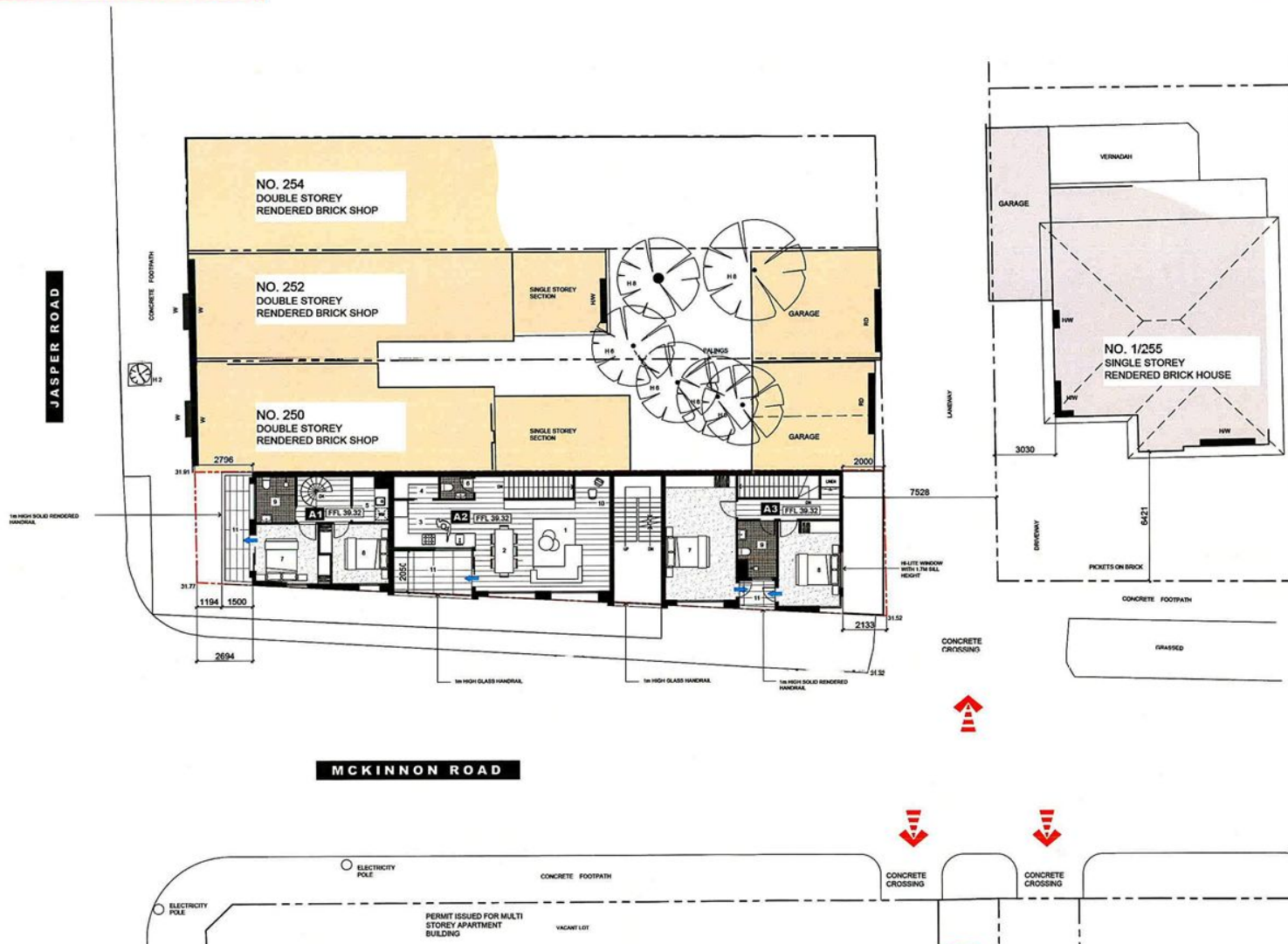


PINK ARCHITECTURE

RFI SET FOR ADVERTISING

TP 3.02 - PROPOSED SECOND FLOOR

RM NO	ROOM SCHEDULE
1	LIVING
2	DINING
3	KITCHEN
4	PANTRY
5	LAUNDRY
6	POWDER
7	BED 1
8	BED 2
9	BATH
10	STUDY
11	BALCONY



248 JASPER ROAD, MCKINNON

TOWN PLANNING
10 OCTOBER 2016
SCALE 1:100 @ A1
1:200 @ A3

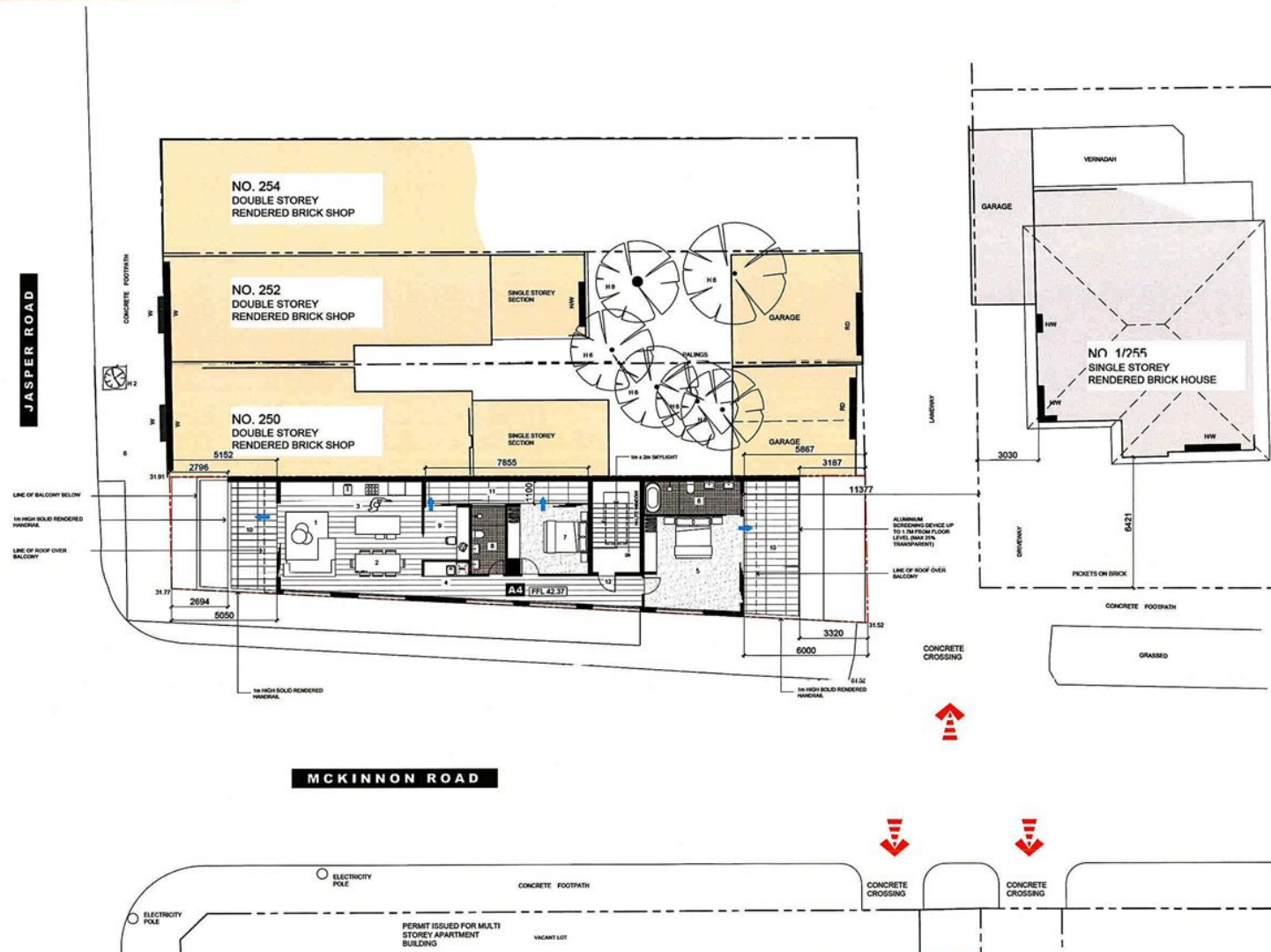


PINK ARCHITECTURE

RFI SET FOR ADVERTISING

TP 3.03 - PROPOSED THIRD FLOOR

RM NO	ROOM SCHEDULE
1	LIVING
2	DINING
3	KITCHEN
4	LAUNDRY
5	MASTER BED
6	ENSUITE
7	BED 2
8	BATH
9	STUDY
10	BALCONY
11	LIGHT COURT 9m ²
12	ENTRY



248 JASPER ROAD, MCKINNON

TOWN PLANNING
10 OCTOBER 2016
SCALE 1:100 @ A1
1:200 @ A3

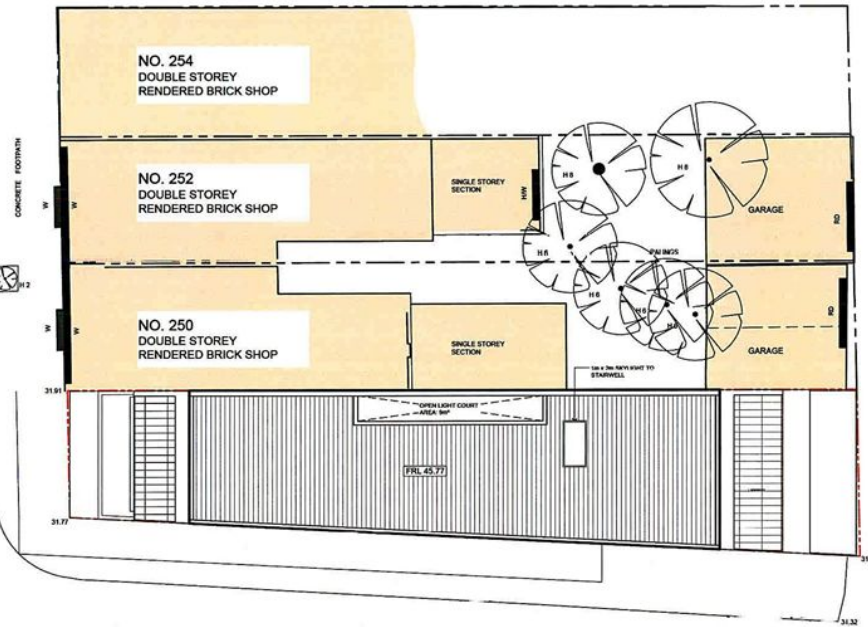
08



PINK ARCHITECTURE

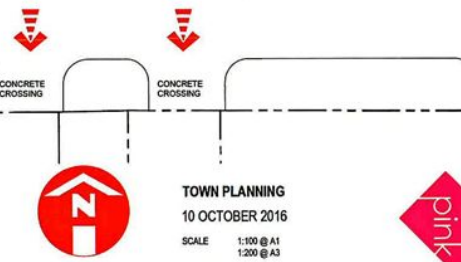
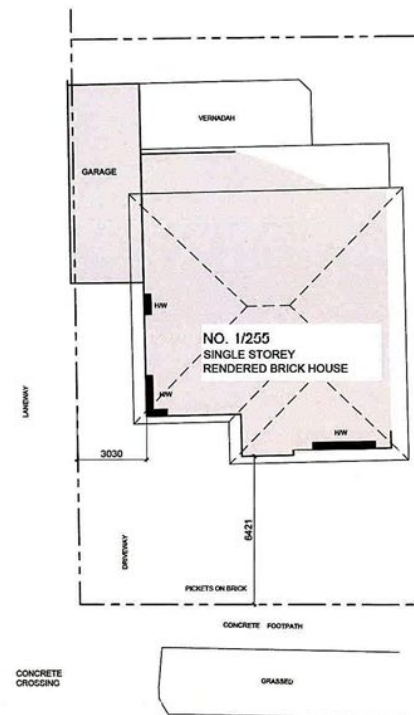
RFI SET FOR ADVERTISING

JASPER ROAD



MCKINNON ROAD

TP 3.04 - PROPOSED ROOF PLAN



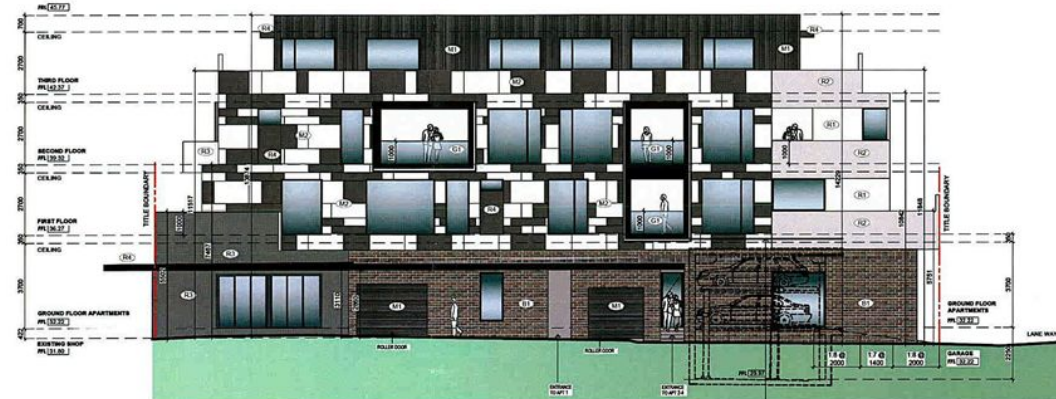
PINK ARCHITECTURE

RFI SET FOR ADVERTISING

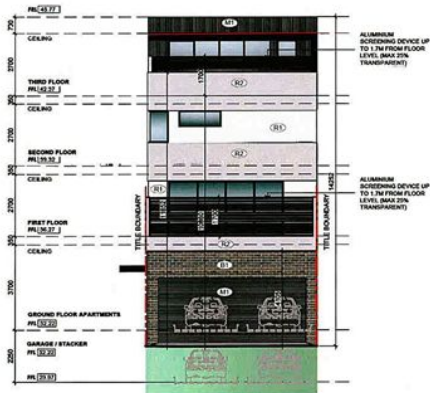
TP 4.00 - PROPOSED ELEVATIONS



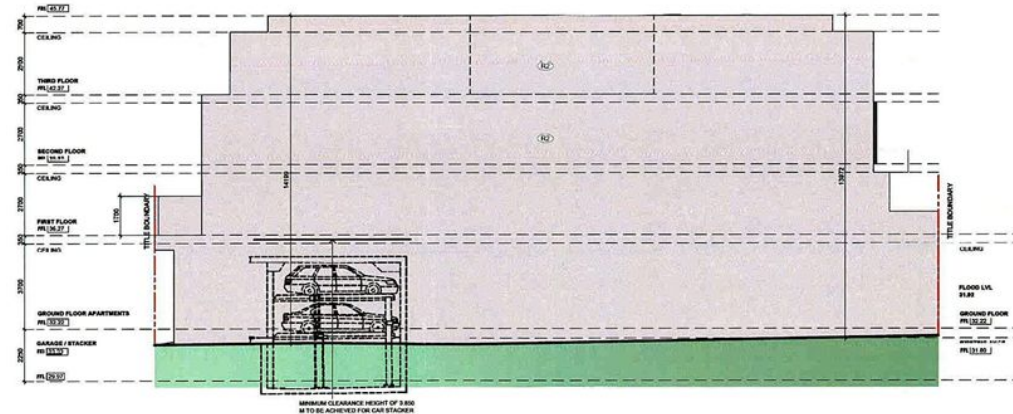
WEST ELEVATION - JASPER ROAD



SOUTH ELEVATION - MCKINNON ROAD



EAST ELEVATION - LANEWAY



NORTH ELEVATION - MCKINNON ROAD

(R1) RENDER 1 / WHITE

(R2) RENDER 2 / LIGHT GRAY

(R3) RENDER 3 / DARK GRAY

(R4) RENDER 4 / BLACK

(M1) MATRIX CLADDING DARK

(M2) MATRIX CLADDING / BLACK & WHITE CHECKER PATTERN

(B1) BRICKWORK / SELECTED DARK FINISH

(W1) ALUMINUM WINDOWS / BLACK

(G1) GLASS HANDRAIL

248 JASPER ROAD, MCKINNON

MELBOURNE WATER FLOOD LEVEL 31.92

TOWN PLANNING

10 OCTOBER 2016

SCALE 1:100 @ A1

1:200 @ A3

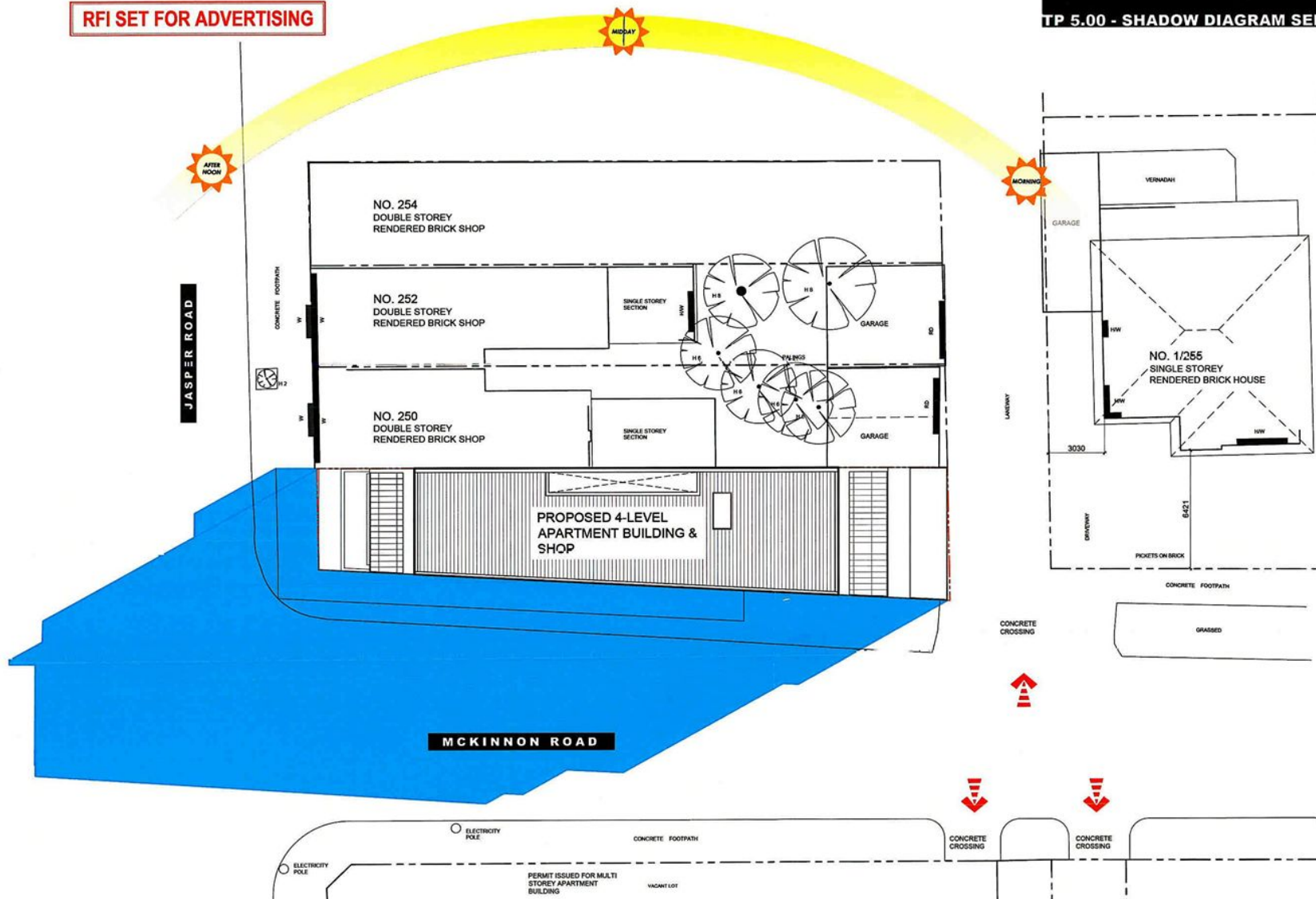
10



PINK ARCHITECTURE

RFI SET FOR ADVERTISING

TP 5.00 - SHADOW DIAGRAM SEPT 22 @ 9AM



SHADOW DIAGRAMS HAVE BEEN PROVIDED BETWEEN THE HOURS OF 9.00AM AND 3.00PM ON SEPTEMBER 22ND EQUINOX. THE SHADOW ANALYSIS SHOWS THAT:

THE BUILDING ORIENTATION, SPACING AND SEPARATION ALLOWS FOR ADEQUATE AMOUNT OF SUNLIGHT PENETRATION INTO THE INTERNAL AREAS OF OPEN SPACE THROUGHOUT THE DAY.

GIVEN THE SCALE OF THE DEVELOPMENT PROPOSED, THE SHADOW DIAGRAMS CLEARLY ILLUSTRATE A WELL RESOLVED DESIGN THAT HAS HAD CONSIDERABLE EMPHASIS PLACED ON LIMITING EXTERNAL SHADOW IMPACTS WHILST CREATING A POSITIVE INTERNAL AMENITY THROUGHOUT THE DEVELOPMENT.

SHADOW OF PROPOSAL

TOWN PLANNING
10 OCTOBER 2016
SCALE 1:100 @ A1
1:200 @ A3

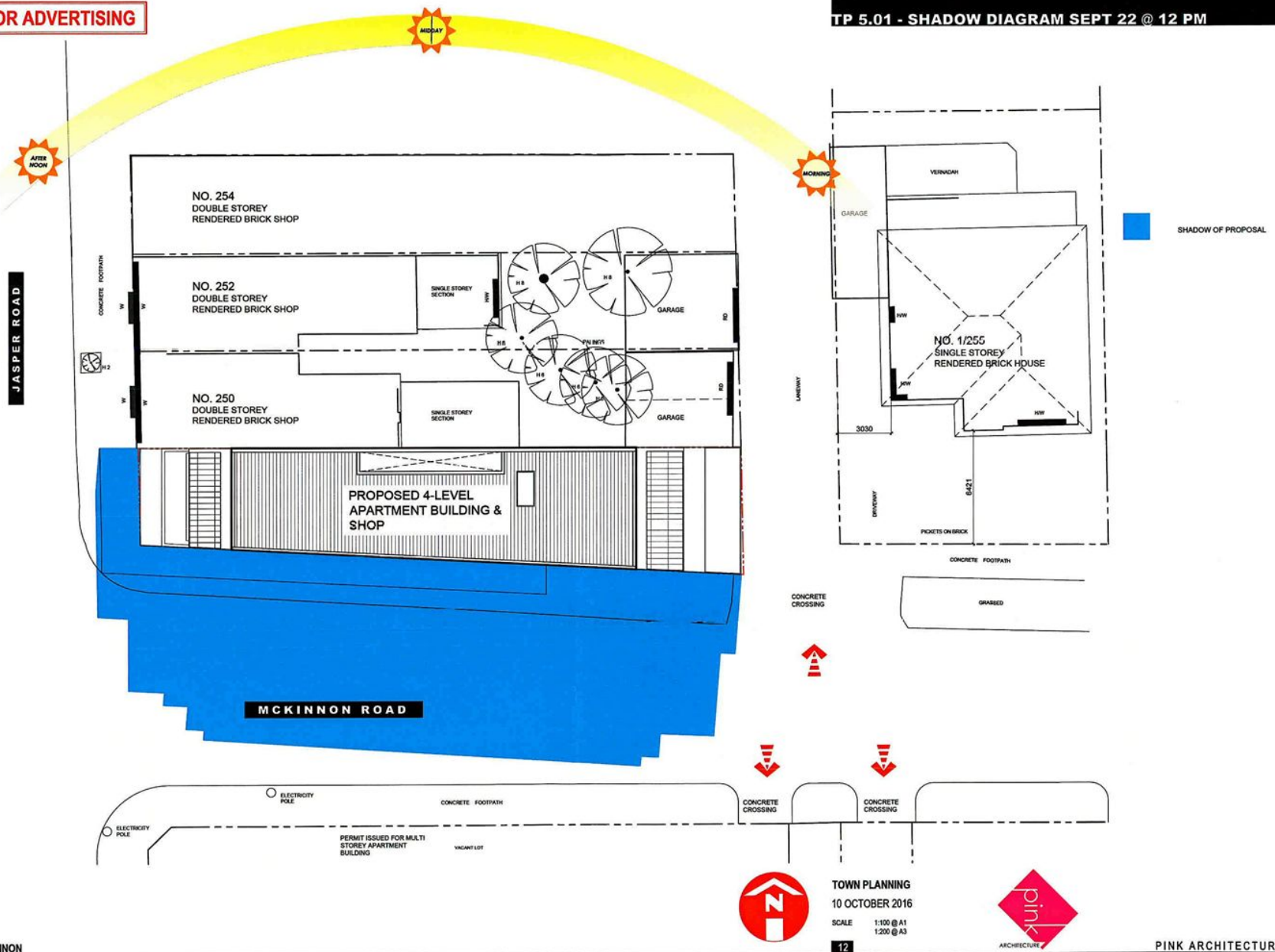


PINK ARCHITECTURE

248 JASPER ROAD, MCKINNON

RFI SET FOR ADVERTISING

TP 5.01 - SHADOW DIAGRAM SEPT 22 @ 12 PM



248 JASPER ROAD, MCKINNON

TOWN PLANNING
10 OCTOBER 2016

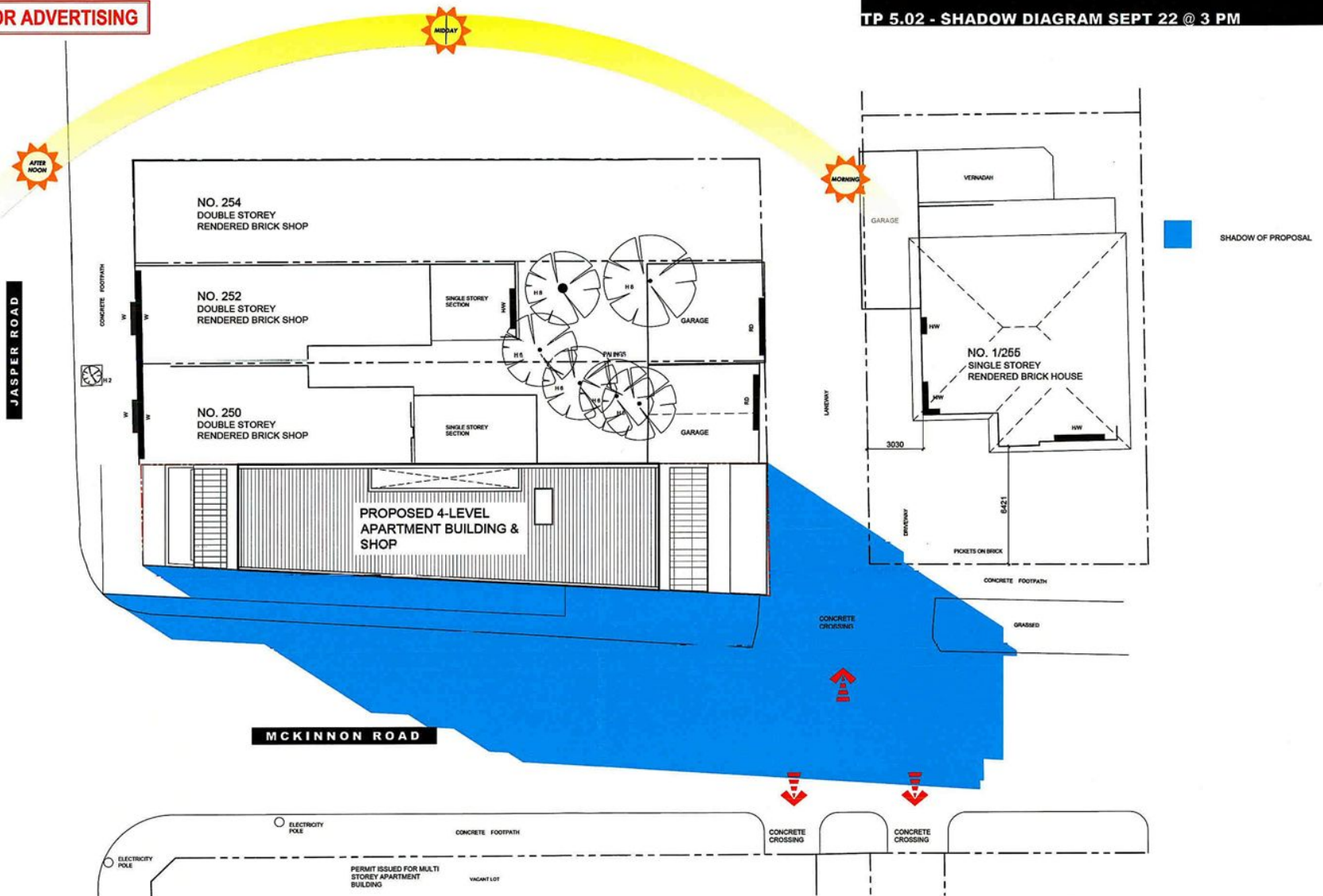
SCALE 1:100 @ A1
 1:200 @ A3



PINK ARCHITECTURE

RFI SET FOR ADVERTISING

TP 5.02 - SHADOW DIAGRAM SEPT 22 @ 3 PM



TOWN PLANNING
10 OCTOBER 2016

SCALE 1:100 @ A1
1:200 @ A3



PINK ARCHITECTURE

248 JASPER ROAD, MCKINNON

ITEM 9.3 VCAT WATCH

Author: *Effie Tangelakis – Acting Manager Town Planning*

File No: *N/A*

Attachments: *Table of new appeals lodged*

PURPOSE AND SUMMARY

To report to Council recent VCAT decisions.

RECOMMENDATION

That Council notes:

1. The reported planning decisions of the Victorian Civil and Administrative Tribunal (VCAT).
2. VCAT and officer comments.

BACKGROUND

The VCAT process allows appellants to amend their proposal between the time that Council makes a decision and the time VCAT considers the matter. Section 84B of the Planning and Environment Act requires VCAT to “take into account” any relevant Planning Policy, not necessarily apply it.

ISSUES AND DISCUSSION

No decisions to report

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

N/A

COMMUNICATION AND ENGAGEMENT

N/A

LINK TO COUNCIL PLAN

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

N/A

ORDINARY COUNCIL MEETING MINUTES

Moved: Cr Athanasopoulos

Seconded: Cr Hyams

That Council notes:

1. the reported planning decisions of the Victorian Civil and Administrative Tribunal (VCAT); and
2. VCAT and officer comments.

Procedural Motion

Moved: Cr Delahunty

Seconded: Cr Sztrajt

That Cr Magee be granted a 2 minute extension of speaking time.

CARRIED UNANIMOUSLY

The motion Moved by Cr Athanasopoulos and Seconded by Cr Hyams was PUT and
CARRIED UNANIMOUSLY

ATTACHMENT 1: TABLE OF NEW APPEALS LODGED

COMPULSORY CONFERENCE (MEDIATION)	FULL HEARING	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
	15 May 2017	1 Wolai Avenue, Bentleigh East	Construction of two dwellings	Neighbourhood Residential Zone	Permit (Manager)	Conditions (Applicant)
	26 June 2016	192 Hotham Street, Elsternwick (Rippon Lea Estate)	Construction of buildings and works associated with use of the land as a food and drink premises	Neighbourhood Residential Zone	Notice of Decision (Resolution)	Notice of Decision (Applicant and Objector)
30 May 2017	20 July 2017	538 Glen Eira Road, Caulfield	Amend the existing permit which authorised the construction of alterations to the existing dwelling by: <ul style="list-style-type: none"> Altering to the ground and first floor layout 	Neighbourhood Residential Zone	Permit (Manager)	Conditions (Applicant)
	7 July 2017	2 Roma Street, Bentleigh	Construction of two double storey dwellings	Neighbourhood Residential Zone	Refusal (Manager)	Refusal (Applicant)
25 May 2017	13 July 2017	19 Wheeler Street, Ormond	Construction of eight, two storey dwellings	General Residential Zone	Refusal (Delegate Planning Forum)	Refusal (Applicant)
1 May 2017	13 July 2017	8 and 8A Miriam Street, Caulfield	Amend the existing permit which authorised the construction of two dwellings: <ul style="list-style-type: none"> Construction of a first floor addition 	Neighbourhood Residential Zone	Refusal (Manager)	Refusal (Applicant)

31 May 2017	31 July 2017	42-44 Lillimur Road & 7A-9A Leila Road, Ormond	Construction of a three storey building comprising 32 dwellings	General Residential Zone	Refusal (Delegate Planning Forum)	Refusal (Applicant)
	8 August 2017	9 Fitzgibbon Crescent, Caulfield North	Construction of two double storey attached dwellings	Neighbourhood Residential Zone	Notice of Decision (Delegate Planning Forum)	Conditions (Applicant)

ITEM 9.4 MONTGOMERY HOUSE HERITAGE PROTECTION

Author: Tracey Mihalos, Principal Strategic Planner

File No: N/A

Attachments: Map of remaining nominated buildings on site

**PURPOSE AND SUMMARY**

At the 7 June 2016 Ordinary Council Meeting, Council considered a report on the options available should Heritage Victoria determine that the building known as Montgomery House not meet the threshold for State heritage protection.

Council resolved:

- (a) That Council note the report.
- (b) That this report be updated and placed on the meeting agenda immediately following the handing down of the recommendation from Heritage Victoria.

The purpose of this report is to detail Heritage Victoria's decision and any further considerations before Council.

RECOMMENDATION

That Council :

1. Notes that the Heritage Council of Victoria determined that Montgomery House is included in the Victorian Heritage Register.
2. Notes that the buildings, structures and grounds listed in the dot points below have been referred to Glen Eira City Council from the Heritage Council for consideration for possible local heritage protection:
 - the Human Resources Building (Building 17);
 - the Administration Building (Building 17a);
 - Caulfield House (Building 18); and
 - the wrought iron fence and ground associated with the former Glen Eira mansion
3. Considers the referred elements in the upcoming Major Heritage Review, to determine whether permanent heritage controls should be applied in the Glen Eira planning scheme.

BACKGROUND

On 4 April 2016, Council was advised by Heritage Council of Victoria (State Government) that a nomination was received by the Glen Eira Historical Society to include Montgomery House on the Victorian Heritage Register. There were no existing heritage controls on the site at the time.

On 10 June 2016, the Executive Director of Heritage Victoria recommended that Montgomery House should be included in the Victorian Heritage Register.

A registration hearing was held 25 November 2016. The hearing was an opportunity for the Heritage Council to consider any submissions and the recommendation made for inclusion on the Victorian Heritage Register from the Executive Director.

On 9 March 2017, Heritage Council Victoria determined that part of the former Caulfield Repatriation Hospital, namely the former Red Cross Rest House (known as Montgomery House) is of cultural significance to the State of Victoria and warrants inclusion in the Victorian Heritage Register, and that the remainder of the nominated buildings on the site do not warrant inclusion in the Victorian Heritage Register.

The Heritage Council however did determine, that the remainder of the nominated buildings be referred to Council for consideration for a planning scheme amendment to introduce heritage controls on these buildings.

Back in June 2016, Council considered options should Heritage Victoria determine that the building known as Montgomery House not meet the threshold for State significance. At the meeting, Council determined that it reviews its position after the completion of the Heritage Victoria process.

This report considers the future process for the site now that Montgomery House has been included in the Victorian Heritage Register.

Refer to Attachment 1 below for map of nominated buildings on site.

ISSUES AND DISCUSSION

The Heritage Council of Victoria determined that the remainder of the nominated buildings on the site do not warrant inclusion in the Victorian Heritage Register. Consequently these buildings are not protected by heritage controls. The land owner is able to apply to demolish any one of these buildings.

Council's Heritage Advisor has reviewed the remaining buildings that have not been included on the Victorian Heritage Register and advises that the following buildings may be of significance and maybe worth investigating further.

- Executive & Nursing Services (Building 17a) dating from 1937.
- Caulfield House (Building B18) dating from 1936.
- Fence & gates (formerly fronting Glen Eira Mansion and dating from c.1865).

The Human Resources Building (Building 17) dates from c1970s and on face value, does not appear to be significant.

Through the Planning Scheme Review workplan, Council is committed to conducting a major heritage review of the municipality with particular focus on individually significant heritage sites that are outside the current local heritage precinct controls. It is considered that a comprehensive review of these potentially significant buildings be conducted as part of this program.

Notwithstanding this, there is also the ability for another party to initiate a planning scheme amendment introducing local heritage protection to these buildings. The Glen Eira Historical Society was instrumental in initiating and achieving State heritage protection for Montgomery House

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The financial and resource implications are within the normal operation of the Council's City Future's department.

POLICY AND LEGISLATIVE IMPLICATIONS

Any proposal to implement additional heritage controls on the site will need to go through the legislative process of a planning scheme amendment.

COMMUNICATION AND ENGAGEMENT

The major heritage review was identified as an action in the Glen Eira Planning Scheme Review 2016. Once the major heritage review is undertaken then a full planning scheme amendment process will be undertaken whereby stakeholders, residents and landowners will be involved in the process.

LINK TO COUNCIL PLAN

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Heritage Council of Victoria has included Montgomery House in the Victorian Heritage Register and has determined that the remainder of the nominated buildings on the site do not warrant inclusion in the Victorian Heritage Register but should be referred to Council for consideration for a planning scheme amendment to introduce heritage controls.

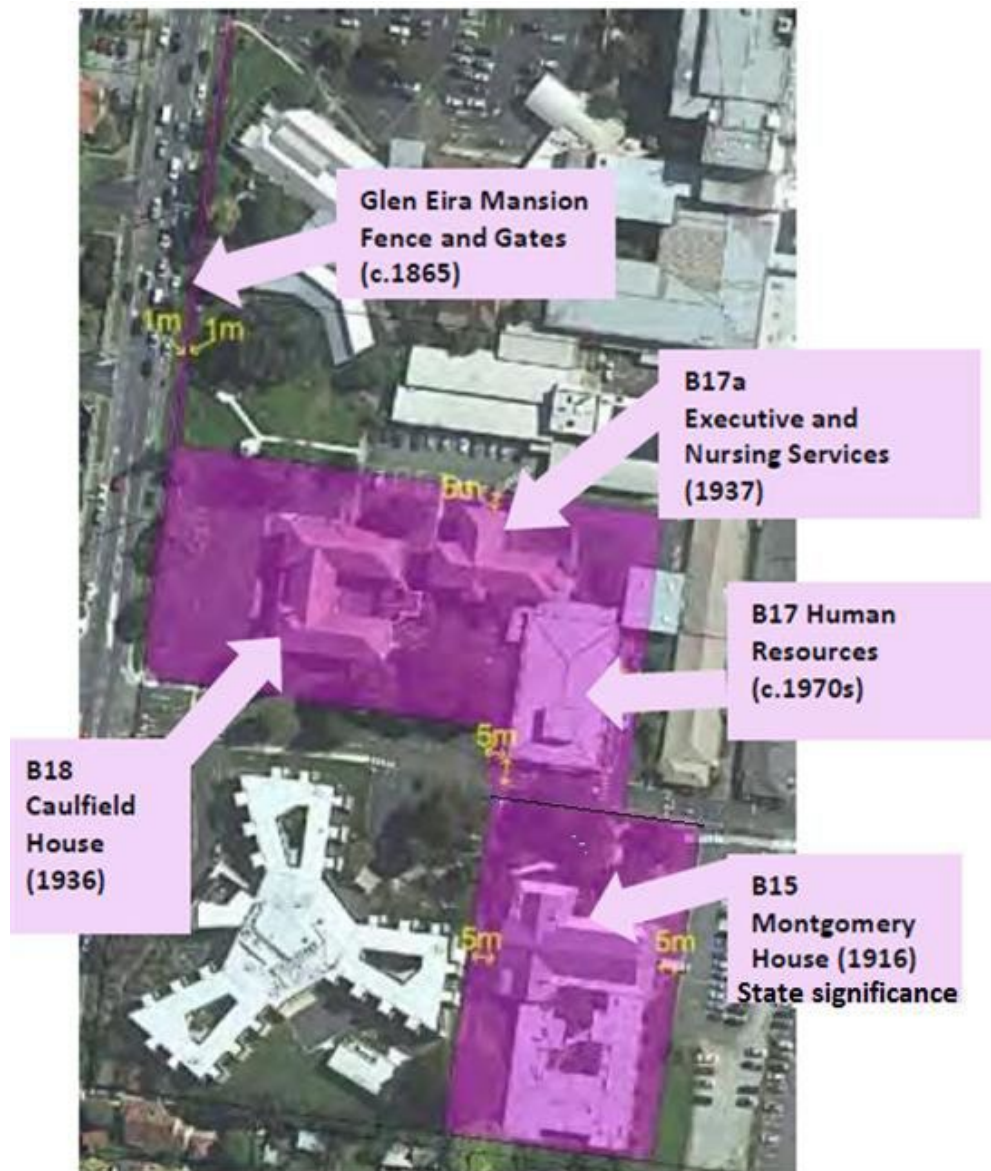
Council's Heritage Advisor recommends that referred buildings and structures may hold local heritage significance and are worth investigating further. These buildings can be considered as part of the major heritage review/planning scheme amendment which forms part of the City Future's work plan.

Moved Cr Silver**Seconded Cr Sztrajt**

That Council:

1. notes that the Heritage Council of Victoria determined that Montgomery House is included in the Victorian Heritage Register.
2. notes that the buildings, structures and grounds listed in the dot points below have been referred to Glen Eira City Council from the Heritage Council for consideration for possible local heritage protection:
 - the Human Resources Building (Building 17);
 - the Administration Building (Building 17a);
 - Caulfield House (Building 18); and
 - the wrought iron fence and ground associated with the former Glen Eira mansion
3. considers the referred elements in the upcoming Major Heritage Review, to determine whether permanent heritage controls should be applied in the Glen Eira planning scheme.

CARRIED UNANIMOUSLY

Attachment 1: Map of remaining nominated buildings on site**State Significance**

- Building B15 (Montgomery House)

Referred to Glen Eira for further (local heritage) investigation

- Buildings B17, B17a, B18, Glen Eira Mansion Fence and Gates.

ITEM 9.5 STREET TREES IN NARROW ROAD RESERVES TRIAL

Author: *Mark Collins, Group Manager Recreation and Leisure*

File No:

Attachments: *Arboricultural Inspection report for Hopetoun Street and Regent Street, Elsternwick.*

PURPOSE AND SUMMARY

At its 26 February 2013 Ordinary Meeting, Council resolved in part to:

“Trial footpath street tree planting in Hopetoun Street and Regent Street involving the planting of about 12 trees.....”

At its 18 March 2014 Ordinary Meeting Council resolved:

“That a report be prepared which:

- (i) Documents the outcomes of the narrow naturestrip strip tree planting trial*
- (ii) Provides options for rolling out this trial as a municipal – wide programme*
- (iii) Develops a priority action list for streets in the municipality without naturestrip trees*
- (iv) Estimates costs and the impact on the budget of establishing a rolling programme of narrow nature strip tree planting for Glen Eira including time frames for carrying out this programme*

At its 10 October 2016 Ordinary Meeting, Council resolved:

“That a report be prepared outlining the options for greening Leslie Street Elsternwick including the possibility of street trees and planting schedules”.

The purpose of this report is to tie together the results of the narrow street tree planting trial undertaken over the past three years in Hopetoun and Regent Streets in Elsternwick, and to inform Council on future options for these areas, as well as similar streets throughout the municipality, such as Leslie Street in Elsternwick.

RECOMMENDATION

That Council:

1. Endorses the use of smaller tree species for naturestrips that are less than 2m wide and greater than 400mm in width.
2. Endorses the use of specially engineered tree planting pits and smaller canopy tree species in hard surfaced footpaths with no naturestrips, where the footpath is 2m wide or greater.
3. Endorses the installation of these tree pits only where the width of the remaining useable footpath is a minimum of 1.2m wide to enable safe pedestrian access.
4. Authorises officers to prepare a report for Council consideration on alternate tree species, a narrow naturestrip planting program, timelines for implementation and associated costs.

BACKGROUND

In October 2013, Parks commenced two alternative planting trials to explore the practicality of planting smaller tree species in narrow naturestrips. This was to address two different situations and involved two different trial methodologies, namely:

1. Narrow streets which had concrete naturestrips (Hopetoun Street Trial)
2. Narrow streets which had grass naturestrips (Regent Street Trial)

The aims in undertaking this trial were to limit potential damage to footpaths and private assets caused by tree root growth, increasing the tree canopy cover for the city, and responding to residents' requests for tree plantings in narrow road reserves.

Hopetoun Street Elsternwick Tree Replacement

Hopetoun Street between King Street and Glen Huntly Road is narrow with wider than average footpaths. Houses are close to the road, it does not have a grassed naturestrip and the concrete footpath extends from back of kerb to the property boundary. In the past, trees had been planted in cut outs in the footpath.

By 2012, the roots of six of the trees had caused extensive damage to the footpaths. If the trees remained, the roots would have eventually caused more damage to infrastructure and restricted access along the footpaths. Given the risk, and in accordance with Council policy, Council removed the trees.

To replace the trees, Council trialled several changes in its current tree planting practice:

- Different species were used in the street. *Lagerstroemia indica* (Crepe Myrtle) trees were planted. Trees of this species generally do not have aggressive roots and grow to be a medium sized tree (8m tall) – suitable for constrained sites.
- Plastic root barriers were installed to help prevent root damage to adjacent footpaths.
- The footpath cut-outs were surfaced with a porous pebble pavement that allows irrigation of the tree roots and safe passage for pedestrians.
- Council trialled the use of a tree root anchor system to negate the need for tree stakes in the confined footpath.

Regent Street Elsternwick Tree replacement

Regent Street is also a narrow street. It has narrower than average grassed naturestrips and many houses are close to the road.

London Plane trees had been planted in the naturestrips sometime ago. In 2012 the trees were still less than 1/3rd of their mature height but the roots of six trees were already causing extensive damage, resulting in uneven or displaced footpaths and damage to infrastructure.

Council elected to trial the planting of smaller trees to lessen the chance of further infrastructure damage. Trees with smaller canopies have less root mass and roots are far less invasive or likely to cause damage. The trees for this trial were planted in the naturestrip, and had a two year post planting maintenance regime.

ISSUES AND DISCUSSION

The premise for the trial was to:

- Develop and implement planting methods for narrow streets that would produce healthy well shaped trees that were unlikely to cause damage to infrastructure.

- Provide a means to plant avenues of trees to enhance and increase the city's urban forest.
- Reduce the potential for street trees to be a source of claims against Council for private property damage.

The final assessment of the trees and the construction materials were evaluated three years after planting to assess the tree once the tree establishment period had concluded and enough time had passed to ensure the porous surface was stable and had not worn or cracked.

Key outcomes of the trial were:

- The narrow nature strip tree planting alternatives utilised in both Regent and Hopetoun Streets could successfully be used in streets where the size of the naturestrip or footpath allows, and that site has obvious planting restrictions.
- The outcome of the trial validated the selection of the *Lagerstroemia indica* (Crepe Myrtle) with healthy well-formed trees being observed, which were performing well and provided summer colour to the street.
- Whilst *Lagerstroemia* were used in the trial there are other small to medium sized trees that would also prove to be successful to use in such plantings. Council officers will list other trees for narrow naturestrip plantings when preparing a business case for Council consideration.
- The cost of the Hopetoun Street trial is significantly more than a standard planting and it is proposed a business case be developed for future implementation in relevant streets. Officers will identify streets to which this program could apply (such as Leslie Street), including a program of implementation and the associated costing for the works.
- The construction materials all performed well, with the only proposed significant change for future plantings being use of wooden stakes to stabilise the trees during the establishment period. Results from other sites where tree anchors were used to stabilise the trees revealed that the anchors were either ineffectual on smaller root sizes or that it damaged the root balls. This change would achieve savings with future installations.
- One of the benefits of the narrow naturestrip plantings, aside from minimising infrastructure damage, is both these styles of planting allows for the establishment of avenues of trees without having to plant in the road pavement. This means that the availability of car park spaces and effective drainage can be maintained.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Regent Street Plantings

The planting and maintenance regime associated with the trial has costs that are reflective of our current tree planting programs and will have no impact on current financial resources.

Hopetoun Street Plantings

The cost to implement these plantings was considerably more than allowed for in the recurrent operating budget for naturestrip plantings. A standard naturestrip planting is \$123.00 per tree whereas the Hopetoun trial had an overall cost of \$9,760.00 or \$1,952.00 per tree. The works were based on the installation of 5 trees only and it is probable that by ordering larger volumes this would reduce the cost slightly through economies of scale.

Should Council endorse the narrow pit plantings as utilised in the Hopetoun Street trials, Parks would provide a detailed report for Council's consideration on how, when and where this style of planting could be implemented. The highest priority would be to complete the planting treatment in Hopetoun Street to provide a uniform avenue.

POLICY AND LEGISLATIVE IMPLICATIONS

Implementation of the street tree trial is consistent with Open Space Strategy 7.2.3: Open space in and around higher density precincts – to include large broad spreading shade trees where feasible into open space design to assist with passive cooling, along with smaller trees as appropriate for the space.

COMMUNICATION AND ENGAGEMENT

During this trial, adjacent residents were consulted. Feedback from several of the residents indicated they were pleased with the outcome. The trial was observed by a number of residents who contacted Parks in relation to having similar treatments undertaken in their streets.

Several requests have already been received for Leslie Street, Prentice Street, Park Street and Parkside Street. A petition was also received from residents in Leslie Street for Council to consider options for greening Leslie Street, and it is proposed the outcomes of the trial would inform these options.

If a formal rolling program is later adopted by Council, a community engagement process would be undertaken on the proposed methodology as well as the possible impact to any existing trees.

LINK TO COUNCIL PLAN

Theme 5 Recreation and Open Space

To enhance recreation facilities and open space to meet current and future needs of the local community.

Theme 7 Sustainable Community Assets and Infrastructure

To enhance and develop sustainable community assets and infrastructure to meet the needs of current and future generations

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Both planting trials, in Hopetoun Street and Regent Street, have resulted in the establishment of healthy well-formed trees that are less likely to cause damage to the footpath into the future. This creates an opportunity for these plantings to be used at other locations throughout the City in narrow naturestrips and road reserves, where Council's standard street tree planting palette is not suitable.

Moved: Cr Davey**Seconded: Cr Taylor**

That Council:

1. endorses the use of smaller tree species for naturestrips that are less than 2m wide and greater than 400mm in width.
2. endorses the use of specially engineered tree planting pits and smaller canopy tree species in hard surfaced footpaths with no naturestrips, where the footpath is 2m wide or greater.
3. endorses the installation of these tree pits only where the width of the remaining useable footpath is a minimum of 1.2m wide to enable safe pedestrian access.
4. authorises officers to prepare a report for Council consideration on alternate tree species, a narrow naturestrip planting program, timelines for implementation and associated costs.

CARRIED UNANIMOUSLY

ATTACHMENT



Arboricultural Inspection

Address: Hopetoun & Regent Street, Elsternwick.
Inspecting Officer: J.Knight Date: 12/12/2016



Hopetoun Street Trees





2

Regent Street Trees



Scope

To Look at the ongoing trial of Lagerstroemia (Crepe Myrtle) that have been planted within two streets with very limited planting spaces.

Hopetoun Street Trees**Observations**

Inspection of the site has shown that all 5 trees are doing very well and continuing to grow and establish within the engineered tree pits. There were many expended seed capsules on the tips of the branches that indicate that the tree's had a strong flowering season. Almost all of the branches were showing new growth being produced and this was a continued trend from previous inspections. As per the supplied image there was even inter-nodal growth over the past 3 years that shows that the trees are growing at normal rates. There was also some epicormics shoots developing around new pruning wounds from recent canopy uplifting works that show that the trees have good vigour

The pits are still holding up well with no issues related to the hardscaping. As per the last inspection there were still weeds present and the mulch was continuing to wash away on the front edge of the pit. Maintenance has been carried out on regular periods as described in the previous report.

Recommendations

Bi-annual maintenance of the sites to re-mulch and spray for weeds will be increased to every quarterly coinciding with the change of the seasons which should prevent the current weed and mulch issues. It will be investigated if an extra timber plinth can be added along the front of the pit to prevent mulch wash out. Another idea that will be investigated further will be weather the pits themselves can be planted out with a low growing understory native grass such as dwarf Lomandra. This will help to suppress the weed growth, retain the soil/mulch and also add to the overall streetscape.

The construction materials used for the pits may be re-investigated in the future as improved paving treatments / systems are becoming available such as permeable pavements.

Regent Street Trees**Observations**

Inspection of the site has shown that the trees are growing well. It was observed that there have been additional replacement trees planted within the street since the last trial was carried out. These have been planted as per the supplied image using above ground stakes and water wells. This treatment has proven to be successful and is a far more cost effective option than the previous under ground staking treatment. Due to the smaller nature of this species some properties have been able to sustain 2 trees per frontage. Some brush cutter damage was still observed on these trees but overall this was not having a major impact as trees had sealed over the wounds.

4

Recommendations

It is recommended that the current planting practices associated with the trees that are planted within nature strips be maintained as it is a more cost effective solution to the original planting method of underground anchors. There was no observed negatives from this approach and the street as a whole looks good. As more mature trees that have outgrown their planting spaces are removed then this species should be continued as the replacement for the street.

Conclusion

The trial of this species and the tree pits within the narrow planting spaces has been a success. The trees are behaving in the way that is expected for this species. As more streets are identified with narrow nature strips and current tree species growing that have not been successful it is recommended that this treatment should be considered as an alternative to the species that are currently selected within Council's street tree planting palette. It is to be noted that Claims against Council for private damage are increasing and a percentage of these are caused by the current selected specie for the street.

As other trees within Hopetoun street are removed due to outgrowing their planting space this trial should be expanded and the Crepe Myrtle and tree pit used as the replacement treatment.

ITEM 9.6 DEVELOPMENT OF A RECONCILIATION ACTION PLAN**Author:** Ana Tsaganos**File No:** 17/127089**Attachments:** *Reconciliation Policy 2016 (Attachment 1)*
Reconciliation Implementation Plan (Attachment 2)

PURPOSE AND SUMMARY

To provide information on the implementation of Council's Reconciliation Policy and recommend that Council develop a Reconciliation Action Plan (RAP).

RECOMMENDATION

That Council endorse the development of a Glen Eira City Council Reconciliation Action Plan that is registered and approved by Reconciliation Australia.

BACKGROUND

At the 4 March 2016 Council meeting, Council approved its first Reconciliation Policy (*Attachment 1*) and Reconciliation Policy Implementation Plan as steps toward demonstrating Council's commitment to formally recognising the importance of Australia's first citizens and as a bridge to the future development of a formal RAP.

The Reconciliation Policy Implementation Plan 2016 has substantially been achieved. A snapshot of these actions includes:

- The establishment of a committed working relationship with Arweet Carolyn Briggs and the Boon Wurrung Foundation;
- A welcome to Country now included in every Australian Citizenship ceremony;
- The participation of Glen Eira in the Urban South Local Aboriginal Network (LAN) that will lead to improved links with a range of Aboriginal workers who work across our municipality;
- Improved data on our Aboriginal population through detailed demographic profiling and detailed Maternal and Child Health data;
- Opportunities to improve our local indigenous cultural heritage.; and
- Expansion of our Aboriginal history through story boards at the new Booran Reserve Park.

Attachment 2 details all actions and outcomes.

ISSUES AND DISCUSSION

Following implementation of actions outlined in the Reconciliation Policy Implementation Plan, Council is now well placed to begin developing a formal RAP.

The development of a RAP registered and approved by Reconciliation Australia needs to follow a mandatory framework signifying commitment to actions, timelines and deliverables under four headings; *Relationships, Respect, Opportunities, and Tracking progress and reporting*.

The steps under Reconciliation Australia's framework are outlined below:

- Step 1: Signing up with Reconciliation Australia to develop a RAP.
- Step 2: Establishing a RAP working group or advisory committee. At the basic level, a working group must include:
 - Aboriginal and Torres Strait Islander (ATSI) employee/s (or external stakeholders where this is not possible);
 - A range of staff from the different business units and/or divisions that will be involved in, and take responsibility for, delivering RAP actions; and
 - A RAP champion at the senior executive level who is aware of any political or budgetary issues, conflicts or interests that may stand in the way of reconciliation activities being implemented.
- Step 3: Allowing time to build relationships externally and internally to inform and guide future RAP commitments.
- Step 4: Developing the RAP to reflect Council's stage of development.
- Step 5: Seeking feedback on drafts from Reconciliation Australia and submitting the final document to Reconciliation Australia management for endorsement.
- Step 6: Establishing annual RAP reporting processes.

Working with the Boon Wurrung Foundation Council will ensure that the process is respectful to the indigenous community and has a solid governance model that can deliver key elements such as:

- Establishment of a RAP champions Advisory Committee that will include both internal and external stakeholders;
- Cultural awareness training that would commence with the Councillor group meeting and discussing the RAP process with the Boon Wurrung Elder, Arweet Carolyn Briggs, and move to other parts of the organisation;
- Expanding knowledge of our indigenous history and cultural protocols; and
- Considering Aboriginal and Torres Strait Islander employment

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Information from a range of Council's previously contacted have indicated that staff resourcing for the Implementation of a RAP requires a minimum 0.2 FTE. The additional staffing requirements will be met from available resources.

POLICY AND LEGISLATIVE IMPLICATIONS

Council's Reconciliation Policy is compatible with the *Charter of Human Rights and Responsibilities Act 2006* and is linked with the Australian Human Rights Commission – Racism: It Stops with me *Supporter Agreement*. The following legislation is also relevant to the development of a RAP:

- Aboriginal Heritage Act 2006 and 2016 amendment
- Racial Discrimination Act 1975
- Human Rights Commission Act 1986
- Native Title Act 1993
- Indigenous Reform Agenda 2007 (Close the Gap)
- Human Rights Framework 2010

COMMUNICATION AND ENGAGEMENT

Council will work closely with the Boon Wurrung Foundation, local Aboriginal workers and other stakeholders to progress the development of a RAP.

Arweet Carolyn Briggs from the Boon Wurrung Foundation will be invited to present at a future Assembly meeting to begin the process for developing a Reconciliation Action Plan.

LINK TO COUNCIL PLAN

Theme 8 Community building and engagement

Strategic objective: To build a strong connected community that actively participates and engages with Council to improve outcomes for the community.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Glen Eira City Council has met the actions of its Reconciliation Policy Implementation Plan and is now in a position to progress and formalise the development of Council's first RAP.

Moved: Cr Delahunty

Seconded: Cr Davey

That Council endorses the development of a Glen Eira City Council Reconciliation Action Plan that is registered and approved by Reconciliation Australia.

CARRIED UNANIMOUSLY

RECONCILIATION POLICY

Date first adopted: 15 March 2016	Version: 1 Next review date: March 2017	Status: Reviewed
Position Title of Responsible Business Unit Manager:	Manager Community Development	

1. TITLE:

Reconciliation Policy

2. OBJECTIVE

- 2.1 To demonstrate Council's commitment to reconciliation with the Aboriginal and Torres Strait Islander people based on respect, recognition and acknowledgement of their unique contribution to this nation.
- 2.2 To promote and strengthen relationships between Aboriginal and Torres Strait Islander people and the broader Australian community; and
- 2.3 To provide opportunities to raise awareness and educate the community and Council staff about the history, heritage and culture of indigenous Australians.

3. BACKGROUND

- 3.1 Council has developed this Reconciliation Policy to show its commitment to respect, recognise and build relationships with Aboriginal and Torres Strait Islander people, and to encourage others in our community to do the same.
- 3.2 A key element of the policy is to promote reconciliation through awareness raising, the respect of values, customs and first people's connection to the land.
- 3.3 Council currently provides opportunities for recognition of Aboriginal people and establishing a reconciliation policy will provide a framework for embedding these actions and establishing new priorities and engagement across the local community.
- 3.4 Through this policy Council commits to work in collaboration with Aboriginal people, to provide leadership in our community and to respect the place of Aboriginal and Torres Strait Islander people as the first inhabitants and custodians of this land.

4. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Reconciliation	'building mutually respectful relationships between Indigenous and other Australians... ..raising awareness and knowledge of Indigenous history and culture; changing attitudes that are often based on myths and misunderstandings; and encouraging action where everyone plays their part in building a better relationship... '. (Reconciliation Australia)

5. POLICY

- 5.1 Council will acknowledge the unique identity and culture of Aboriginal people through awareness raising activities including participation in Aboriginal cultural recognition days.

- 5.2** Council will show respect for the place of Aboriginal and Torres Strait Islander people as the first inhabitants, custodians and traditional owners of this land by ensuring that a statement of recognition is made in introductions to Council meetings and Citizenship Ceremonies.
- 5.3** Council will express the importance of Aboriginal culture and heritage by displaying the Aboriginal and Torres Strait Island flag from Council's portico entrance during National Reconciliation week and other times when advised by the Government Protocol Office.
- 5.4** Council will develop and foster relationships with the Aboriginal community to provide an opportunity for aboriginal community issues to be raised.
- 5.5** Council will liaise with key Aboriginal representative groups and Cultural leaders to discuss future reconciliation actions and plans.
- 5.6** Council will ensure that services are targeted to the needs of Aboriginal people by educating staff and designing and developing services that are wherever possible culturally relevant and meet identified need.
- 5.7** Council will promote to the Glen Eira community the importance of reconciliation and assist in facilitating understanding of aboriginal culture and customs.
- 5.8** Council will promote Aboriginal history and heritage through the arts, cultural activities and literature.

6 CHARTER OF HUMAN RIGHTS

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006*.

7 RELEVANT LEGISLATION

- Aboriginal Heritage Act 2006 and Regulations 2007
- Racial Discrimination Act 1975
- Human Rights Commission Act 1986
- Native Title Act 1993
- Indigenous Reform Agenda 2007 (Close the Gap)
- Human Rights Framework 2010

8 ASSOCIATED DOCUMENTS

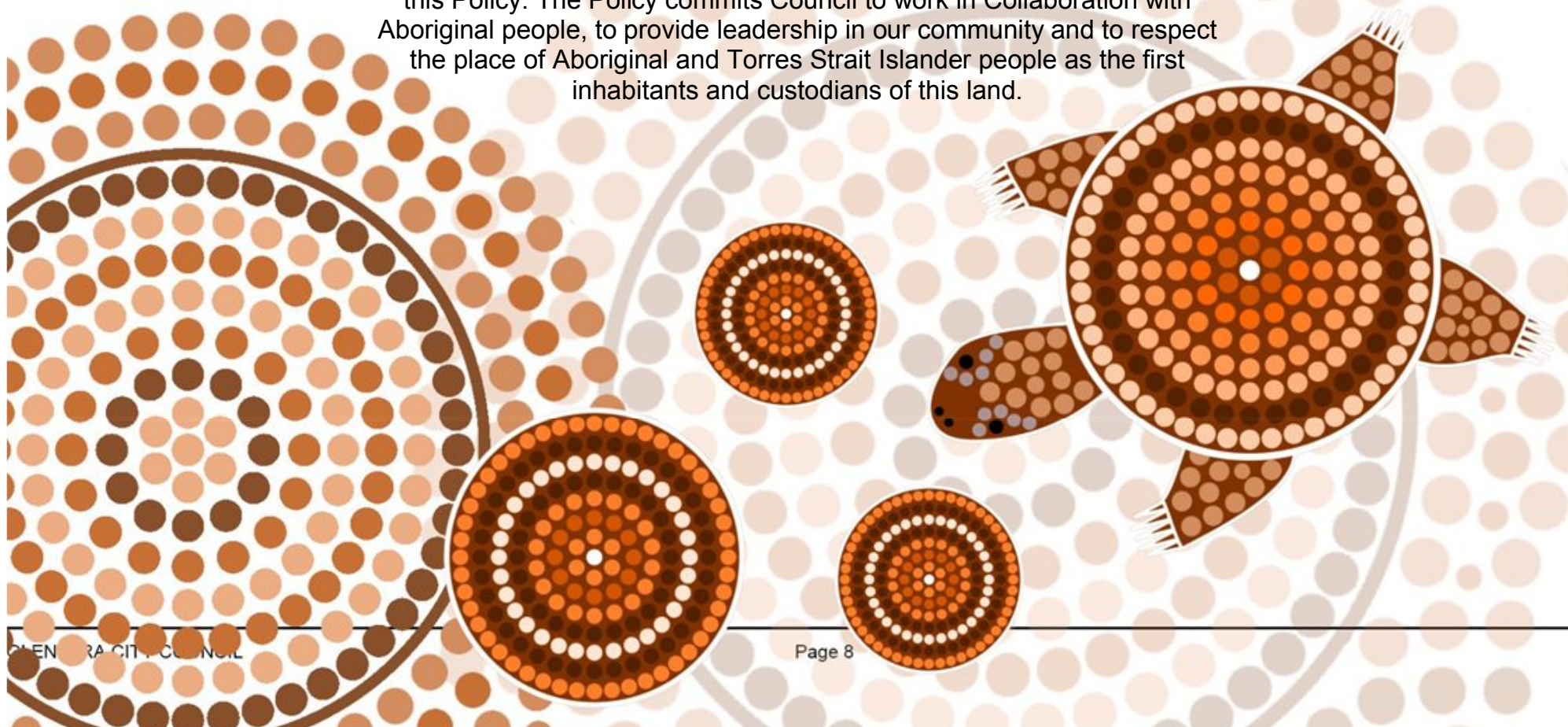
- The Australian Human Rights Commission – Racism: It Stops with me. Supporter Agreement (signed by Glen Eira City Council 5 May 2014)

9 REFERENCES/RESOURCES



- Reconciliation Australia Website
- Boon Wurrung Foundation
- Racism it stops with me Website
- Apology to Australia's Indigenous people
- Reconciliation: Australian.gov.au
- The Victorian Equal Opportunity and Human Right Commission – Anti-hate Spray campaign (endorsed by Council 14 October 2014)

GLEN EIRA CITY COUNCIL RECONCILIATION POLICY – IMPLEMENTATION PLAN 2016

Council's Reconciliation Policy identifies that Council will develop an annual Reconciliation Policy Action Plan to meet its commitments under this Policy. The Policy commits Council to work in Collaboration with Aboriginal people, to provide leadership in our community and to respect the place of Aboriginal and Torres Strait Islander people as the first inhabitants and custodians of this land.



OBJECTIVE	POLICY	ACTION	OUTCOME
To demonstrate Council's commitment to reconciliation with the Aboriginal and Torres Strait Islander people based on respect, recognition and acknowledgement of their unique contribution to this nation.	Council will acknowledge the unique identity and culture of Aboriginal people through awareness raising activities including participation in Aboriginal cultural recognition days.	Deliver a Reconciliation Week event at Mallanbool Reserve on 29 May Recognise NAIDOC week by displaying the NAIDOC poster in the Service Centre and Libraries from July 3 – 10 July	Achieved Reconciliation Event at Mallanbool Reserve delivered on 29 May 2016, 12 pm <i>Welcome to Country and Smoking Ceremony, indigenous dance workshop and bush tucker barbeque. Guided tours of natural flora and fauna with cultural and historical insights.</i>
	Council will show respect for the place of Aboriginal and Torres Strait Islander people as the first inhabitants, custodians and traditional owners of this land by ensuring that a statement of recognition is made in introductions to Council meetings and citizenship ceremonies.	Provide a statement recognising the 'original inhabitants of the land on which we meet' to be used at introductions to Council, citizenship ceremonies and community meetings.	Achieved Statement recognising the 'original inhabitants of the land on which we meet' in place and used in introductions to Council meetings, citizenship ceremonies and community meetings. Examples: <i>"On behalf of the council and in the spirit of respect, I acknowledge the people and elders of the Kulin Nation, who have traditional connections and responsibilities for the land on which council meets."</i> <i>Glen Eira Council acknowledges local Aboriginal Indigenous Australians, with the Boon Wurrung clans of the Kulin nations, as the original custodians of the land now known as Glen Eira and pays respect to their elders, past and present.</i> <i>Glen Eira City Council respectfully acknowledges the Boon Wurrung people.</i> <i>We pay our respects to their Elders, both past and present and acknowledge and uphold their continuing relationship to this land.</i>

OBJECTIVE	POLICY	ACTION	OUTCOME
		Ensure a 'Welcome to Country' is delivered by Indigenous Community Elders at the Reconciliation Week event.	 <p>National Reconciliation Week event, Sunday 29 May 2016, Mallanbool Reserve.</p> <p>Welcome to Country and Smoking Ceremony</p>
		Include a section in the next Council Plan on Council's commitment to respecting indigenous Australians as the first inhabitants.	<p>Achieved</p> <p>The new Community Plan is in Development and a section on Aboriginal peoples place in our history has been drafted.</p>
	Council will express the importance of Aboriginal culture and heritage by displaying the Aboriginal and Torres Strait Island flag from Council's portico entrance during National Reconciliation Week and other times when advised by the Government Protocol Office.	Aboriginal and Torres Strait Island flag will be displayed from 27 May to 3 June (Reconciliation Week) and 3 - 10 July (NAIDOC Week) 2016.	<p>Achieved</p> <p>Flags displayed in portico entrance during Reconciliation Week and NAIDOC Week.</p> 

OBJECTIVE	POLICY	ACTION	STATUS
To promote and strengthen relationships between Aboriginal and Torres Strait Islander people and the broader Australian community.	Council will develop and foster relationships with the Aboriginal community to provide an opportunity for aboriginal community issues to be raised.	Consult with the local Boon Wurrung or Wurundjeri organisations about effective strategies for engaging with members of our community that identify as Aboriginal and implement agreed strategies.	<p>Achieved</p> <p>Initial meeting was held with the Boon Wurrung Foundation on 23 November 2016 with Arweet Carolyn Briggs (Chair of Boon Wurrung Foundation) and Gheran Steel (CEO).</p> <p>Boon Wurrung have agreed to support Glen Eira Council develop their first Reconciliation Action Plan. As part of this process, a series of relationship building and planning meetings will be held in 2017 to progress the development of a RAP. They have identified undertaking future cultural workshops, providing knowledge on the local history and working in collaboration to develop a first level RAP.</p> <p>Glen Eira City Council has commenced attending the Urban South Local Aboriginal Network (LAN) meeting held in Port Phillip. These are attended by Aboriginal workers in the region and are led by Barry Firebrace-Briggs, Aboriginal Victoria; Department of Premier and Cabinet***</p> <p>Meetings attended have included those on 8 November 2016 and 7 February 2017.</p>
	Council will liaise with key Aboriginal representative groups and Cultural leaders to discuss future reconciliation actions and plans.	Develop Council relationships with the local Boonwurrung or Wurundjeri elder/s and discuss issues relating to Glen Eira, the local Aboriginal population and the development of a Reconciliation Action Plan.	<p>Achieved</p> <p>Arts, Culture and Libraries and Recreation and Leisure Services have a relationship with the Boon Wurrung Foundation**</p> <p>Council officers are working closely with consultant Dean Stewart, Aboriginal Tours and Education</p>

OBJECTIVE	POLICY	ACTION	OUTCOME
			Melbourne**** Officers met with Port Phillip Council Indigenous Policy Officer for guidance in working towards the development of a Reconciliation Action Plan and building relationships with Aboriginal workers.
	Council will ensure that services are targeted to the needs of Aboriginal people by educating staff and designing and developing services that are wherever possible culturally relevant and meet identified need.	<p>Develop and maintain awareness of the number and demographic characteristics of Aboriginal and Torres Strait Islander people in Glen Eira, to inform Council services</p> <p>Develop a Flexible Service model in Maternal and Child Health (M&CH) that supports participation rates of Aboriginal and Torres Strait islander people.</p>	<p>Achieved</p> <p>Council has completed a detailed Census data report on the Aboriginal population in Glen Eira: TRIM Record: 16/22961. Council also refers to the Maggoollee website and the GE fact sheet available on this site: http://www.maggoollee.org.au/local-government-areas-view-by-list/glen-eira/</p> <p>M&CH provide a flexible service response to all Aboriginal families and children to maximise engagement with the service. This service model ensures that all families have an opportunity to share their children's Aboriginal and/or Torres Strait Islander identity and receive the 10 Key Ages and Stages visits via their choice of centre, home or early childhood education centre MCH visits.</p> <p>A new Koorie playgroup is about to commence in partnership with Southern Melbourne Primary Care Partnership, Glen Eira, Kingston and Bayside Councils</p> <p>A database has been developed and is reviewed monthly.</p>

OBJECTIVE	POLICY	ACTION	OUTCOME
		Manage a database capturing Aboriginal and Torres Strait Islander children 0-6 year's participation rates in Maternal and Child Health Service. Ensure cultural diversity considerations are incorporated into reviews of all Council services	Family, Youth and Children's services have been reviewed and incorporate welcome signage at MCH Centres and Childcare centres, appropriate educational resources, and outings to cultural sites, galleries and museums
To provide opportunities to raise awareness and educate the community and Council staff about the history, heritage and culture of indigenous Australians.	Council will promote to the Glen Eira community the importance of reconciliation and assist in facilitating understanding of aboriginal culture and customs.	Deliver cultural training sessions as part of Council's staff training calendar targeted at customer service staff including those in libraries, the service centre and childcare centres.	Achieved Training was provided to all Family Day Care educators and staff in April 2016. Further training options will be explored through the process of working with the Boon Wurrung Foundation over 2017.
		Promote Aboriginal cultural history and local heritage* in Glen Eira News and/or in other Council publications. Produce a local Aboriginal history and heritage fact sheet and make it available on Council's website, at the service centre and libraries.	In progress Council is working with the Boon Wurrung Foundation to better understand local history and heritage. A map of Glen Eira municipality has been provided to Boon Wurrung to assist in mapping some local history. To support compliance with the 2006 Victorian Aboriginal Heritage Act and the recent 2016 amendment, there is an opportunity to commission an indigenous history report which would form the basis for any future interpretation. This needs further investigation through Council's History and Heritage Unit.

OBJECTIVE	POLICY	ACTION	OUTCOME
	Council will promote Aboriginal history and heritage through the arts, cultural activities and literature.	Create displays of local Aboriginal history and encourage engagement with a range of literature on Aboriginal history, heritage and culture in Libraries.	Achieved Books relating to Aboriginal culture, art, language were displayed at Caulfield Library during the week of 7 February 2017
		Incorporate a display at Booran Reserve that recognises the Indigenous heritage of the area.	Achieved A display including a range of large scale photo plaques and interpretive history story boards will be on display at the Booran Reserve playground once the park opens in April 2017.

*In accordance with the Victorian Aboriginal Heritage Act and the 2016 amendment, heritage now legally refers to both tangible elements and intangible elements such as oral traditions, performing arts, rituals and stories. [See page 90 of the Act.](#)

**** Boon Wurrung Foundation Structure**

Carolyn Briggs – Arweet and Chair of Boon Wurrung Foundation

BOARD:

- Carolyn Briggs – Committee Member
- David Johnson – Committee Member
- Fay Muir – Committee Member

OFFICE & ADMINISTRATION

- Gheran Steel – CEO & Operations
- Noa Davis – PA to Carolyn Briggs & Board
- Robert Anthony – Accounts & Administration

***Barry Firebrace-Briggs, Aboriginal Victoria; Department of Premier and Cabinet E: barry.firebrace@dpc.vic.gov.au Phone: (03) 8392 5337

****Dean Stewart, Aboriginal Tours and Education Melbourne, Email: ataem@optusnet.com
Phone: 0421 323 656

**ITEM 9.7 CAR PARKING WAIVERS IN STATUTORY PLANNING
APPLICATION DECISION MAKING**

Author: *Effie Tangalakis – Acting Manager Town Planning*

File No: *N/A*

Attachments: *N/A*

PURPOSE AND SUMMARY

At the 7 February 2017 Ordinary Council Meeting, Council resolved:

That Council officers prepare a report on the feasibility of providing data on car parking waivers given to approved but not yet built developments within all commercial centres.

The report should also explore whether such data would strengthen Council's case at VCAT, when defending decisions to refuse applications seeking a reduction in car parking.

This report responds to the resolution, and provides information on the planning context for assessing car parking.

RECOMMENDATION

That Council acknowledges this report and the strategic work that is underway which will ultimately lead to clearer and more effective planning provisions around car parking.

BACKGROUNDPlanning Scheme

For all planning applications, the State Government sets the car parking assessment guidelines across Victoria. These are contained in every planning scheme under Clause 52.06 (Car Parking).

The guidelines contain, amongst others:

- Objectives ('Purpose')
- Planning permit triggers
- The number of on-site parking spaces required for various uses
- Decision guidelines for applications seeking a reduction in the provision of car parking spaces
- Car park design standards.

The Purpose of the Car Parking clause states:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*

- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The table below sets out the most common uses that Council assesses against the car parking requirement:

USE	PARKING REQUIRED TO BE PROVIDED ON THE LAND
Food and drink premises, such as cafes	4 car parking spaces to be provided to each 100 square metres of leasable floor area.
Office	3.5 car parking spaces to be provided on the land to each 100 square metres of net floor area.
Dwelling	1 car space to each one or two bedroom dwelling, plus 2 to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus 1 for visitors to every 5 dwellings for developments of 5 or more dwellings
Shop	4 car parking spaces to be provided on the land to each 100 square metres of leasable floor area.
Restaurant	0.4 car parking spaces to be provided on the land per patron.

In practice, particularly for commercial uses, the full provision of car parking cannot be reasonably provided. In middle-ring and inner-city suburbs, many shopping strips have evolved with little or no on-site parking for various businesses. The planning scheme acknowledges this and provides guidelines for applications seeking a reduction in car parking spaces. These include consideration of:

- *The Car Parking Demand Assessment.*
- *Any relevant local planning policy or incorporated plan.*
- *The availability of alternative car parking in the locality of the land, including:*
- *Efficiencies gained from the consolidation of shared car parking spaces.*
- *Public car parks intended to serve the land.*
- *On street parking in non residential zones.*
- *Streets in residential zones specifically managed for non-residential parking.*
- *On street parking in residential zones in the locality of the land that is intended to be for residential use.*
- *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.*
- *Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.*
- *The future growth and development of any nearby activity centre.*
- *Any car parking deficiency associated with the existing use of the land.*
- *Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.*
- *Local traffic management in the locality of the land.*
- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
- *The need to create safe, functional and attractive parking areas.*
- *Access to or provision of alternative transport modes to and from the land.*

- *The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.*
- *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*
- *Any other matter specified in a schedule to the Parking Overlay.*
- *Any other relevant consideration.*

ISSUES AND DISCUSSION

Activity centres contain a diverse mix of commercial, residential and government uses. From a car parking perspective, there will equally be a range of uses that provide little or no on-site car parking, to the full provision or more. Activity centres may also contain car parking available to the public (either provided by local government or privately).

These elements shape an activity centre's car parking environment, together with on-street parking restrictions, access to public transport, and the extent and quality of bicycle and pedestrian infrastructure.

VCAT is bound to consider the same car parking planning scheme guidelines as Local Government. In broad terms, VCAT assesses an application on its individual merits and the existing conditions of the site and surrounds. This approach equally applies to VCAT's car parking assessment of a proposal. In basing its assessment on existing or prevailing conditions, VCAT is unlikely to place any significant weight on planning permits that have not yet been acted upon. (There is no guarantee that the permit holder will act on the permit.)

It is feasible to collate car parking waiver data, albeit at significant cost due to the labour intensive nature of the exercise. However, the effectiveness of this data in defending VCAT appeals remains uncertain.

It is considered that a more effective approach to decision making and defending decisions at VCAT would be through more robust planning policies and controls around car parking.

The Structure Planning work that is currently underway for our activity centres will form the foundation for possible future car parking provisions. Structure Plans will respond to increasing car parking demands in the context of the wider activity centre and sustainable transport modes. Structure Plans will also investigate how public car parking can be enhanced.

In terms of specific controls, Council's adopted Planning Scheme Review Workplan is committed to investigating the use of Car Parking Overlays and Parking Precinct Plans. These controls can provide greater clarity for decision makers, the community, and permit applicants through location specific car parking rates or developer contributions.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

A comprehensive audit of past planning decisions to obtain car parking waiver data would be a resource intensive exercise.

POLICY AND LEGISLATIVE IMPLICATIONS

N/A

COMMUNICATION AND ENGAGEMENT

N/A

LINK TO COUNCIL PLAN

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

It is considered that the extensive resources required to collate car parking waiver data could be more effectively directed towards creating the strategic basis for future car parking provisions. By doing so, much needed clarity can be provided to the town planning process in Glen Eira with subsequent benefits in defending VCAT appeals.

Moved: Cr Athanasopoulos

Seconded: Cr Taylor

That Council acknowledges this report and the strategic work that is underway which will ultimately lead to clearer and more effective planning provisions around car parking.

CARRIED UNANIMOUSLY

ITEM 9.8 REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES

Author: *Janice Pouw, Co-ordinator Councillor Business*

File No: *17/175488*

Attachments: *Attachment 1 – Advertisement*
 Attachment 2 - Submission

PURPOSE AND SUMMARY

1. To consider the submission received in relation to the review of the Mayoral and Councillor allowances conducted in accordance with section 74 of the Local Government Act 1989 ('Act'); and
2. Approves and determines the Mayoral and Councillor allowances in accordance with Section 74 of the Local Government Act.

RECOMMENDATION

That Council resolves under section 74 of the Local Government Act, that the Mayoral and Councillor allowances be the maximum amount set in accordance with the Order in Council for a Category 3 Council.

BACKGROUND

At the Ordinary Meeting of Council held on 7 February 2017, Council resolved to give notice of its intention to review and determine the level of Mayoral and Councillor allowances pursuant to section 74 of the Act. The public notice calling for submissions in relation to the review of the Mayoral and Councillor allowances was published in the Glen Eira Leader newspapers on 13 and 14 February and in The Age newspaper on 13 February 2017. A copy of the public notice was also placed on Council's website on 13 February 2017.

The public notice stated that anyone is entitled to lodge a written submission in relation to the review by 5pm on Tuesday 14 March 2017 being not less than 28 days after the date of the publication. The public notice also states that submitters are entitled to request that they wish to appear in person or to be represented by a person specified in their submission. A copy of the advertisement is included as Attachment 1 to this report.

ISSUES AND DISCUSSION

One submission was received requesting the allowances be decreased. The submitter did not request to be heard in support of their submission or to have anyone represent them. The submission is Attachment 2 to this report.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

As a Category 3 Council, the current cost to Council for Mayoral and Councillor allowances per annum is approximately \$331,681 plus superannuation.

POLICY AND LEGISLATIVE IMPLICATIONS

The minimum and maximum levels of allowances are determined in accordance with section 73B(2) of the Local Government Act. Council is required to determine the level of allowance within the range set by the legislation.

COMMUNICATION AND ENGAGEMENT

In accordance with Section 223 of the Local Government Act, an opportunity was provided for the community to make a public submission on the review of the Mayoral and Councillor allowances within 28 days of the date of the notice. Submissions may include a request to be heard in person or to have a representative speak on their behalf. The one submission received did not include any request to be heard or have a representative appear on the submitter's.

LINK TO COUNCIL PLAN

Theme 4: Governance – Strategic planning, responsible financial management, open transparent decision making, community reporting and risk management.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Mayor and Councillor allowances should remain at the current level being the maximum amount for a Category 3 Council as set by the Minister.

Mayoral Allowance	Category 1 Up to	Category 2 Up to	Category 3 Up to
Allowance	\$59,257	\$76,521	\$94,641
Superannuation @9.5%	\$5,629	\$7,269	\$8,990
Total payment	\$64,886	\$83,790	\$103,631

Councillor Allowances	Category 1		Category 2		Category 3	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Allowances	\$8,324	\$19,834	\$10,284	\$24,730	\$12,367	\$29,630
Superannuation @9.5%	\$790	\$1,884	\$977	\$2,349	\$1,174	\$2,815
Total payment	\$9,114	\$21,718	\$11,261	\$27,079	\$13,541	\$32,445

Moved: Cr Silver**Seconded: Cr Hyams**

That Council resolves under section 74 of the Local Government Act, that the Mayoral and Councillor allowances be the maximum amount set in accordance with the Order in Council for a Category 3 Council.

CARRIED UNANIMOUSLY

PUBLIC NOTICE

NOTICE OF INTENTION TO REVIEW MAYORAL AND COUNCILLOR ALLOWANCES

Notice is hereby given under Section 74 and 223 of the *Local Government Act 1989* ('Act') that Glen Eira City Council is to undertake a review and determination of the level of the Mayoral and Councillor allowances. Section 74(1) of the Act requires that a review of the Mayoral and Councillor allowances must take place within the period of six months after a general election or by the next 30 June, whichever is the later.

At an Ordinary Council Meeting held on Tuesday 7 February 2017, Council resolved to give notice of its intention to review and determine the level of the Mayoral and Councillor allowances as is prescribed by Section 74(1) of the Act.

For Glen Eira, the current allowance ranges and limits equate to the following amounts as advertised in the *Victoria Government Gazette* on 24 November 2016.

Councillor: \$12,367–\$29,630 plus 9.5 per cent superannuation

Mayoral: A maximum of \$94,641 plus 9.5 per cent superannuation

All allowances are taxable. More detailed information on Mayoral and Councillor allowances can be found in the Council Minutes of 7 February 2017, which are available on Council's website www.gleneira.vic.gov.au and at Council's Service Centre.

Submissions must be made no later than 5pm on Tuesday 14 March 2017 being not less than 28 days after the date of publication of this public notice.

Submissions should be marked 'Mayoral and Councillor Allowance Submission' and addressed to:

Co-ordinator Councillor Business
Glen Eira City Council
PO Box 42
CAULFIELD SOUTH VIC 3162

Submissions may also be delivered to Council's Service Centre, Glen Eira Town Hall, corner Hawthorn and Glen Eira Roads, Caulfield 3162. All submissions will be considered in accordance with Section 223 of the Act.

Any person may make a written submission under Section 223 of the Act in relation to Council's intention to review the Mayoral and Councillor allowances. Section 223 of the Act also states that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or **to be represented by a person specified in the submission before a meeting to be held on Thursday 23 March 2017 at 6.30pm in the Council Chamber, Glen Eira Town Hall, corner Glen Eira and Hawthorn Roads, Caulfield.**

Submissions made in accordance with Section 223 of the Act are not confidential and will be incorporated in full (including all personal information) in the agenda and minutes of the Council Meeting at which they are considered and will be available on Council's website as part of the relevant agenda and minutes of the meeting.

Rebecca McKenzie
Chief Executive Officer



**GLEN EIRA
CITY COUNCIL**

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BENTLEIGH EAST
BRIGHTON EAST
CARNEGIE
CAULFIELD
ELSTERNWICK
GARDEN VALE
GLEN HUNTLY
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GLEN EIRA CITY COUNCIL
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MAIL@GLEN EIRA.VIC.GOV.AU • GLEN EIRA.VIC.GOV.AU

Tammy Lawlor

Dear Co-ordinator

I do hope that when reviewing and determining the level of the Mayoral and Councillor allowances that you decide to decrease the amount of any monies you individually receive.

The only decent job the Mayor and Councillors of Glen Eira Council have done in the last three years is completely destroy the character of my neighbourhood. I appreciate that you have to review allowances after a general election, so I urge you to consider the following sentiment. The overdevelopment of the Glen Eira locality is a disgrace, and the greed of local Councillors is to blame. This overdevelopment has resulted in the physical and social degradation of what was once a lovely area to live in.

Your council gives out multi-storey building permits like it's going out of fashion. What the council have allowed to happen on Neerim Road is disgusting and yet apartment block after apartment block continues to pop up. Then you have the audacity to work under the banner of compulsory acquisition of to acquire properties in side streets in Carnegie to put parks in rather than using up the land on Neerim Road. Why? I suspect that it has something to do with money changing hands between the right people behind the scenes.

Glen Eira is known for its distinct lack of public spaces. It is known for increasing the number of apartment blocks in the area, while ignoring the desperate need for better infrastructure for its growing population. And if you decide to review and increase your Councillor allowances it will be known for having a corrupt council run by money hungry staff with no care for how their decisions affect Glen Eira's social fabric.

Recognise the folly of your councillor's previous planning and development decisions. Don't reward disgusting behaviour that is so negatively affecting the community you were voted in to look after.

Regards,

Tammy Lawlor

10. URGENT BUSINESS

There were no items of urgent business submitted to the meeting

11. ORDINARY BUSINESS**11.1 Requests for reports from Officers**

11.1(a) – Request for Report – Cr Silver

Moved: Cr Silver

Seconded: Cr Magee

That Officers prepare a Report detailing what (if any) standards Council requires sporting associations to meet in their handling of player / participant misconduct, where affiliated clubs use Council's facilities.

CARRIED UNANIMOUSLY

11.1(b) – Request for Report – Cr Athanasopoulos

Moved: Cr Athanasopoulos

Seconded: Cr Davey

That officers prepare a report comparing the economic benefits to a shopping centre between different modes of transport to a centre: private cars, public transport, cycling, and walking. The report should cover the patron time spent in the centre, the monetary spending, any social benefits and the amount of infrastructure space needed for each travel mode. The report can review studies (both local and abroad) conducted in this field.

CARRIED UNANIMOUSLY

11.1(c) – Request for Report – Cr Taylor

Moved: Cr Taylor

Seconded: Cr Magee

That officers prepare a report considering the possible location(s) for a public toilet within the East Bentleigh Shopping Centre

CARRIED UNANIMOUSLY

11.1(d) – Request for Report – Cr Delahunty

Moved: Cr Delahunty

Seconded: Cr Magee

That officers prepare a report outlining the public art programs in similar municipalities with a particular emphasis on programs to cover the signal boxes to combat the tagging on these boxes and provide an outlet for local groups to contribute to the project.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Hyams

Seconded: Cr Magee

That the meeting be extended to finish at 11pm.

CARRIED UNANIMOUSLY

11.2 Right of reply - NIL

11.3 Councillor questions - NIL

11.4 Public questions to Council

There were 4 questions received for the 12 April 2017 Council Meeting

It is noted that Mr Warren Green and Mr Bob Mann were not present at the Council meeting and therefore their questions and responses will not be included in the minutes. A letter will be sent to Mr Green and Mr Mann in accordance with the Local Law.

1. Sue Nolle – Caulfield

When does Council intend to review its Local Laws which pertain to animal management? Will all residents be given the opportunity to have input via a public submission?

Response

Review of the Domestic Animal Management Plan will commence in the middle of 2017. An integral part of the review will be an extensive community engagement process. Public submissions will be invited as part of this process with a report to then be presented to Council around September.

2. Sue Nolle – Caulfield

Re the community questionnaire concerning animal management: Why have residents who don't currently have pets registered with Council not been asked to submit opinions about current animal management practices? Does Council intend to seek views and opinions from all residents as part of a review of its current animal management policy?

Response

The 'Animal Management Survey' is completely separate to the upcoming Domestic Animal Management Plan review. It is specifically relates to current dog and cat owners and asks how we can best improve Council's animal registration service. It is part of Council's ongoing customer service improvement program.

12. CONSIDERATION OF ITEMS IN CAMERA**Recommendation**

That the meeting be now closed to members of the public under Section 89(2)(d) of the *Local Government Act 1989* in order to consider:

12.1 which relates to the awarding of the contract for **2017.042 Printing of Glen Eira News**

Number of tenders received	14
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$582,340.00

12.2 which relates to the awarding of the contract for **Tender number 2016.050 Provision of Mechanical Maintenance Services**

Number of tenders received	11
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$961,000.00 (GST exclusive)

Moved: Cr Hyams

Seconded: Cr Magee

That the meeting be now closed to members of the public under Section 89(2)(d) of the Local Government Act 1989 in order to consider Item 12.1 which relates to the awarding of the contract for GESAC Wellness Centre Construction Tender number 2017.013.

CARRIED UNANIMOUSLY

**12.1 Tender Recommendation for Consideration by Council – Tender 2017.042
Printing of Glen Eira News**

Moved: Cr Magee**Seconded: Cr Silver**

1. That Council appoints Fairfax Printers Pty Ltd, trading as Fairfax Media Print & Logistics, ACN 068 675 221 as the contractor under Tender number 2017.042 for an amount of \$582,340.00 inclusive of GST.
2. That the contract be prepared in accordance with the Conditions of Contract included in the tender.
3. That the contract be executed in an appropriate manner by affixing of the Council Seal.
4. That this resolution be incorporated in the public minutes of this Meeting

CARRIED UNANIMOUSLY

**12.2 TENDER RECOMMENDATION FOR CONSIDERATION BY COUNCIL
TENDER 2016.050 PROVISION OF MECHANICAL MAINTENANCE
SERVICES**

Moved: Cr Magee**Seconded: Cr Hyams**

That Council:

1. appoints TCM Solutions Pty Ltd, ACN 076 523 576 as the trustee for the Keating Family Trust, trading as TCM Solutions (ABN 94 804 931 763) as the contractor under Tender number 2016.050 for an amount of \$960,053.63 exclusive of GST.
2. authorises officers to prepare the contract in accordance with the Conditions of Contract included in the tender.
3. executes the contract in an appropriate manner by affixing the Council Seal.
4. endorses that this resolution be incorporated in the public minutes of this Meeting.

CARRIED UNANIMOUSLY**Moved: Cr Hyams****Seconded: Cr Magee**

That the meeting be opened to the public.

CARRIED UNANIMOUSLY

13. CLOSURE OF MEETING

The Mayor closed the meeting at 10.12pm

Confirmed this 2 Day of May 2017

Chairperson: