



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

4 July 2017

7.33pm

Present

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



**Minutes of the Ordinary Meeting of Council
held in the Council Chamber, Glen Eira Council Offices,
Corner Hawthorn Road and Glen Eira Road, Caulfield
on Tuesday 4 July at 7.33pm**

1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement

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

2. APOLOGIES – An apology was received from Cr Davey

Moved: Cr Delahunty

Seconded: Cr Magee

That the apology from Cr Davey be received and noted.

CARRIED UNANIMOUSLY

3. OATH OF OFFICE AND DISCLOSURE OF INTEREST

Oath of Office

The Mayor read the Oath of Office.

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 requirements 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.

4. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETINGS**4.1 Confirmation of the Minutes****Moved: Cr Magee****Seconded: Cr Athanasopoulos**

That the minutes of the Ordinary Meeting of Glen Eira City Council held on Tuesday 13 June 2017 and the minutes of the Special Council Meeting held on 27 June 2017 be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITION AND JOINT LETTERS**5.1 Request for Significant Tree and Vegetation Registry**

'We, the undersigned, hereby PETITION Glen Eira Council to urgently implement a Significant Tree and Vegetation Registry. This is deemed urgent due to the unprecedented scope of development in the City of Glen Eira. The purpose of the Registry is to identify exotic, native and indigenous trees on private and public land that have special significance. The Registry will identify trees due to their horticultural value, location or context; are rare or have localised distribution; are particularly old; are of an outstanding size; provide aesthetic value or are of unusual growth form; are outstanding examples of their species or are of cultural or historical significance.'

Moved: Cr Delahunty**Seconded: Cr Taylor**

That Council:

1. receives and notes the petition; and
2. notes that the adopted Council and Community Plan incorporates an action to consult the community on the implementation of a Classified Tree Register; and
3. writes to the lead petitioner advising of Council's resolution.
4. further considers this when the item comes before Council.

CARRIED UNANIMOUSLY

5.2 East Village

Say "No" to East Bentleigh Village Rezone Scheme. Say "No" to money hungry developers.

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

That Council receives and notes the joint letter.

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

8.1 Advisory Committees

Moved: Cr Hyams

Seconded: Cr Athanasopoulos

That the minutes of the Community Consultation Committee held 8 June 2017 meeting be received and noted and that the recommendations of the Committee be adopted.

CARRIED UNANIMOUSLY

8.2 *Records of Assembly*

Moved: Cr Esakoff

Seconded: Cr Hyams

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

- 29 May 2017
- 6 June 2017
- 13 June 2017

CARRIED UNANIMOUSLY

The Mayor advised that at this stage of the meeting, Council will suspend standing orders to allow a 15 minute period for questions and responses by Councillors or officers. These items will not be included in the Council minutes. At the conclusion of this time a motion will be moved to resume standing orders.

Moved: Cr Delahunty

Seconded: Cr Magee

That Council suspends standing orders at 7.48pm for a period of 15 minutes.

CARRIED UNANIMOUSLY

Moved: Cr Delahunty

Seconded: Cr Silver

That Council resumes standing orders at 8.06pm.

CARRIED UNANIMOUSLY

Section 9 Presentation of Officers Reports

9.1 *11 & 13 Tranmere Avenue, Carnegie*

Moved: Cr Hyams

Seconded: Cr Magee

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30362/2017 for the construction of a four storey building above basement car park containing up to twenty-one (21) dwellings at 11-13 Tranmere Avenue Carnegie Pty Ltd 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 'Proposed Residential Development 11-13 Tranmere Avenue, Carnegie, Project No. 10170, Sheets TP01-TP09 (Rev A, dated 28.04.17) & TP11, (dated 10.02.17), prepared by Artisan Architects but modified to show:

Built Form

- (a) Full compliance with Standard B20 of Clause 55.04-4 of the Glen Eira Planning Scheme (north-facing windows).
- (b) Full compliance with Standard B6 of Clause 55.03-1 of the Glen Eira Planning Scheme (Street Setbacks) at all levels of the building with the change absorbed within the remainder of the building envelope to the satisfaction of the Responsible Authority.
- (c) The basement setback shown to be a minimum of 1.5m from the base each of Trees 14, 15 & 16 located on the adjoining property to the north as identified in the Arborist Report by Galbraith & Associates dated 6 February 2017, submitted with the application.
- (d) APT G01's courtyard in the front setback of the property modified to be a minimum of 25 square metres with this change absorbed within the remainder of the building envelope. The position of the front fence must remain as shown with vegetation (screen planting) provided in front of the fence adjacent to the footpath.
- (e) APT G03's courtyard on the northern side of the property modified to provide an area of 25 square metres with a minimum dimension of 3 metres with this change absorbed within the existing building envelope.
- (f) APT G06's courtyard on the southern side of the property modified to be a minimum area of 25 square metres and a minimum dimension of 3 metres with this change absorbed within the existing building envelope and/or garden area of APT G05.
- (g) The reference to GL02 (opaque glazing) and privacy screens to windows/balconies noted as 'fixed' and 'no more than 25% transparent'.
- (h) Boundary fencing notations deleted.

Traffic and Parking

- (i) The aisle width adjacent to the westernmost car stacker increased to 6.4 metres or alternatively the car stacker spaces in this area widened to have 2.8 metre wide clear platforms with this change absorbed within the existing basement envelope.
- (j) A note on the plans provided stating that the car stackers on the eastern side of the basement must have a minimum usable platform width of 2.6 metres and at least 25% of the car spaces in stackers must accommodate a vehicle height of 1.8 metres as required by the Planning Scheme.
- (k) The car stackers and car stacker spaces clearly dimensioned on the car park layout plans, including the section plan/s showing the space widths and lengths, clear platform widths and lengths, space heights, pit depths, height clearances, etc. The cross-section plan must illustrate the car stacker pits and dimensions of each space.
- (l) The columns within the basement car park shown to be located no less than 250mm and extending no more than 1.25 metres from the car park aisle. All of the columns must be clearly dimensioned on the plans, in accordance with Diagram 1 of Clause 52.06 of the Planning Scheme.
- (m) An intercom installed on the southern side of the accessway ramp, provided on the 1:10 graded section and set back 3 metres from the frontage with this dimensioned on the ground floor plan.
- (n) A convex mirror provided opposite the accessway ramp at the bottom of the basement car park (next to car stacker spaces 18/19) with this noted on plan.
- (o) Pedestrian paths to the storage areas in basement dimensioned at a minimum of 1 metre.
- (p) The design and layout of all bicycle parking spaces shown to accord with Clause 52.34 of the Planning Scheme, AS2890.3 or 'The Bicycle Parking Handbook' by Bicycle Victoria and clearly annotated and dimensioned on the plans. Access to the bicycle parking spaces must be in accordance with AS2890.3.

Landscaping

- (q) A Landscape Plan in accordance with Condition 2
- (r) The delineation of separate Tree Protection Zones (TPZ) & Tree Protection Fencing (TPF) for the following tree/s at the prescribed radial distance from the base of tree trunk to define a tree protection zone (TPZ):
 - Tree 14 (most easterly neighbouring Golden Pencil Pine to North) – 2.0m
 - Trees 15 & 16 (two additional neighbouring Golden Pencil Pines to North) - 1.5m each
 - Tree 13 (neighbouring Common Fig to East) – 2.0m
 - Tree 12 (group of four neighbouring Callery Pears to East) – 2.0m each
- (s) The delineation of root sensitive footings & root sensitive permeable paving where any part of the development comes within the following TPZ's:
 - Tree 14 (most easterly neighbouring Golden Pencil Pine to North) – 2.0m

- Trees 15 & 16 (two additional neighbouring Golden Pencil Pines to North) - 1.5m each
- Tree 13 (neighbouring Common Fig to East) – 2.0m
- Tree 12 (group of four neighbouring Callery Pears to East) – 2.0m each

When approved, the plans will be endorsed and will then form part of this Permit.

2. Before the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:
 - (a) All existing retained vegetation to be identified.
 - (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
 - (d) Landscaping and planting within all open space areas of the site.
 - (e) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
 - (i) 3 trees within the front setback;
 - (ii) 5 trees along the rear east boundary;Or 8 trees as above in locations to the satisfaction of the Responsible Authority.

Trees are not to be sited over easements. All species selected must be to the satisfaction of the Responsible Authority.
3. 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.
4. 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.

5. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 13.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.

6. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
7. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
8. Adequate provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the Responsible Authority.

All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must be kept in a storage area screened from view, to the satisfaction of the Responsible Authority.

All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour, to the satisfaction of the Responsible Authority.

9. Provision must be made on the site for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
10. 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.

11. 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) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (c) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (d) any requirements outlined within this permit as required by the relevant referral authorities;
 - (e) hours for construction activity in accordance with any other condition of this permit;
 - (f) measures to control noise, dust, water and sediment laden runoff;
 - (g) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (h) any construction lighting to be baffled to minimise intrusion on adjoining lots.
12. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the Responsible Authority
13. 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.
14. The location of any substation/services/metres to be clearly shown on the plans (to have limited visibility from the streetscape) and in a location to the satisfaction of the Responsible Authority. Any on-site substation must not be located in the front setbacks and must not reduce any open space for each apartment.
15. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
16. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
17. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the following trees at the following radii to define tree protection zones:
- Tree 14 (most easterly neighbouring Golden Pencil Pine to North) – 2.0m
 - Trees 15 & 16 (two additional neighbouring Golden Pencil Pines to North) - 1.5m each
 - Tree 13 (neighbouring Common Fig to East) – 2.0m
 - Tree 12 (group of four neighbouring Callery's Pears to East) – 2.0m each

The fencing must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority.

The tree protection fence must remain in place until the construction within the tree protection zone is required. The tree protection zone for that component of the development not required for construction must remain fenced until construction is complete. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone.

No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.

- The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.
18. Prior to the commencement of the development, a fee of \$1100 must be paid to the Responsible Authority for the removal and replacement of the existing Brush Box street tree (southernmost street tree) at the front of the site. The street tree will be replaced with the species, maturity and location of which will be selected by Council's Parks Services Department.
 19. Any pruning that is required to be done to the canopy or root system of any trees retained on-site or where the canopy of neighbouring property tree/s overhang the site, is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS 4373 – 2007, Standards Australia.
 20. Any pruning of the root system of any retained site tree or neighbouring tree is to be done by hand by a qualified Arborist.
 21. Root sensitive footings such as pier and beam or screw pile footings (or similar) are to be used where any part of the development comes within the following TPZ's. If used, the beam should be designed to be positioned above soil grade to minimise soil excavation & root severance:
 - Tree 14 (most easterly neighbouring Golden Pencil Pine to North) – 2.0m
 - Trees 15 & 16 (two additional neighbouring Golden Pencil Pines to North) - 1.5m each
 - Tree 13 (neighbouring Common Fig to East) – 2.0m
 - Tree 12 (group of four neighbouring Callery's Pears to East) – 2.0m each
 22. Specific tree root sensitive footings and/or paving are to be used where any TPZ is encroached more than the 10% as allowed in the Australian Standard (AS4970-2009) Protection of trees on development sites.
 23. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing Manchurian Pear (northernmost) street tree.
 24. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the Manchurian Pear street tree (northernmost street tree) at a radius of 2 metres from the base of the trunk to define a 'tree protection zone'. Temporary fencing is to be used as per AS 4870-2009 section 4.3. This fence must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until the construction within the tree protection zone is completed. The tree protection zone for that component of the development not required for construction must remain fenced until construction is complete. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone. No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.
 25. The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.

Above ground canopy TPZ (Tree Protection Zone) to be adopted. No works, structures or machinery will come within 1m of the trees crown/canopy as per AS 4870-2009 section 3.3.6.

Tree Protection Zone (TPZ) fencing must be adopted to protect the street tree's trunk. Set at edge of TPZ on all sides (Finishing at paved surfaces). Temporary fencing to be used as per AS 4870-2009 section 4.3.

Hand excavate any area within 1.5m of the Tree Protection Zone (TPZ). If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the Tree Protection Zone (TPZ). Strapped rumble boards are to be used within TPZ to limit ground compaction as per AS 4870-2009 section 4.5.3.

26. No excavation is to come within 1.7m of the existing street tree (measured from the centre of the trunk) without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the TPZ (Tree Protection Zone). Strapped rumble boards are to be used within the tree protection zone to limit ground compaction as per AS 4870-2009 section 4.5.3.

27. 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;
 - (e) line-marked to indicate each car space and all access lanes;
 - (f) clearly marked to show the direction of traffic along the access lanes and driveways;

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.

28. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
29. The car parking allocation for the approved development must be:
- Not less than one (1) car space per one or two bedroom dwelling;
 - Not less than two (2) car spaces per three (3) or more bedroom dwelling;
 - Visitor spaces (1 per 5 dwellings) marked accordingly.
30. All disused or redundant vehicle crossings must be removed and the area re-instated with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
31. 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.
32. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority, a car stacker system management plan including but not limited to the following:

- (a) Allocation of car spaces according to vehicle size and type;
- (b) Ongoing maintenance of the car stacker system;
- (c) Instructions to owners/occupiers about the operation of the car stacker system; and
- (d) Communicating to prospective residents about the availability of car stacker spaces and sizes.

Once approved this document 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.

- 33. Any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the applicant/developer to the satisfaction of the relevant authority. All costs associated with any such modifications must be borne by the applicant/developer.
- 34. Prior to the completion of the basement floor construction, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement floor has been constructed generally in accordance with the endorsed plans (prior to the construction of the levels above being commenced.)
- 35. Prior to the completion of the ramp to the basement, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement ramp has been constructed generally in accordance with the endorsed plans.
- 36. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note D.
- 37. 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.
- 38. Written confirmation from a suitably qualified Traffic Engineer demonstrating that the basement layout and vehicle access complies with Clause 52.06 of the Glen Eira Planning Scheme.

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. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968.
- D. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- E. 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.
- F. 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.
- G. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.
- H. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.
- I. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 13.5 metres height above natural ground level. This must be provided at frame stage inspection and at final inspection.
- J. Council's Asset Management Department Advise:

Vehicle Crossing

- The vehicle crossing must be constructed as a commercial type vehicle crossing with splays to Council standards. The applicant is to design the vehicle crossing to avoid car scraping. A detailed design must be submitted to Council prior to the commencement of any works.
- The ramp to the basement car park must be designed to avoid flooding.
- The redundant vehicle crossing must be removed and the footpath, nature strip and kerb and channel of the road reinstated matching abutting conditions.

Drainage

- No net increase in peak stormwater runoff to the Council drainage network is permissible. Post development peak storm water discharge to Council drainage network must be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations must be submitted to Council for approval prior to any construction works.

- Engineering Services encourage the use of rainwater tanks for storage and reuse for toilet and irrigation purposes and/or stormwater detention systems.
- Drainage associated with the basement construction must be discharged to the nearest Council Drain /Pit and not to the kerb and channel (seepage and agricultural waters are to be filtered to rain water clarity).
- All stormwater runoff must be connected to Council's underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths is permissible.

General

- Any firefighting equipment for the building must be accommodated within title boundary. Council will not allow private fire equipment in the Road Reserve.
- An Asset Protection Permit must be obtained from Council's Engineering Services Department prior to the commencement of any building works.
- All relevant Engineering Permits must be obtained prior to any works within the Road Reserve and/or stormwater connection to the Council drainage network.

K. Council's Building Department Advise:

- Protection Works notices to be assessed by relevant Building Surveyor.
- Fire ratings to be assessed by the relevant Building Surveyor.
- Balustrades to be a minimum of 1 metre from finished floor level.
- Fire rating and sound insulation between units to be assessed by relevant Building Surveyor.
- Mechanical Ventilation to non-habitable rooms with no natural ventilation, to be assessed by relevant building surveyor.
- Distances of travel to be assessed by relevant Building Surveyor.
- Light and ventilation to be assessed by relevant Building Surveyor.
- Amenity of units to be assessed by relevant Building Surveyor

CARRIED

9.2 VCAT Watch

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

That Council notes:

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

CARRIED UNANIMOUSLY

9.3 East Village Draft Structure Plan

Moved: Cr Hyams**Seconded: Cr Taylor**

That Council:

1. endorses the commencement of community engagement for the East Village draft concept plans, including a call for expressions of interest for membership of a community reference group.
2. writes to the Minister for Education seeking timely clarification of the Department of Education and Training's future plans for the East Village Precinct
3. writes to the Minister for Public Transport regarding the upcoming bus route planning process

CARRIED UNANIMOUSLY

9.4 *Municipal Emergency Management Plan (MEMP)*

Moved Cr Esakoff**Seconded Cr Silver**

That Council:

1. notes changes to the Glen Eira Municipal Emergency Management Plan (MEMP) since 2014; and
2. notes the Municipal Emergency Planning Committee will continue to update the MEMP to ensure currency.

CARRIED UNANIMOUSLY

9.5 *Naturestrip Planting Guidelines*

Moved Cr Taylor**Seconded Cr Silver**

That Council:

1. endorses option 3 to promote grass nature strips with selected alternatives and encourages residents with corner blocks (scenario b) and wider than average nature strips (scenario c) to create meaningful planting areas;
2. endorses the recommended nature strip guidelines (option 3, guideline 1);
3. requests officers to undertake further investigation on the impacts of the guidelines and develop draft guidelines and recommended plantings for public consultation.

Procedural Motion**Moved: Cr Delahunty****Seconded: Cr Silver**

That Cr Taylor be granted a one minute extension of speaking time.

CARRIED UNANIMOUSLY

The Motion Moved by Cr Taylor and Seconded by Cr Silver was PUT and

CARRIED UNANIMOUSLY

9.6 Solar Savers Project Participation

Moved Cr Sztrajt**Seconded Cr Athanasopoulos**

That Council authorises the Director Infrastructure, Environment and Leisure to sign the Participation Organisation Agreement on Behalf of Council.

CARRIED UNANIMOUSLY

9.7 GESAC Access for Residents over 70 Years of Age

Moved: Cr Magee**Seconded: Cr Athanasopoulos**

That Council:

1. trials the following three initiatives for a period of one month commencing with the Victorian Senior's Festival in October 2017:
 - i) Increased subsidy of current aquatic and gym group fitness classes and casual swim entry for non-members aged 70 and over;
 - ii) No membership joining or administration fees for people 70 years old and over joining as new members;
 - iii) Free health assessments with qualified trainers for non-members aged 70 and over who participate casually in any activity at GESAC.
2. receives a further report on the outcomes of the trial.

CARRIED UNANIMOUSLY

9.8 Council Policy – Family, Youth and Children’s Services

Moved: Cr Hyams**Seconded: Cr Esakoff**

That Council review and approve the amendments to:

*17.1 Child Care Centre Fees Policy**17.2 Council-Operated Child Care Centre’s – Enrolment System Policy**17.3 Kindergarten Central Enrolment Service Policy***CARRIED UNANIMOUSLY**

9.9 Community Gardens

Moved: Cr Taylor**Seconded: Cr Magee**

That Council:

1. commences a consultation process regarding traditional and pop up community gardens examining; locations, style of gardens and community governance arrangements. This consultation should include community groups currently operating community gardens, gardening groups, sustainability groups and Moorleigh Village tenants, as well as individuals in the broader community who might be interested in participating in a community garden.
2. receives a report regarding the outcomes of the consultation including preferred community location, style of garden, possible acquisition and governance arrangements.

CARRIED UNANIMOUSLY*It is recorded that Cr Sztrajt vacated the Chamber at 9.45pm.***Procedural Motion****Moved: Cr Silver****Seconded: Cr Magee**

That the meeting be extended to conclude at 11pm.

CARRIED UNANIMOUSLY

9.10 Appointment of Community Representative to Strategic Transport Advisory Committee

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

That Council:

1. endorses the preferred candidates; Marcus Burke, Cathy McNaughton, Jenna Fivelman and Joshua Stewart for appointment to the Strategic Transport Advisory Committee;
2. writes to the successful applicants congratulating them on their appointment;
3. writes to the unsuccessful applicants thanking them for their applications.

CARRIED UNANIMOUSLY

9.11 Appointment of Signatories for 2016-17 Annual Accounts

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

That Council appoints the Mayor and Deputy Mayor to sign the 2016-17 Financial Statements and Performance Statement.

It is recorded Cr Sztrajt entered the Chamber at 9.52pm.

CARRIED UNANIMOUSLY

9.12 Financial Management Report for the Period Ending 31 May 2017

Moved: Cr Delahunty**Seconded: Cr Silver**

That Council notes the Financial Management Report for the period ending 31 May 2017.

CARRIED UNANIMOUSLY

10. URGENT BUSINESS**Moved: Cr Delahunty****Seconded: Cr Silver**

That the matter of the possible demolition of 450 Dandenong Road Caulfield North 'The Lind House' be dealt with as an item of urgent business.

CARRIED UNANIMOUSLY**Moved: Cr Delahunty****Seconded: Cr Silver**

That Council requests the Minister for Planning to prepare, adopt and approve a Planning Scheme Amendment in accordance with Section 20(4) of the Planning and Environment Act 1987 for an interim heritage control over the property at 450 Dandenong Road, Caulfield North.

CARRIED

11. ORDINARY BUSINESS

11.1 Requests for reports from Officers

a) Cr Silver

Moved: Cr Silver

Seconded: Cr Hyams

That officers prepare a report to establish and fund a permanent memorial structure in the Caulfield-Elsternwick area for victims and survivors of the Holocaust.

CARRIED UNANIMOUSLY

b) Cr Athanasopoulos

Moved: Cr Athanasopoulos

Seconded: Cr Sztrajt

Council resolves that, as part of the development of Council's Integrated Transport Strategy, a report is received giving consideration to the merits of providing visitor car parking for residential, or mixed use residential developments. This should include considerations of the planning provisions around visitor car parking, the usage of these spaces in a development, and whether it would be more beneficial for the wider area if additional dwelling car spaces were provided instead.

CARRIED

c) Cr Sztrajt

Moved: Cr Sztrajt

Seconded: Cr Athanasopoulos

That officers prepare a report regarding how Victorian councils (including Glen Eira) have integrated Aboriginal and Torres Strait Islander acknowledgment and recognition, notably in regards to flags, at council buildings and specifically during council functions, such as citizenship ceremonies. Ideally, this report should feed into the Glen Eira Reconciliation Action Plan.

CARRIED UNANIMOUSLY

11.2 Right of Reply – NIL

11.3 Councillor questions - NIL

11.4 Public Questions to Council

There were 3 questions received for the 4 July 2017 Council Meeting.

Mr Neil Freeman's question was not read at the meeting as he was not present in the Chamber. A letter will be sent to Mr Freeman including his question and the response in accordance with the Local Law.

1. James Walker- Caulfield North (Present)

- a) When was the decision made by council to fence the public out of the urban forest section of the Booran Road Reserve?
- b) Did councillors make or approve that decision at an ordinary council meeting?

Response:

- a) When was the decision made by council to fence the public out of the urban forest section of the Booran Road Reserve?

The Glen Huntly Reservoir Concept Plan Consultation report considered by Council at its Ordinary Meeting on 29 April 2014 (Item 9.6) included a recommendation that the area will be fenced off to mitigate risk issues due to the height of the reservoir wall.

A report presented to Council at its Ordinary Meeting on 12 August 2014 (Item 9.11) stated the walls on the east and north sides were to be retained, to provide a reminder of the history of the site and serve as buffers for the neighbouring houses. It recommended that the east of the site comprise an urban forest corridor, which is entirely for flora and fauna and is fenced off to prevent access by the public. Council staff will have access for maintenance.

- b) Did councillors make or approve that decision at an ordinary council meeting?

These decisions were made by Council resolution and adoption of the reports at the Ordinary Council Meetings on 29 April 2014 and 12 August 2014.

12. CONFIDENTIAL BUSINESS

Moved: Cr Hyams

Seconded: Cr Magee

That the meeting be now closed to members of the public under Sections 89(2)(d) & (h) of the Local Government Act 1989 to consider the following papers that relate to contractual matters or any other matter which the Council or special committee considers would prejudice the Council or any person.

12.1 YMCA Leisure Facilities Contract – Carnegie And Caulfield Recreation Centre - Local Government Act 1989 - Section 89 (2)(d) & (h)

12.2 Contract for Tender number 2018.001 Brewer Road Reconstruction - Local Government Act 1989 - Section 89 (2)(d)

Number of tenders received	3
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$1,050,000.00

12.3 Contract for Provision of Pool Chemicals and Gases to Aquatic and Leisure Facilities Tender number 2017.008 - Local Government Act 1989 - Section 89 (2)(d)

Number of tenders received	Four
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$560,000 (exclusive of GST)

12.4 Internal Audit - Community Information Glen Eira Inc. - Local Government Act 1989 - Section 89 (2)(d) & (h)

12.5 Employment Matter - Local Government Act 1989 - Section 89 (2)(a)

CARRIED UNANIMOUSLY

**12.2 Tender Recommendation for Consideration by Council
Tender 2018.001 Brewer Road Reconstruction**

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under section 89(2)(d) 'contractual matter'.

Moved: Cr Hyams

Seconded: Cr Esakoff

1. That Council appoints **Delfino Paving Co Pty Ltd, ACN 007 116 305** as the contractor under Tender number 2018.001 Brewer Road Reconstruction for an amount of \$955,910.80 exclusive of GST in accordance with the Schedule of Rates submitted.
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

**12.3 Tender Recommendation for Consideration by Council
Tender 2017.008 Provision of Pool Chemicals and Gases to
Aquatic and Leisure Facilities**

In accordance with the Local Government Act 1989, Council resolved this item be considered in-camera under section 89(2)(d) 'contractual matter'.

Moved: Cr Esakoff

Seconded: Cr Silver

1. That Council appoints **Chemprod Nominees Pty Ltd, ACN 005 032 744 as the trustee for Fried Family Chemical Trust, trading as Omega Chemicals (ABN 32 982 143 022)**, as panel contractor under Tender number 2016.050 or in accordance with the Schedule of Rates submitted.
2. That Council appoints **Redox Pty Ltd, ACN 000 762 345** as panel contractor under Tender number 2017.008 or in accordance with the Schedule of Rates submitted.
3. That Council appoints **BOC Limited, ACN 000 029 729** as panel contractor under Tender number 2017.008 or in accordance with the Schedule of Rates submitted.
4. That the contracts be prepared in accordance with the Conditions of Contract included in the tender, to the extent of being negotiated and agreed to by Council.
5. That the contracts be executed in an appropriate manner by affixing of the Council Seal.
6. That this resolution be incorporated in the public minutes of this Meeting.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Hyams

Seconded: Cr Magee

That the meeting be resumed in open Council.

CARRIED UNANIMOUSLY

13 CLOSURE OF MEETING

The meeting closed at 10.57pm.