



# **GLEN EIRA CITY COUNCIL**

## **ORDINARY COUNCIL MEETING**

### **MINUTES**

**13 June 2017**

**7.30pm**

Present

Cr Mary Delahunty (Mayor)  
Cr Tony Athanasopoulos  
Cr Clare Davey  
Cr Margaret Esakoff  
Cr Jamie Hyams  
Cr Jim Magee  
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 13 June at 7.30pm**

**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 Silver.**

**Moved: Cr Delahunty**

**Seconded: Cr Magee**

That the apology from Cr Silver 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.

Disclosures of Interest

There were no disclosures of interest.

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

That the minutes of the Ordinary Meeting of Glen Eira City Council held on Tuesday 23 May 2017 be confirmed.

**CARRIED UNANIMOUSLY**

**5. RECEPTION AND READING OF PETITION AND JOINT LETTERS****5.1 Planning Scheme Zones**

A petition containing 55 signatures was submitted for the 23 May 2017 Council Meeting.

The petition read as follows:

“This petition draws to the attention of the Council a request for a change to the current planning scheme zones in Godfrey St, Bentleigh.

We the undersigned residents request that Council:  
change the current zone for nine properties (Nos 9,11, 13-15, 17, 19, 21, 23, 25, 27) on the west-side of Godfrey St, Bentleigh from RGZ1 (Residential Growth Zone 1, max 13.5m, 4-storeys) to GRZ2 (Growth Residential Zone 2, max 10.5m, 3-storeys).

We are proposing the above change to:-

- ensure a more gradual transition between the nine Godfrey St properties that are bordered by GRZ2 properties in Vickery St and NRZ1 properties on the east-side of Godfrey St;
- address current concerns about imminent large-scale developments on the west-side of Godfrey St;
- ensure consistency with the transition implemented on the western side of Oak St, Bentleigh which consists of eleven GRZ2 properties (this is the western border of the RGZ1/GRZ2 zone in place for the Bentleigh hub);
- slow the flow-on effect to Godfrey St from 4-storey apartment developments in neighbouring Vickery St;
- help protect the neighbourhood character of Godfrey St;
- ensure less parking and traffic congestion with 3-storey developments compared to 4-storeys.”

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

That Council:

1. receives and notes the petition; and
2. considers the petition as part of the Bentleigh Structure Planning process.

**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**

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**8.1 Advisory Committees**

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

That the minutes of the Audit Committee held on 26 May 2017 meeting be received and noted and that the recommendations of the Committee be adopted.

**CARRIED UNANIMOUSLY**

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**8.2 *Records of Assembly***

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

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

- 9 May 2017
- 16 May 2017
- 23 May 2017

**CARRIED UNANIMOUSLY**

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

That item 9.5 – Submissions received on the Draft Council and Community Plan 2017 – 2021 and item 9.6 – Public Submissions on Proposed 2017-18 Annual Budget be brought forward and considered at this stage of the meeting.

**CARRIED UNANIMOUSLY**

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**9.5 Submissions received on the Draft Council and  
Community Plan 2017 - 2021**

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*It is recorded that Mr Michael Hain on behalf of Debbie Thomas, Neighbourhood Watch Glen Eira and Dr Tamara Perchyonok spoke in support of their submissions.*

**Moved: Cr Delahunty****Seconded: Cr Sztrajt**

That the 2017-2021 Council and Community Plan submissions be received and noted.

**CARRIED UNANIMOUSLY**

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**9.6 Public Submissions on Proposed 2017-18 Annual Budget**

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*It is recorded that Mr Spike Cramphorn spoke in support of his submission.*

**Moved: Cr Delahunty****Seconded: Cr Magee**

That the 2017-18 budget public submissions be received and noted.

**CARRIED UNANIMOUSLY**

## Public Participation

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 Athanasopoulos**

That Council suspends standing orders at 7.56pm for a period of 15 minutes.

**CARRIED UNANIMOUSLY**

**Moved: Cr Delahunty**

**Seconded: Cr Athanasopoulos**

That Council resumes standing orders at 8.08pm.

**CARRIED UNANIMOUSLY**

## **Section 9 Presentation of Officers Reports**

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### **9.1 VCAT Watch**

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**Moved: Cr Hyams**

**Seconded: Cr Athanasopoulos**

That Council notes:

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

**CARRIED UNANIMOUSLY**

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**9.2 1 – 3 Horne Street, Elsternwick**

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**Moved: Cr Delahunty****Seconded: Cr Athanasopoulos**

That Council issues a Notice of Refusal to Grant a Planning Permit for Application No. GE/PP-30237/2016, 1-3 Horne Street, Elsternwick for the construction of a nine storey building and basement, use of the land for 25 dwellings, a retail premise, reduction of the car parking requirement and waiver of the loading bay requirement, in accordance with the following grounds:

1. The proposal is not consistent with State Planning Policies for Urban Design and Housing Diversity and the Local Planning Policy for Housing and Residential Development as stated in Clauses 15 and 21.04 of the Glen Eira Planning Scheme as:
  - The development fails to enhance the public realm;
  - The development fails to provide a satisfactory standard of urban design and architectural quality; &
  - The proposed development has the potential to cause traffic and car parking problems.
2. The design and built form of the proposal does not accord with the Design Guidelines for Higher Density Residential Development having regard to:
  - Element 1 – Urban context;
  - Element 2 – Building envelope;
  - Element 3 – Street pattern and street-edge quality ;
  - Element 4 – Circulation and services;
  - Element 5 – Building layout and design.
3. The proposed development does not satisfy the intent and objectives of Clause 22.05 of the Glen Eira Planning Scheme (Urban Villages Policy) with respect to:
  - Creating pleasant and safe public spaces due to the proposed vehicle and pedestrian access arrangements;
4. The proposed development will result in unreasonable traffic impacts within the immediate and wider area.
5. The development fails to provide for a high level of architectural urban design.
6. The proposed development will result in unreasonable visual bulk, overshadowing and overlooking of adjoining properties and the wider area.
7. The development fails to ensure equitable development opportunities for adjoining properties.
8. The application is considered to be an overdevelopment of the site.
9. The development fails to provide for visitor car parking spaces in accordance with Clause 52.06 (Car Parking) of the Glen Eira Planning Scheme.
10. The car park access and layout does not comply with Clause 52.06 (Car Parking) of the Glen Eira Planning Scheme.
11. The amount of commercial floor space is limited and does not satisfy the purpose of the Commercial 1 zone: "To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses."

**CARRIED UNANIMOUSLY**

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**9.3 16-18 Hamilton Street, Bentleigh**

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**Moved: Cr Taylor****Seconded: Cr Athanasopoulos**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30194/2016 at 16-18 Hamilton Street, Bentleigh for the construction of a four storey building above basement car park, in accordance with the following conditions/grounds:

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 Job number P16-16, dated 27/3/2017 and drawn by Steller), but modified to show:
  - (a) A Landscape Plan in accordance with Condition 2
  - (b) Site coverage reduced to a maximum of 60%.
  - (c) The southern balcony setback of the third floor increased to a minimum of 6.1m. Any consequential alterations are to be absorbed within the remaining building envelope to the satisfaction of the Responsible Authority. The balcony must have a minimum area of 8 square metres and a minimum width of 1.6 metres.
  - (d) The western balcony setback of the third floor increased to a minimum of 5.4 metres. Any consequential alterations are to be absorbed within the remaining building envelope to the satisfaction of the Responsible Authority.
  - (e) Additional articulation (such as the use of varied materials) provided to the large concrete sections of the development on the eastern and western elevations of the building, to reduce the visual bulk of the frontage.
  - (f) The street setback of the first and second floor (inclusive of balcony walls and projecting "shroud" element increased to a minimum of 5 metres. Any consequential changes are to be absorbed within the remaining building envelope to the satisfaction of the Responsible Authority
  - (g) Openings provided to the balcony walls serving apartments 101, 102, 201, & 202 (or alternative design treatments) to provide visual interest to the elevations and reduce visual bulk.
  - (h) Dwelling 106 redesigned to remove the reliance upon the 2.5m light corridor serving the innermost bedroom. Any consequential changes are to be to the satisfaction of the Responsible Authority
  - (i) The crossover provided with a 1.2m wide island to 14 Hamilton Street.
  - (j) A notation on the plans that written confirmation from a Licensed Land Surveyor will be provided to the Responsible Authority verifying that the development does not exceed 13.5 metres in height above natural ground level. This is to be provided at frame stage inspection and at final inspection
  - (k) A notation on the plans that all first floor, second floor, and third floor habitable room windows (or balconies if they are located in front of a habitable room window) on the eastern, western, and southern elevations will be screened to 1.7m above finished floor level, to the satisfaction of the Responsible Authority.



- (l) The pedestrian sight triangle on the western side be increased as per the requirements of Clause 52.06 of the Glen Eira Planning Scheme. Any consequential changes to the basement and to the building must be to the satisfaction of the Responsible Authority.
- (m) The solid wall along the ramp, adjacent car space marked as APT 106 be no greater than 900mm in height for the first 2.5 metres from the bottom of the basement floor.
- (n) A blind aisle extension of at least 0.8 metres provided in accordance with AS2890.1:2004 at both ends of the southernmost car park aisle and at the eastern end of the northernmost aisle.
- (o) A minimum height clearance of 2.1 metres must be provided above the accessway ramps and within the basement car park levels. Headroom clearance above the ramps is required to be measured as per Figure 5.3 of AS2890.1:2004;
- (p) The intercom provided on the eastern side of the accessway ramp and setback 3 metres from the front of the ramp.
- (q) The delineation of separate Tree Protection Zone (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):
  - Trees "3" (neighbouring row of seven Golden Pencil Pines to West) – 2.0m each specimen.
- (r) Root sensitive permeable paving such as 'on-ground' or no-dig' paving (or similar) is to be used where any part of the proposed paving comes within the following TPZ's:
  - Trees "3" (neighbouring row of seven Golden Pencil Pines to West) – 2.0m each specimen.

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) 4 in the front setback
    - (ii) 8 along the southern boundary
    - (iii) 4 upright/columnar trees along the east and west boundariesor 16 trees 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:
  - (a) The development does not start within two (2) years from the date of this Permit; or
  - (b) 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. No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority without the prior written consent of the relevant authority and the Responsible Authority
6. Prior to the commencement of the development, a schedule of construction materials, external finishes and colours must be submitted to, and approved by, the Responsible Authority. When approved, the schedule will be endorsed and will form part of the permit
7. 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
8. 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.

9. 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.
10. 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
11. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority
12. 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
13. All retained vegetation as shown on the endorsed plan(s) must be protected in line with the requirements of the Australian Standard AS 4970-2009 'Protection of trees on development sites' and in particular sections 4.0 (4.1-4.6).

14. 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
15. Any pruning of the root system of any existing tree to be retained is to be done by hand by a qualified Arborist
16. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street tree located to the front of No.18 Hamilton Street.
17. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree to the front of No.18 Hamilton Street 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
18. 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.

19. No excavation is to come within 1.4m of the existing street tree to the front of 18 Hamilton Street, (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.

20. 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.
21. 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
22. 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
  - Not less than 1 visitor space per (5) dwellings marked accordingly.
23. 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.
24. Before the development is occupied, the provision and design of bicycle parking facilities must comply with Clause 52.34 of the Glen Eira Planning Scheme and AS2890.3-1993 (including the type, location, layout, access paths, signage) or otherwise to the satisfaction of the Responsible Authority. This includes the provision of showers and change rooms when required by Clause 52.34
25. 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.)
26. 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
27. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note D
28. 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
29. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the following tree/s at the prescribed radial distance from the base of the trunk to define a tree protection zone (TPZ):
- Trees "3" (neighbouring row of seven Golden Pencil Pines to West) – 2.0m each specimen.

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 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.

30. Any pruning of the root system of any retained site tree or neighbouring tree is to be done by hand by a qualified Arborist
31. Root sensitive permeable paving such as 'on-ground' or no-dig' paving (or similar) is to be used where any part of the proposed paving comes within the following TPZ's:
  - Trees "3" (neighbouring row of seven Golden Pencil Pines to West) – 2.0m each specimen.

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. Consideration is required when installing domestic services (i.e – air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970
- I. The proposed development is in the close vicinity of Special Building Overlay. The ramp to the basement car park and apex shall be designed to avoid flooding of the proposed basement. Applicant/developer shall seek independent advice from a qualified engineer on this matter
- J. No net increase in peak stormwater runoff is to occur to the Council drainage network. 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 should be submitted to Council for approval prior any construction works.
- K. All stormwater runoff must be connected to the Council drainage network. No uncontrolled stormwater discharge is to occur to adjoining properties and footpaths.
- L. Engineering Services encourage the use of rainwater tanks for storage and reuse for toilet and irrigation purposes and/or stormwater detention systems.
- M. An Asset Protection Permit must be obtained from Council Engineering Services Department prior to the commencement of any building works.
- N. All relevant Engineering Permits must be obtained prior to the commencement of any works within the Road Reserve and/or stormwater connection to Council drainage network.
- O. Any firefighting equipment for the building shall be accommodated within title boundary. Council will not allow private fire equipment in the Road Reserve.

**Procedural Motion**

**Moved: Cr Delahunty**

**Seconded: Cr Athanasopoulos**

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

**CARRIED UNANIMOUSLY**

The Motion Moved by Cr Taylor and Seconded by Cr Athanasopoulos was PUT and  
**CARRIED**

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**9.4 90-92 Bignell Road, Bentleigh East**

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

That Council issues a Planning Permit for Application No. GE/PP-30282/2017 at 90-92 Bignell Road Bentleigh East, for use of the land for the sale and consumption of liquor in association with the existing cricket club in accordance with the following conditions:

1. The layout and description of the use 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.
2. This Permit will expire if the use is not started within two (2) years from 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.

3. Liquor must only be served and consumed only between the hours of:
  - Tuesday: 7.00pm to 8:30pm
  - Thursday: 7.00pm to 8:30pm
  - Saturday: 4.00pm to 8.00pm
  - Sunday: 4.00pm to 8.00pm
4. Not more than 100 patrons may be present on the site at any one time.

**CARRIED UNANIMOUSLY**

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**9.5 Submissions received on the Draft Council and Community Plan 2017 - 2021**

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This item was dealt with at an earlier stage of the meeting.

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**9.6 Public Submissions on Proposed 2017-18 Annual Budget**

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This item was dealt with at an earlier stage of the meeting.



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**9.7 GECC Participation in National Disability Insurance Scheme**

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**Moved: Cr Delahunty****Seconded: Cr Magee**

That Council:

1. consults with the community regarding an enhanced role and investment in the provision of planning, advocacy and leadership in disability support including users of the HACC services, disability services their families and carers.
2. acknowledges that it is not going to be feasible for Council to register as a service provider under the National Disability Insurance Scheme to deliver respite care and home support services, and commences consultation with staff and families regarding a transition.
3. explores the business option for GESAC to deliver health and wellbeing opportunities under the NDIS
4. supports current clients who are eligible for the NDIS to transition to NDIS registered service providers through the support of a dedicated transition officer.

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

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

**CARRIED UNANIMOUSLY**The Motion Moved by Cr Delahunty and Seconded by Cr Magee was PUT and **CARRIED**

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**9.8 Environmental Sustainable Planning Measures**

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**Moved: Cr Sztrajt****Seconded: Cr Esakoff**

That Council receives a further report from Officers following the State Government's review of the Victorian planning and building systems outlining what further recommended policy measures Council could pursue.

**CARRIED UNANIMOUSLY**

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**9.9 Cecil Street, Bentleigh East - Traffic Management**

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

*It is recorded that Cr Esakoff vacated the Chamber at 9.39pm.*

That Council:

1. notes this report; and
2. retains the two-way traffic movement along Cecil Street at all times.

**CARRIED UNANIMOUSLY**

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**9.10 Caulfield Village Height Controls – Smith Street Precinct**

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**Moved: Cr Delahunty****Seconded: Cr Magee**

*It is recorded that Cr Esakoff entered the Chamber at 9.48pm.*

That Council:

1. notes this report.
2. notes that Council could apply to Minister for Planning to change the current preferred height controls within the Smith Street precinct to mandatory maximum height controls.
3. reserves its consideration of height provisions for the Smith Street precinct until after Council has completed its *Activity Centre, Housing and Local Economy Strategy*, and resultant built form guidelines for Glen Eira's activity centres.

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

That the meeting be extended to 11pm.

**CARRIED UNANIMOUSLY**

The Motion Moved Cr Delahunty and Seconded by Cr Magee was  
**CARRIED UNANIMOUSLY**

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**9.11 Joyce Park – Open Space Conversion and Consultation**

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

That Council:

1. notes the feedback received from the community consultation;
2. endorses to proceed with the Informal Active option; and
3. officers review options for incorporating outdoor fitness equipment within the park.

**CARRIED UNANIMOUSLY**

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**9.12 Draft Pavilion Redevelopment Strategy**

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

That Council:

1. notes the feedback received from the consultation;
2. notes the draft Pavilion Redevelopment Strategy including the Pavilion Priority List; and
3. endorses proceeding to community consultation on the draft Pavilion Redevelopment Strategy and Pavilion Priority List and receives a further report after the consultation.

**CARRIED UNANIMOUSLY**

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**9.13 Elster Creek Catchment Working Group- Melbourne Water**

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**Moved: Cr Davey****Seconded: Cr Athanasopoulos***It is recorded that Cr Hyams vacated the Chamber at 10.08pm and re-entered at 10.10pm*

That Council:

1. endorses participation in the Elster Creek Catchment Working Group convened by Melbourne Water; and
2. authorises the Chief Executive Officer to sign the Elster Creek Catchment Working Group Memorandum of Understanding when it is finalised.

**CARRIED UNANIMOUSLY**

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**9.14 Eastern Alliance for Greenhouse Action (EAGA)  
Membership**

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

That Council:

1. endorses joining as a member the Eastern Alliance for Greenhouse Action (EAGA);
2. authorises the Director of Infrastructure, Environment and Leisure to sign the Memorandum of Understanding for 2017-22 on behalf of Council; and
3. appoints Cr Taylor as the Councillor Representative on the Executive Committee.

**Procedural Matter****Moved: Cr Delahunty****Seconded: Cr Hyams**

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

**CARRIED UNANIMOUSLY**

The Motion Moved by Cr Taylor and Seconded by Cr Davey was

**CARRIED UNANIMOUSLY**

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**9.15 Council Procurement Policy – Annual Review**

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

That Council reviews and approves the Procurement Policy, Version 8 shown as Attachment 1.

**CARRIED UNANIMOUSLY**

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

That the matter of Council's Public Housing Reform Submission be dealt with as an item of urgent business.

**CARRIED UNANIMOUSLY**

**Moved: Cr Delahunty****Seconded: Cr Athanasopoulos**

*It is recorded that Cr Esakoff vacated the Chamber at 10.33pm and did not return to the meeting.*

That Council:

1. endorses the draft submission regarding the proposed planning reform to facilitate public, community care and shared housing.
2. requests Officers to lodge the endorsed submission by Friday 16 June 2017.

**CARRIED UNANIMOUSLY**

**11. ORDINARY BUSINESS****11.1 Requests for reports from Officers -****a) Cr Davey****Moved: Cr Davey****Seconded: Cr Athanasopoulos**

That officers prepare a report to include the following information:

1. Is the Investment Policy from 2014 still current? If not, what are Glen Eira Council's existing investment/divestment policies?
2. How often does Glen Eira Council review its investment and divestment policies?
3. What options does Glen Eira Council have in investing/divesting its funds, and what measures could council take to ensure that it does not invest in fossil fuel or fossil fuel aligned companies?
4. What are some other councils doing in this regard, and could Council strengthen its policy?

**CARRIED UNANIMOUSLY**

**b) Cr Magee****Moved: Cr Magee****Seconded: Cr Athanasopoulos**

That officers prepare a report on the cost of establishing a men's shed in Glen Eira that meets the specifications outlined by the Australian Men's Shed Association. The report is to provide a range of costs based on the size of the proposed of men's shed.

**CARRIED UNANIMOUSLY**

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**11.2 Right of Reply – NIL**

**11.3 Councillor questions - NIL**

## 11.4 Public Questions to Council

There were 4 questions received for the 13 June 2017 Council Meeting.

### 1. Jim Walker – Caulfield North

- a) What was the total cost of purchase and installation of the gates and fences, and associated infrastructure such as signage, at either end of the 'urban forest' at the Booran Reservoir Reserve?
- b) Who, or what agency, holds title(s) to the the land comprising Booran Reservoir reserve, including the urban forest strip?

#### Response:

- a) *The total cost of supply and installation of the gates and fencing at both the northern and southern ends of the Urban Forest area was \$16,290+GST. The total cost of supply and installation of the two information signs for the Urban Forest area was \$5,890+GST*
  - b) *The land, including the Urban Forest area, is owned by the State Government. In 2010 Glen Eira City Council was appointed as Committee of Management over Crown Allotment 2016, Parish of Prahran at Caulfield.*
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### 2. Rosetta Manaszewicz - McKinnon

- a) It has now been over 3 months since several councillors gave in principle support for the creation of a community reference group in relation to the planning for Virginia Estate. What progress has been made on the establishment of such a group?

#### Response:

- a) *At the Council meeting of 7 February 2017 Council endorsed "the commencement of Council led community engagement to inform the future direction of the East Village site, including meaningful community engagement as part of, not just following, the development of the draft structure plan".*

*Following this Council decision, Council has been leading the community engagement to inform any future plan for this important strategic site, with the aim of seeking a broad community input as possible.*

*Between 10 March and 16 April 2017, 262 community members completed a community survey, which sought views on the community's vision, objectives, priorities and concerns for this precinct. On 24 May, Council held a community forum with 64 community members, to further test the draft vision and objectives.*

*Council is currently working in partnership with Victorian Planning Authority to develop a draft future plan for the East Village precinct that embraces this community input. This draft plan will be considered by Council over the coming month for release for further community consultation.*



*As the process for East Village transitions from a broad community feedback stage, to a more detailed one, it will benefit from the contribution of a community reference group. A call for expressions of interest for membership of the community reference group for East Village will be made in the coming weeks.*

- b) Does Council envisage the extension of the existing borders of all/some of its activity/local centres and if so, will this necessitate the inclusion of areas currently zoned NRZ to become either GRZ or RGZ?**

**Response:**

- b) The Draft Activity Centre, Housing and Local Economy Strategy, Action 14, states to 'undertake a precinct by precinct review of the development controls for each neighbourhood.' Consultation for this Draft Strategy closes today, with Council considering submissions and the draft Strategy at an upcoming Council meeting.*

*As part of the current structure planning process for our major activity centres, Council will be reviewing the existing commercial and surrounding residential zones to ensure that future population growth will be accommodated, while existing neighbourhood character and residential amenity are protected. This means that the existing zoning boundaries within our major centres will be reviewed as part of this process. It is too early to say whether this will result in the transition of any areas currently zoned NRZ to either GRZ or RGZ.*

*The Structure Plan process for Carnegie, Bentleigh and Elsternwick will go through extensive community consultation to ensure that the community views are incorporated into the future plan.*

*The 'visioning' community workshops have recently been completed, and draft plans are anticipated to be released for comment late next month. Following this, comments will be sought on the final draft plans later this year, before adoption by Council. A formal public exhibition period and submission will then be sought on any planning scheme changes which occur based on the adopted structure plan.*

*In light of recent announcements made by the State Government in regards to the findings of the Reformed Residential Zones Review and the recently 'refreshed' Plan Melbourne, Council is faced with the challenge of balancing State Government objectives for accommodating population growth, with the community's feedback on maintaining the character and amenity of the municipality.*

*Additional information can be obtained from the FAQ's section at:*

*[www.gleneira.vic.gov.au/planningforthefuture](http://www.gleneira.vic.gov.au/planningforthefuture)*

**12. CONFIDENTIAL BUSINESS**

There were no items of confidential business submitted to this meeting.

**13. CLOSURE OF MEETING**

The Mayor declared the meeting closed at 10.55 pm.

Confirmed this 4 day of July 2017

**Chairperson:** .....