



**GLEN EIRA CITY COUNCIL**  
**ORDINARY COUNCIL MEETING**

**TUESDAY 22 MAY 2018**

**MINUTES**

**Meeting was held in the Council Chambers,  
Corner Hawthorn & Glen Eira Roads, Caulfield  
at 7.30pm**

Present

The Mayor, Councillor Tony Athanasopoulos  
Councillor Clare Davey  
Councillor Margaret Esakoff  
Councillor Jamie Hyams  
Councillor Jim Magee  
Councillor Dan Sztrajt  
Councillor Nina Taylor

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## 1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement.

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

## 2. APOLOGIES

Apologies were received from Cr Delahunty and Cr Silver.

**Moved: Cr Magee**

**Seconded: Cr Sztrajt**

That apologies from Cr Delahunty and Cr Silver be received and noted.

**CARRIED UNANIMOUSLY**

## 3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

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

## 4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

**Moved: Cr Esakoff**

**Seconded: Cr Sztrajt**

That the minutes of the Ordinary Council Meeting held on 1 May 2018 be confirmed.

**CARRIED UNANIMOUSLY**

**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS****5.1 PETITION: PROPOSED PARKING RESTRICTIONS - GARRELL STREET, CAULFIELD NORTH****Moved: Cr Sztrajt****Seconded: Cr Magee**

That Council:

1. receives and notes the petition; and
2. conducts further consultation on an alternative parking restriction arrangement consisting of 2-hour restricted parking limited to the eastern side of Garrell Street from Dunbar Avenue to Glen Eira Road.

**CARRIED UNANIMOUSLY****6. DOCUMENTS FOR SEALING**

Nil

**7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS**

Cr Athanasopoulos reported on his attendance at the 2 May Metropolitan Transport Forum meeting.

**8. REPORTS FROM COMMITTEES**

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**8.1 Advisory Committees**

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Nil

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**8.2 Records of Assembly**

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Nil

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**9. PRESENTATION OF OFFICER REPORTS**

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**9.1 13-15 SELWYN STREET, ELSTERNWICK**

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**Moved: Cr Sztrajt****Seconded: Cr Hyams**

That Council issue a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-31460/2017 at 13-15 Selwyn Street, Elsternwick 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 Drawing No's. TP060- TP064, TP120- TP124, TP200-TP201 and TP300-TP302, prepared by Kerstin Thompson Architects Pty Ltd and dated 30 November 2017) but modified to show:
  - (a) Detailed acoustic treatment notes in accordance with the approved Acoustic Report.
  - (b) The Level 2 windows for the Audio Visual and Archive rooms to be shown on the west elevation, incorporating fixed screening to a height of at least 1.7m above floor level to restrict views of adjoining properties to the west.
  - (c) The first floor 'bulge' to be labelled as a non-trafficable area for museum display purposes only.
  - (d) The deletion of the Jewish Holocaust Centre sign (which is to be the subject of a separate application for planning permit).
  - (e) Bicycle parking provision and facilities within the building that are in accordance with the requirements of Clause 52.34 of the Glen Eira Planning Scheme (based on the total net floor area of the building).
  - (f) The delineation of separate Tree Protection Zone (TPZ) and Tree Protection Fencing (TPF) for the following trees at the prescribed radial distance from the base of tree trunk to define a tree protection zone (TPZ):
    - Tree 11 (the neighbouring Olive tree to the northwest) 3.0m;
    - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.
  - (g) The delineation of root sensitive permeable paving where any part comes within the following TPZ:
    - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.
  - (h) The paint colour of the retained facades to be a different grey tone to provide a contrast with the new facades of the building.
  - (i) A schedule of colours, materials and finishes for all external surfaces, including all parts of the west elevation.

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

2. This Planning Permit is issued to the Jewish Holocaust Centre Incorporated and the use allowed under this permit must not be conducted by any other organisation or group or this permit will cease to have effect.

3. The following evening and Sunday events may be undertaken:
  - Up to 14 lectures for a maximum of 30 people each year;
  - Up to 6 occasional lectures for a maximum of 50 people each year;
  - An evening event for a maximum of 100 people each fortnight;
  - Up to 10 elderly persons' social club events for a maximum of 70 people each year; and
  - Up to 2 events for a maximum of 240 people each year.

Any increase to the maximum number of events and/or the maximum number of people attending the events must be agreed to in writing by the Responsible Authority.
4. The events detailed at condition 3 must not be undertaken simultaneously and do not include activities that involve school groups which must conclude by no later than 5pm on any day, unless otherwise agreed in writing by the Responsible Authority.
5. Not more than 252 seats shall be available in the large auditorium and not more than one auditorium may be used at any one time, unless otherwise agreed in writing by the Responsible Authority.
6. The use must not operate after 11pm or before 8am on any day (this excludes cleaning and building maintenance activities that may be undertaken outside of these times), unless otherwise agreed in writing by the Responsible Authority.
7. The rear courtyard and terraces must not be used after 8pm or before 8am on any day, unless otherwise agreed in writing by the Responsible Authority.
8. Before the use commences A Green Travel Plan (GTP) must be prepared and submitted to the Responsible Authority for approval. The plan must be prepared by a suitably qualified person and must encourage the use of alternative transport modes (other than private-use cars) by staff and visitors. The plan must include, but not be limited to, the following:
  - (a) A description of the location in the context of alternative modes of transport, including walking, cycling and objectives for the Green Travel Plan;
  - (b) Outline Green Travel Plan measures for the development including, but not limited to:
    - (i) The distribution of information packs to staff and visitors (train, tram and bus timetables relevant to the local area must be included);
    - (ii) Car pooling;
    - (iii) Bicycle parking and facilities available on the land;
    - (iv) Local walking paths and networks to key destinations;
    - (v) A plan showing the bicycle parking areas to be provided for use by staff and visitors;
    - (vi) Monitoring and review; and
  - (c) The Green Travel Plan must not be amended without the written consent of the Responsible Authority.

- (d) Once approved, the Green Travel Plan will be an endorsed plan under the planning permit and any ongoing Management Plan for the land to ensure the Green Travel Plan continues to be implemented by staff and visitors to the satisfaction of the Responsible Authority.
9. Prior to the commencement of any works, the permit holder must submit an Acoustic Report to the Responsible Authority for approval. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must include recommendations for the provision of acoustic attenuation measures to reduce noise levels to adjoining properties to the satisfaction of the Responsible Authority.
10. The recommendations contained in the approved Acoustic Reports must be implemented and completed and where they are recommendations of an ongoing nature must be implemented and maintained all to the satisfaction of the Responsible Authority.
11. Noise levels must not exceed the permissible noise levels stipulated in State and Environment Protection Policy N-1 (Control of Noise from Industrial Commercial and Trade Premises within the Melbourne Metropolitan Area) and State Environment Protection Policy N-2 (Control of Music Noise from Public Premises).
12. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.
13. Disabled persons' access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled persons' access must be constructed in accordance with in AS 1428.1 to the satisfaction of the Responsible Authority
14. The landscaping as shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
15. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the following trees at the prescribed radial distance from the base of the trunk to define a tree protection zone (TPZ):
- Tree 11 (the neighbouring Olive tree to the northwest) 3.0m;
  - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.

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.

16. 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:
  - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.
17. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street tree.
18. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree at a radius of 3.7 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 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.
19. 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.

20. No excavation is to come within 3.2 metres 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.

21. 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.
22. 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
23. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or un-rendered walls must have all excess mortar removed.
24. 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.

25. 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.
26. The vehicular crossing must be constructed to the road to suit the proposed driveway 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.
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;
- 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. 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.
29. This Permit will expire if:
- The development does not start within two (2) years from the date of this Permit; or
  - The development is not completed within four (4) years of the date of this Permit.

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

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

**Notes:**

- A. The permit holder and staff shall use their best endeavours to ensure that buses are not parked for extended periods in Selwyn Street or the nearby residential streets.
- B. Obtain the necessary legal consent for the 'bulge' in the proposed building over the footpath in Selwyn Street (The Department of Environment, Land, Water and Planning's consent may be required).
- C. Bundle, or preferably place underground, power lines adjoining the site.
- D. 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.

- E. 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.
- F. 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.
- G. 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.
- H. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.

**CARRIED UNANIMOUSLY**

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**9.2 LAND ADJACENT TO 14 DORIS STREET, MURRUMBEENA (RESERVE 1 ON PS008001)**

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**Moved: Cr Esakoff****Seconded: Cr Magee**

That Council issues a Planning Permit to remove the reserve status and to vest the land in Council ownership for Application No. GE/PP-31517/2018 at land adjacent to 14 Doris Street, Murrumbeena (Reserve 1 on PS008001), in accordance with the following conditions:

1. The size, layout and location of the lot 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:
  - Two (2) years after the date of this Permit if the plan of subdivision is not certified within that time; or
  - Five (5) years after the date of certification of the plan of subdivision.

The Responsible Authority may extend the times for expiry of this Permit referred to above if a request is made in writing by the owner or occupier of the subject land before this Permit expires or within six (6) months afterwards.

**Note:**

- A. This Planning Permit represents the Planning approval for the subdivision 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.

**CARRIED UNANIMOUSLY**

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**9.3 45-47 KANGAROO ROAD & 33 HOWE STREET MURRUMBEENA**

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

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-31500/2018 at 45-47 Kangaroo Road & 33 Howe Street, Murrumbeena in accordance with the following conditions:

1. Before the development starts, 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 'Town Planning Package' dated 22 February 2018 and prepared by Bayley Ward Architects) but modified to show:

Landscaping

- a) A Landscape Plan in accordance with Condition 2;

Plan modifications and annotations

- b) Increase of the minimum front setback of Townhouse 1 to 5 to Kangaroo Road to a minimum of 5m;
- c) Relocation of air-conditioning units next to the lift to the east of Townhouse 11 to the roof or basement;
- d) West elevation to be updated to show a privacy screen to a height of 1.7m above the finished floor level for the balcony of Townhouse 8 on the first floor;
- e) Annotation on both the floor plan and west elevation that fixed obscure glazing to a height of 1.7m above the finished floor level is to be used for all west facing windows of Townhouses 8, 9 & 10 on the first floor;
- f) Screening to prevent overlooking from the private open space areas of dwellings 1, 6, 7, 8, 9, 10 and 11 to be provided in accordance with Clause 55.04-6 of the Glen Eira Planning Scheme;
- g) Screening to be provided around any roof mounted plant to limit views from the street front;
- h) A 3 metres x 3 metres visual splay at the south-eastern corner of the site to be dimensioned on the ground floor plans;
- i) A total of five bicycle parking spaces to be provided on site. Two of the bicycle spaces should be allocated for visitors and be provided on the ground floor at the entrance of the site in the form of bicycle hoops;
- j) The delineation of separate Tree Protection Zones (TPZ) and Tree Protection Fencing (TPF) for the street tree (Platanus X acerifolia) in front of No 33 Howe Street at a radius of 2.9m from the base of the trunk of the tree;

Vehicle access, car parking layout and basement configuration

- k) The basement ramp gradient to be modified to comply with the design standards of Clause 52.06 of the Glen Eira Planning Scheme;
  - l) on-site car parking to be allocated:
    - Two (2) car spaces be allocated to each of the three-bedroom dwellings; and
    - A minimum of three (3) residential visitor car spaces be provided for the 15 dwellings proposed;
  - m) Relocate the visitor parking spaces to either side of the stair case;
  - n) The 5.5 metre wide crossover to be designed as splayed crossovers in accordance with Council's splayed crossover standard drawings;
  - o) The apex of the basement access ramp must provide at least 100mm freeboard above the back of the footpath/street building line;
  - p) The visitor's intercom to be relocated onto the southern side of the accessway ramp;
  - q) The 300mm kerbs on either side of the ramp to be extended to the entire section of the ramp and the columns protruding into the kerbs need to be removed from within this area;
  - r) The solid wall along the ramp, adjacent to the car space (to the south of the ramp) to be cutback or the wall be no greater than 900mm in height for the first 2.5 metres from the bottom of the basement floor to improve sightlines between motorists exiting the car space and those traveling down the ramp.
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) 15 trees within the private open space areas (one for each dwelling).

Or 15 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 and description of the use(s) 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. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
5. 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.
6. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree (*Platanus X acerifolia*) in front of No 33 Howe Street at a radius of 2.9m from the base of the trunk to define a 'tree protection zone'.

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.

7. 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 in accordance with the endorsed plans (prior to the construction of the levels above being commenced); and
8. 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 in accordance with the endorsed plans (prior to the construction of the levels above being commenced).



9. The approved Waste Management Plan 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.
10. 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.
11. All outdoor lighting must be baffled and/or located to prevent light from the site causing detriment to the locality to the satisfaction of the Responsible Authority.
12. All walls on or facing a boundary must be cleaned and finished to the satisfaction of the Responsible Authority.
13. 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.
14. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building or on balconies without the prior written consent of the Responsible Authority.
15. 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.
16. Concrete kerbs or other barriers must be provided to the satisfaction of the Responsible Authority to prevent direct vehicle access to an adjoining road other than by vehicle crossing.
17. 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.
18. All disused or redundant vehicle crossings must be removed and the area reinstated with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
19. 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.

20. 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.

Note:

- 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 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. Occupants of the development and their visitors would not be eligible for parking permits based on Council Policy 13.12 - Exclusion of Specific Developments from the Residential Parking Permit Scheme.
- 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. 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.

- J. No net increase in peak stormwater runoff in 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. Engineering Services encourage using of rainwater tanks for storage and reuse for toilet and irrigation purpose and or stormwater detention system.
- L. All stormwater runoff must be connected to Council underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths.

**CARRIED**

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**9.4 VCAT WATCH**

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**Moved: Cr Magee**

**Seconded: Cr Esakoff**

That Council notes:

1. The applications currently before the Victorian Civil and Administrative Tribunal (VCAT), including the recent applications that have been lodged with VCAT.
2. The recent decisions of VCAT, including the commentary provided in relation to matters of notable interest.

**CARRIED UNANIMOUSLY**

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**9.5 ELSTER CREEK CATCHMENT 2018 ACTION PLAN - UPDATE**

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

That Council:

1. notes the information contained within the report and Quarter 1 status update of deliverables in the *Elster Creek Catchment 2018 Action Plan*;
2. supports the community consultation and engagement activities within the Action Plan;
3. continues to support officer involvement in work that supports and identifies actions regarding flood mitigation; and
4. acknowledges the positive engagement and commitment demonstrated by our partners: Melbourne Water, City of Bayside, City of Port Phillip and City of Kingston in working together on flood risk communication and mitigation initiatives in the Elster Creek catchment.

**CARRIED UNANIMOUSLY**

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**9.6 DOCKLESS SHARE BIKES**

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**Moved: Cr Davey****Seconded: Cr Magee**

That Council notes this report.

**CARRIED UNANIMOUSLY**

*It is recorded that Cr Sztrajt vacated the Chamber at 8:19pm.*

*It is recorded that Cr Sztrajt entered the Chamber at 8:22pm.*

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**9.7 COMMUNITY ENGAGEMENT STRATEGY 2018-2021**

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**Moved: Cr Hyams****Seconded: Cr Athanasopoulos**That Council endorses the *Glen Eira Community Engagement Strategy 2018-2021*.**CARRIED UNANIMOUSLY**

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**9.8 ROAD MANAGEMENT PLAN (RMP) AMENDMENT**

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**Moved: Cr Esakoff****Seconded: Cr Magee**

That Council:

1. endorses the attached amended Road Management Plan (RMP) (**Attachment 2**) for public exhibition.
2. notifies the community of proposed amendments to the RMP in accordance with Road Management (General) Regulations 2016, (Regulation 10) and invite submissions within 28 days of a notice published in the Government Gazette, a daily newspaper, and the Council's web site
3. considers a further report on this matter after the conclusion of the public exhibition.

**CARRIED UNANIMOUSLY**

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**9.9 VICTORIAN LOCAL GOVERNANCE ASSOCIATION**

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**Moved: Cr Magee****Seconded: Cr Sztrajt**

That Council cancels its membership with the Victorian Local Governance Association.

**CARRIED UNANIMOUSLY**

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**9.10 QUARTERLY SERVICES PERFORMANCE REPORT**

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

That Council notes the attached Quarterly Service Performance Report for the period January to March 2018.

**CARRIED UNANIMOUSLY**

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**9.11 INSTRUMENTS OF APPOINTMENT AND AUTHORISATION**

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

That Council in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* (Vic) resolves that:

1. the staff members referred to in the attached Instruments be appointed and authorised as set out in the Instruments;
2. the Instruments come into force immediately when the common seal of Council is affixed to the Instruments, and remain in force until Council determines to vary or revoke it;
3. any existing Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* to the staff members referred to in the attached Instruments be revoked effective immediately upon the Instruments referred to in paragraph numbered 1 above coming into effect; and
4. the Instruments be signed and sealed.

**CARRIED UNANIMOUSLY**

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**9.12 ADMINISTRATIVE UPDATE TO DELEGATIONS UNDER THE PLANNING AND ENVIRONMENT ACT 1987**

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**Moved: Cr Sztrajt****Seconded: Cr Magee**

That item 9.12 – Administrative Update to Delegations under the Planning and Environment Act 1987 be withdrawn.

**CARRIED UNANIMOUSLY**

**10. URGENT BUSINESS****11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****11.1(a) Sustainable Waste Removal Options for Multi-Tenanted Buildings****Moved: Cr Taylor****Seconded: Cr Sztrajt**

That officers prepare a report including what mechanisms can Glen Eira City Council undertake to require sustainable waste removal options for multi-tenanted new builds in Glen Eira?

**CARRIED UNANIMOUSLY**

**11.2 Right of reply**

Nil

**11.3 Councillor questions**

Nil

**11.4 Public questions to Council**

Mr Alan Bugeja and Ms Sandy Toggias were not present in the Chamber and therefore their questions were not read at the meeting. A letter will be sent to each submitter including their questions and the responses in accordance with the Local Law.

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**12. CONSIDERATION OF IN CAMERA ITEMS**

There were no confidential items submitted to this meeting.



**13. CLOSURE OF MEETING**

The meeting closed at 9.12pm

Confirmed this 12 Day of June 2018.

**Chairperson.....**