



**GLEN EIRA CITY COUNCIL**  
**ORDINARY COUNCIL MEETING**  
**TUESDAY 3 JULY 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 Mary Delahunty  
Councillor Margaret Esakoff  
Councillor Jamie Hyams  
Councillor Jim Magee

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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 Silver, Cr Sztrajt and Cr Taylor.

**Moved: Cr Hyams**

**Seconded: Cr Delahunty**

That apologies from Cr Silver, Cr Sztrajt and Cr Taylor 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 Hyams**

**Seconded: Cr Magee**

That the minutes of the Ordinary Council Meeting held on 12 June 2018 and the Special Council Meeting held on 26 June 2018 be confirmed.

**CARRIED UNANIMOUSLY**

**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS****5.1 JOINT LETTER: CARNEGIE SPORTS PRECINCT REDEVELOPMENT****Moved: Cr Davey****Seconded: Cr Esakoff**

That:

1. the joint letter be received and noted;
2. the joint letter be considered as part of the Carnegie Sports Precinct Redevelopment; and
3. a letter be sent to the lead petitioner advising the process for this project.

**CARRIED UNANIMOUSLY****5.2 PETITION: REQUEST FOR 2 STOREY HEIGHT LIMIT IN CAULFIELD SOUTH****Moved: Cr Delahunty****Seconded: Cr Magee**

That Council:

1. receives and notes the petition;
2. notes that Council's Activity Centre, Housing and Local Economy Strategy identifies Caulfield South as a Large Neighbourhood Centre. A key action of the Strategy is to undertake structure plans (or similar precinct planning approach) for Glen Eira's activity centres, which includes Caulfield South; and
3. will assess each planning application on its own merit and will have regard to the relevant planning controls and the neighbourhood character when determining whether the height of a building is acceptable.

**CARRIED UNANIMOUSLY**

**5.3 PETITION: SOUTH CAULFIELD NEIGHBOURHOOD CENTRE****Moved: Cr Delahunty****Seconded: Cr Magee**

That Council:

1. receives and notes the petition;
2. notes that Council's Activity Centre, Housing and Local Economy Strategy identifies Caulfield South as a Large Neighbourhood Centre. The Strategy's shared vision for this centre is:

*Caulfield South will be a convenient, diverse and attractive shopping strip that is vibrant both during the day and at night. Enhanced pedestrian and cycling amenity and greenery will foster an active, safe and friendly environment.*

3. notes that a key action of the Strategy is to undertake structure plans (or similar precinct planning approach) for Glen Eira's activity centres, which includes Caulfield South

**CARRIED UNANIMOUSLY**

**6. DOCUMENTS FOR SEALING**

Nil

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

Cr Athanasopoulos reported on his recent attendance at the National General Assembly in Canberra from 17 to 20 June 2018 with a further report to be provided.

**8. REPORTS FROM COMMITTEES**

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**8.1 Advisory Committees**

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**8.1.1 ADVISORY COMMITTEES****Moved: Cr Hyams****Seconded: Cr Delahunty**

That the minutes of the Advisory Committees as shown below be received and noted and that the recommendations of the Committees be adopted.

- a) Memorial Structure for Holocaust Survivors Project Working Group – 29 May 2018
- b) Community Grants Advisory Committee – 5 June 2018
- c) Community Consultation Advisory Committee – 6 June 2018

**CARRIED UNANIMOUSLY**

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**8.2 Records of Assembly**

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**Moved: Cr Delahunty****Seconded: Cr Esakoff****8.2.1 Records of Assembly**

That the Record of the Assembly minutes as shown below be received and noted

- a) 29 May 2018 (Memorial Structure for Holocaust Survivors Project Working Group)
- b) 29 May 2018
- c) 5 June 2018
- d) 12 June 2018 Pre-meeting

**CARRIED UNANIMOUSLY**

The Mayor advised that at this stage of the meeting, members of the community were invited to participate in the meeting under clause 230(1) Public Participation of the Glen Eira Local Law.

As the questions from the public related to Item 9.2 on the agenda, the Mayor Cr Athanasopoulos declared an indirect conflict of interest and left the Chamber at 7.47pm.

The Deputy Mayor Cr Jamie Hyams took the chair for the public participation section of the meeting.

It is recorded that the Mayor, Cr Athanasopoulos entered the Chamber at 7:56pm and took the Chair for the remainder of the meeting.

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**9. PRESENTATION OF OFFICER REPORTS**

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**9.1 14-22 WOORAYL STREET CARNEGIE**

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

That Council issues a Notice of Decision to Amend a Planning Permit for Application No. GE/PP-27197/2014/B at 14-22 Woorayl Street, Carnegie, subject to the following:

1. Deletion of condition 1x which required details of the stacker system;
2. Rewording of conditions 1a, 1e, 1t, 1u and 1y as follows (with strikethrough indicating removed text and bold indicating additional text):
  - a) The dimensions of each car space annotated on the plans in accordance with Clause 52.06 of the Glen Eira Planning Scheme and/or AS/NZS 2890.1:2004, ~~with the exception of car stacker spaces which can have a minimum platform width of 2.4 metres.~~
  - e) 'Give way' line marking provided across the 6.45 metre wide access aisle (ground floor car park) and **aligned with the edge of the internal ramp.**
  - t) Appropriate sightlines provided between motorists exiting the ground floor car park and the basement car park. The wall between the ~~disabled shared area~~ **car space GFP16 and between GFP12** and the accessway ramp should be no greater than 900mm in height;
  - u) Car spaces ~~5, 7 and 15~~ on Level 1 a minimum width of 2.7 metres and ~~spaces 1 and 6 a minimum width of 2.9 metres~~ **all other spaces adjacent to a wall to have a minimum width of 2.9 metres or a 300mm clearance be provided between the spaces and the walls/columns if not in accordance with Diagram 1 of Clause 52.06;**
  - y) ~~A 1.8 transition at the bottom of the accessway of basement level 1 to be a minimum of 2.5 metres in length as shown at the bottom of the accessway ramp of the basement level 2.~~ **The dimensions and grades of all parts of all ramps to be shown and to be in accordance with AS2890.1 (the 1:8 graded sections at the bottom of the basement ramps to measure a minimum of 2.5 metres in length in order to not scrape) and a minimum 4 metre inside radius and minimum 11.8 metres outside radius is required along the curved section of two-way ramp.**
3. The addition conditions 1z, aa and bb as follows:
  - z) 300mm clearance to be provided between car space GFP11 and the storage room. This needs to be dimensioned on the plan. Alternatively, the storage room needs to be cutback to be no longer than 1.75 metres.



- aa) The motorcycle space adjacent to parking space GFP12 to be removed or relocated to the satisfaction of the Responsible Authority. All motorcycle spaces are to be dimensioned in accordance with AS2890.1 (a minimum length of 2.5 metres by 1.2 metres in width).
- bb) Car space 08 (the parallel space) needs to be dimensioned measuring a minimum of 6.7 metres in accordance with Table 2 of Clause 52.06.

For clarity the full conditions on an amended permit would read as follows:

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 identified as ATP10025-ATP40403 all dated 7 February 2018 prepared by the Buchan Group but modified to show:
  - a) The dimensions of each car space annotated on the plans in accordance with Clause 52.06 of the Glen Eira Planning Scheme and/or AS/NZS 2890.1:2004
  - b) The vehicle accessway to Arawatta Street designed generally in accordance with plan reference 12109AT01/MW prepared by Ratio Consultants dated 14 April 2015.
  - c) Provision of an intercom system in a location to the satisfaction of the Responsible Authority.
  - d) All vehicle access ramps to have 300 millimetre wide kerbs on each side (or 500 millimetre wide kerbs on the outside around bends). The plans need to detail and dimension the kerbs.
  - e) 'Give way' line marking provided across the 6.45 metre wide access aisle (ground floor car park) and aligned with the edge of the internal ramp.
  - f) The directional 'one-way' arrows within the basement levels deleted.
  - g) Longitudinal cross sections provision to show height clearances along each ramp. This must include ramp grades and dimensions. Headroom clearance above the ramps is required to be measured as per Figure 5.3 of AS2890.1:2004.
  - h) All columns within car spaces to accord with Diagram 1 of Clause 52.06 of the Glen Eira Planning Scheme or as otherwise approved by the Responsible Authority.
  - i) Provision of a written report prepared by a suitably qualified Traffic Engineer confirming that the parts of condition 1 that relate to traffic engineering have been satisfied.
  - j) A wall on the east side of the vehicle ramp at the ground and first floor to fully enclose the ramp with the eastern side of the wall facing the external void area to be rendered and painted.
  - k) The plans annotating the window shown at the western end off the corridor on Level 8 to the satisfaction of the Responsible Authority.
  - l) Any canopy constructed over the footpath along Woorayl Street must be continuous across the entire frontage and setback a minimum of 0.75

- metres from the kerb with a minimum height clearance of 3.0 metres.
- m) Each dwelling provided with externally accessible storage space in a location to the satisfaction of the Responsible Authority.
  - n) A schedule of construction materials, external finishes, colours (incorporating samples), glazing and ramp treatments to the satisfaction of the Responsible Authority.
  - o) A detailed landscape plan in accordance with Condition 15.
  - p) An acoustic report in accordance with Condition 18.
  - q) 17 horizontal bicycle spaces in a convenient location at ground level with directional signage provided to advise visitors and customers of the location and a minimum 1.5 metre wide pedestrian path needs to be provided. The design and layout of the bicycle parking spaces should accord with AS2890.3 or 'The Bicycle Parking Handbook' by Bicycle Victoria and be clearly dimensioned on the plans.
  - r) A glazing treatment to the master bedroom to apartment 201 that prevents views into the bedroom whilst enabling view out to be maintained (ie one way glass);
  - s) Provision of cut outs outside the saddleback bedroom windows on levels 3-12 (apartments 310, 311, 312, 313, 409, 410, 411, 412, 509, 510, 511, 512, 608, 609, 610, 611, 708, 709, 710, 711, 804, 805, 806, 807, 902, 904, 905, 906 & 907);
  - t) Appropriate sightlines provided between motorists exiting the ground floor car park and the basement car park. The walls between car space GFP16 and the accessway ramp and between GFP12 and the accessway ramp should be no greater than 900mm in height;
  - u) Car spaces 7 and 15 on Level 1 a minimum width of 2.7 metres and all other spaces adjacent to a wall to have a minimum width of 2.9 metres or a 300mm clearance be provided between the spaces and the walls/columns if not in accordance with Diagram 1 of Clause 52.06.
  - v) A minimum width of 1.5 metres for the pedestrian path between car space B1P16 and the entrance to the bicycle parking area;
  - w) Minimum width pedestrian paths of 1 metre provided adjacent to the entry of all storage cages within the car parks;
  - x) ...deleted...
  - y) The dimensions and grades of all parts of all ramps to be shown and to be in accordance with AS2890.1 (the 1:8 graded sections at the bottom of the basement ramps to measure a minimum of 2.5 metres in length in order to not scrape) and a minimum 4 metre inside radius and minimum 11.8 metres outside radius is required along the curved section of two-way ramp.
  - z) 300mm clearance to be provided between car space GFP11 and the storage room. This needs to be dimensioned on the plan. Alternatively, the storage room needs to be cutback to be no longer than 1.75 metres.
  - aa) The motorcycle space adjacent to parking space GFP12 to be removed or relocated to the satisfaction of the Responsible Authority. All motorcycle spaces are to be dimensioned in accordance with AS2890.1 (a minimum length of 2.5 metres by 1.2 metres in width).

- bb) Car space 08 (the parallel space) needs to be dimensioned measuring a minimum of 6.7 metres in accordance with Table 2 of Clause 52.06.

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

2. Before the development commences, a car parking management plan prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. When approved, the car parking management plan will be endorsed and form part of this permit. The car parking management plan must address, but is not necessarily limited to, the following:
- a) 42 car spaces designated for residential visitors and office/retail tenancies. Of these 42 car spaces, 15 car spaces designated for residential visitors and 27 car spaces designated to office/retail tenancies with 8 of the 42 car spaces being shared between residential visitors and office/retail tenancies depending on the time of day and the day of the week.

The car parking management plan must be implemented to the satisfaction of the Responsible Authority. No alterations may be made without the prior written approval of the Responsible Authority.

3. The windows of the offices fronting Arawatta Street must remain transparent, allow views into the offices, operate as an 'active frontage' and not be filled in, covered, obscured by shelving, blanked out or used for other than temporary advertising or modified in any way without the prior written consent of the Responsible Authority.
4. 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. This does not apply to the exemptions specified in Clause 62 of the Glen Eira Planning Scheme. Note: This does not obviate the need for a permit where one is required.
5. The layout and description of the uses 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.
6. 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 or the use is not started within four (4) years of the date of this Permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension to the periods referred to in this condition.

7. Disabled access to the building must be provided to the satisfaction of the Responsible Authority.

All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility:- AS1428.1-2001, AS1428.2-1992, AS1428.3-1992 and AS1428.4-2002.

8. 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.
9. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the prior written consent of the Responsible Authority.
10. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.
11. The Permit holder must ensure that all dwellings within the development are protected from noise associated with any on-site mechanical plant equipment, consistent with the requirements of the State Environment Protection Policy N-1.
12. 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) Collection services to take place outside typical peak times to minimise any disruption to vehicular, cycle and pedestrian traffic along Arawatta Street.
  - c) To provide for private service collection. The private collection must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
  - d) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
  - e) 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.

13. Prior to the commencement of any demolition works, the owner must submit a 'Construction Management Plan for Demolition' to the Responsible Authority for approval. The Plan must include a Traffic Management Plan to the satisfaction of the Responsible Authority. Demolition is not permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority.

Prior to commencement of any site works (with the exception of demolition works detailed above), the owner must submit a 'Construction Management Plan for Construction' to the Responsible Authority for approval. No works are permitted to occur until the Plan has been approved in writing by the Responsible Authority (with the exception of demolition works detailed above). Once approved, the Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. Both Construction Management Plans listed above must be to the satisfaction of the Responsible Authority and must provide details of the following:

- a) Delivery and unloading points and expected frequency;
  - b) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - c) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - d) Any requirements outlined within this permit as required by the relevant referral authorities;
  - e) Hours for construction or demolition activity in accordance with any other condition of this permit;
  - f) Measures to control noise, dust, water and sediment laden runoff;
  - g) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - h) Any construction or demolition lighting to be baffled to minimise intrusion on adjoining lots.
14. 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.
15. 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) 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.
  - b) Landscaping and planting within the relevant communal open space areas of the site and planters in private spaces used for limiting views.
16. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
17. 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.
18. Before the commencement of buildings and works, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to and approved by the Responsible Authority. The report must prescribe the form of acoustic treatment to:
- a) Protect nearby dwelling occupants (including future residents within the building) with a direct interface to commercial tenancies above, next to or below from associated commercial noise sources, including plant and equipment;
  - b) Protect all dwelling occupants from external noise sources with specific regard to railway;
  - c) The mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development.
19. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- a) constructed;
  - b) properly formed to such levels that they can be used in accordance with the plans;
  - c) surfaced with an all weather sealcoat;
  - d) drained;
  - e) line-marked to indicate each car space and all access lanes;
  - f) clearly marked to show the direction of traffic along the access lanes and driveways;
- to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
20. A 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.

21. 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).
22. 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.

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*Conditions End*

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**NOTES:** *(The following notes are for information only and do not constitute part of this permit or conditions of this permit)*

- 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.
- B. 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.
- C. 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.
- D. 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. The approval for building on a “title boundary” enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 150mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.
- 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.

**CARRIED UNANIMOUSLY**



*It is recorded that Cr Athanasopoulos declared an indirect interest where residential amenity may be altered and left the Chamber at 7.59pm prior to any discussion on this matter.*

The Deputy Mayor, Cr Hyams took the Chair for consideration of this item.

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**9.2 43-45 KOKARIBB ROAD, CARNEGIE**

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**Moved: Cr Esakoff**

**Seconded: Cr Davey**

That Council issues a Notice of Refusal to Grant a Planning Permit for application No. GE/PP-31521/2018 at 43-35 Kokaribb Road, Carnegie, for the following reasons:

**Grounds of Refusal:**

1. The proposed development is not consistent with State Planning Policies for Built Environment and Heritage (Clause 15) and Residential Development (Housing Diversity, Clause 16.01-4) and the Local Planning Policy for Housing and Residential Development (Clause 21.04) as the height and intensive massing of the building does not adequately respond to its context in terms of neighbourhood character and would have an adverse impact on the amenity of adjoining properties, particularly to the north and south, and the streetscape of Kokaribb Road.
2. The proposal would not accord with the purpose of the General Residential Zone because the development does not respect neighbourhood character due to its height and massing. Additionally, the visual transition to the properties in the Neighbourhood Residential Zone to the south is not considered to be adequately responsive to the sensitive interfaces of the rear yards of 10, 12 and 14 Graceburn Avenue.
3. The garden area provided for the proposal is less than the minimum requirement prescribed in Clause 32.04-8 of the General Residential Zone.
4. The proposal does not satisfy the following objectives of Clause 55 (ResCode) of the Glen Eira Planning Scheme:
  - Clause 55.02-1 – Neighbourhood character.
  - Clause 55.02-2 – Residential policy
  - Clause 55.03-1 – Street setback
  - Clause 55.04-1 – Side and rear setbacks
  - Clause 55.04-3 - Daylight to existing windows
  - Clause 55.04-6 – Overlooking.
5. The car parking layout would not adequately accord with Design Standard 1 - Accessways of Clause 52.06 (Car Parking) of the Glen Eira Planning Scheme due to the lack of a full corner splay on the northern side of the site and inconvenient access to Car Spaces 01/02

**CARRIED UNANIMOUSLY**

*It is recorded that Cr Athanasopoulos entered the Chamber at 8.08pm and was not present when this item was discussed.*

*It is recorded that Cr Davey vacated the Chamber at 8:08pm.*

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### **9.3 VCAT WATCH**

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**Moved: Cr Hyams**

**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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### **9.4 CLAYTON REGIONAL LANDFILL BUDGET 2018/19**

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**Moved: Cr Delahunty**

**Seconded: Cr Magee**

That Council notes the proposed 2018-2019 budget for the Clayton Regional Landfill as per Attachments 1 and 2.

**CARRIED UNANIMOUSLY**

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**9.5 PLANNING SCHEME REVIEW 2016 - PROGRESS UPDATE**

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

That Council notes progress against the 2016 Planning Scheme Review Work Plan.

**CARRIED UNANIMOUSLY**

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**9.6 MAV COUNCILLOR DEVELOPMENT WEEKEND 2018**

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**Moved: Cr Delahunty****Seconded: Cr Esakoff**

That Council authorises the attendance of the Mayor, Cr Tony Athanasopoulos, Cr Jim Magee and Cr Jamie Hyams at the 2018 Municipal Association Victoria Councillor Development Weekend from 27 to 29 July 2018 (inclusive).

**CARRIED UNANIMOUSLY**

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**9.7 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING 31 MAY 2018**

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**Moved: Cr Delahunty****Seconded: Cr Hyams**

That Council notes the Financial Management Report for the period ending 31 May 2018.

**CARRIED UNANIMOUSLY**

**10. URGENT BUSINESS - NIL****11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****11.1(a) Anti-Graffiti Measures****Moved: Cr Magee****Seconded: Cr Delahunty**

That Council receives a report as follows:

That a report be prepared on the impact of the anti-graffiti measures implemented by Council in Glen Eira from 2012 to 2018.

**CARRIED UNANIMOUSLY**

**11.1(b) Street Sweeping****Moved: Cr Delahunty****Seconded: Cr Hyams**

That Council receives a report as follows:

That a report be provided to inform councillors on methods of outreach to inform residents of street sweeping arrangements to ensure better, more consistent results for sweeping.

**CARRIED UNANIMOUSLY**

**11.1(c) Traffic Conditions in Bentleigh East****Moved: Cr Magee****Seconded: Cr Hyams**

That Council receives a report as follows:

That officers prepare a report on the traffic conditions in Poet Road and Mackie Road, particularly around their intersections with North Road. The report should cover vehicle speed and volume data, the identification of any safety or congestion issues, and the options available to rectify these.

**CARRIED UNANIMOUSLY**

**11.2 Right of reply- NIL****11.3 Councillor questions - NIL****11.4 Public questions to Council**

A question was received from Mr Lamaro. As Mr Lamaro was not present in the Chamber, Mr Lamaro will be sent a letter including his question and the response in accordance with the Local Law.

**12. CONSIDERATION OF IN CAMERA ITEMS****Moved: Cr Hyams****Seconded: Cr Esakoff**

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayers;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

12.1 Tender 2019.3 Wallace Avenue Reconstruction  
*Local Government Act 1989 - Section 89(2) (d)*

12.2 Tender 2019.2 Buckingham Avenue, Drainage Works Stage 1 & 1A  
*Local Government Act 1989 - Section 89(2) (d)*

**CARRIED UNANIMOUSLY**

The Mayor thanked the members of the gallery for coming to the meeting and advised that after consideration of the two confidential items the meeting will be closed.

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**12.1 TENDER 2019.3 WALLACE AVENUE RECONSTRUCTION**

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

That Council:

1. appoints **Presta Construction Group Pty Ltd, ACN 096 137 745** as the contractor under Tender number 2019.3 Wallace Avenue Reconstruction for an amount of \$1,295,497.65 exclusive of GST in accordance with the Schedule of Rates submitted.
2. prepares the contract in accordance with the Conditions of Contract included in the tender.
3. authorises the CEO to execute the contracts on Council's behalf.
4. incorporates this resolution in the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

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**12.2 TENDER 2019.2 BUCKINGHAM AVENUE, DRAINAGE WORKS STAGE 1 & 1A**

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

That Council:

1. appoints **Lander Civil Pty Ltd, ACN 610 692 405** as the contractor under Tender number 2019.02 Buckingham Avenue Drainage Works Stage 1 & 1A for an amount of \$1,355,559.00 exclusive of GST in accordance with the Schedule of Rates submitted.
2. prepares the contract in accordance with the Conditions of Contract included in the tender.
3. authorises the CEO to execute the contract on Council's behalf.
4. incorporates this resolution in the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

**13. CLOSURE OF MEETING**

The meeting closed at 8.45pm

Confirmed this

**Chairperson.....**