



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

10 OCTOBER 2016

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**MINUTES of the ORDINARY MEETING OF THE
GLEN EIRA CITY COUNCIL held on MONDAY, 10 OCTOBER 2016**

The meeting opened at 7.30 pm in the presence of:

**His Worship the Mayor, Councillor Neil Pilling
Councillor Mary Delahunty
Councillor Margaret Esakoff
Councillor Kelvin Ho
Councillor Jamie Hyams
Councillor Michael Lipshutz
Councillor Jim Magee
Councillor Thomas Sounness**

1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement.

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

2. APOLOGIES

An apology from Cr Lobo was submitted to the meeting.

Moved: Cr Delahunty

Seconded: Cr Sounness

That the apology from Cr Lobo be received and noted.

CARRIED UNANIMOUSLY

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

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

- Cr Magee declared a Direct Conflict of interest in Item 9.3 given he owns a property within close proximity of the subject site.

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

Copies of Minutes previously circulated.

Moved: Cr Lipshutz

Seconded: Cr Hyams

That the minutes of the Special Meeting of Council held on Tuesday 21 June 2016 and the Ordinary Meeting of Council meeting held on Tuesday 19 September be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

There were no petitions or joint letters submitted to Council.

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 from Delegates submitted to Council.

8. REPORTS FROM COMMITTEES

a. Advisory Committees

There were no reports by Advisory Committees submitted to Council.

b. Records of Assembly

- i. 13 September 2016
- ii. 19 September 2016

Moved: Cr Lipshutz

Seconded: Cr Sounness

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

- i. 13 September 2016
- ii. 19 September 2016

CARRIED UNANIMOUSLY

Assembly of Councillors

13 September 2016

Record under S 80 A (2)

Meeting commenced at 6.45PM.

A. Present

Cr Neil Pilling, Mayor
Cr Mary Delahunty
Cr Margaret Esakoff
Cr Kelvin Ho
Cr Jamie Hyams
Cr Michael Lipshutz
Cr Jim Magee
Cr Thomas Sounness

Apologies

Cr Oscar Lobo

Council Officers

Rebecca McKenzie, CEO
Peter Jones
Peter Swabey
Ron Torres
Samantha Krull
Robyn Taft
Rocky Camera
Janice Pouw

B. Matters considered.

(ii) JWS Community Plan Consultation / Research

(i) Security at Public Events

8.24 PM – Assembly was adjourned

8.24 PM – Cr Sounness left the meeting room

8.35 PM – Assembly was resumed

8.36 PM – Cr Sounness returned to the meeting room

(iii) Town Planning Service Review

(iv) Better Apartments – Draft Design Standards

(v) Car Share Policy

(vi) General Business

(vii) Council Papers for the 19 September Council Meeting

- 8(a)(iii) Transport Advisory Committee Meeting
- 8(b)(ii) 6 September 2016 Records of Assembly
- Item 9.1 88-100 Mc Kinnon Road, McKinnon

- Item 9.2 333-355 Hawthorn Road, Caulfield, 2 and 4 Briggs Street, Caulfield
- Item 9.3 6-10 Claire Street, McKinnon
- Item 9.4 Better Apartments – Draft Design Standards
- Item 9.5 Hall Street, McKinnon Parking Conditions (Update)
- Item 9.6 VCAT Watch
- Item 9.7 Domestic Animal Management Plan (DAMP) Annual Review 2015-2016
- Item 9.8 Environmental Sustainability Strategy 2016
- Item 9.9 Lease to Caulfield Park Tennis Club
- Item 9.10 Condition and Maintenance of Significant River Red gum Trees in Glen Eira
- Item 9.11 GESAC Wellness Centre Potential Social Outcomes
- Item 9.12 Community Consultation Feedback on proposed new park, Fosbery Avenue and St Aubins Avenue, Caulfield North
- Item 9.13 Open Space Strategy Implementation Progress Report
- Item 9.14 Businesses Affected by the Level Crossing Removal – CD9 Project – Waiving Penalty Interest
- Item 9.15 Local Government Act Review Submission
- Item 9.16 Update of Future Arrangements for Caulfield Racecourse Reserve
- Item 11 Ordinary Business
 - 11.1 Requests for reports from Officer
 - 11.2 Right of reply
 - 11.3 Councillor questions
- Item 12 Confidential Items
 - 12.1 Financial Settlement for Acquisition 53 Magnolia Road, Gardenvale
 - 12.2 Tender Recommendation for consideration by Council Tender 2017.005 Town Planning Consultancy Services
 - 12.3 Tender for the Provision of IT Products and Services
 - 12.4 Tender Recommendation for consideration by Council Tender 2017.001 Information Systems Support Services

Assembly finished at 10.50 PM

Council Pre-Meeting

19 September 2016

Record under S 80 A (2)

Meeting commenced at 6.45PM

A. Present

Cr Neil Pilling, Mayor
Cr Mary Delahunty
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Kelvin Ho
Cr Michael Lipshutz
Cr Jim Magee
Cr Thomas Sounness

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

B. Matters considered.

- (i) Council Papers for 19 September 2016 consisting of 16 Officer reports, 4 confidential items together with standing items on the Agenda.
 - (a) Agenda Item 9.1 – 88-100 McKinnon Road, McKinnon
 - (b) Agenda Item 9.2 – 333-335, 337, 339, 341, 345 and 355 Hawthorn Road, Caulfield and 2 & 4 Briggs Street, Caulfield
 - (c) Agenda Item 9.3 – 6-10 Claire Street, McKinnon
 - (d) Agenda Item 9.4 – Better Apartments – Draft Design Standards
 - (e) Agenda Item 9.8 – Environmental Sustainability Strategy 2016
 - (f) Agenda Item 9.10 - Condition and Maintenance of Significant River Red Gum Trees in Glen Eira
 - (g) Agenda Item 9.11 - GESAC Wellness Centre Potential Social Outcomes
 - (h) Agenda Item 9.12 – Community Consultation Feedback on Proposed New Park, Fosbery Avenue and St Aubins Avenue, Caulfield North
 - (i) Agenda Item 9.16 – Update on Future Arrangements for Caulfield Racecourse Reserve
 - (j) Agenda Item 11.2 – Car parking arrangements for volunteers
 - (k) Agenda Item 11.4 Public Questions

Fin 7.20PM

9. PRESENTATION OF OFFICERS REPORTS

- 9.1 VCAT Watch
- 9.2 8 Egan Street, Carnegie
- 9.3 83-85 Poath Road Murrumbeena
- 9.4 23-25 Rothschild Street, Glen Huntly
- 9.5 1-9 Adelaide Street, McKinnon
- 9.6 Caulfield Park - 280 Balaclava Road Caulfield North
- 9.7 August Financial Management Report
- 9.8 Council Meeting November 2016

Item 9.1 VCAT WATCH**Author: Rocky Camera - Manager Town Planning****File No: N/A****Attachments: Table of new appeals lodged****PURPOSE AND SUMMARY**

To report to Council recent VCAT decisions.

RECOMMENDATION

That Council notes:

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

BACKGROUND

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

ISSUES AND DISCUSSION

ADDRESS	483 NEERIM ROAD, MURRUMBEENA
PROPOSAL	DEMOLITION OF A DWELLING AND CONSTRUCTION OF A TWO STOREY BUILDING COMPRISING FIVE DWELLINGS
COUNCIL DECISION	REFUSAL (MANAGER)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS AMENDED BY THE APPLICANT PRIOR TO THE VCAT HEARING BY THE SUBSTITUTION OF DIFFERENT PLANS TO THAT ORIGINALLY CONSIDERED BY COUNCIL. THE KEY CHANGES TO THE PROPOSAL WERE AS FOLLOWS: <ul style="list-style-type: none"> • INTRODUCTION OF A BASEMENT CAR PARK • REDUCTION IN THE NUMBER OF DWELLINGS FROM 5 TO 4. • INCREASED SIDE AND REAR SETBACKS THE CHANGES WERE CONSIDERED AN IMPROVEMENT HOWEVER DID NOT ADDRESS THE OFFICER'S ORIGINAL CONCERNS WITH THE PROPOSAL
VCAT DECISION	PERMIT
APPELLANT	CARNEGIE INVESTMENTS PTY LTD

“The construction and application of the zones, overlay controls and policies to this locality creates a tension within the planning scheme with respect to the future built form character of the area. This is a locality identified as a diversity area in which the Council seeks to encourage redevelopment and increased residential densities. It is one of a confined number of diversity areas in this municipality in which redevelopment is directed and specifically encouraged. Simultaneously the Council has applied an NCO to this locality, the purpose of which encourages development to be in accordance with a preferred neighbourhood character that is largely based on the protection of existing neighbourhood character. Notwithstanding this site’s diversity area location the Council opposes the demolition of a modest and relatively non-descript (my description) dwelling because it is a dwelling originating from the interwar period.” – VCAT Member – Laurie Hewet

- The subject site is located within the General Residential Zone and the Murrumbeena Neighbourhood Centre.
- The application was refused on grounds relating to the proposed design response, the demolition of the existing interwar dwelling, absence of visitor car parking and impact on existing street trees. The application also failed to satisfy a number of ResCode Standards such as street setbacks, site coverage and overlooking.
- In determining the application, the Tribunal held that there was a tension within the planning scheme with respect to objectives of the Neighbourhood Character Overlay which seeks to protect the area’s existing character and the General Residential Zone which seeks to promote increased densities.
- The Tribunal was satisfied that the demolition of the existing dwelling was acceptable due to the mixed nature of buildings within the Neerim Road streetscape and the fact that the loss of the dwelling would have no significant effect on the character of the area.
- The Tribunal held that the proposed dwellings responded well to the character of the area in terms of scale, height, setbacks, selection of materials and colours. The Tribunal was satisfied that there were no unreasonable off-site amenity issues such as overlooking or overshadowing.
- On the above basis, the Tribunal directed a Permit be issued.

ADDRESS	1 HEATHERBRAE AVENUE, CAULFIELD
PROPOSAL	CONSTRUCTION OF TWO DOUBLE STOREY ATTACHED DWELLINGS
COUNCIL DECISION	REFUSAL (MANAGER)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS NOT AMENDED PRIOR TO THE VCAT HEARING
VCAT DECISION	PERMIT
APPELLANT	MATTHEW CLEMENTS

“I find that many aspects of the proposed development respect the surrounding neighbourhood character and whilst the consequential removal of this street tree will be regrettable, I do not consider that it is fatal to the application as a whole. The proposal represents an appropriate and efficient development of a well-located site

that will comfortably fit within the streetscape and which will make a contribution to the provision of increased housing in the municipality.” VCAT Member – Susan Whitney

- The subject site is located within the Neighbourhood Residential Zone and the Minimal Change Area.
- The application was refused due to the development necessitating the removal of the existing street tree to accommodate a new vehicle crossover.
- The Tribunal held that the removal of the street tree was acceptable as street trees in Heatherbrae Avenue vary size and age. A separate application with Council's Parks Services Department will need to be made for the removal of the street tree.
- The Tribunal noted that while the removal of the tree is not the preferred outcome, it should not be fatal to the application as a whole in this instance.
- Further, the Tribunal determined that there will be adequate space between crossovers to allow for the planting of a new street tree.
- On the above basis, the Tribunal directed a Planning Permit be issued.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

N/A

COMMUNICATION AND ENGAGEMENT

N/A

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

N/A

Item 9.1 (cont'd)

Moved: Cr Lipshutz

Seconded: Cr Sounness

That Council notes:

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

CARRIED UNANIMOUSLY

ATTACHMENT: TABLE OF NEW APPEALS LODGED**MAJOR CASES**

COMPULSORY CONFERENCE	FULL HEARING	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
(Held on 20 September 2016)	18 October 2016	P838/2016	31 Station Street, Caulfield East (Caulfield Village)	Stages 4, 5 & 6 of the Residential Precinct and Mixed Use Precinct Construction of 397 dwellings, shops and a restaurant with basement car parking	PDZ	Refusal (Manager)	Refusal (Applicant)
17 November 2016	30 January 2017	P1709/2016	60-64 Rosstown Road, Carnegie	Construction of an 8 storey building comprising a retirement village, food and drink premises, and retention of the existing place of assembly (Dutch Club)	MUZ	Refusal (Resolution)	Refusal (Applicant)
25 November 2016	13 February 2017	P1758/2016	2 Leila Road and 45-46 Katandra Road, Ormond	Construction and use of an education centre/sports hall	GRZ	Not Support (Manager)	Failure to Grant a Permit (Applicant)

PLANNING AND ENVIRONMENT LIST

HEARING DATE	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
7 February 2017	P1477/2016	21-23 Moira Avenue, Carnegie	Construction of two double storey dwellings	NRZ	Refusal (DPC)	Refusal (Applicant)
8 February 2017	P1536/2016	12 Francesco Street, Bentleigh East	Construction of four double storey dwellings	GRZ	Refusal (Manager)	Refusal (Applicant)

Item 9.2 8 EGAN STREET CARNEGIE

Author: Rocky Camera, Manager Town Planning
File No: GE/PP-29398/2016

Attachments: Advertised plans

PURPOSE AND SUMMARY

To consider a Planning Permit application.



PROPOSAL	16 storey building comprising 135 dwellings and a retail premises
MUNICIPAL STRATEGIC STATEMENT	Urban Villages Policy (Carnegie Urban Village)
APPLICANT	Goal Number 7 Pty Ltd
PLANNING SCHEME CONTROLS	Commercial 1 Zone
OBJECTIONS	2 objectors

RECOMMENDATION

That Council: Issues a Refusal to Grant a Planning Permit for Application No. GE/PP-29398/2016 for the construction a 16 storey mixed use building comprising 135 dwellings, a retail premises, reduction in the associated car parking requirements and a waiver of the loading bay requirements in accordance with the grounds contained in the Conclusion section of this report.

BACKGROUND

A Planning Application refused under Manager Delegation on 29 December 2014 sought approval for a 16 storey building comprising 155 dwellings.

The grounds of refusal related to the building's height, scale and design not being suitable for the site and surrounds. The application also failed to provide for an appropriate amount of on-site car parking (192 car spaces were required, however only 171 car spaces were provided) and the proposal did not ensure that vehicles could safely manoeuvre within the site and egress from the site.

The refusal was appealed to VCAT. The Tribunal upheld Council's refusal. The Tribunal determined that the development failed to provide for an appropriate level of internal amenity for future residents, lack of equitable development opportunities for the adjoining properties and that the development would cause unreasonable visual bulk impacts to adjoining properties.

ISSUES AND DISCUSSION

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

Proposal

The application proposes a 16 storey building comprising 135 dwellings. Of the dwellings, 57 will have one bedroom and 78 will have two bedrooms. No three bedroom dwellings are proposed. The application also proposes one retail component at ground level.

Car parking is proposed across 6 levels (3 basement levels, ground level and 2 levels above ground level). A total of 152 car parking spaces are proposed.

Objector's concerns

- Neighbourhood character
- Height, massing and bulk
- Car parking and traffic
- Noise
- Loss of outlook
- Absence of a loading bay

Referrals

Transport Planning

- Inadequate residential visitor and commercial car parking spaces provided.
- Changes are required to the basement levels in order to ensure safe and convenient access and comply with the State Government requirements.
- Concerns regarding the impact that the development (together with approved neighbouring development at 056-1060 Dandenong Road) will have on the intersection of Egan Street and Koornang Road.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSZoning and policy context

State and Local Planning Policies broadly support intensification of development in this location, including mixed-use development.

However, these objectives are tempered by other policy objectives that seek to ensure that development enhances the public realm and delivers high quality architecture and economic development.

A building of this height, scale and location should provide for more economic development opportunities than one relatively small ground floor commercial space.

Council's Urban Villages Policy seeks the following:

- *To encourage economic and employment generating development which is appropriate to the desired qualities and character of the area.*
- *To create pleasant and safe public spaces.*

It is considered that the proposal does not adequately respond to the above policy requirements as the proposal does not provide for sufficient economic and employment uses and does not provide for safe and convenient vehicle access.

Neighbourhood character

The subject site has a total area of 1,637 square metres.

The application proposes a 16 storey building which will have a maximum building height of 49.7 metres. Building heights within the immediate area currently comprise largely one and two storey buildings.

A permit has been granted by VCAT for the adjoining property to the west (1056-1060 Dandenong Road) for the construction of a 12 storey building comprising 173 dwellings. This approval includes habitable room windows and secluded private open space areas that are orientated towards the subject site. Construction of this development is yet to commence.

The height, scale and massing of the proposal is considered inappropriate for this context and is compounded by siting of above ground car parking, the sheer construction of its elevations and lack of transition imposed across each elevation. Further, the proposed design response and architectural detailing is not considered appropriate and fails to deliver a high quality urban design response. As such, the proposal fails to satisfy the State Government's Guidelines for Higher Density Residential Development.

Furthermore, the proposed development fails to afford equitable development opportunities for adjoining properties to the east due to the mass and scale of the proposal.

Amenity impacts

Due to the scale of adjoining built form and sloping topography surrounding the site, the site has a high level of visibility from adjoining properties and the wider area. Having regard to this, it is considered that the proposed development is too tall and will be unduly visually dominant when viewed from adjoining properties and the wider area (including those

properties along Rosstown Road).

The proposed development will result in additional overshadowing of adjoining properties to the east, south and west. It is considered that the overshadowing impacts to the west are unreasonable having regard to the orientation and siting of secluded private open space (associated within the approved development at 1056-1060 Dandenong Road).

Furthermore, the proposed development has the potential to overlook habitable room windows and secluded private open space areas of dwellings associated with 1056-1060 Dandenong Road.

Internal amenity

The application proposes 135 dwellings which incorporate a combination of one and two bedroom dwellings. The floor plans and layouts across levels 4-11 are identical.

The absence of three bedroom dwellings and layout diversity is a poor design outcome for an application of this scale and density.

Further, it is considered that the overall internal amenity for the future occupants is poor having regard to dwelling layouts, dwelling sizes, daylight access to habitable rooms and secluded private open space provisions (including layout and orientation).

It is noted that no waste chutes have been incorporated into the design of the proposal. This is considered a poor outcome for a development of this scale.

The proposal has failed to implement appropriate acoustic treatments to ensure that the noise from the railway adjacent the site is mitigated to allow for a suitable level of internal amenity.

Car Parking and Traffic

The Planning Scheme requires 168 car spaces (135 resident spaces, 27 residential visitor car spaces and 6 commercial car spaces). A total of 152 car spaces are proposed (135 resident spaces, 14 residential visitor car spaces and 3 commercial car spaces). This arrangement is not supported.

There are several shortcomings in the design of the basement which fails to ensure that vehicles can safely manoeuvre within the site and egress from the site. Numerous design changes would be required to ensure compliance with the State Government guidelines.

Further, the proposed development will result in unreasonable traffic impacts within the immediate and wider area.

COMMUNICATION AND ENGAGEMENT

1. Public Notice (Statutory)

- 13 properties notified
- 58 notices sent (owners and occupiers)
- 2 signs erected on site
- 2 objections received

2. Planning Conference (Non Statutory)

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

- Building height and scale
- Visual dominance
- Overshadowing
- Car parking and traffic
- Lack of commercial tenancies
- Absence of a loading bay

Undertakings by the Applicant

N/A

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That a Notice of Refusal to Grant a Planning Permit be issued 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; &
 - Element 6 – Open space and landscape 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; &
 - Encourage economic and employment development due to the lack of commercial uses and diversity proposed.

4. The internal amenity afforded to the dwellings is inadequate due to the poor layout, poor daylight access, lack of open space, absence of common areas, storage provisions, waste management and lack of acoustic measures (having regard to the proximity of the railway line).
5. The proposed development fails to ensure a suitable amount of dwelling diversity.
6. The application fails to provide for an adequate number of car spaces in accordance with Clause 52.06 (Car Parking) of the Glen Eira Planning Scheme.
7. The car park access and layout fails to ensure vehicles can safely manoeuvre within the site and egress from the site in accordance with Clause 52.06 (car parking) of the Glen Eira Planning Scheme.
8. The proposed development will result in unreasonable traffic impacts within the immediate and wider area.
9. The development fails to provide for a high level of architectural urban design.
10. The proposed development will result in unreasonable visual bulk, overshadowing and overlooking of adjoining properties and the wider area.
11. The development fails to ensure equitable development opportunities for adjoining properties.
12. The application is considered to be an overdevelopment of the site.

Moved: Cr Esakoff

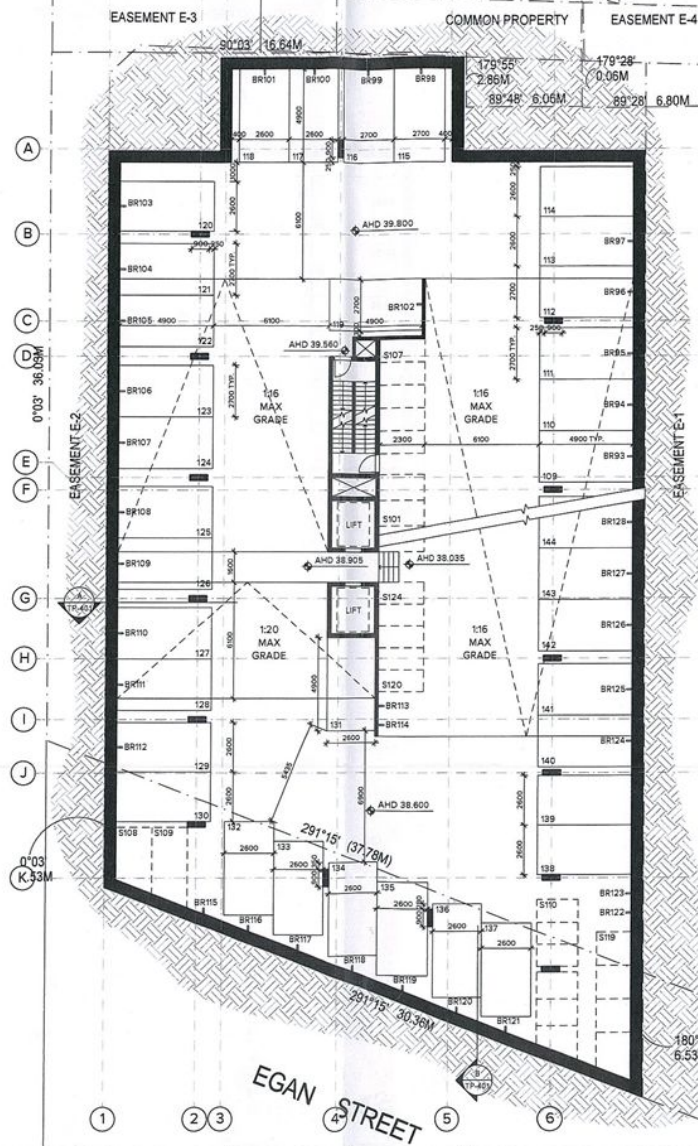
Seconded: Cr Sounness

That Council issues a Refusal to Grant a Planning Permit for Application No. GE/PP-29398/2016 for the construction of a 16 storey mixed use building comprising 135 dwellings, a retail premises, reduction in the associated car parking requirements and a waiver of the loading bay requirements in accordance with the grounds contained in the Conclusion of this report.

CARRIED UNANIMOUSLY



DATE:	APRIL 2016	JOB N°:	34020
SCALE:	1:25@A1, 1:250@A3	REVISION N°:	
DRAWN:	BHA		
DRAWING STATUS:		DRAWING N°:	
TOWN PLANNING		TP-201	



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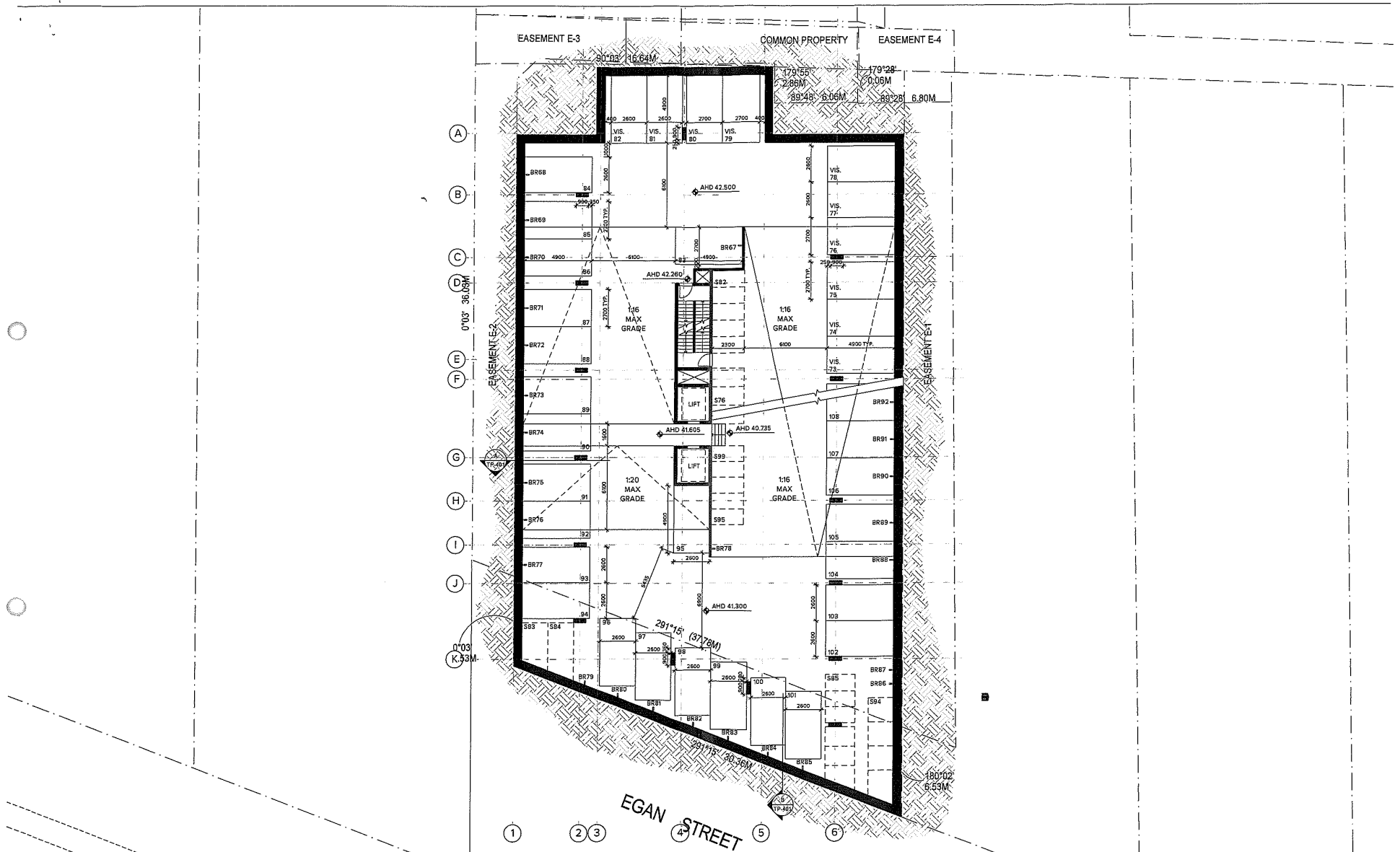
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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
1	21.04.2016	ISSUE FOR FINAL REVIEW			
2	16.05.2016	AUTHORITY SUBMISSION			
3	22.06.2016	RESPONSE TO SR			



PROJECT:
PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE
DRAWING TITLE:
PROPOSED FLOOR PLAN
LEVEL B2

DATE: APRIL 2016 JOB Nº: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION Nº:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING
DRAWING Nº: TP-202

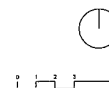


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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
	23.04.2016	DRAW FOR FINAL REVIEW			
A	16.05.2016	AUTHORITY SUBMISSION			
B	02.09.2016	RESPONSE TO AH			

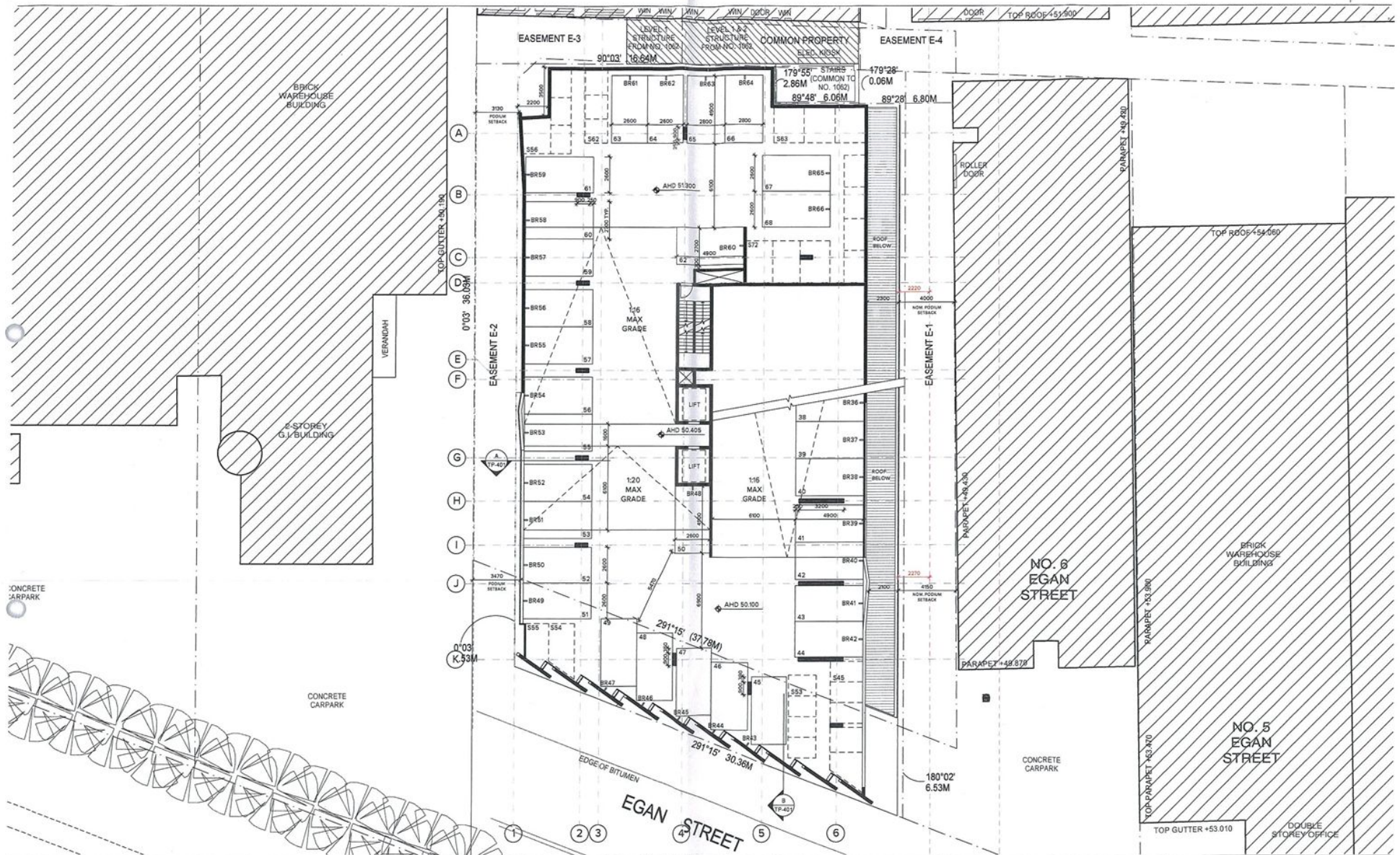


PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

DRAWING TITLE:
**PROPOSED FLOOR PLAN
LEVEL B1**

DATE: APRIL 2016 JOB Nº: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION Nº:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING Nº: TP-203





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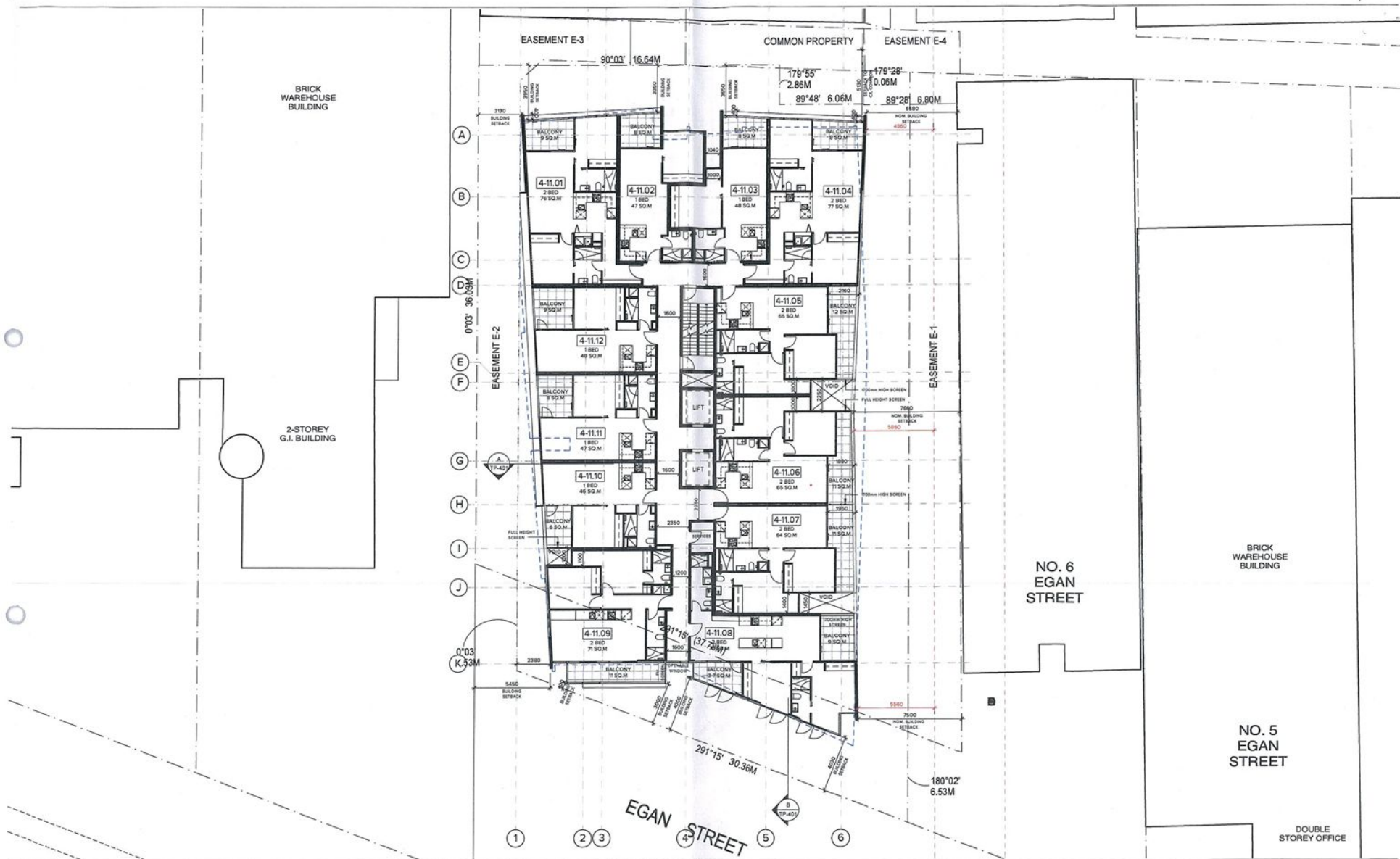
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-	21.04.2016	ISSUE FOR FINAL REVIEW			
A	18.05.2016	AUTHORITY SUBMISSION			
B	02.06.2016	RESPONSE TO RFI			

PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

DRAWING TITLE:
**PROPOSED FLOOR PLAN
LEVEL 02**

DATE: APRIL 2016 JOB N°: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION N°:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING N°: TP-206



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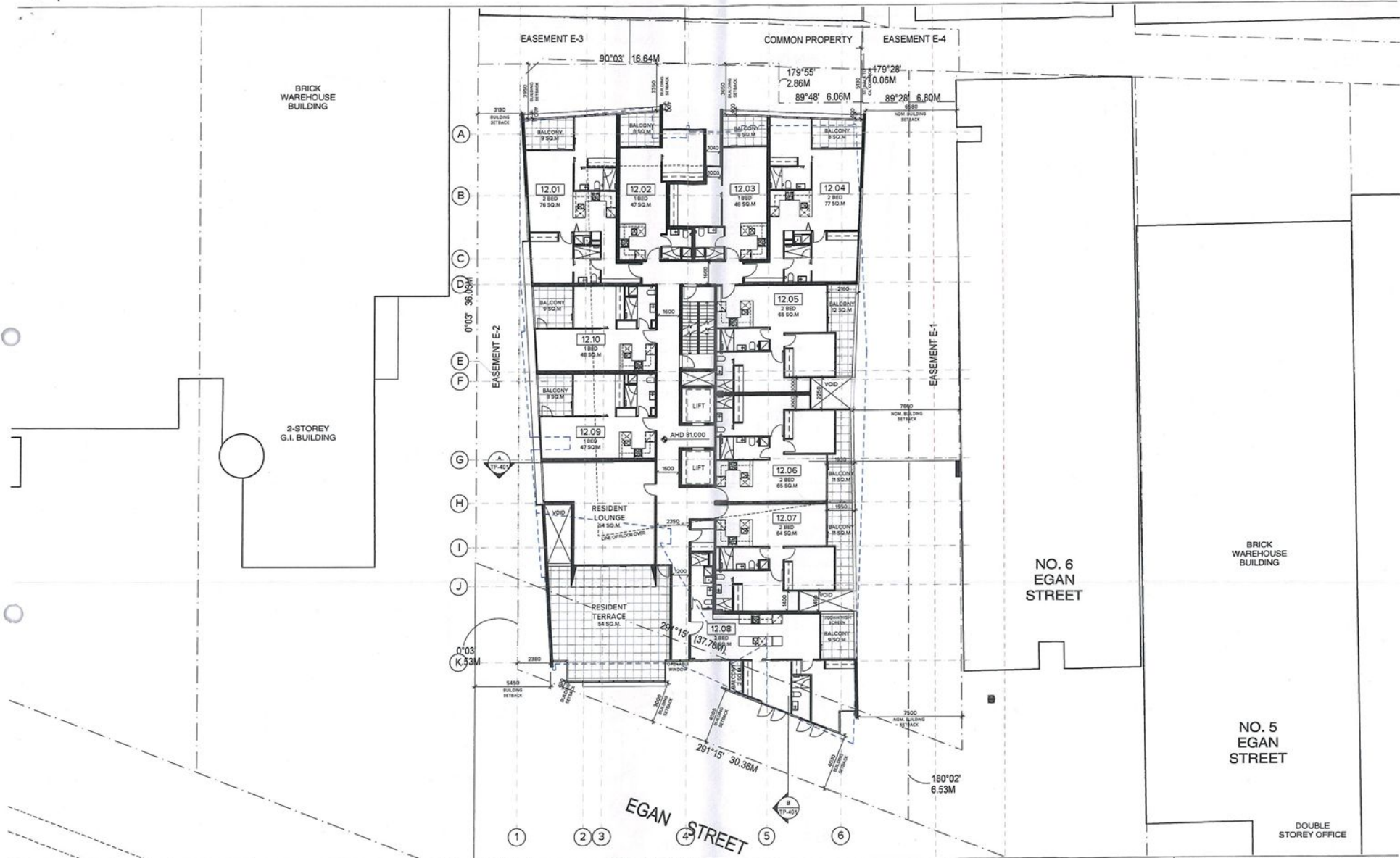
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1	21.04.2016	ISSUE FOR FINAL REVIEW			
2	16.05.2016	AUTHORITY SUBMISSION			
3	02.08.2016	RESPONSE TO REV			

PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

DRAWING TITLE:
**PROPOSED FLOOR PLAN
LEVELS 04-11**

DATE: APRIL 2016 JOB NO: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION NO:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING NO: TP-208



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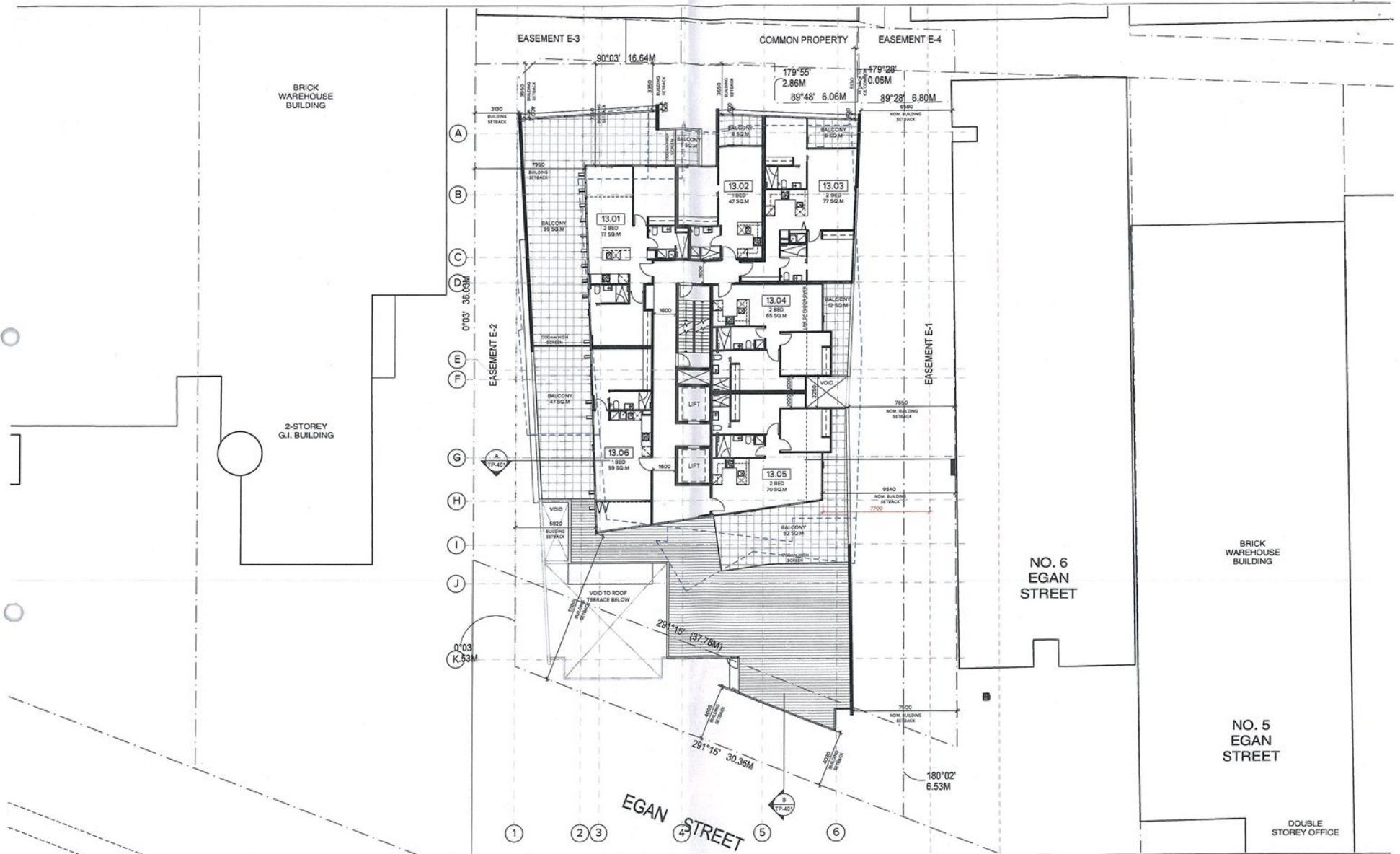
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A	18.05.2016	AUTHORITY'S SUBMISSION			
B	22.05.2016	RESPONSE TO RV			

PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

DRAWING TITLE:
**PROPOSED FLOOR PLAN
LEVEL 12**

DATE: APRIL 2016 JOB Nº: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION Nº:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING Nº: TP-209



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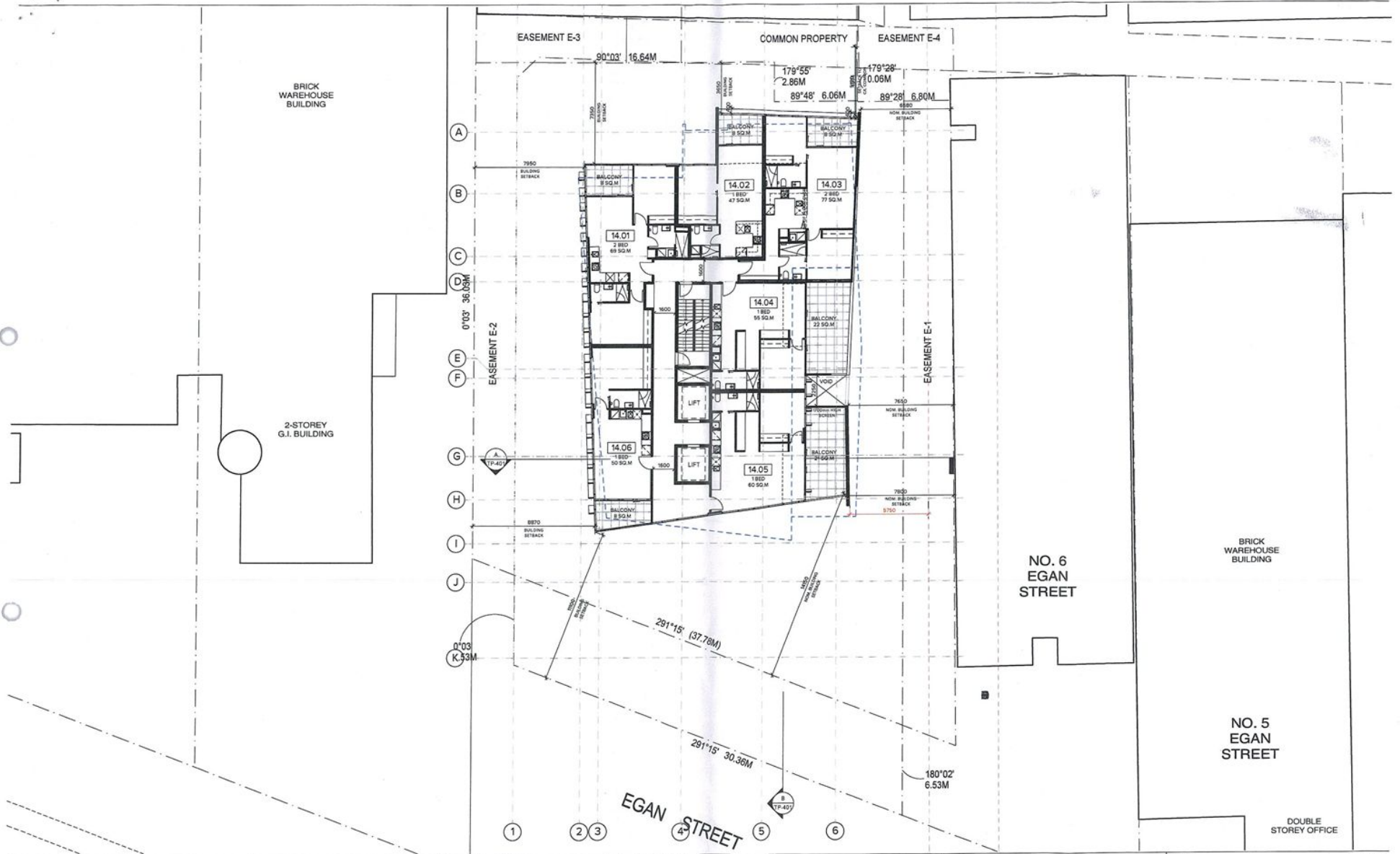
REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
-	21.04.2016	ISSUE FOR FINAL REVIEW			
A	18.05.2016	AUTHORITY SUBMISSION			
B	22.05.2016	RESPONSE TO RV			



PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

DRAWING TITLE:
**PROPOSED FLOOR PLAN
LEVEL 13**

DATE: APRIL 2016	JOB N°: 34020
SCALE: 1:125@A1, 1:250@A3	REVISION N°:
DRAWN: BHA	
DRAWING STATUS: TOWN PLANNING	DRAWING N°: TP-210



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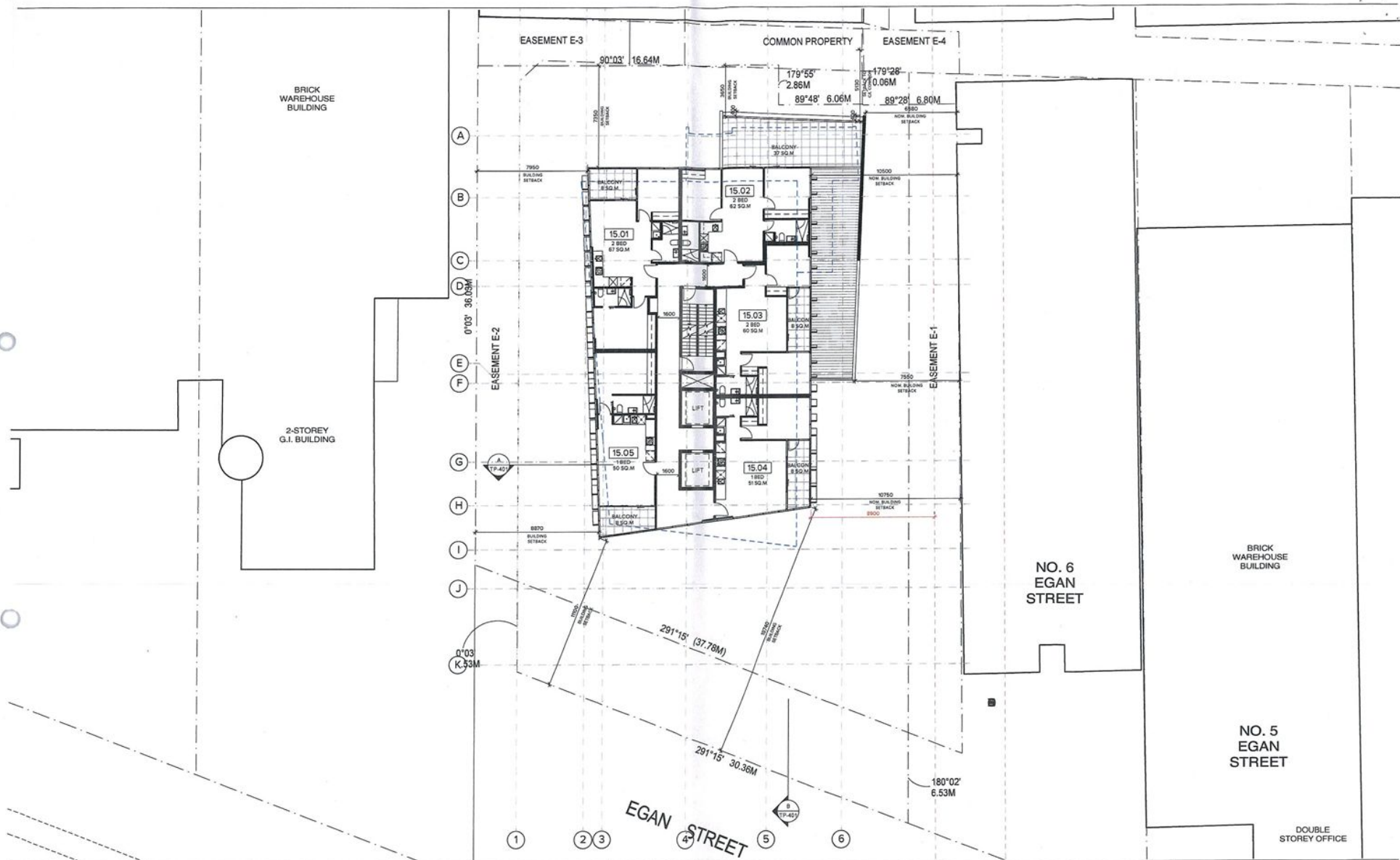
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1	21.04.2016	ISSUE FOR PANEL REVIEW			
2	16.05.2016	AUTHORITY SUBMISSION			
3	02.08.2016	RESPONSE TO R1			
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PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

DRAWING TITLE:
**PROPOSED FLOOR PLAN
LEVEL 14**

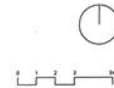
DATE: APRIL 2016 JOB NO: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION NO:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING NO: TP-211



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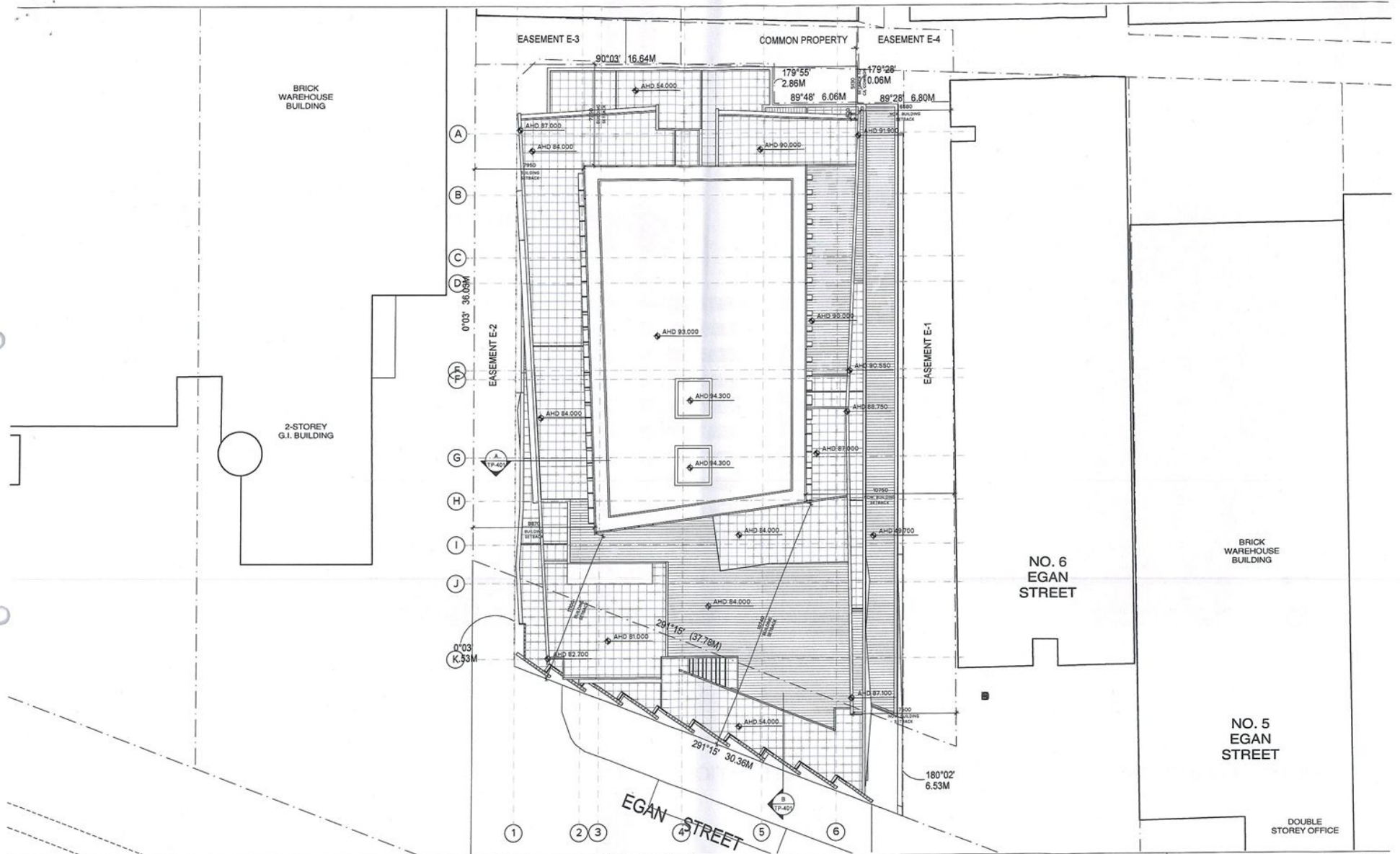
REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
1	21.04.2016	ISSUE FOR FINAL REVIEW			
A	16.05.2016	AUTHORITY SUBMISSION			
B	03.08.2016	RESPONSE TO RFI			



PROJECT:
PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE

DRAWING TITLE:
PROPOSED FLOOR PLAN
LEVEL 15

DATE: APRIL 2016 JOB N°: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION N°:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING N°: TP-212



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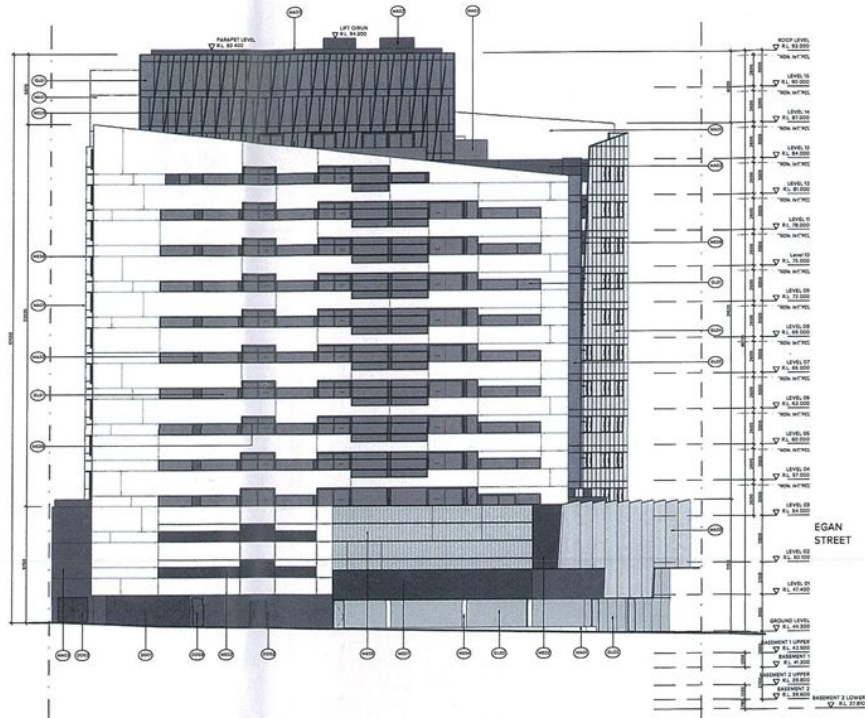
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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
-	21.04.2016	ISSUE FOR FINAL REVIEW			
A	16.05.2016	AUTHORITY SUBMISSION			
B	02.08.2016	RESPONSE TO RFI			

PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE**

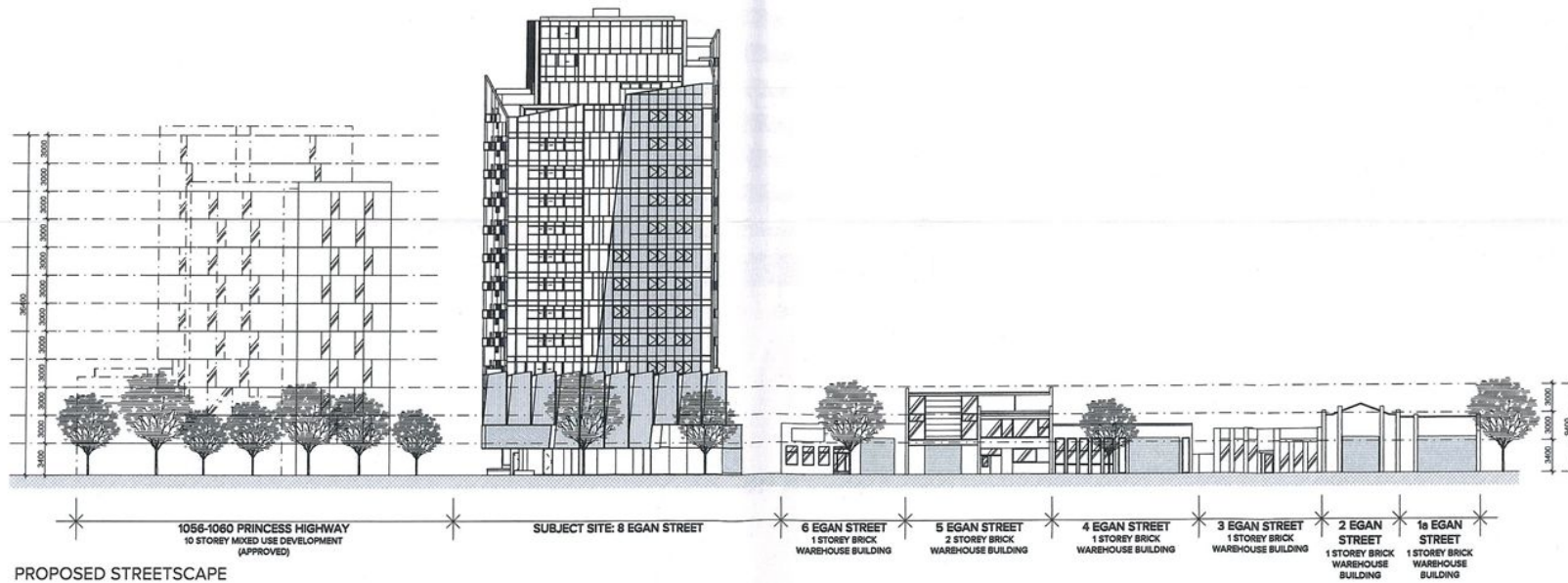
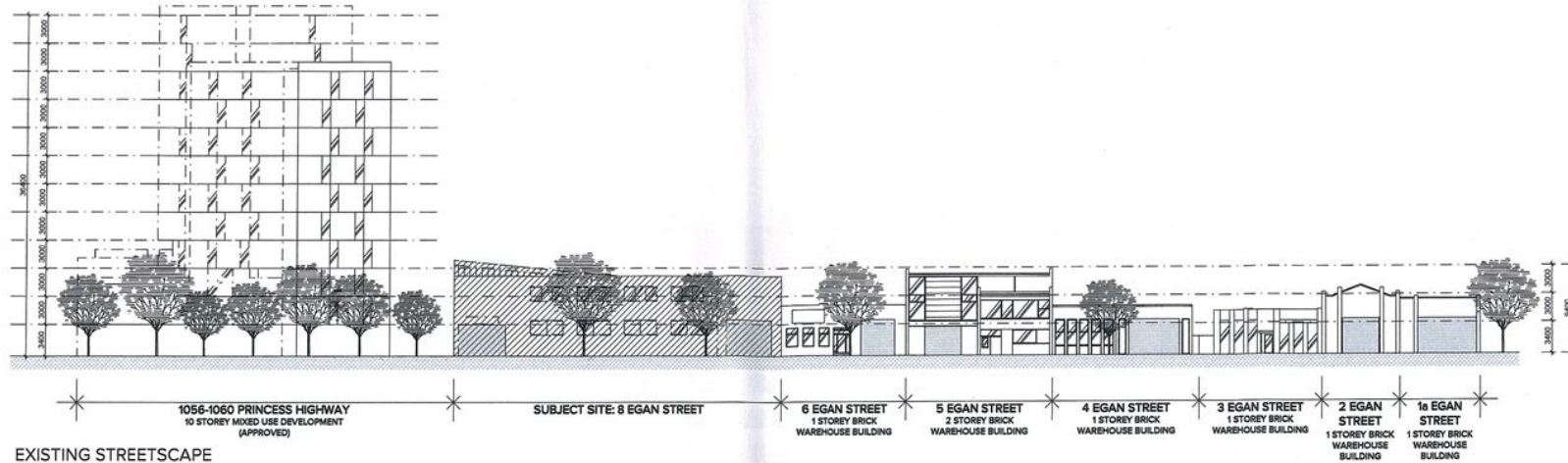
DRAWING TITLE:
**PROPOSED FLOOR PLAN
ROOF PLAN**

DATE: APRIL 2016 JOB N°: 34020
SCALE: 1:125@A1, 1:250@A3 REVISION N°:
DRAWN: BHA
DRAWING STATUS: TOWN PLANNING DRAWING N°: TP-213



WEST ELEVATION

- [illegible]



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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
1	02.08.2016	RESPONSE TO R1			

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PROJECT:
PROPOSED RESIDENTIAL DEVELOPMENT
8 EGAN STREET, CARNEGIE

DRAWING TITLE:
STREETScape ELEVATION

DATE: AUGUST 2016 JOB N°: 34020

SCALE: 1:250@A1, 1:500@A3 REVISION N°: -

DRAWN: BHA

DRAWING STATUS: TOWN PLANNING
DRAWING N°: TP-303

9.3 83-85 Poath Road, Murrumbidgee**Author:** Rocky Camera, Manager Town Planning**File No:** GE/PP-24708/2012/B**Attachments:** Advertised plans**PURPOSE AND SUMMARY**

To consider an Application to Amend a Planning Permit.



PROPOSED AMENDMENT	<p>The application proposes the addition of a fourth storey to an already approved three storey building.</p> <p>The proposed fourth storey will result in an additional three dwellings. The overall resultant development will consist of nine dwellings and two offices.</p>
MUNICIPAL STRATEGIC STATEMENT	Housing Diversity Area – Hughesdale Neighbourhood Centre
APPLICANT	Aldo Dinicolantonio
PLANNING SCHEME CONTROLS	Commercial 1 Zone
OBJECTIONS	3 objections received

RECOMMENDATION

That Council :

Issues an Amended Planning Permit for Application No. GE/PP-24708/2012/B that allows the construction of a four storey building comprising nine dwellings, two offices and a reduction of the car parking requirement in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

A Planning Permit was issued by Council on 30 August 2012 for the construction of a three storey building comprising six dwellings, two offices and a reduction of the car parking requirement for the office uses. It is noted all dwellings and both the offices were provided with one car space each.

An Amended Planning Permit was issued by Council on 25 May 2014. The amended permit authorised changes to the internal layout of the building, and the reconfiguration of the car parking.

DISCUSSIONProposal

This amended application seeks approval to introduce an additional storey so that the building will total 4 storeys. The additional floor consists of three dwellings (which will result in a total of 9 dwellings (instead of the 6 dwellings previously approved).

The 3 additional dwellings result in a requirement for 3 more car spaces. This requirement is proposed to be met by an additional 3-car car stacker at ground level. It is noted that each dwelling and both the offices are provided with one car space area.

Objectors' Concerns

- Lack of visitor parking.
- Overlooking.
- Increased traffic congestion and car parking pressure.
- Overshadowing.
- Lack of egress points.
- Impact of proposal on the new elevated Hughesdale train station.

Referrals

Transport Planning

- The amended application meets the car parking requirement for the additional dwellings.
- Modifications are required to the two northernmost car stackers in order to allow for appropriate vehicle access.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

State planning policy broadly supports development in this location, which increases housing supply in an existing urban area with good access to employment, services and public transport. The subject site is located in a Commercial 1 Zone within a Neighbourhood Centre.

Council's Housing Diversity Area Policy contains the following objectives for commercially zoned land in Neighbourhood Centres:

- *Ensure that the density, mass and scale of development is appropriate to the scale, character and physical size of the neighbourhood centre.*
- *Ensure that building heights are compatible with their site context and the wider neighbourhood centre.*

It is considered that the amended application complies with Council policy as the proposed fourth storey is compatible with adjoining development and the character of the wider Neighbourhood Centre.

Neighbourhood character

Buildings ranging from single storey to four storeys in scale currently exist along Poath Road within the commercially zoned area. An approval has also been granted for a part five storey and part six storey building at 67-73 Poath Road. This site is currently vacant in preparation for the construction of this building to commence.

Height, scale and massing

Given the policy context, existing built form and the character along Poath Road, it is considered that a four storey building is acceptable in this location.

The proposed fourth storey will be setback 5.6 metres from the rear lane (from the balconies). This setback will provide for an appropriate transition to the three storey apartment building to the rear (west) at 2 William Street.

Amenity impacts

Overshadowing from the added storey will be fully compliant with State Government Guidelines. The location of the land ensures that the majority of overshadowing throughout the day will fall to the south across the laneway, a carpark and the rail corridor.

Internal amenity

No changes are proposed to the layout of the already approved dwellings and offices. The three new dwellings proposed on the fourth floor will be provided with an acceptable level of internal amenity.

A new condition is recommended to be included in the amended permit which requires an acoustic report be provided in order to assess the potential noise impacts of the rail reserve onto the development. This report will also be required to make recommendations for acoustic treatment to the building to protect future residents from any unreasonable noise.

Car Parking and Traffic

The introduction of an additional three, two-bedroom dwellings results in an added requirement for three car spaces. These have been provided by an additional car stacker.

Council's Transport Planning Department has identified that modifications are required to the two northernmost car stackers in order to allow for appropriate vehicle access. These changes form part of the recommended conditions.

It is noted that the waiver of one visitor space was approved by Council under the original permit. The addition of three dwellings (total nine) does not result in a requirement for an additional visitor parking space according to State Government guidelines for the provision of car parking.

COMMUNICATION AND ENGAGEMENT

1. Public Notice (Statutory)

- 8 properties notified
- 83 notices sent (owners and occupiers)
- 2 signs erected on site
- 3 objections received

2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Delahunty, provided a forum where all interested parties could elaborate on their respective views. None of the objectors attended the conference. The applicant attended and gave a brief presentation of the merits of the proposal.

Undertakings by the Applicant

N/A

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That an amended Planning Permit be issued as follows:

The permit preamble modified as follows:

The construction of a ~~three~~ **four** storey building comprising ~~six~~ **nine** dwellings, two offices and a reduction of the car parking requirements

All conditions and notes to remain unchanged with the exception of adding conditions 1 (f) & 1(g), Condition 10 and note (J) 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 submitted with the application (identified as Mixed-Use Redevelopment, Drawing No. 3, 4, 5, 6 and 7 prepared by Aldo DiNicolantoni Architect dated May 2016 but modified to show:

- a) A schedule of construction materials, external finishes and colours incorporating paint samples. Including treatment of architectural features.
- b) Provision of a verandah over the footpath that extends to 750mm from the face of the kerb across the whole frontage. The height of the verandah must match the height of the verandahs at the adjoining shops.
- c) Windows to be setback within window frames to create shadow-lines to the satisfaction of the Responsible Authority.
- d) The “standard” model of car stacker must be provided with this shown on the plans and must be designed/located to allow pedestrians to walk through into the building to the satisfaction of the Responsible Authority. The car stackers are to have a minimum useable platform width of 2.4 metres provided for each car stacker space.
- e) The balconies at first and second floor to the west are to have fixed screening to a height of 1.7m above the finished floor level.
- f) The location of the two northernmost car stackers are to be swapped so that vehicles can appropriately access all car stacker units to the satisfaction of the Responsible Authority.
- g) Any recommendations of the acoustic report required by Condition 10 are to be included on the plans as notations.

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

- 2. The walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority.
- 3. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
 - (a) delivery and unloading points and expected frequency;
 - (b) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (c) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (d) any requirements outlined within this permit as required by the relevant referral authorities;
 - (e) hours for construction activity in accordance with any other condition of this permit;
 - (f) measures to control noise, dust, water and sediment laden runoff in particular to neighbouring land to the site's south;

- (g) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (h) any construction lighting to be baffled to minimise intrusion on adjoining lots.
4. 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.
5. The mechanical car stackers are to be maintained in a good working order and be permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.
6. A minimum of 1 car space for each 1 & 2-bedroom dwellings and 2 car spaces for the offices (1 for each office) must be provided on the land for the development/use.
7. During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
8. 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.

9. This Permit will expire if:
- The development does not start within two (2) years from the date of this Permit; and
 - The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the times referred to if a request is made in writing before this Permit expires or within three (3) months after the expiry date.

10. Prior to the endorsement of plans under the amended Planning Permit GE/PP-24708/2012/B, an Acoustic Report prepared by a suitably qualified professional must be submitted to the Responsible Authority. The report must assess and make recommendations for acoustic treatments to the building to address any unreasonable

noise impacts from the railway reserve. The report must be to the Satisfaction of the Responsible Authority.

Notes:

- A. Prior to any works the applicant shall apply for an Asset Protection Permit from Council's Engineering Services.
- B. All relevant engineering permits must be obtained prior to any works within the Road Reserve and/or Stormwater connection to Council's drainage network.
- C. Any modifications, amendments or changes that could impact Council's infrastructure assets are to be discussed with the Engineering Services prior to issuing a planning permit
- 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 a different criteria to that adopted for the approval of this Planning Permit.
- F. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- G. 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.
- H. 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.
- I. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.
- J. **The subject site is located within close proximity to the new Hughesdale Train Station and its associated rail corridor which is being reconstructed as part of the State Government's Level Crossing Removal Project. Due to the**

site's proximity to the railway line, the permit holder should liaise directly with the Level Crossing Removal Authority before commencing any construction works.

It is recorded Cr Magee declared a direct interest in item 9.3 – 83-85 Path Road Murrumbena, given he owns a property within close proximity to the subject site.

Cr Magee was not present in the Chamber when this item was considered and vacated the Chamber at 7.44pm.

Moved: Cr Hyams

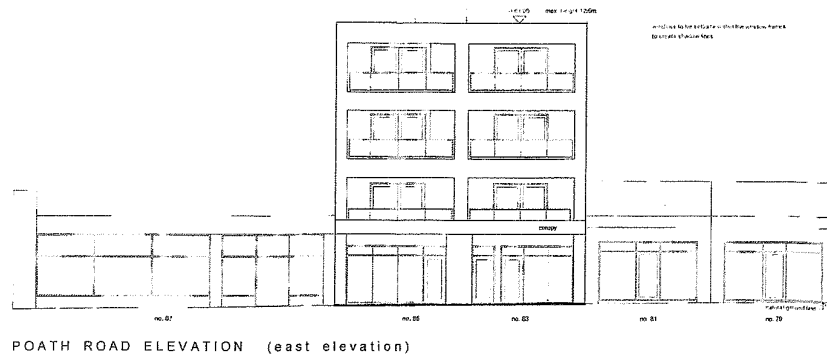
Seconded: Cr Delahunty

That Council issues an Amended Planning Permit for application No. GE/PP-24708/2012/B that allows the construction of a four storey building comprising nine dwellings, two offices and a reduction of the car parking requirement in accordance with the conditions contained in the Conclusion section of this report.

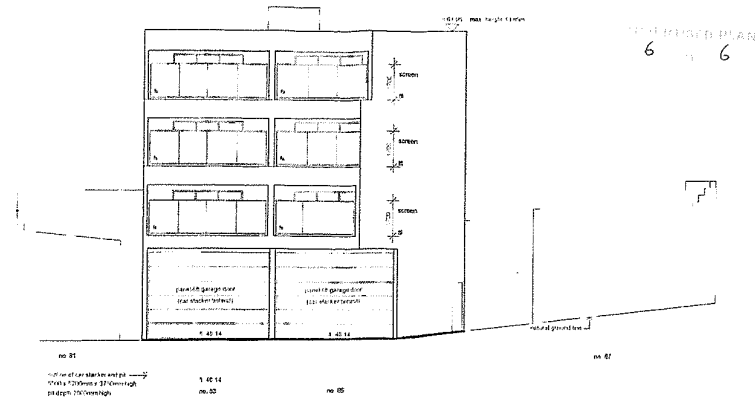
CARRIED

It is recorded Cr Magee returned to the Meeting at 7.49pm following the consideration of the above item.



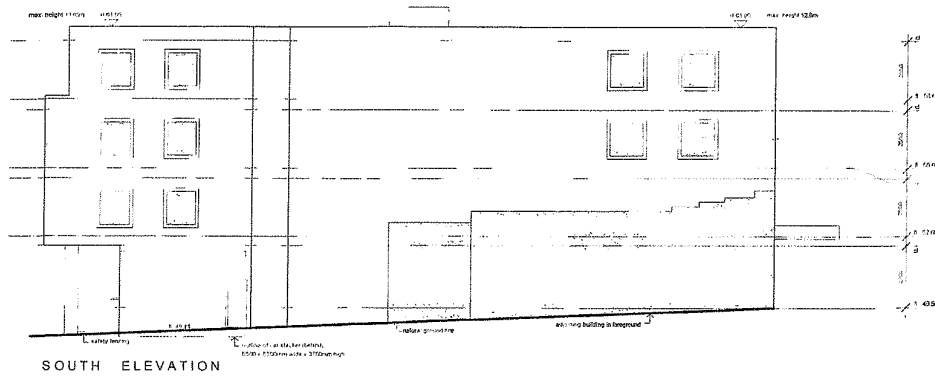


POATH ROAD ELEVATION (east elevation)

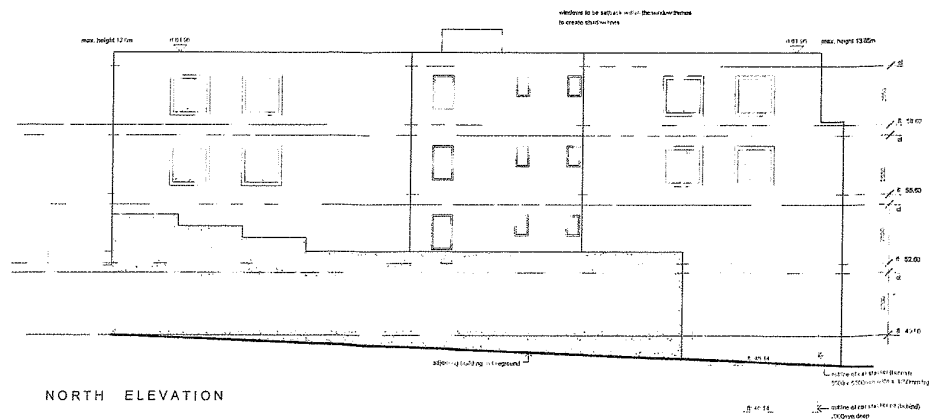


WEST ELEVATION (rear elevation)

MATERIALS SCHEDULE
Refer to separate schedule of materials



SOUTH ELEVATION



NORTH ELEVATION

Mixed Use Development
83-85 Poath Road
Murrumbena

May 2018

Aldo DiNicolantonio Architect

30 Glenview Circuit
Glenview VIC 3149
ph 9544 3200



439 52 697 23135

Item 9.4 23-25 ROTHSCILD STREET, GLEN HUNTLY**Author:** Rocky Camera, Manager Town Planning**File No:** GE/PP-29435/2016**Attachments:** Advertised plans**PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	Three storey building comprising 23 dwellings and basement car parking
MUNICIPAL STRATEGIC STATEMENT	Housing Diversity Area Policy (Glen Huntly Neighbourhood Centre)
APPLICANT	Steller 85 Pty Ltd
PLANNING SCHEME CONTROLS	General Residential Zone, Schedule 1
OBJECTIONS	10 objections

RECOMMENDATION

That Council: Issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29435/2015 for the construction of a three storey building comprising 23 dwellings and basement car parking in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

A Planning Permit for a three storey building comprising up to 26 dwellings was refused under Manager Delegation on 20 August 2015. The main grounds of refusal related to the building's bulk, siting and appearance not being compatible with the character of Rothschild Street, and limited landscaping opportunities. The refusal was appealed to VCAT. The Tribunal upheld Council's refusal for similar reasons.

A Planning Permit for a three-storey building accommodating up to twenty-three dwellings was approved by VCAT 18 August 2016 at 19-21 Rothschild Street. It is noted that the application was originally refused by Council under Manager Delegation.

ISSUES AND DISCUSSION

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

Proposal

- The application proposes a three storey building comprising 23 dwellings. Of the dwellings, 17 will have two bedrooms and 6 dwellings will have three bedrooms.
- Car parking is proposed within a basement with 35 spaces provided (32 car spaces for residents and 3 visitor car spaces).

Objectors' concerns

- Neighbourhood character
- Density
- Population increase
- Pressure on existing services and transport
- Environmental impacts from increased noise and emissions
- Traffic and car parking
- Height, massing and bulk
- Overlooking
- Overshadowing
- Rubbish bin collection
- Transition to Neighbourhood Residential Zone
- Site coverage
- Permeability and lack of adequate landscaping opportunities
- Visual dominance in streetscape
- Internal amenity
- Height and cost of boundary fencing
- Excessive lighting at night
- Construction management concerns

Referrals*Transport Planning*

- The proposal exceeds the State Government car parking guidelines for resident parking (29 required; 32 proposed).
- The proposal does not meet the guidelines for visitor parking.
- Amendments are required to improve vehicle access within the basement car park.

Landscape Officer

- There are no trees on site.
- There are neighbouring trees to the north and east which will require protection measures during construction.
- Require several canopy trees to be planted throughout the site (within the frontage, the rear setback, and within each side setback).

Asset Engineering

- Require the existing crossovers to be removed and the new crossover to be constructed to Council's standards.

Parks Services

- The two trees located in front of 23 Rothschild Street are to be removed and replaced.
- The two trees located in front of 25 Rothschild Street must be retained.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSZoning and policy context

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

The subject site is located within the General Residential Zone, with an interface to the Neighbourhood Residential Zone across the road to the south. The General Residential Zone allows for buildings up to 10.5 metres in height.

The proposed development complies with Council's Housing Diversity Area Policy as the density, mass and scale of the development is appropriate for this location. The proposed maximum height (9.5 metres) complies with the mandatory maximum height allowed under the General Residential Zone. Three storey developments are considered acceptable for the northern side of Rothschild Street in which a degree of change can be anticipated when compared to the southern side of the street which is within a Minimal Change area and has a maximum allowed building height of 8 metres.

Neighbourhood character

The current neighbourhood character along Rothschild Street consists predominately of single storey dwellings, together with more recent single storey and double storey dwellings and multi-unit developments.

The character of the surrounding area is evolving, as envisaged by policy, with existing housing stock being replaced with medium density developments of up to three storeys on the north side of the street. Three storey apartment buildings have recently been approved immediately to the west (by VCAT) and north of the site, and also to the east on the corner of Rothschild Street and James Street.

The contemporary design proposed is consistent with the character in the vicinity and the recently approved developments. External materials including face brick, render, and timber paneling are compatible with the neighbourhood and in this way the development seeks to reference the character of existing buildings in the streetscape.

The proposed development has responded to the key concerns with the previous application which was refused by Council. The visual appearance of the building has improved by using more sympathetic materials such as timber, face brick and glass balustrading. The previously refused development largely comprised of concrete panels. The total number of dwellings has reduced from 26 to 23. As a result, the front and rear setbacks to all floor levels has increased. This has, in turn, reduced the site coverage and provided for greater landscaping opportunities.

Height, scale and massing

The proposed front setbacks to Rothschild Street do not comply with the State Government guidelines. Conditions are recommended in order to require that the front setbacks comply with the requirements.

The setbacks to the western and eastern (side) boundaries and the northern (rear) boundary all comply with the State Government setback guidelines.

Amenity impacts

The building minimises the visual impact of its height, mass and scale on the adjoining residential land through the use of different materials and highly articulated built form, along with good setbacks to the sides and rear.

The application demonstrates full compliance with the State Government guidelines in relation to overlooking, overshadowing and daylight access to adjoining windows.

Landscaping

In order to improve landscaping opportunities within the front setback, a condition will require that the front fences for Apartments G.01 & G.08 be setback a minimum of 3 metres from the street. This change will allow for trees to be planted along the street frontage.

The substation currently proposed in the south-east corner of the site (front) should be relocated away from the frontage to further improve landscaping opportunities within the front setback. This forms a recommended condition of approval.

The proposal is also capable of accommodating landscaping along parts of the eastern and western side boundaries.

Internal amenity

The internal layout and amenity of dwellings within the development is generally appropriate to serve the living needs of future occupants. Balconies and ground floor courtyards are adequately sized.

It is noted that a number of bedrooms on the eastern and western elevations are reliant on narrow corridors. These windows are also screened to limit overlooking of adjoining properties however screening further reduces daylight penetration. To ensure that the bedrooms receive adequate daylight, the light corridors are required to be a minimum of 1.2 metres in width. This forms a recommended condition of approval.

Car Parking and Traffic

The State Government guidelines require 29 residential car parking spaces. The proposal exceeds this with 32 car parking spaces proposed for residents. However there is a shortfall of one visitor car parking space as 4 spaces are required under the State Government guidelines and only 3 spaces are proposed.

Given there is an excess of resident parking, and there is not adequate justification to reduce the visitor parking requirement in the context of this site, a recommended condition of approval will require one of the proposed resident spaces to be reallocated as a visitor parking space. This will ensure that both the resident and visitor car parking comply with State Government guidelines.

Management Plan Requirements

A Construction Management Plan (CMP) and Waste Management Plan (WMP) are recommended to be required by way of permit conditions.

COMMUNICATION AND ENGAGEMENT

1. Public Notice (Statutory)

- 12 properties notified
- 20 notices sent (owners and occupiers)
- 2 signs erected on site
- 10 objections received

2. Planning Conference (Non Statutory)

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

- Traffic and parking congestion
- Cumulative impact of developments in street
- Overdevelopment
- Inappropriate development for zone boundary
- Amenity impacts
- Landscaping
- Neighbourhood character

Undertakings by the Applicant

- Willing to achieve full compliance with State Government car parking requirements and would accept a permit condition requiring increased visitor parking.

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That a Notice of Decision to Grant a Planning Permit be issued with the following conditions:

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 1553, sheets TP104A dated 23.05.2016, and TP100B, TP101B, TP102B, TP103B, TP400B, TP401B, TP450B all dated 07.2016, prepared by Ewert Leaf) but modified to show:
 - (a) The proposed crossover to be setback 2 metres from the western property boundary and the accessway aligned with the crossover, between the kerbs.
 - (b) The width of the proposed accessway ramp to be clearly dimensioned including the provision of 300mm kerbs on each side of the accessway.
 - (c) Provision of pedestrian sight triangles measuring 2.5 metres along the accessway and 2 metres along the property frontage on both sides of the vehicle accessway. A notation must be included on the plans to specify that no objects greater than 600 millimetres in height can be located within the corner splays.
 - (d) The two western-most street trees annotated to be removed and replaced to the satisfaction of the Responsible Authority.
 - (e) The tandem car parking spaces to be dimensioned at 4.9 metres in length for the rear spaces, and 5.4 metres in length for the front spaces (adjacent to the aisle).
 - (f) The columns within the basement car park to be located and dimensioned in accordance with Diagram 1 of Clause 52.06 of the Glen Eira Planning Scheme.
 - (g) Notations on the plans that the over bonnet storage boxes are to extend a maximum 900mm out into the car spaces and to be 1.35 metres off the ground. No vertical supports are to be provided within the car spaces, unless in accordance with Diagram 1 of Clause 52.06.
 - (h) A minimum height clearance of 2.1 metres at the entrance to the basement car park and also within the car park. This must be shown to be measured in accordance with Figure 5.3 of AS2890.1:2004. Headroom clearance above the ramp is required to be measured as per Figure 5.3 of AS2890.1:2004.
 - (i) Provision of an intercom system to allow for visitor access to the car park. The intercom is to be set back 3 metres from the frontage to ensure that vehicles are not blocking the footpath and is to be provided within the 1:10 grade section of the accessway ramp, or otherwise to the satisfaction of the Responsible Authority. The intercom system should include video with remote access from each apartment.
 - (j) The provision of four visitor car parking spaces in locations to the satisfaction of the Responsible Authority.

- (k) A notation on the plans that 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).
- (l) A notation on the plans that 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).
- (m) A notation on the plans that written confirmation by a Licensed Land Surveyor will be provided to the Responsible Authority verifying that the development does not exceed 10.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.
- (n) An increase in the ground and first floor street setbacks to a minimum of 6.9 metres. Any consequential changes must be absorbed within the remainder of the building envelope.
- (o) An increase in the front setback of the first floor balconies to a minimum of 5.5 metres from the street frontage.
- (p) An increase in the front setback of the second floor balconies to a minimum of 5.5 metres from the street frontage.
- (q) The front fences for Apartments G.01 & G.08 are to be setback a minimum of 3 metres from the front boundary. These fences are to be a maximum height of 1.7 metres natural ground level.
- (r) The light corridors to all bedrooms must be a minimum of 1.2 metres in width.
- (s) The substation to be relocated from the front setback and provided in a location to the satisfaction of the Responsible Authority.
- (t) The delineation of separate Tree Protection Zones (TPZ) and Tree Protection Fencing (TPF) for the neighbouring trees to the north and east at a radius of 2m from the base of the trunk of the trees.
- (u) A landscape plan in accordance with Condition 2.

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

2. A detailed Landscape Plan must be submitted to Council, to the satisfaction of 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 the following:
 - (a) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (b) 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.
 - (c) Landscaping and planting within all open space areas of the site.
 - (d) 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 x canopy trees within the front setback;
 - (ii) 6 x canopy trees within the rear setback; and

(iii) 2 x canopy trees within each side sideback;

or 14 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:
 - The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.

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

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

5. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
6. 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.
7. Prior to the commencement of the buildings and works, a tree protection fence must be erected around the neighbouring trees to the north and east at a radius of 2 metres from the base of the trunks 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.

8. Prior to the commencement of the development, a fee of \$1,615.85 must be paid to the Responsible Authority for the removal and replacement of the existing street trees fronting 23 Rothschild Street. The street trees will be replaced with the species, maturity and location of which to be selected by Council's Parks Services Department.

9. 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.
10. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street trees fronting 25 Rothschild Street.
11. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street trees to be retained at the front of 25 Rothschild Street at a radius of 3.6 metres for the western-most tree and 4.3 metres for the eastern-most tree from the base of the trunks 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.
12. 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.

13. No excavation is to come within 2.5 metres of the western-most street tree and 3 metres of the eastern-most street tree to be retained (measured from the centre of the trunks) 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.

14. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 10.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.

15. 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.
16. 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.

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. 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 or more bedroom dwelling; and
 - Four (4) visitor spaces, marked accordingly.
19. 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).
20. 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.
21. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note G.
22. 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.
23. 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 by private collection or Council.
 - (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.

24. Each dwelling is to have provisions for six cubic metres of storage space.

25. Privacy screens/obscure glazing must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens/obscure glazing must be maintained to the satisfaction of the Responsible Authority.

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 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.
- C. 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.
- D. 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.
- E. 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.
- F. Consideration is required when installing domestic services (ie. 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.
- G. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- H. Any firefighting equipment for the building shall be accommodated within the title boundaries. Council will not allow private fire equipment in the Road Reserve.
- I. The proposed vehicle crossing shall be constructed as a splayed crossing to Council’s standards.

- J. The existing grated side entry pit within the proposed vehicle crossing must be relocated to the satisfaction of Council.
- K. Post development peak storm water discharge to Council's drainage network must be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations prepared by a registered consulting Civil Engineer should be submitted to Council for approval prior to any construction works.
- L. Drainage associated with basement construction (seepage and agricultural waters are to be filtered to rain water clarity) must be discharged to the nearest underground Council drain/pit and not be discharged to the kerb and channel.
- M. All stormwater runoff must be connected to Council's underground drainage network, with no uncontrolled stormwater discharge to adjoining properties and footpaths.
- N. Asset Protection Permit must be obtained from Council's Engineering Services Department prior to commencement of any building works.
- O. All relevant Engineering Permits must be obtained prior any works within the Road Reserve and/or stormwater connection to Council drainage network.

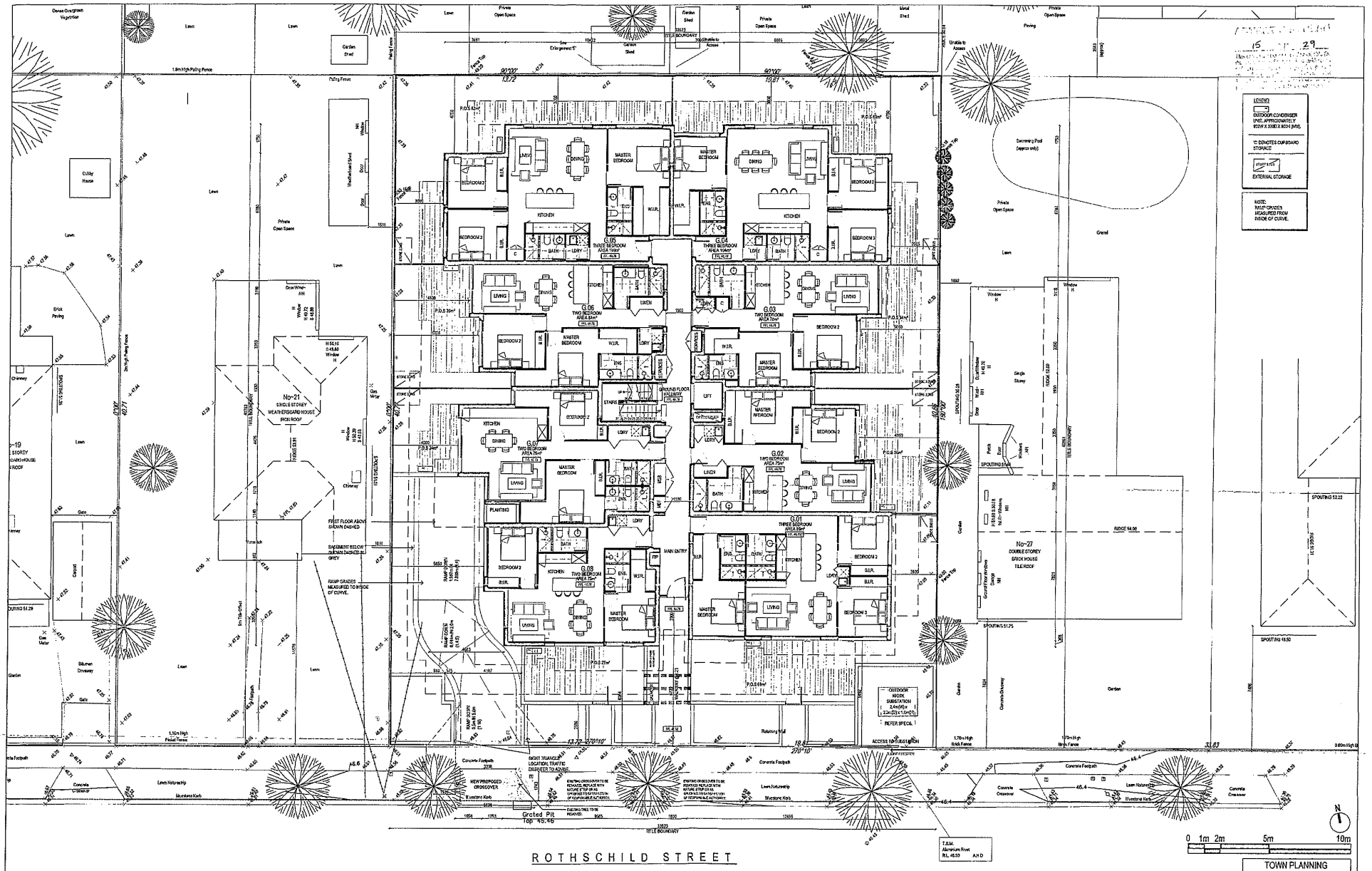
Item 9.4 (cont'd)**Moved Cr Esakoff****Seconded Cr Magee**

That Council issues a Notice of Refusal for Planning Permit Application No. GE/PP- 29435/2016 in accordance with the following grounds:

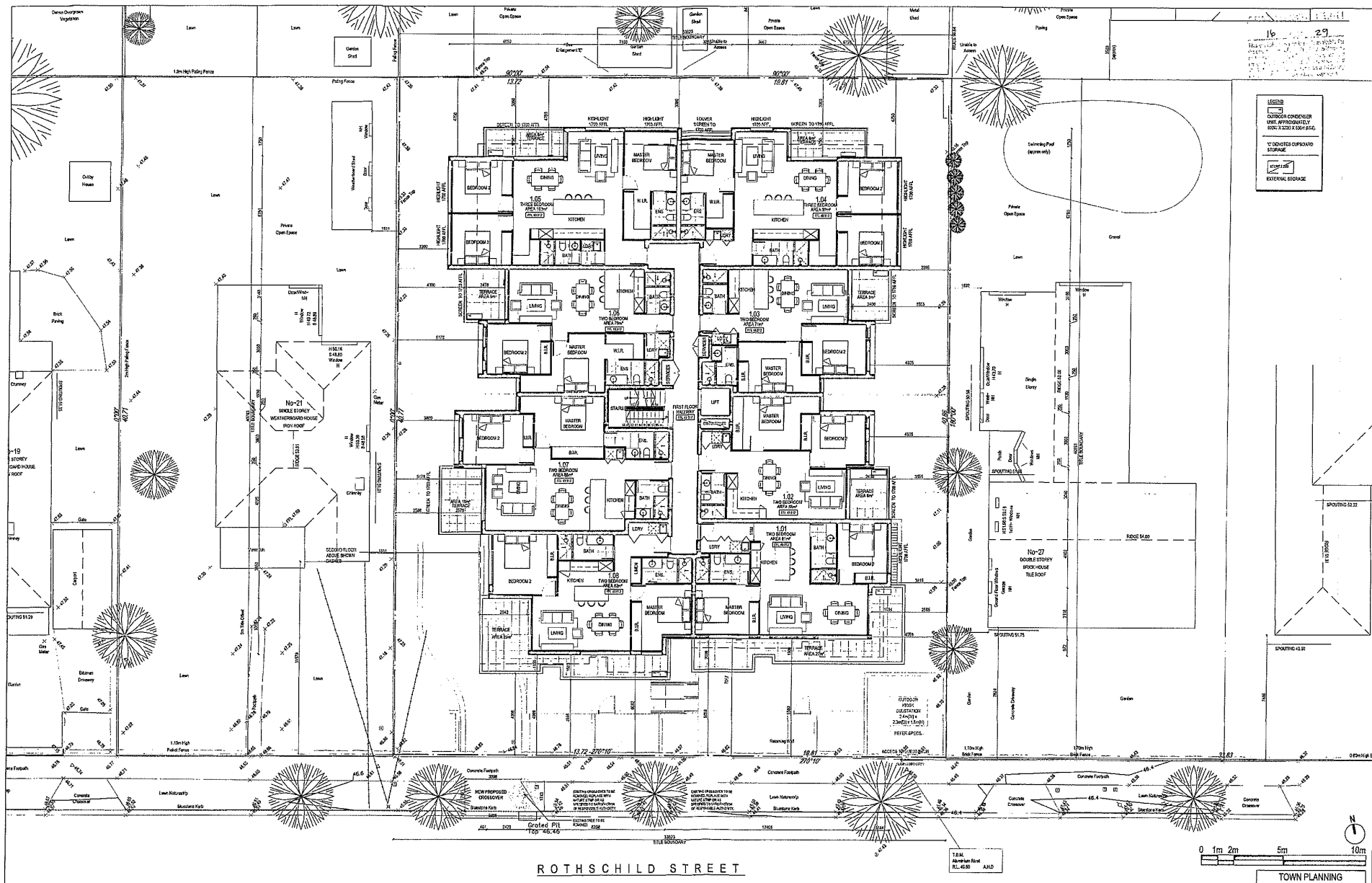
Grounds of Refusal

1. The proposal fails to meet with the purpose and decision guidelines of Clause 32.08 (General Residential Zone) of the Glen Eira Planning Scheme, as the proposal does not respect the existing or preferred neighbourhood character of the area and amenity of the adjoining properties.
2. The proposed development is inconsistent with the Local Planning Policy for Housing and Residential Development as stated in Clause 21.04 of the Glen Eira Planning Scheme as it would not adequately respond to its context and would not respect the existing or preferred neighbourhood character.
3. The proposed development is inconsistent with the intent and objectives of Clause 22.07 of the Glen Eira Planning Scheme (Housing Diversity Area Policy) in relation to:
 - Lack of transition to the adjoining residential properties.
 - Excessive and unreasonable visual mass and bulk impacts on
 - the adjoining residential properties.
 - Extent of the first and second floor.
 - Visual dominance of the development within the existing streetscape.
4. The proposed development fails to meet 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 55.03-8 – Landscaping
 - Clause 55.04-1 – Side and Rear Setbacks
 - Clause 55.04-6 – Overlooking
 - Clause 55.04-7 – Internal Views
 - Clause 55.05-3 – Daylight to New Windows
 - Clause 55.05-4 – Private Open Space
 - Clause 55.05-5 – Solar Access to Open Space
 - Clause 55.06-1 – Design detail
5. The proposal fails to meet the requirements and design standards of Clause 52.06 of the Glen Eira Planning Scheme with respect to visitor car parking, the width of the accessway ramp and the location of the columns within the basement.

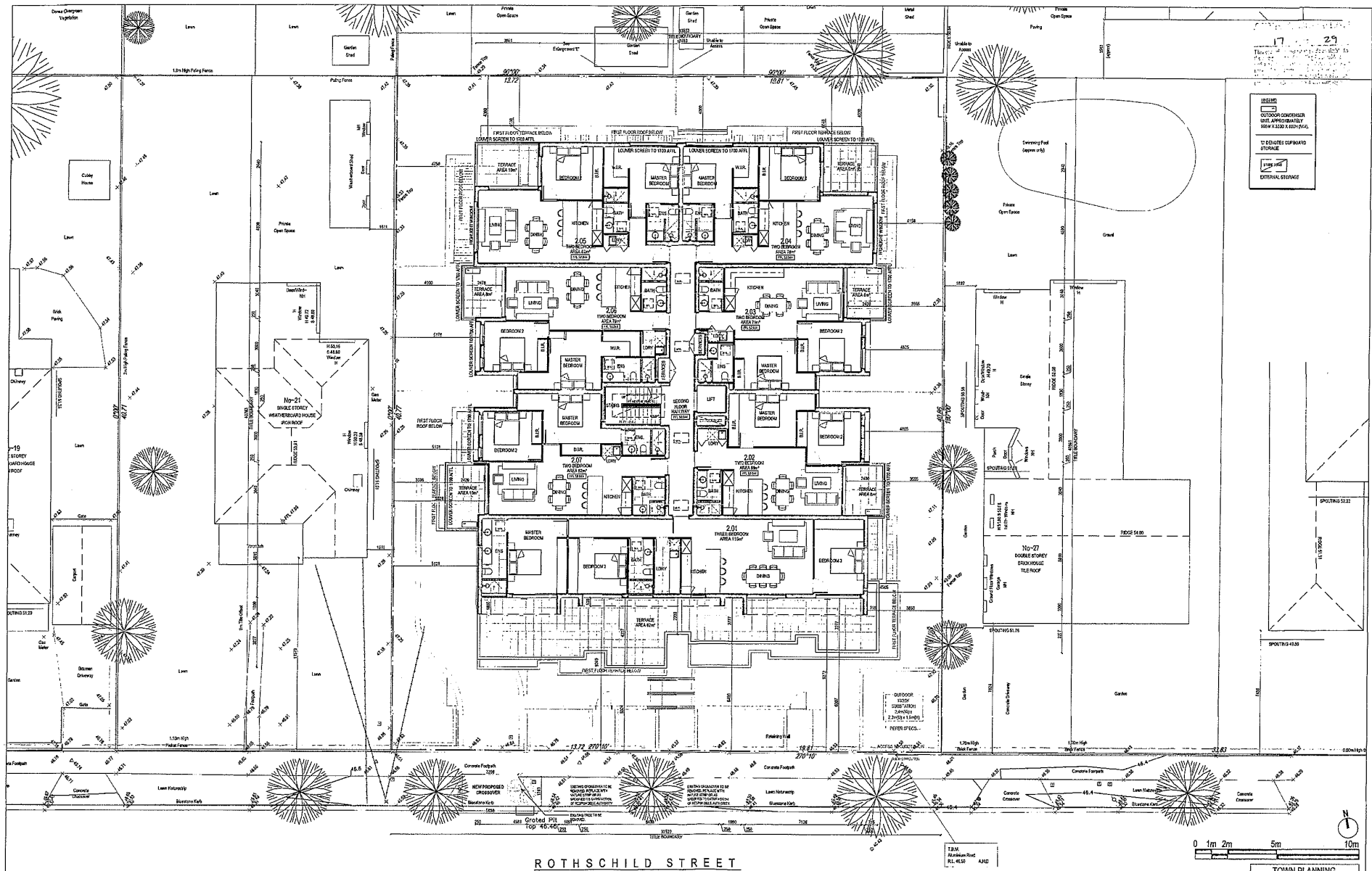
CARRIED UNANIMOUSLY



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AMENDMENTS:
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ISSUE FOR TOWN PLANNING
ISSUE FOR RPI

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ISSUE DATE: 23.05.2016
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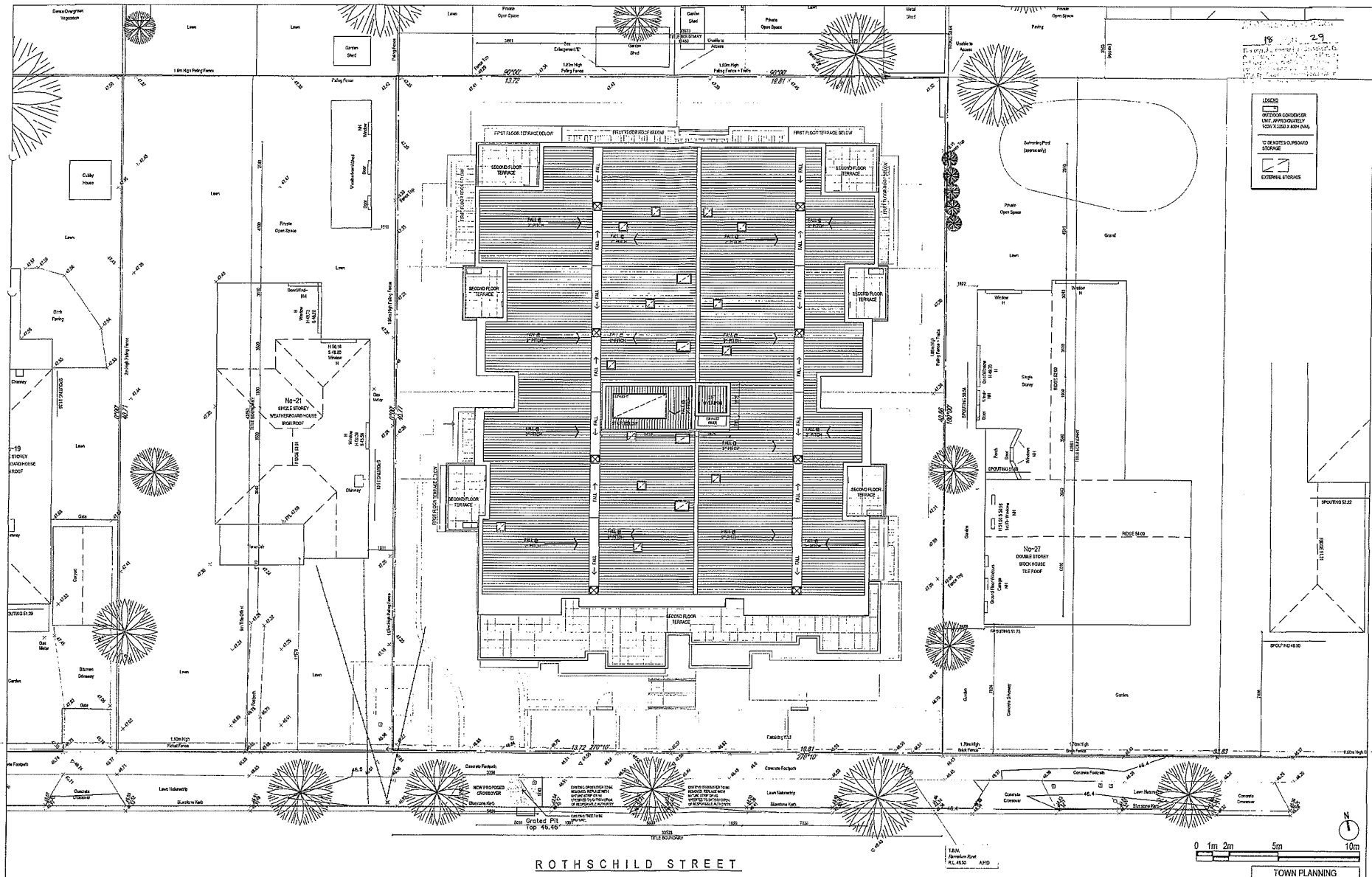
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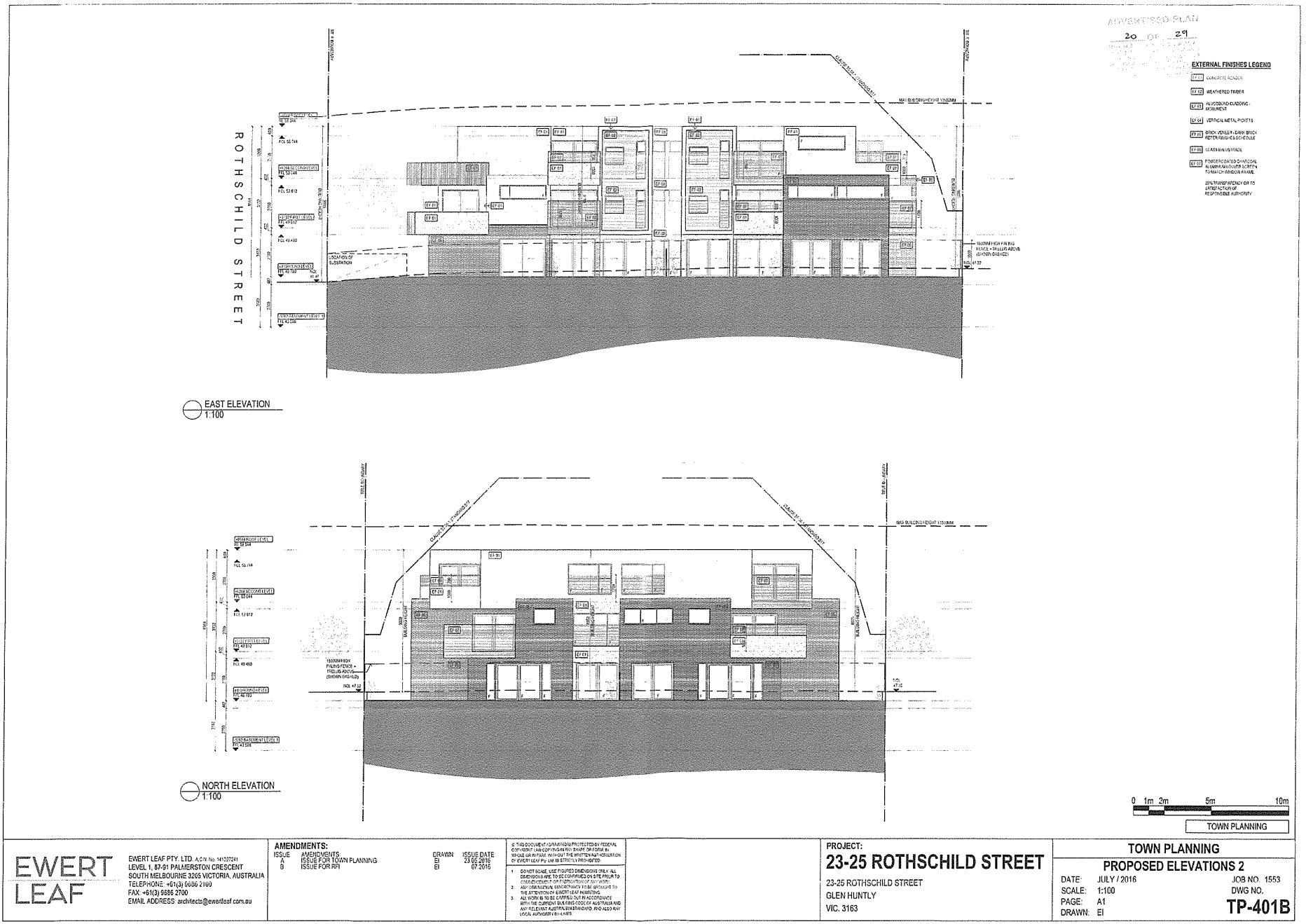
PROJECT:
23-25 ROTHSCILD STREET
23-25 ROTHSCILD STREET
GLEN HUNTLY
VIC. 3163

TOWN PLANNING
PROPOSED SECOND FLOOR PLAN
DATE: JULY / 2016
SCALE: 1:100
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JOB NO. 1553
DWG. NO.
TP-103B



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PROJECT:
23-25 ROTHSCHILD STREET
23-25 ROTHSCHILD STREET
GLEN HUNTLY
VIC. 3163

TOWN PLANNING
PROPOSED ELEVATIONS 2
DATE: JULY / 2016
SCALE: 1:100
PAGE: A1
DRAWN: EI
JOB NO. 1553
DWG NO.
TP-401B

9.5 1-9 ADELAIDE STREET, MCKINNON**Author:** Rocky Camera, Manager Town Planning**File No:** GE/PP-29502/2016**Attachments:** Advertised plans**PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	34 three storey dwellings above a basement car park
MUNICIPAL STRATEGIC STATEMENT	Housing Diversity Area Policy (McKinnon Neighbourhood Centre)
APPLICANT	Fredman Malina Planning Pty Ltd
PLANNING SCHEME CONTROLS	General Residential Zone
OBJECTIONS	27

RECOMMENDATION

That Council:

Issue a Notice of Decision to Grant a Permit for Application No. GE/PP-29502/2016 for the construction of 34 three storey dwellings and a basement car park in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

N/A

ISSUES AND DISCUSSION

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

Proposal

Three 3 storey buildings comprising 34 dwellings (1 x 2 bedroom, 27 x 3 bedroom and 6 x 4 bedroom)

The basement car park will comprise 70 resident car spaces and 3 visitor car spaces

Objectors' concerns

- Neighbourhood character
- Streetscape appearance
- Overdevelopment
- Traffic and car parking
- Vehicle and pedestrian safety
- Building height
- Overlooking
- Overshadowing
- Cumulative impact of other developments in the area
- Loss of trees
- Inadequate landscaping
- Noise
- Construction management concerns
- Loading bay requested for the business at 247-249 Jasper Road

Referrals*Transport Planning*

- An additional 3 visitor car spaces must be provided to comply with the State Government car parking guidelines.
- The local street network can accommodate the increase in traffic generated by the proposal.
- Some modifications to the basement and the basement access ramp required to ensure compliance with regulations.

Landscape Officer

- The trees on the site can be removed.
- A landscape plan will be required which would include the planting of at least 30 canopy trees.

Park Services

- The proposal would have adequate clearances from the street trees. Tree protection conditions are recommended.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

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

The subject site is located within the General Residential Zone with interfaces to the Commercial 1 Zone to the north and east. For sites that have a slope such as this site, a maximum height of 11.5m is allowed.

The Housing Diversity Area Policy seeks the following:

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

Two of the stated purposes of the General Residential Zone are:

- *To encourage development that respects the neighbourhood character of the area.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*

It is considered that the proposal complies with the Housing Diversity Area Policy and the purpose of the General Residential Zone. The density, mass and scale of the development is appropriate for this location. The proposed maximum height of 10.96m complies with the mandatory maximum height allowed under the General Residential Zone in this circumstance and is therefore considered acceptable.

Neighbourhood character

Existing neighbourhood character will change over time given the site's location within the McKinnon Neighbourhood Centre. The proposal is representative of the anticipated change in terms of the density, height and massing which is a product of the mandatory height limit in the General Residential Zone and the considerations of ResCode such as front and side street setbacks and site coverage.

The layout and design of the buildings fronting Adelaide and Foster Streets incorporates staggered setbacks, roof forms and a variety of materials and colours that is considered to be adequately respectful of the existing character. The visually interesting facades would also positively contribute to the preferred character of the McKinnon Neighbourhood Centre.

Height, scale and massing

It is considered that the proposal has been thoughtfully designed and its height, massing and appearance would be suitable for this strategic location where increased densities and changes in residential character are supported by the relevant State and Local Planning Policies and by the Residential Growth Zone.

The front setbacks to Adelaide Street comply with the State Government guidelines. There are minor encroachments into the prescribed 3 metre setback for Foster Street set out in the State Government guidelines, however these are considered to be acceptable as this space will be sufficient for landscaping. Part of the building setbacks to the east and north (rear) do not comply with the State Government guidelines. As these parts of the proposal have an interface with laneways and the commercial areas, there would be no unreasonable amenity impacts. The proposed side and rear setbacks are considered to be acceptable in this instance.

While the upper floors are not recessed, the staggered front and side street setbacks, breaks between the buildings, façade articulation and varied design detail assist to moderate the scale of the proposal and ensure that it would not be excessively prominent in the streetscape.

Amenity impacts

As the site does not adjoin any residentially zoned land, the proposal achieves a very high level of compliance with the State Government's guidelines in relation to overlooking, overshadowing and daylight to habitable room windows.

It is considered that the proposal would not cause unreasonable visual bulk impacts when viewed from the nearby commercially zoned properties or the dwellings on the opposite sides of Adelaide and Foster Streets as it will have appropriate variation in setbacks and articulation of the facades. The plans include a schedule of materials and colours that will ensure that the proposal would have a satisfactory level of visual interest.

Internal amenity

The habitable rooms of the dwellings will have good access to daylight. There are no narrow light corridors ("saddle-backs") or borrowed light ("snorkels") to the habitable room windows.

Adequate areas of private open space are provided in a combination of ground floor courtyards, many of which are larger than 25sqm and upper floor balconies which are all shown as 8sqm or larger. There is also communal open space located at ground level. Ground floor courtyards and first floor balconies are connected to living rooms. Storage areas are proposed in the basement and a condition will require 6 cubic metres to be provided for each dwelling.

Internal views between the north and south rows of townhouses are restricted by the use of obscure glass and external screens.

The 1.5m high front fences are considered to be acceptable as they will provide a sense of privacy for the ground floor rooms of the dwellings. A 1.5m high gated screen would be provided for the substation located in the southwestern corner of the site.

Landscaping

Appropriate landscaping can be accommodated in the Adelaide Street and Foster Street setbacks that will contribute to the future amenity of the streetscape. The proposal is also capable of accommodating landscaping along the northern boundary and within the site. The recommendation includes a condition requiring the submission of a detailed landscape plan.

Car Parking and Traffic

The State Government parking guidelines require 67 on site resident car spaces based on 1 car space for each 1 or 2 bedroom dwelling and 2 car spaces for each 3 or more bedroom dwelling. The required 67 car spaces are provided in the basement.

The guidelines also require 6 on site visitor car spaces based on 1 car space for every 5 dwellings. A total of 3 visitor car spaces are provided in the basement, representing a shortfall of 3 car spaces. Amended plans will be required to show the provision of 3 additional visitor car spaces to achieve compliance with the State Government guidelines (this might necessitate the use of car stackers and the recommendation includes enabling conditions). A note will be included on the permit making future residents ineligible to obtain resident and visitor parking permits.

The basement ramp and car park layout is generally satisfactory but some changes, as suggested by Council's Transport Planning Department, are required to ensure safe and convenient vehicle movements. These changes may necessitate some modification to the unit 18.

Council's Transport Planning Department has advised that the increase in traffic generated by the proposal is unlikely to have a significant adverse impact on the operation of the surrounding road network.

Management Plan Requirements

A Construction Management Plan (CMP), Waste Management Plan (WMP) and a Car Stacker System Management Plan (CSSMP) will be required as conditions.

COMMUNICATION AND ENGAGEMENT

Public Notice (Statutory)

- 30 properties notified
- 54 notices sent (owners and occupiers)
- 5 signs erected on site
- 27 objections received

Planning Conference (Non Statutory)

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

- Neighbourhood character;
- The scale and height of the proposal;
- Front setbacks;
- Parking and traffic impacts;
- Removal of trees and limited landscaping opportunities; and
- Design features for environmental sustainability.

Undertakings by applicant

N/A

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That a Notice of Decision to Grant a Permit be issued 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 be generally in accordance with the plans submitted with the application, identified as Drawing No's. TP100A, TP101A, TP102A, TP103A, TP104, TP200A, TP201A, TP300A and TP600, drawn by BG Architecture, dated June 2016, but modified to show:

Car Parking and Access

- (a) The provision of 3 additional visitor car spaces in the basement car park. The visitor carspaces must be located immediately adjacent (to the west) of the carspaces as shown the basement plan. This may necessitate the installation of a car stacker system for resident car spaces.
- (b) Notes stating that the redundant vehicle crossings will be removed and that the naturestrips and kerbs will be reinstated.
- (c) The corner splay on the eastern side of the driveway to be located fully within the site. The vehicle crossing and at least the first 4.5 metres of the driveway will need to be setback 2.0 metres from the eastern boundary. The first 4.5 metres of the driveway can taper back to its original alignment. A note must be included to state that the corner splays will not contain any objects or vegetation greater than 600mm in height. Consequential changes can be made to the layout of the proposal, including Unit 18, and all changes must be to the satisfaction of the Responsible Authority.
- (d) The provision of an intercom, setback a minimum of 3 metres from the front boundary, so that visitors can access the basement.
- (e) The vehicle crossing to be clearly shown on the plans as a splayed type and with the same width as the trafficable section of the driveway (ie, 3.3 metres between the 300mm kerbs) and be aligned with one another. A 2.0 metre wide section of naturestrip must be shown between the vehicle crossing and the western edge of the vehicle crossing to the laneway. The setback of the vehicle crossing from the street tree must also be shown.
- (f) A note to state that there will be no fences, objects or vegetation greater than 600mm in height along the first 3 metres of the eastern boundary.
- (g) The provision of a cross-section drawing to show a minimum height clearance of at least 2.1 metres along the proposed basement ramp and within the basement car park. The cross-section drawing must show headroom clearance above the ramp in accordance with Figure 5.3 of AS2890.1:2004 and all ramp grades and grade lengths.

- (h) The gradients of the basement ramp to be in accordance with Design Standard 3: Gradients of Clause 52.06-8 of the Glen Eira Planning Scheme. The lengths of the gradients around the curved section must be measured and dimensioned on the inside of the ramp.
- (i) The width of the kerb on the outside of the curved section of the basement ramp to be increased to 500mm and the car park entry door to be widened to allow for 300mm kerbs to be provided on each side.
- (j) Additional notes to explain the operation of the stop/go signal system for access to and from the basement car park as detailed in the Traffic Impact report prepared by Ratio Consultants, dated 9 June 2016.
- (k) The width of all pedestrian paths within the basement to be not less than 1 metre.
- (l) All car spaces adjacent to walls to have a minimum clearance of 300mm which is to be dimensioned on the plans (eg, the area adjacent to car space 57).
- (m) The columns within the basement car park to be clearly dimensioned on the plans and be in accordance with Diagram 1 of Design Standard 2: Car parking spaces of Clause 52.06-8 of the Glen Eira Planning Scheme.
- (n) The provision of a blind aisle extension of at least 0.8m at the southern end of the western car park aisle.
- (o) An electronic swept path analysis assessment using the B85th vehicle undertaken by a suitably qualified traffic engineer to demonstrate convenient access to and from the accessway ramp and the car park aisles, and to and from the most difficult car spaces.
- (p) The words "includes storage" to be deleted from the garages and replaced with notes for the provision of over-bonnet storage. Any over-bonnet storage cages must intrude a maximum of 900mm into the car spaces and be 1.35 metres off the ground with no vertical supports within the car spaces.
- (q) The deletion of all courtyard pedestrian gates along the northern (laneway) boundary.
- (r) The ground floor exit doors to Stair 1 and Stair 3 to be either setback from the laneway with a landing and corner splays or a note provided on the plans to state that a permanent sign will be displayed to warn pedestrians that these doors exit onto a laneway.
- (s) If used, the exact make and model of the car stacker system to be specified and all dimensions noted and shown on the basement plan and a cross-section drawing (ie, car space widths, lengths and heights; clear platform widths and lengths; pit depths; height clearances, etc) in accordance with Design Standard 4 of Clause 52.06 of the Glen Eira Planning Scheme or to the satisfaction of the Responsible Authority.
- (t) The provision of a 3.0 metre x 3.0 metre corner splay at the south-western corner of the site. A note must also be included to state that this area will be at a grade to suit the adjoining footpath and will not contain any objects or vegetation greater than 600mm in height.
- (u) The provision of a corner splay at the north-western corner of the site measuring 2.0 metres along the western boundary and 2.5 metres along the northern boundary. A note must also be included to state that this area will be at a grade to suit the adjoining footpath and laneway and will not contain any objects or vegetation greater than 600mm in height.
- (v) The provision of a 2.5 metre x 2.5 metre corner splay at the north-eastern corner of the site which must be designated as 'Road' and transferred to Council on any future Plan of Subdivision. This area should be constructed as part of the laneway at the full cost of the permit holder to the satisfaction of the Responsible Authority and be fully trafficable.

General

- (w) A Landscape Plan in accordance with Condition 2.

- (x) Detailed notes and dimensions to demonstrate the provision of 6 cubic metres of storage for each dwelling. Storage areas in the basement should incorporate solid materials to minimise the risk of theft.

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) South-western corner of the site: x 1 large tree;
 - (ii) Adelaide Street front setback: x 3 trees;
 - (iii) Within front and rear yards: x 26 small trees;or 30 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 landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
4. The landscaping as shown on 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.
5. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street trees.
6. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street trees at radii of 2.0 metres for the Water Gum trees in Foster Street and 5.0 metres, 2.4 metres, 4.0 metres, 4.9 metres and 3.4 metres from the base of the trunks of the Lemon Scented Gum, Camphor Laurel, Kings Park Special, Camphor Laurel and Weeping Bottle Brush trees, respectively, from west to east in Adelaide Street, 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.
7. 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.

8. No excavation is to come within 1.4 metres of the Water Gum trees in Foster Street and 3.4 metres, 1.4 metres, 2.8 metres, 3.4 metres and 2.3 metres from the base of the trunks of the Lemon Scented Gum, Camphor Laurel, Kings Park Special, Camphor Laurel and Weeping Bottle Brush trees, respectively, from west to east in Adelaide Street (measured from the centre of the trunks) 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.

9. Privacy screens must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens must be maintained to the satisfaction of the Responsible Authority.
10. If used, mechanical car stackers must be maintained by the Owner's Corporation in a good working order and be permanently available for the parking of vehicles in accordance with their purpose to the satisfaction of the Responsible Authority. Should no Owner's Corporation be established, then the lot owner must bear responsibility for ongoing maintenance of the car stacker.

Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority, a Car Stacker System Management Plan (CSSMP) including but not limited to the following:

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

Once approved this document must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

11. 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.

12. The car parking allocation for the approved development must be:
 - Not less than one (1) car space for each 1 or 2 bedroom dwelling;
 - Not less than two (2) car spaces for each 3 or more bedroom dwelling; and
 - Not less than one (1) visitor car space for every five (5) dwellings and marked accordingly.
13. The vehicle 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.
14. 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.
15. During the construction of the buildings and works allowed by this permit, the laneways adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
16. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 11.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.
17. 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).
18. 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.
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;
measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (i) any construction lighting to be baffled to minimise intrusion on adjoining lots.
20. 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.
21. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note A.
22. 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.
23. 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.
24. 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. Residents of the dwellings allowed under this permit will not be issued residential parking permits (including visitor parking permits).
- B. 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.
- 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 200mm 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. The existing Telstra pit/s at the frontage of the site are to be relocated and/or modified to the satisfaction of the relevant Authority. Please call Telstra on ph: 1800 810 443. The written permission from the relevant Authority regarding the relocation and/or modification of the Telstra pit/s must be provided to Council.
- F. Consideration is required when installing domestic services (ie, 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.

Item 9.5 (cont'd)**Moved: Cr Lipshutz****Seconded: Cr Sounness**

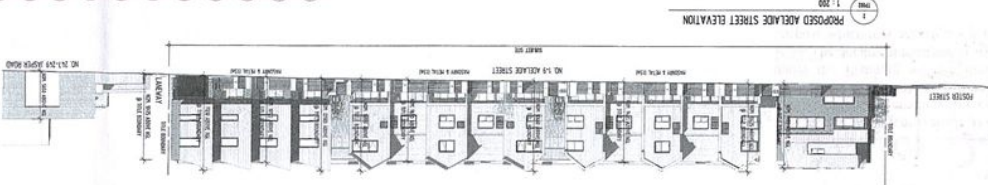
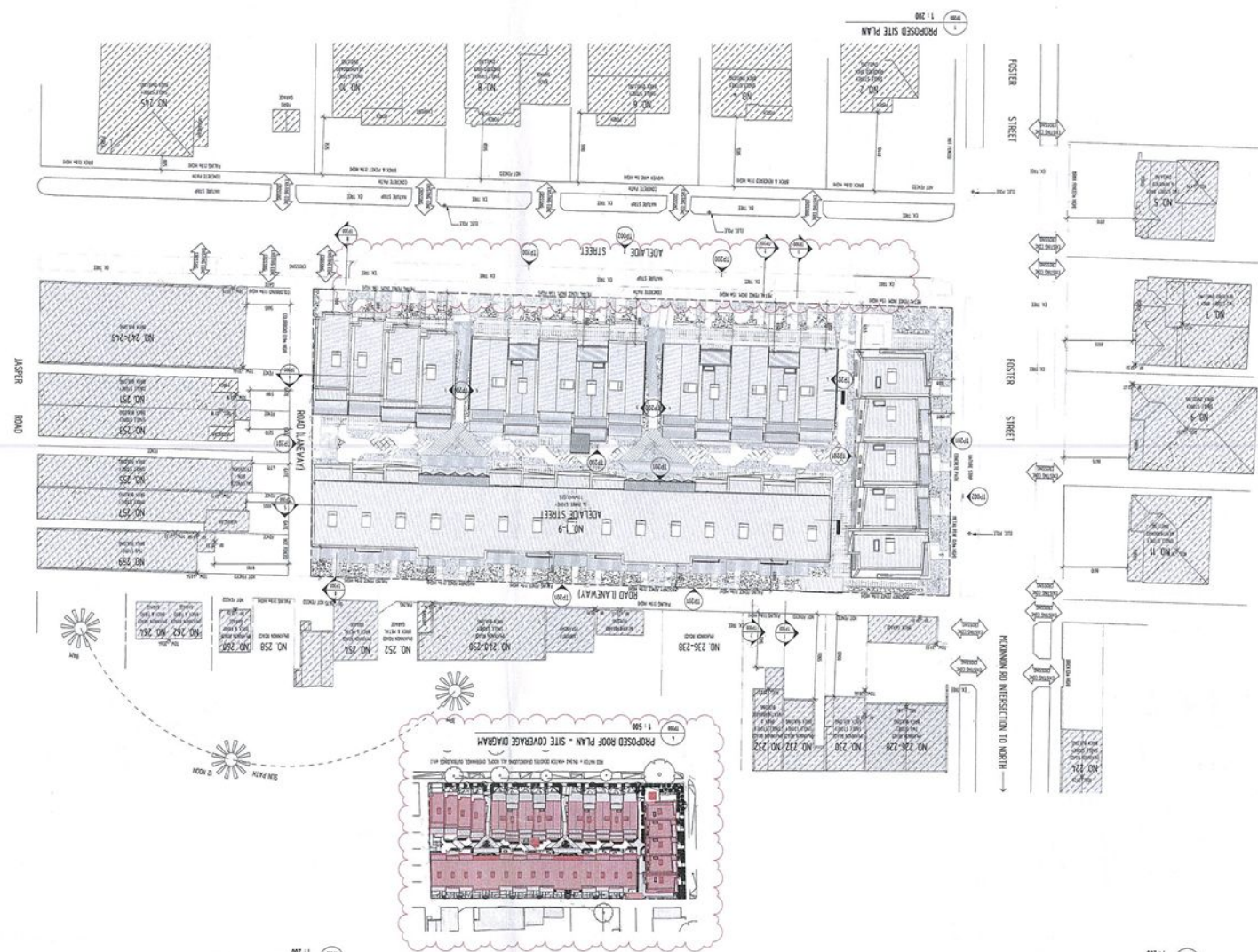
That Council issues a Notice of Decision to Grant a Permit for Application No. GE/PP-29502/2016 for the construction of 34 three storey dwellings and a basement car park in accordance with the conditions contained in the Conclusion section of this report.

CARRIED

REV	DATE	DETAILS	QTY
1	10/10/12	ISSUE FOR TRUCK PLANNING	00
2	12/11/12	ISSUE FOR MR HESPOUSE	00

[illegible]

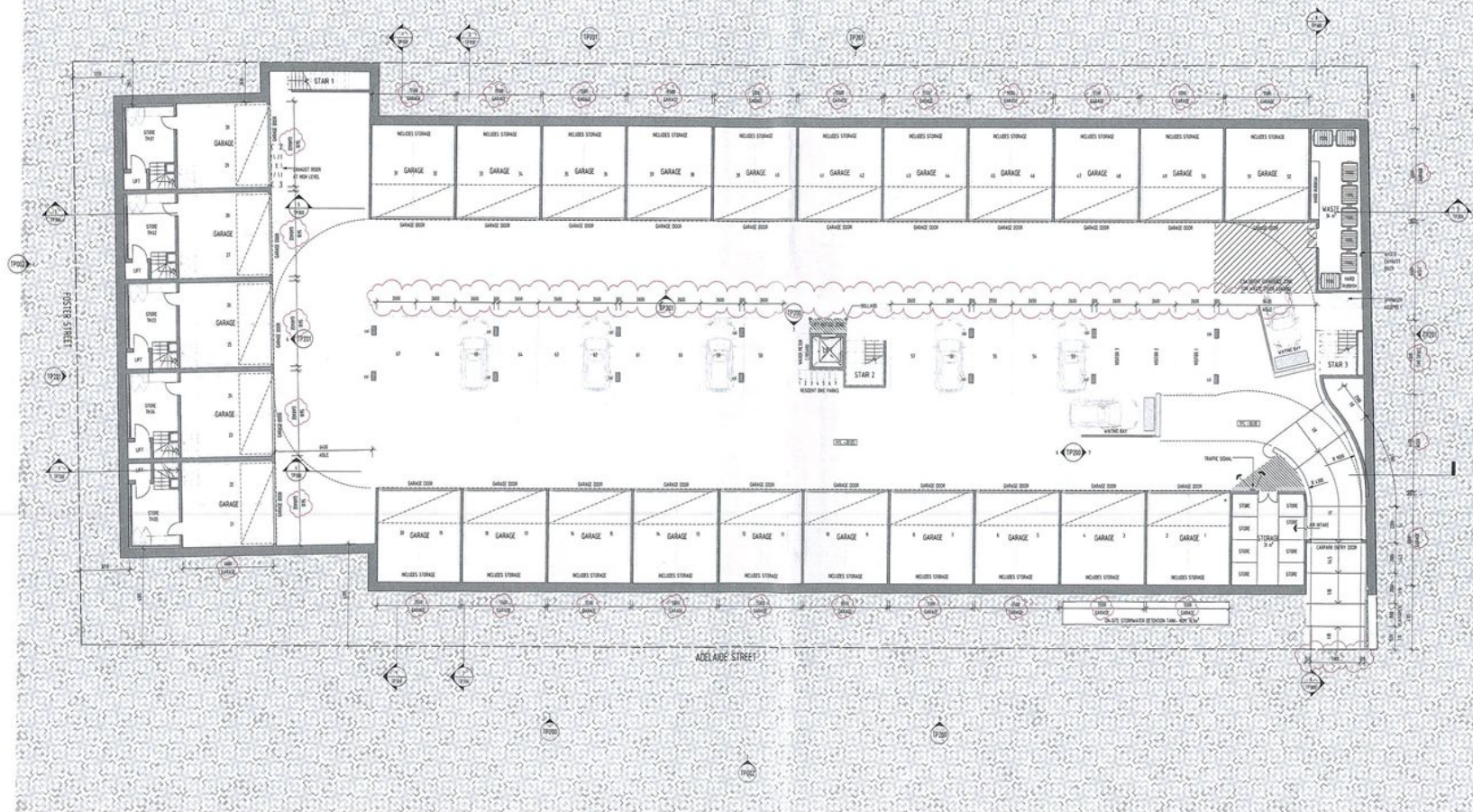
SITE COVERAGE	NO. DWELLINGS	34 TOWNHOUSES
NO. VEHICLE SPACES	67 PLUS 3 VISITORS IN BASEMENT PLUS REAR GARAGE/STORAGE TRAILER	REAR LOT
SITE AREA	33894'	
GROSS FLOOR AREA	96741'	
PERMISSIBLE AREA	661,941' (20.2%)	
TOTAL SITE COVERAGE	59%	

[illegible]

ADVERTISED PLAN

3 OF 23

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1 PROPOSED BASEMENT FLOOR PLAN
1:100

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bg architecture

1/1 Adelaide Street, Melbourne

PROPOSED TOWNHOUSES

BASEMENT FLOOR PLAN

Scale: 1:100

Date: JUNE 2016

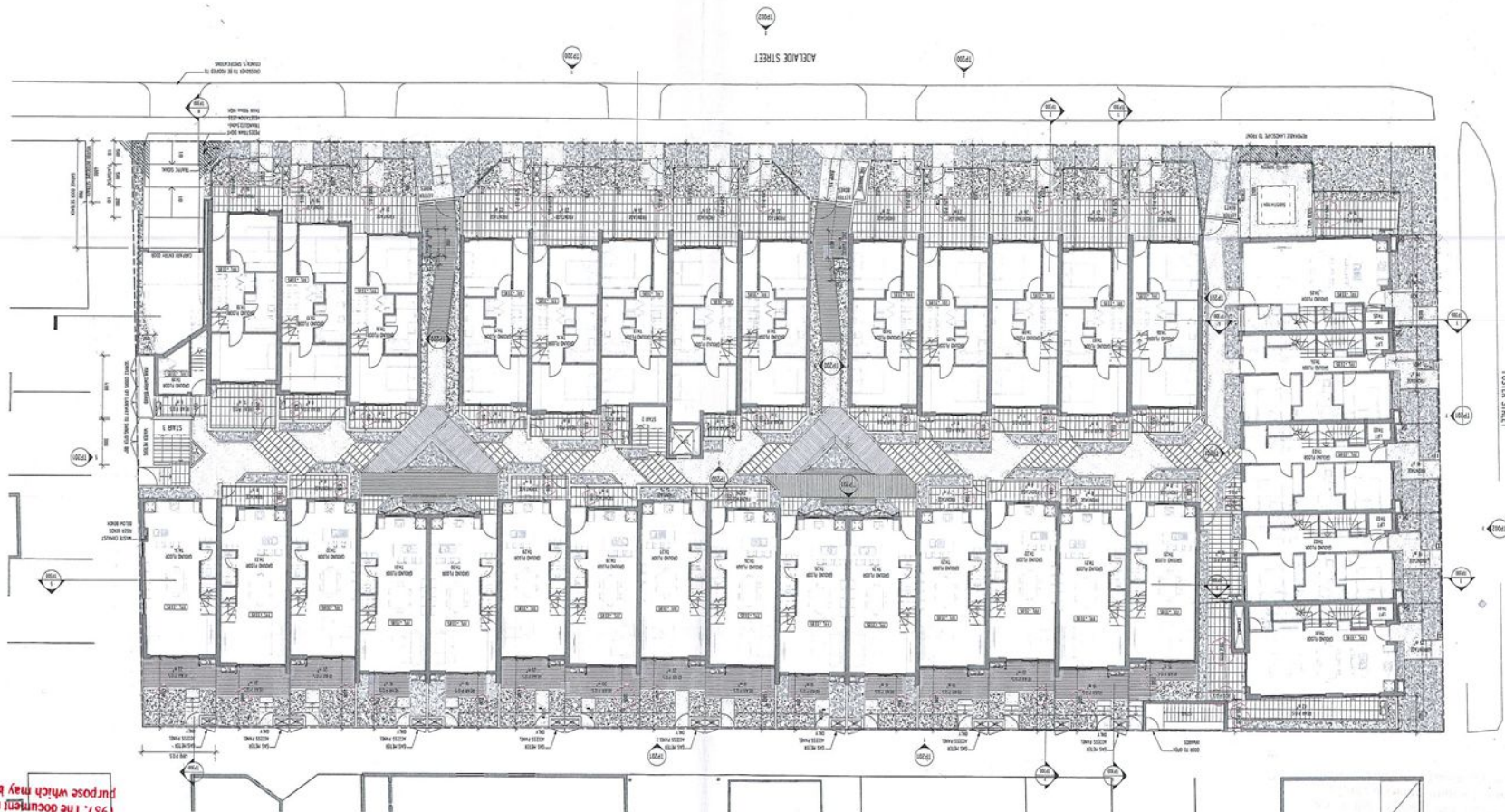
Drawn by: [Name]

Checked by: [Name]

Approved by: [Name]

Project: [Name]

PROPOSED GROUND FLOOR PLAN



ADVERTISED PLAN
4
OF
23

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5 OF 23

1987. The document must not be used for any purpose which may breach the copyright.

FOSTER STREET

ADELAIDE STREET

PROPOSED FIRST FLOOR PLAN

1:50

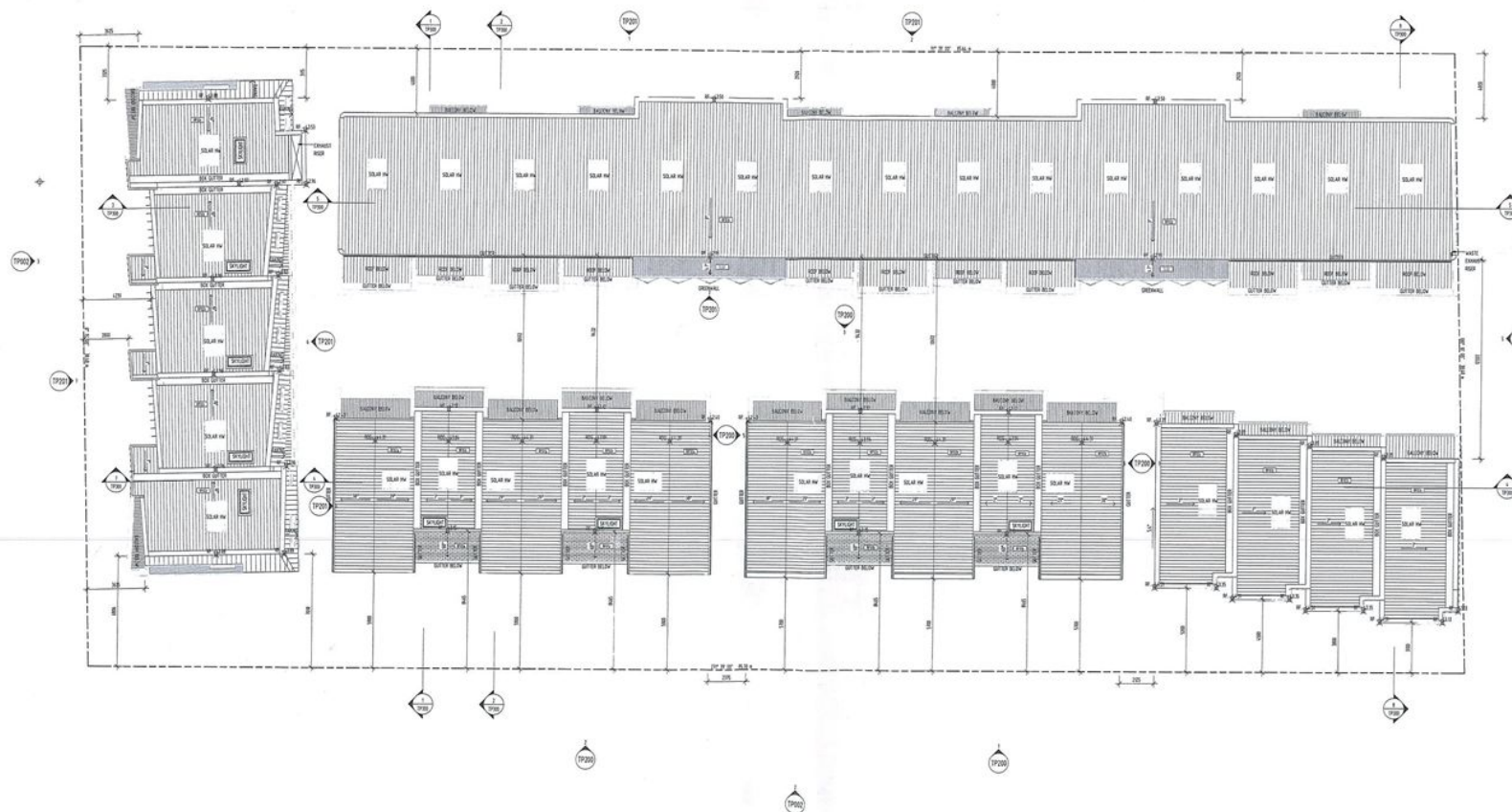
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	01/01/16	ISSUE FOR TOWN PLANNING	DO
		APPROVAL	
REV	DATE	DETAILS	INT



ADVERTISED PLAN

7 OF 23

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PROPOSED ROOF PLAN
1:100

REV	DATE	DETAILS	BY
1			

bg architecture

12 Kew Road, Kew, VIC 3142
 Telephone: 03 9594 1000
 Email: info@bgarchitecture.com.au

PROJECT
PROPOSED TOWNHOUSES
 1-5 Adelaide Street, Melbourne

DRAWING
ROOF PLAN

SCALE
 1:100

DATE
 JUNE 2015

BY
 [Signature]

CHECKED BY
 [Signature]

DATE
 [Date]

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MATERIALS LEGEND

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REV	DATE	BY	CHKD	APP
1	10/10/2019	10/10/2019	10/10/2019	10/10/2019

bg architecture

PROPOSED TOWNHOUSES

1/9 Adelaide Street, Melbourne

ELEVATIONS SHEET 02

Scale: 1:100 Date: June 2019

Author: [Name] Designer: [Name] Checker: [Name] Approver: [Name]

North arrow pointing up.

Item 9.6 280A Balaclava Road, Caulfield North**Author: Rocky Camera, Manager Town Planning****File No: GE/PP-29493/2016****Attachments: Advertised plans****PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	Replacement of an entry gate, screen and sign to the western side of Caulfield Bowling Club
MUNICIPAL STRATEGIC STATEMENT	Open Space Strategy
APPLICANT	Clarke Hopkins Clarke Architects
PLANNING SCHEME CONTROLS	Public Park and Recreation Zone
OBJECTIONS	1 objection

RECOMMENDATION

That Council:

Issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29493/2016 for the construction of works to replace an entry gate, screen and sign for the bowls club in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

A planning permit issued by Council on the 22 March 2016 allowed for an addition, deck and shade sails and an increase to the area allowing the supply and consumption of alcohol.

ISSUES AND DISCUSSION

- Location and design of works

Proposal

- The new structure will comprise a lockable gate with screens and signage above.
- The structure will be constructed of metal support posts infilled with timber-look horizontal battens and will include a letterbox and a display panel.
- The signage panel is aluminium and includes a 1m² sign with the club's name and the club's emblem measuring 0.25m².
- Two flood lights will be located above the structure to illuminate the entrance gate at night.

Objector concerns

- The modern design of the gate is not sympathetic to the heritage overlay which covers the western end of the park.
- Clarification is needed on the purpose, strength and proposed hours of illumination of the flood lights above the sign.

Referrals

Buildings and Properties:

- *Support proposal.*
- *The applicant must obtain landlord consent prior to commencement of works.*

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSLocation and design of works

- The new entrance gate and sign are considered to be appropriately located and designed to ensure they will have no adverse visual or amenity impacts on the surrounding open space areas.
- The structure will replace the existing entrance gate and sign located on the western side of the bowls club.
- The new entrance gate and sign will be set back approximately 37.7metres from the Balaclava Road boundary and will therefore have limited visibility from the street.

- The scale and form of the new structure is not excessive and will have a similar height to the existing gate and sign.
- The signage is considered to be modest in size and design and will be unobtrusive within the park.
- The lighting will only illuminate the entrance and will not impact vehicles within the car park or the nearby open space areas.

COMMUNICATION AND ENGAGEMENT

Public Notice (Statutory)

- 136 properties notified (all properties adjoining Caulfield Park)
- 497 notices sent (owners and occupiers including park tenants)
- 1 objection received

Planning Conference (Non Statutory)

The Conference provided a forum where all interested parties could elaborate on their respective views.

The meeting was attended by the permit applicant who emphasised the reasons the application should receive support. The objector did not attend.

LINK TO COUNCIL PLAN

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

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

Council is the public land manager. Planning Permit applications involving Council land are decided by resolution to ensure separation between Council as a Responsible Authority and Council as a public land manager.

CONCLUSION

That a Notice of Decision to Grant a Planning Permit be issued for the construction of works to replace an entry gate, screen and sign for the bowls club with the following conditions:

1. The layout of the site and size, design and location of works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
2. 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.

3. During the construction of the works allowed by this permit, the recreation reserve must be kept free of parked or standing vehicles or any other obstruction, including building materials and equipment, unless with the written consent of the Responsible Authority.
4. The location of the sign(s) (including the size, nature, panels, position and construction) shown on the endorsed plan 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.
5. The light source must be designed to illuminate the entrance and minimise light spillage onto surfaces other than the entrance to the satisfaction of the Responsible Authority.
6. The sign(s) must be constructed and maintained to the satisfaction of the Responsible Authority.
7. This Permit (signage component only) will expire if the advertising sign is not displayed 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 the Permit expires or within the six (6) months after the expiry date.

8. This Permit (signage component only) expires 15 years from the date of issue.

Notes:

- A. 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.
- B. The applicant must obtain landlord consent from Council's Buildings and Properties Department prior to commencement of works.
- C. 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.
- D. 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.

Moved: Cr Lipshutz

Seconded: Cr Sounness

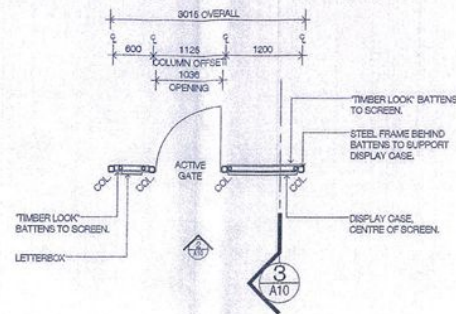
That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29493/2016 for the construction of works to replace an entry gate, screen and sign for the bowls club in accordance with the conditions contained in the Conclusion section of this report.

CARRIED UNANIMOUSLY

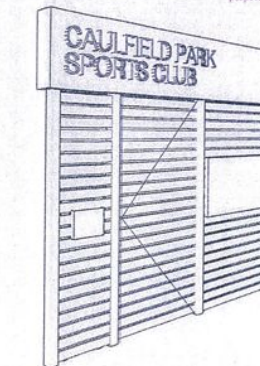


LOCALITY PLAN

SITE LOCATION



1 Screen Floor Plan
Scale 1:50

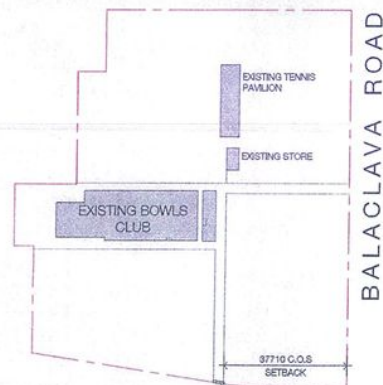


Perspective View

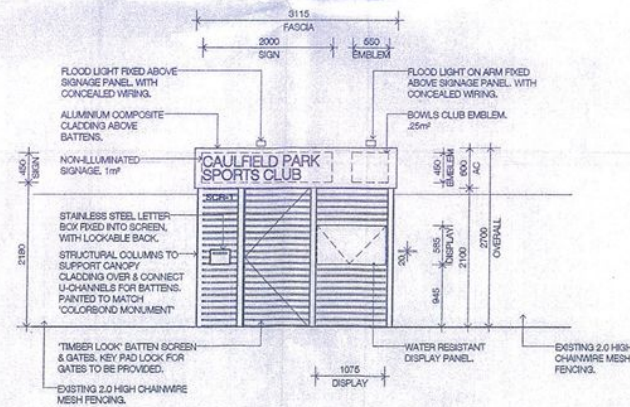
ADVERTISED PLAN

4 OF 4

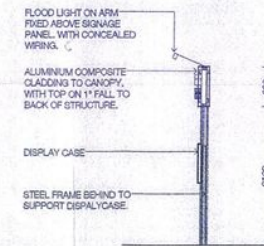
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5 Site Plan
Scale 1:1000



2 Front Elevation (West)
Scale 1:50



3 Screen Section
Scale 1:50

PRELIMINARY

**Clarke
Hopkins
Clarke**

ClarkeHopkinsClarke
115 Sackville Street
Collingwood Victoria 3066
Telephone (03) 9419 4340
Facsimile (03) 9419 4345
Email studio@chc.com.au
www.chc.com.au

Gate & Screen Details
Caulfield Bowling Club Refurb

Scale As indicated @ A2

21.06.2016
15034/A10

© ClarkeHopkinsClarke 2014

Item 9.7 Financial Report for the Period Ending 31 August 2016**Author: John Vastianos (Chief Financial Officer)****File No: 16/1654887****Attachments: Yes**

PURPOSE AND SUMMARY

To report Council's finances in the Financial Management Report for the period ending 31 August 2016.

RECOMMENDATION

That Council notes the Financial Management Report for the period ending 31 August 2016.

BACKGROUND

The report includes a comparison of year-to-date (YTD) actual income and expenditure with budgeted (YTD and forecast end-of-year) and other information for the current financial year.

This report also provides a review of the 2016-17 Capital Works Program, cash flow reports and investment reports.

ISSUES AND DISCUSSION

Council's forecast cash balance has improved but is still expected to remain at relatively low levels sufficient to cover current liabilities.

One of the items which has placed additional pressure on Council's Liquidity Ratio is classification of leave entitlements. Notwithstanding a majority of leave entitlements are not expected to be settled within 12 months, almost all leave entitlements are classified as current liability provisions in Council's balance sheet, placing greater pressure on the liquidity ratio.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The key financial objectives for Council are:

- Manage finances appropriately within the constraints set by the State Government's Rate Capping regime.
- Generate funds to provide additional public open space and renew and upgrade our ageing assets and community facilities.
- Maintain essential services at not less than current levels.
- Set rates and fee increases that are manageable and sustainable.
- Focus on continuous improvement.
- Keep day-to-day costs and rates below our peers.

POLICY AND LEGISLATIVE IMPLICATIONS

Section 138 of the *Local Government Act* 1989 (the Act).

COMMUNICATION AND ENGAGEMENT

Council officers in preparing the Financial Management Report, take into account all other plans and strategies in regard to services and initiatives which commit financial and non-financial resources for the current financial year.

LINK TO COUNCIL PLAN

Theme 4: Governance – To deliver strong local leadership and governance in an open and responsible manner in the best interests of the community.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The positive operating result year to date is higher than was anticipated when the annual budget was set. The Balance Sheet position and the cash position are sound.

Moved: Cr Lipshutz

Seconded: Cr Delahunty

That Council notes the Financial Management Report for the period ending 31 August 2016.

CARRIED UNANIMOUSLY

1. Contents

Executive Summary	4
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Assurance Map	11
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Capital Works Program Expenditure	19

Executive Summary***for the period ending 31 August 2016*****a) Current Month Budget Result**

At the end of August 2016, the performance against budget from ordinary activities showed a positive variance of \$2.19m due to higher than anticipated income of \$1.01m and savings in operating expenditure of \$1.18m (refer to page 15 for details of the variances).

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2016-17 financial year.

b) Current Month Forecast Result

The forecast result expected for the financial year is an operating surplus of \$19.8m compared with the original adopted 2016-17 Annual Budget of \$17.22m.

Any surplus from day-to-day operations is used to accelerate capital works projects. Annual budget to forecast movements to date show an increase in operating revenue of \$950k; decrease in operating expenditure of \$150k and a net favourable variance in non-operational activities \$262k.

c) Liquidity

Working capital is the excess of current assets above current liabilities. This calculation recognises that although Council has current assets, some of those assets are already committed to the future settlement of liabilities in the following 12 months, and are therefore not available for discretionary spending.

Council needs to ensure working capital is maintained such that sufficient cash reserves are available to meet normal cash flow requirements. Over the last few years, Council has invested heavily in its capital works program by fully utilising cash reserves.

Council will continue to have a large investment in capital works projects. Council should hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and *Fire Services Property Levy*.

d) Open Space Contributions***Contributions***

All multi-unit developers now need to pay a uniform 5.7% of the value of the land (or give Council 5.7% of the area of the land). All money raised by the levy will go into more and better open space.

The uniform rate of 5.7% is the highest rate ever achieved across a whole municipality by any suburban council.

Council formulated the new levy in 2014, based on the analysis in the Open Space Strategy. The 5.7 per cent levy was supported by an independent panel in October 2014 and was approved by the State Planning Department. The higher rate took effect from 12 March 2015.

Open Space Reserve

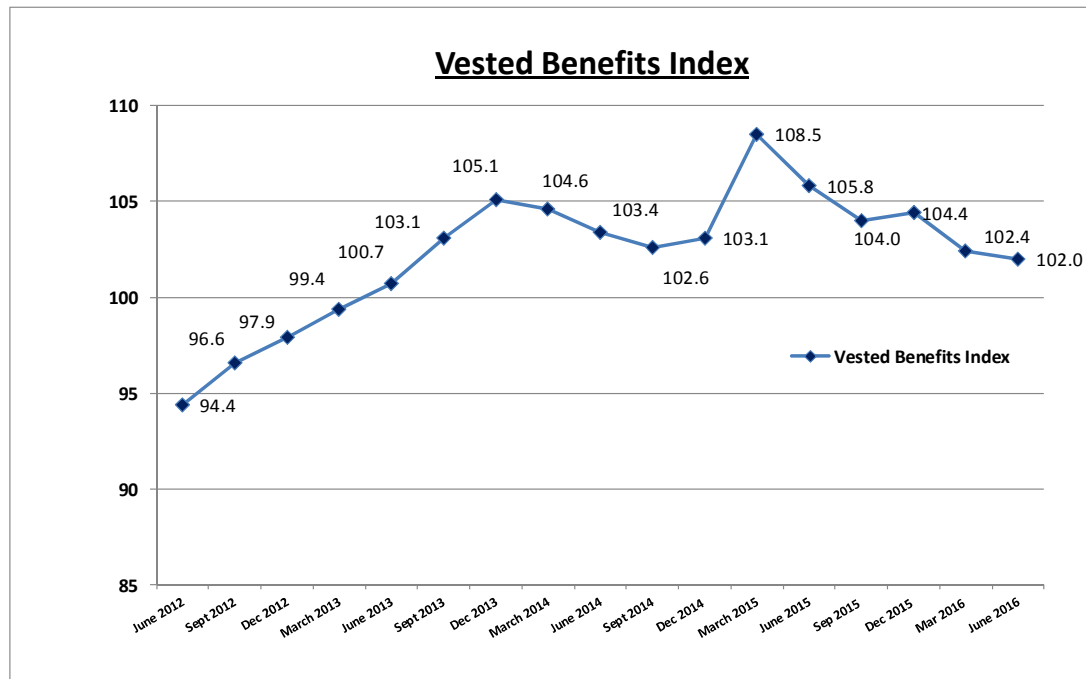
The balance of the Open Space Reserve as at 31 August 2016 is as follows:

Description	2016-17 Current Month Actual	2016-17 Year-to-Date
Open Space Contributions Received	\$671,445	\$1,716,411
Open Space Capital Expenditure	(\$479,493)	(\$709,190)
Net Movement	\$191,952	\$1,007,221
Opening Balance as at 1 July 2016		\$4,093,307
Closing Balance – Open Space Reserve		\$5,100,528

e) Superannuation – Defined Benefits Scheme

Vested Benefits Index (VBI)

The VBI is the key index that the super fund regulator, APRA, considers when assessing the financial position of the Defined Benefit Plan. In simple terms, this measures whether there would be enough assets to meet the liabilities of the Defined Benefit Plan if it became necessary to pay all members their total entitlements on a particular day. For the Plan to be in a satisfactory financial position requires a VBI of 100% or more. Below is the estimated VBI since 30 June 2012:



f) Forecast adjustments for August 2016***Income from ordinary activities increase of \$950k***

The favourable income forecast movement is mainly due to:

- **User Fees** – increase of \$184k mainly due to increases in aged care fees \$58k, child care centre fees \$40k and facilities hire \$26k.
- **Statutory Fees and Fines** – increase of \$328k based on higher than forecast parking infringements income.
- **Contributions – Monetary** – increase of \$267k based on the timing of Council receiving open space contributions. These amounts are variable in nature and it is difficult to determine the exact timing of anticipated contributions.

Expenditure from ordinary activities decrease of \$150k

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2016-17 financial year.

g) Capital Works Program

As at the end of August 2016, total capital works expenditure in 2016-17 is expected to be \$35.52m, represented by:

- New capital works projects as per the 2016-17 Annual Budget \$31.36m
- Capital works funding \$1.94m
- Carry forward expenditure from the 2015-16 financial year \$2.05m
- Forecast increase year to date \$170k.

There are no forecast adjustments for the month of August.

Financial Strategy

Each year, the Auditor-General of Victoria performs an audit of the Local Government sector and produces a report to Parliament of the results of those audits. As part of this process, the Auditor-General assesses the financial sustainability of Councils. In previous years the Auditor-General published the results for individual Councils. In 2014-15 the Auditor-General assessed the financial sustainability risk at a sector level. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 10 provides indicators for Glen Eira City Council.

(a) Financial sustainability risk indicators

Indicator	Formula	Description
Net result (%)	Net result / Total revenue	A positive result indicates a surplus, and the larger the percentage, the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long term. Net result and total revenue is obtained from the comprehensive operating statement.
Liquidity (ratio)	Current assets / Current liabilities	This measures the ability to pay existing liabilities in the next 12 months. A ratio of one or more means there are more cash and liquid assets than short-term liabilities.
Internal financing (%)	Net operating cash flow / Net capital expenditure	This measures the ability of an entity to finance capital works from generated cash flow. The higher the percentage, the greater the ability for the entity to finance capital works from their own funds. Net operating cash flows and net capital expenditure are obtained from the cash flow statement.
Indebtedness (%)	Non-current liabilities / Own-sourced revenue	Comparison of non-current liabilities (mainly comprised of borrowings) to own-sourced revenue. The higher the percentage, the less able to cover non-current liabilities from the revenues the entity generates itself. Own-sourced revenue is used—rather than total revenue—because it does not include capital grants, which are usually tied to specific projects.
Capital replacement (ratio)	Cash outflows for property, infrastructure, plant and equipment / Depreciation	Comparison of the rate of spending on infrastructure with its depreciation. Ratios higher than 1:1 indicate that spending is faster than the depreciating rate. This is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Cash outflows for infrastructure are taken from the cash flow statement. Depreciation is taken from the comprehensive operating statement.
Renewal gap (ratio)	Renewal and upgrade expenditure / Depreciation	Comparison of the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation. Ratios higher than 1:1 indicate that spending on existing assets is faster than the depreciating rate. Similar to the investment gap, this is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Renewal and upgrade expenditure are taken from the statement of capital works. Depreciation is taken from the comprehensive operating statement.

Financial Strategy (continued)**(b) Financial sustainability risk assessment criteria**

The financial sustainability risk of each local council is assessed using the criteria outlined below:

Risk	Net result	Liquidity	Indebtedness	Internal financing	Capital replacement	Renewal gap
High	Negative 10% or less Insufficient revenue is being generated to fund operations and asset renewal.	Less than 0.75 Immediate sustainability issues with insufficient current assets to cover liabilities.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 75% Limited cash generated from operations to fund new assets and asset renewal.	Less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10%-0% A risk of long-term run down to cash reserves and inability to fund asset renewals.	0.75-1.0 Need for caution with cash flow, as issues could arise with meeting obligations as they fall due.	40-60% Some concern over the ability to repay debt from own-source revenue.	75-100% May not be generating sufficient cash from operations to fund new assets.	1.0-1.5 May indicate spending on asset renewal is insufficient.	0.5-1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than 0% Generating surpluses consistently.	More than 1.0 No immediate issues with repaying short-term liabilities as they fall due.	40% or less No concern over the ability to repay debt from own-source revenue.	More than 100% Generating enough cash from operations to fund new assets.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

Source: Victorian Auditor-General's Office.





























Financial Strategy (continued)**Monthly Report Relative to Financial Strategy**

Financial Sustainability Risk Indicators	Objective	2015-2016 Actuals	2016-2017 Annual Budget as at 30 June 2017	2016-2017 Annual Forecast as at 30 June 2017	2016-2017 Risk based on Annual Forecast as at 30 June 2017	Comment
(1) Net Result	Generating surpluses consistently of greater than 0%.	7.70%	10.41%	11.89%	Low	Council is generating positive surpluses.
(2) Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. The indicator is to be greater than 1.0.	0.99	1.04	1.01	Low	Council's forecast to 30 June 2017 indicates a Liquidity Ratio of around 1.0.
(3) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	19.48%	16.07%	15.39%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
(4) Internal Financing	Generating enough cash from operations to fund new assets. The indicator is to be greater than 100%.	119.53%	116.94%	123.11%	Low	Council is generating enough cash from operations to fund new assets.
(5) Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. The indicator is to be more than 1.5.	1.72	1.57	1.59	Low	Council operates at a low level of risk with respect to capital replacement.
(6) Renewal Gap	To ensure there is sufficient spending on Council's asset base. The indicator is to be greater than 1.0.	1.42	1.22	1.22	Low	Council spends sufficient funds on its asset base.
Council aims to keep average rates and charges significantly below benchmark Councils and provide a pensioner rate rebate over the State Government's universal rebate.	Council aims to keep average rates and charges significantly below benchmark Councils and the pensioner rate rebate above the State Government's universal rebate.	\$1,535	\$1,594	\$1,598	Average rates and charges are well below the average of inner metropolitan Councils. In 2014-15 Glen Eira is the second lowest of the 21 Inner Melbourne Councils (2013-14: also second lowest) and is \$266 per assessment (\$16.6m) below the average outcome. This means that Council charges \$16.6m p.a. less than inner metropolitan municipalities and has \$16.6m p.a. less for upgrading or providing facilities and services.	
<ul style="list-style-type: none"> Average Rates and Charges Pensioner Rate Rebate 		\$270	\$270	\$270		
Operating costs per property should be kept as low as possible in order to generate <u>both</u> operating surpluses <u>and</u> lower Rates.	Council should aim to keep average operating costs below the average benchmark Councils.	\$2,119	\$2,340	\$2,315	In terms of operational expenditure (excluding depreciation), Glen Eira ranks as spending \$176 less per assessment (\$11m) than the average for the Inner Melbourne Councils grouping.	

Assurance Map

The assurance map considers the key risks to Council in achieving its objectives and performance expectations, and the assurance activities which have been conducted over the operation of controls that apply to those risks. The Assurance Map is indicative of the type of activity in place to provide Council Management with comfort that the control environment is operating as intended. A formal review of strategic risks is undertaken annually by Executive. The risks have been identified, assessed and ranked in order of risk exposure to Council. The assurance map will be updated after every formal review and when assurance activities are proposed or undertaken.

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous (2011-2014) and proposed IA activity 2014/15-2016/17, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audit*	Independent Consultants / External party review	Internal Audit	
1. Legislation or Standards – Changes generally	H							Food Safety (2011/12) Statutory Planning (2013/14)
2. Funding – Shortfalls	H							
3. Contracts – contracting process by Council	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (ongoing)
4. Insurance – failure to comply with policy	H							
5. Contractors – Council liability for the actions of contractors	H							Contract Management (2013/14) Parks & Open Space Maintenance (2014/15)
6. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014)

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous (2011-2014) and proposed IA activity 2014/15-2016/17, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
7. IT – security compromised	H							IT Sensitive Information (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) IT Strategy (management) (2013/14) Regular penetration testing on the internal and external network infrastructure and external websites
8. Advice – incorrect advice provided	H							Statutory Planning (2013/14)
9. Infrastructure – serious deficiency	H							Asset Management (2013/14) Parks & Open Space Maintenance (2014/15) Land and Building Revaluation biennial (ongoing)
10. Road Management Act / Plan – failure to comply	H							
11. Clayton Landfill – tightening of requirements and fines	H							Clayton Landfill Review (2014/15)
12. Health & Safety – safe & healthy workplace not maintained	H							SafetyMAP recertification (2013/14) OH&S Review (2015/16)
13. Embezzlement	H							Fraud Review (2013/14) Financial Controls (2014/15) Financial Compliance transaction analysis (ongoing) Risk Management Framework (2015-16)
14. Public Liability General	M							Risk Management Framework (2015-16)

* Reviews performed are ad-hoc and Council may or may not be included in selected sampling
Level of coverage provided where not all aspects of the risk may have been addressed by assurance activity.

Level of coverage:  Entire  Partial  None

Please note that the External Audit process is designed to enable the AG to express an opinion on the annual financial report. The external audit is not a comprehensive audit of all systems and processes and is not designed to uncover all deficiencies, breaches and irregularities in those systems & processes.

Income Statement

for the period ending 31 August 2016

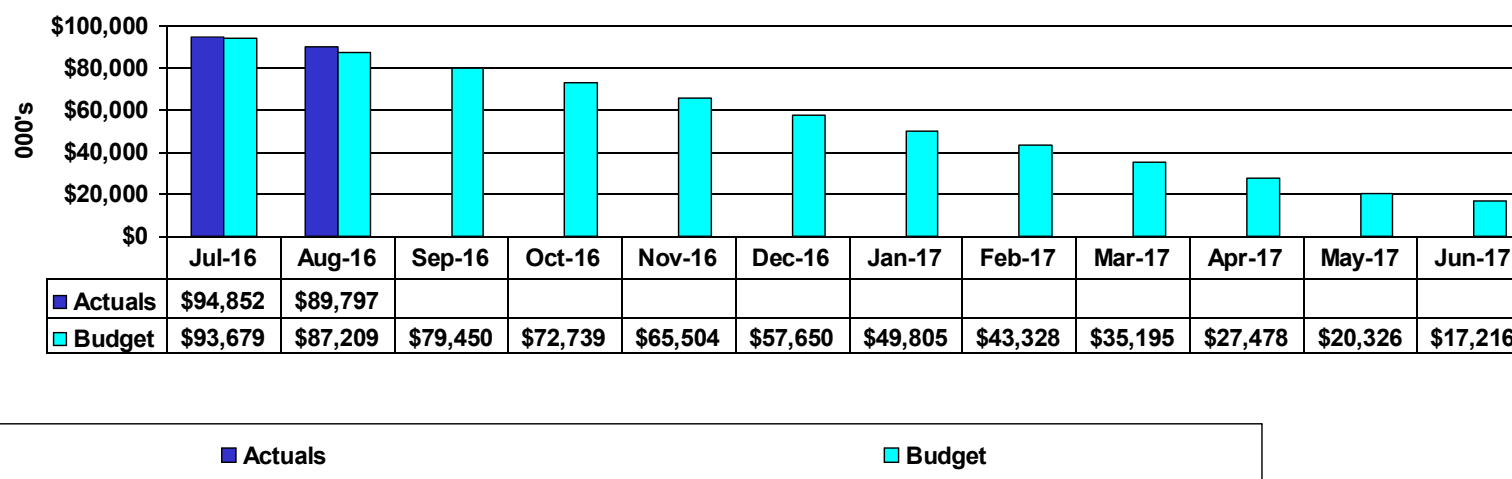
	2016-17 Year to Date Actual	2016-17 Year to Date Budget	2016-17 Year to Date Variance	2016-17 Year to Date Variance	2016-17 Last Month Forecast	2016-17 Current Month Forecast	2016-17 Current Month Forecast Movement \$ 000's	2016-17 Annual Budget	2016-17 Budget Forecast Variance	2016-17 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's		\$ 000's	\$ 000's	(%)
Income										
Income from Ordinary Activities										
General Rates	85,205	85,051	154	0.2%	85,207	85,205	(2)	85,051	154	0.2%
Supplementary Rates	356	360	(4)	(1.0%)	797	796	(1)	800	(4)	(0.5%)
Waste and Recycling Charges	14,068	14,027	41	0.3%	14,799	14,863	63	14,821	41	0.3%
Grants (Operating and Capital)	5,505	5,426	79	1.5%	24,417	24,522	105	24,443	79	0.3%
Interest Received	200	150	50	33.4%	930	950	20	900	50	5.6%
User Fees	4,115	4,204	(89)	(2.1%)	25,227	25,411	184	25,500	(89)	(0.4%)
Statutory Fees and Fines	1,311	783	529	67.5%	5,810	6,138	328	5,610	529	9.4%
Contributions - Monetary	1,716	1,455	262	18.0%	5,495	5,762	267	5,500	262	4.8%
Other Income	376	386	(11)	(2.7%)	2,324	2,310	(14)	2,321	(11)	(0.5%)
Total Income from Ordinary Activities	112,853	111,842	1,010	0.90%	165,007	165,958	950	164,947	1,011	0.6%
Expenses										
Expenses from Ordinary Activities										
Employee Costs	11,390	11,640	250	2.1%	70,402	70,410	(8)	70,660	250	0.4%
Materials and Consumables	805	1,052	247	23.5%	5,887	5,793	94	6,040	247	4.1%
Contractor Payments	4,200	4,526	326	7.2%	29,487	29,403	84	29,729	326	1.1%
Maintenance	731	1,038	306	29.5%	6,072	6,016	55	6,323	306	4.8%
Utility Services	799	822	23	2.8%	4,204	4,196	9	4,218	23	0.5%
Insurances	531	592	61	10.3%	1,044	1,013	31	1,075	61	5.7%
Other Expenses	763	747	(16)	(2.1%)	4,390	4,454	(64)	4,438	(16)	(0.4%)
Grants and Subsidies	174	152	(21)	(14.1%)	896	943	(47)	922	(21)	(2.3%)
Borrowing Costs	138	137	(1)	(0.8%)	758	763	(5)	762	(1)	(0.1%)
Total Expenses from Ordinary Activities	19,530	20,705	1,175	5.7%	123,141	122,991	150	124,166	1,175	0.9%
Surplus before non operational activities	93,323	91,137	2,185	2.4%	41,866	42,967	1,101	40,781	2,186	5.4%
Non-operational Activities										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	222	80	142	177.6%	441	623	182	481	142	29.6%
Written Down Value of Assets Sold/Disposed	103	255	152	59.6%	1,404	1,379	25	1,531	152	9.9%
Depreciation and Amortisation	3,645	3,752	107	2.9%	22,462	22,407	55	22,514	107	0.5%
Surplus for the period	89,797	87,209	2,587	3.0%	18,441	19,804	1,363	17,216	2,588	15.0%
Key to Variance - Positive figures relate to an increase in revenue and a decrease in expenditure. Negative figures relate to a decrease in revenue and increase in expenditure.										

Balance Sheet*for the period ending 31 August 2016*

	Actuals 2015-16 \$ 000's	Annual Budget 2016-17 \$ 000's	Annual Forecast 2016-17 \$ 000's	Year to Date Actual 2016-17 \$ 000's	Previous Month's Actuals \$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	45,930	45,582	45,486	41,478	37,866
Trade and Other Receivables	10,408	8,984	10,408	110,741	119,075
Other Assets	1,297	1,309	1,297	542	617
Total Current Assets	57,635	55,875	57,191	152,761	157,558
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	2,047,138	1,727,370	2,059,500	2,045,782	2,045,991
Intangible Assets	1,042	750	1,042	982	1,009
Investments in Joint Operations	2,125	2,595	2,125	2,125	2,125
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	2,050,310	1,730,720	2,062,672	2,048,894	2,049,130
TOTAL ASSETS	2,107,945	1,786,595	2,119,863	2,201,655	2,206,688
Liabilities					
Current Liabilities					
Trade and Other Payables	16,494	11,832	14,994	5,823	7,340
Trust Funds and Deposits	25,501	24,670	25,501	40,869	38,930
Provisions	12,891	13,692	12,891	12,531	12,665
Interest-Bearing Liabilities	3,149	3,349	3,349	3,263	3,250
Total Current Liabilities	58,035	53,543	56,735	62,485	62,184
Non-Current Liabilities					
Provisions	1,186	1,187	1,186	1,186	1,186
Interest-Bearing Liabilities	21,734	18,113	18,113	21,200	21,479
Other Liabilities - Joint Operations	2,568	3,352	2,568	2,568	2,568
Total Non-Current Liabilities	25,488	22,652	21,867	24,954	25,233
Total Liabilities	83,523	76,195	78,602	87,440	87,417
Net Assets	2,024,422	1,710,400	2,041,261	2,114,215	2,119,272
Equity					
Accumulated Surplus	890,150	908,144	906,989	978,385	984,187
Asset Revaluation Reserve	1,130,179	797,983	1,130,179	1,130,175	1,130,176
Public Open Space Reserve	4,093	4,273	4,093	5,656	4,909
Total Equity	2,024,422	1,710,400	2,041,261	2,114,215	2,119,272

Performance Graphs

Financial Performance for the period ending 31 August 2016

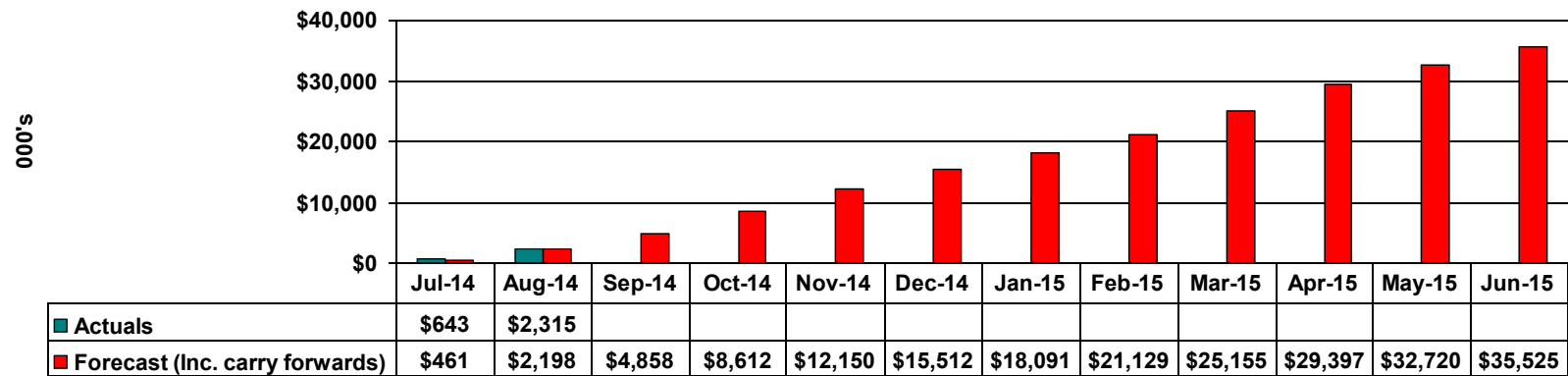


The August 2016 year to date financial performance was \$2.59m better than the year to date budget mainly due to:

- Better than anticipated income received for statutory fees and fines \$529k, open space contributions \$262k, general rates and charges \$191k and interest received \$50k.
- Favourable variances in expenditure items including: contractors \$326k, maintenance \$306k, employee costs \$250k, materials and consumables \$247k, insurances \$61k and utility services \$23k.
- Minor unfavourable variances in user fees \$89k and grants and subsidies \$21k.

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2016-17 financial year.

Capital Works Expenditure
for the period ending 31 August 2016

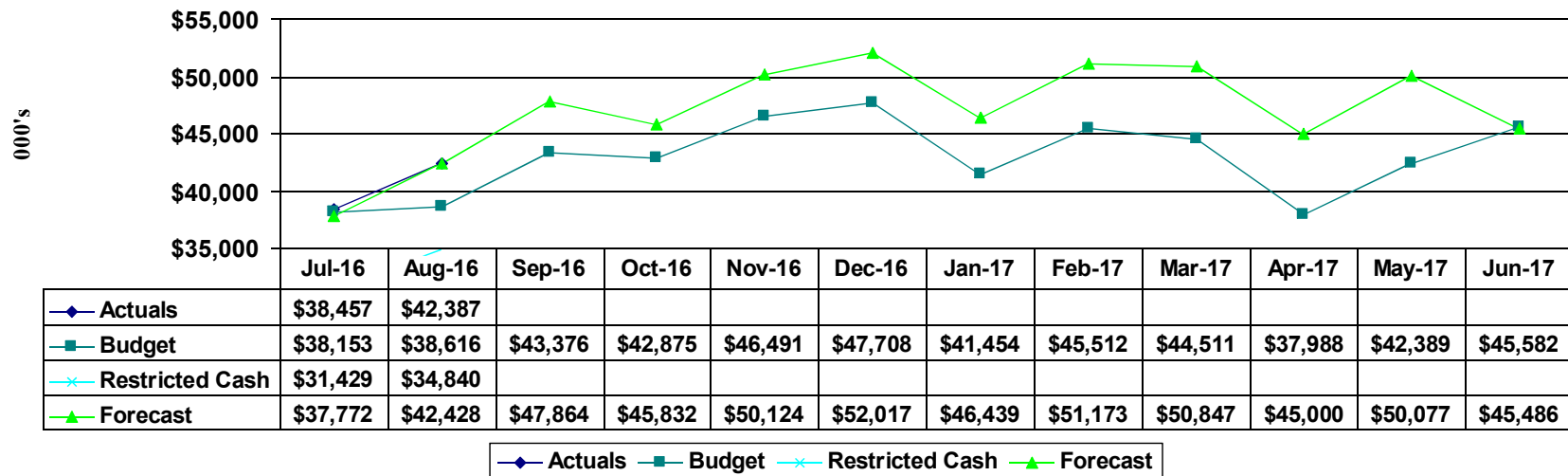


Actuals

Forecast (Inc. carry forwards)

Council's capital expenditure is slightly ahead of forecast by \$117k.

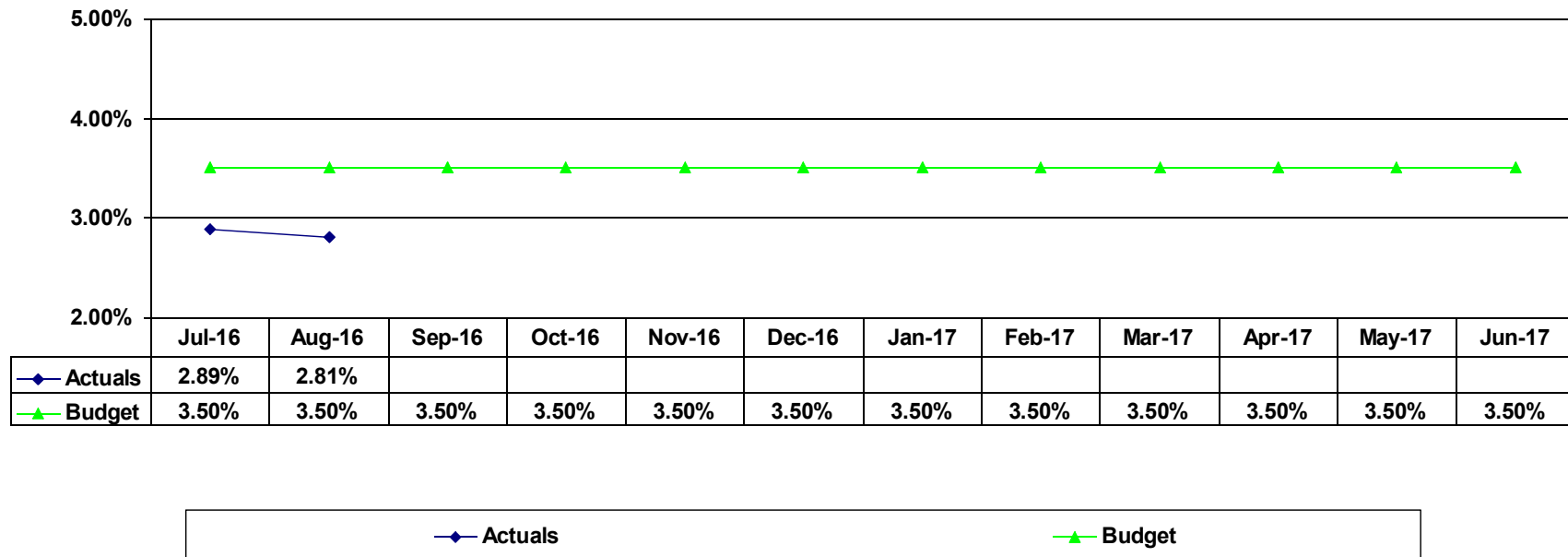
Cash and Investments Balances
for the period ending 31 August 2016



Council's year to date cash balance of \$42.39m is higher than budget for the current month. Council's forecast position to June 2017 of \$45.49m has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.

Council has cash assets that are subject to restrictions. Restricted funds as at 31 August 2016 include: residential aged care deposits of \$23.82m, trust funds and deposits \$4.34m (including asset protection permits), open space reserve \$5.1m and fire services property levy \$1.58m.

Actual Interest Rate vs Budget Interest Rate
for the period ending 31 August 2016



Council achieved a lower return of 2.81% against the budget of 3.50%.

Capital Works Program Expenditure for period ending 31 August 2016

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: PRIORITY ITEMS</u>									
Information Systems	-	837,500	-	837,500	-	95,000	95,000	837,500	-
Vehicle Replacements	-	1,706,112	-	1,706,112	30,484	-	(30,484)	1,706,112	-
Footpath Replacement	-	1,725,000	-	1,725,000	286,851	287,500	649	1,725,000	-
Kerb and Channel Replacement	-	160,000	-	160,000	-	28,000	28,000	160,000	-
Road Rehabilitation	-	3,082,409	-	3,082,409	6,603	60,000	53,397	3,082,409	-
Drainage Improvement	-	3,482,000	-	3,482,000	181,563	190,000	8,437	3,482,000	-
Local Road Resurfacing	-	1,500,000	-	1,500,000	10,317	-	(10,317)	1,500,000	-
Right of Way Renewal	-	330,000	-	330,000	115,782	-	(115,782)	330,000	-
Traffic Signal Renewal	-	100,000	-	100,000	-	-	-	100,000	-
Local Area Traffic Management (LATM) Replacement	-	500,000	-	500,000	-	-	-	500,000	-
Car Park Rehabilitation	-	775,000	-	775,000	6,339	-	(6,339)	775,000	-
Roads to Recovery	-	714,999	665,001	1,380,000	-	-	-	1,380,000	-
TOTAL PRIORITY ITEMS	-	14,913,020	665,001	15,578,021	637,939	660,500	22,561	15,578,021	-
<u>CAPITAL WORKS: ROLLING ANNUAL- ENVIRONMENTAL INITIATIVES</u>									
Bicycle Strategy Implementation	101,000	250,000	-	351,000	20,336	70,000	49,664	351,000	-
Warm season grass Program	-	600,000	700,000	1,300,000	-	-	-	1,300,000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- ENVIRONMENTAL INITIATIVES	101,000	850,000	700,000	1,651,000	20,336	70,000	49,664	1,651,000	-
<u>CAPITAL WORKS: ROLLING ANNUAL-LIBRARIES</u>									
Library and Information Services	-	793,467	62,811	856,278	202,756	225,693	22,937	856,278	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- LIBRARIES	-	793,467	62,811	856,278	202,756	225,693	22,937	856,278	-
<u>CAPITAL WORKS: ROLLING ANNUAL-TRAFFIC MANAGEMENT</u>									
Blackspot Treatment	-	18,000	-	18,000	-	-	-	18,000	-
Traffic Engineering	412,955	1,075,000	-	1,487,955	180,934	-	(180,934)	1,487,955	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- TRAFFIC MANAGEMENT	412,955	1,093,000	-	1,505,955	180,934	-	(180,934)	1,505,955	-
<u>CAPITAL WORKS: ROLLING ANNUAL-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</u>									
Playground Minor Equipment/Art Rolling Program	-	345,000	-	345,000	116,210	105,000	(11,210)	365,000	20,000
Carnegie Swim Centre Capital Maintenance	-	50,000	-	50,000	-	-	-	50,000	-
Minor Park Improvements	-	899,050	-	899,050	29,976	120,000	90,024	899,050	-
Sports Ground Lighting	-	80,000	-	80,000	-	-	-	80,000	-
Public Hall Furniture	-	4,000	-	4,000	-	4,000	4,000	4,000	-
Shade Sails Rolling Program	-	105,000	-	105,000	-	-	-	105,000	-
Plinth Curbing	-	85,000	-	85,000	57,309	45,000	(12,309)	85,000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES	-	1,568,050	-	1,568,050	203,495	274,000	70,505	1,588,050	20,000

Capital Works Program Expenditure

for period ending 31 August 2016 (continued)

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS</u>									
Building Improvements	-	550,500	-	550,500	28,728	-	(28,728)	550,500	-
Kitchen/ Joinery Renewal	-	30,000	-	30,000	-	-	-	30,000	-
Roof Renewal	-	113,700	-	113,700	(71,714)	-	71,714	113,700	-
Painting Program	-	111,650	-	111,650	-	-	-	111,650	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS	-	805,850	-	805,850	(42,986)	-	42,986	805,850	-
<u>CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES</u>									
Annual Shopping Streetscape Program	-	567,000	-	567,000	720	-	(720)	567,000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES	-	567,000	-	567,000	720	-	(720)	567,000	-
TOTAL ROLLING ANNUAL	513,955	5,677,367	762,811	6,954,133	565,255	569,693	4,438	6,974,133	20,000
<u>CAPITAL WORKS: MAJOR PROJECTS</u>									
Lord Hex Pavilion, Carnegie	-	220,000	-	220,000	6,972	-	(6,972)	220,000	-
Marlborough Pavilion, Benteigh East	-	25,000	-	25,000	-	-	-	25,000	-
Carnegie Swim Centre	-	280,000	-	280,000	-	-	-	280,000	-
TOTAL MAJOR PROJECTS	-	525,000	-	525,000	6,972	-	(6,972)	525,000	-
<u>CAPITAL WORKS: OPEN SPACE STRATEGY IMPLEMENTATION</u>									
Open Space Strategy Initiatives	-	900,000	-	900,000	9,543	-	(9,543)	900,000	-
Booran Reserve	-	3,962,495	97,000	4,059,495	709,190	750,000	40,810	4,059,495	-
TOTAL OPEN SPACE STRATEGY IMPLEMENTATION	-	4,862,495	97,000	4,959,495	718,733	750,000	31,267	4,959,495	-
<u>SHORT TERM PROJECTS</u>									
<u>CAPITAL WORKS: SHORT TERM-ENVIRONMENTAL INITIATIVES</u>									
Building Improvements	-	716,676	-	716,676	39,565	50,000	10,435	716,676	-
Park Lighting Energy Efficiency Upgrade	-	218,337	-	218,337	-	-	-	218,337	-
TOTAL CAPITAL WORKS: SHORT TERM-ENVIRONMENTAL INITIATIVES	-	935,013	-	935,013	39,565	50,000	10,435	935,013	-
<u>CAPITAL WORKS: SHORT TERM-AGED CARE</u>									
Building Improvements	-	83,000	-	83,000	-	-	-	83,000	-
ILU Refurbishment	-	120,000	-	120,000	-	-	-	120,000	-
Residential Services Minor Improvements	-	220,000	-	220,000	8,719	-	(8,719)	220,000	-
TOTAL CAPITAL WORKS: SHORT TERM-AGED CARE	-	423,000	-	423,000	8,719	-	(8,719)	423,000	-
<u>CAPITAL WORKS: SHORT TERM-FAMILY & CHILDREN'S SERVICES</u>									
Replacement FDC of Equipment	-	10,000	-	10,000	-	-	-	10,000	-
TOTAL CAPITAL WORKS: SHORT TERM-FAMILY & CHILDREN'S SERVICES	-	10,000	-	10,000	-	-	-	10,000	-

Capital Works Program Expenditure

for period ending 31 August 2016 (continued)

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</u>									
ILU Refurbishment	-	50,000	-	50,000	-	-	-	50,000	-
Multi-purpose Sports Court redevelopment	99,880	165,000	-	264,880	64,846	75,000	10,154	264,880	-
Recreation	130,000	875,000	195,000	1,200,000	-	12,500	12,500	1,200,000	-
Parks & Gardens	-	158,000	-	158,000	15,600	5,000	(10,600)	308,000	150,000
Outdoor Fitness Stations and Instructional Signage	-	70,000	-	70,000	-	-	-	70,000	-
Bin Enclosures	-	37,500	-	37,500	-	-	-	37,500	-
TOTAL CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES	229,880	1,355,500	195,000	1,780,380	80,446	92,500	12,054	1,930,380	150,000
<u>CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT</u>									
Parking Ticket Machines	-	150,000	-	150,000	-	-	-	150,000	-
TOTAL CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT	-	150,000	-	150,000	-	-	-	150,000	-
<u>CAPITAL WORKS: SHORT TERM-BUILDING WORKS</u>									
Renewal of Heating Ventilation Air Conditioning	-	972,000	-	972,000	1,770	-	(1,770)	972,000	-
Building Improvements	-	538,635	219,000	757,635	114,474	-	(114,474)	757,635	-
Disability Access Upgrade	-	65,000	-	65,000	-	-	-	65,000	-
GESAC	1,311,128	250,000	-	1,561,128	69,478	-	(69,478)	1,561,128	-
Public Toilet Exeloo	-	180,000	-	180,000	-	-	-	180,000	-
TOTAL CAPITAL WORKS: SHORT TERM-BUILDING WORKS	1,311,128	2,005,635	219,000	3,535,763	185,722	-	(185,722)	3,535,763	-
<u>CAPITAL WORKS: SHORT TERM-LIBRARIES</u>									
Smart Sorter Machine	-	250,000	-	250,000	-	75,000	75,000	250,000	-
TOTAL CAPITAL WORKS: SHORT TERM-LIBRARIES	-	250,000	-	250,000	-	75,000	75,000	250,000	-
<u>CAPITAL WORKS: SHORT TERM-OTHER</u>									
Furniture & Fittings	-	50,000	-	50,000	-	-	-	50,000	-
Refurbishment of outdoor play space	-	45,000	-	45,000	71,563	-	(71,563)	45,000	-
Drainage Asset Management Decision tool	-	28,000	-	28,000	-	-	-	28,000	-
Annual Plant and Equipment Replacement	-	131,000	-	131,000	-	-	-	131,000	-
TOTAL CAPITAL WORKS: SHORT TERM-OTHER	-	254,000	-	254,000	71,563	-	(71,563)	254,000	-
TOTAL SHORT TERM PROJECTS	1,541,008	5,383,148	414,000	7,338,156	386,015	217,500	(168,515)	7,488,156	150,000
TOTAL CAPITAL WORKS EXPENDITURE	2,054,963	31,361,030	1,938,812	35,354,805	2,314,914	2,197,693	(117,221)	35,524,805	170,000

Item 9.8 COUNCIL MEETING NOVEMBER 2016

Enquiries: Janice Pouw, Coordinator Councillor Business
File No: N/A

PURPOSE AND SUMMARY

It is proposed that the 15 November 2016 be scheduled as an Ordinary Meeting of Council.

RECOMMENDATION

That Council:

1. amends the 8 November 2016 Ordinary Meeting of Council to a Special Council Meeting to be held at 7.30pm in the Glen Eira Council Chamber on the corner of Glen Eira and Hawthorn Roads, Caulfield; and
2. schedules an Ordinary Meeting of Council to be held at 7.30pm on Tuesday 15 November 2016 in the Glen Eira Council Chamber on the corner of Glen Eira and Hawthorn Roads, Caulfield.

BACKGROUND

In October 2015, the Ordinary Meeting of Council meeting dates for 2016 were adopted by Council.

As a result of the legislative changes relating to the extension of acceptance of postal votes, the date to declare the Councillors elect has been extended.

These changes have impacted on the date for the Special Meeting to swear in the Councillors and subsequently the scheduled November Ordinary Meeting of Council.

ISSUES AND DISCUSSION

It is recommended Council adopts the proposed Council meeting date of 15 November 2016 as there will be a significant period of time since the previous Council meeting scheduled on 10 October 2016.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no financial, resource or asset management implications associated with this report.

POLICY AND LEGISLATIVE IMPLICATIONS

In accordance with section 89 of the Local Government Act 1989, public notice will be given if the proposed 15 November 2016 Council meeting is adopted by Council.

COMMUNICATION AND ENGAGEMENT

There are no communication and engagement implications associated with this report.

LINK TO COUNCIL PLAN

Council meetings are held in accordance with Theme 4 of the Glen Eira Community Plan 'Open transparent decision making'.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The proposed 15 November 2016 Ordinary Meeting of Council will provide an opportunity for matters to be considered by Council.

Moved: Cr Hyams

Seconded: Cr Lipshutz

That Council:

1. amends the 8 November 2016 Ordinary Meeting of Council to a Special Council Meeting to be held at 7.30pm in the Glen Eira Council Chamber on the corner of Glen Eira and Hawthorn Road, Caulfield; and
2. schedules an Ordinary Meeting of Council to be held at 7.30pm on Tuesday 15 November 2016 in the Glen Eira Council Chamber on the corner of Glen Eira and Hawthorn Roads, Caulfield

CARRIED UNANIMOUSLY

10. URGENT BUSINESS

There were no items of urgent business submitted to the meeting.

11. ORDINARY BUSINESS**11.1 Requests for reports from Officers****(a) Cr Delahunty****Moved: Cr Delahunty****Seconded: Cr Sounness**

That Council receives a report detailing:

1. any relevant traffic and pedestrian studies conducted in and around the area of Glen Eira College;
2. information from other similar schools with a split campus and the traffic controls they employ;
3. the best way to engage decision makers including VicRoad, The Minister for Roads and other relevant state and federal members on the issue.

CARRIED UNANIMOUSLY

(b) Cr Magee**Moved: Cr Magee****Seconded: Cr Esakoff**

That Council receives a report:

1. providing a summary of the current Tennis facility arrangements between Council and Tennis Clubs.
2. reviewing the current utilisation and future trends of Tennis in the municipality
3. reviewing and benchmarking with neighbouring Councils on their arrangements with local Tennis Clubs
4. contact Tennis Victoria regarding their strategic plans and how they relate to Glen Eira.

CARRIED UNANIMOUSLY

(c) Cr Delahunty**Moved: Cr Delahunty****Seconded: Cr Lipshutz**

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

CARRIED UNANIMOUSLY

(d) Cr Sounness**Moved: Cr Sounness****Seconded: Cr Hyams**

That a report be prepared in response to the Discussion Paper recently released by Infrastructure Victoria, 'Preparing Advice on Victoria's Future Ports Capacity'. The discussion paper raises questions about the future location and capacity of Victoria's container ports.

The report should outline the implications for Glen Eira, including potential impacts on Council's infrastructure, as well as the environmental and traffic management impacts brought about by new or increased freight links arising from new port locations and capacities.

CARRIED UNANIMOUSLY

(e) Cr Sounness**Moved: Cr Sounness****Seconded: Cr Lipshutz**

That a report be prepared which outlines advocacy option seeking VCAT reverting to being an administrative appeals body only, rather than a de facto planning authority, which is tasked with reviewing compliance of Council planning decisions with law and regulation.

CARRIED UNANIMOUSLY

11.2 Right of reply

There were no rights of reply submitted to the meeting.

11.3 Councillor questions

There were no councillor questions submitted to the meeting.

11.4 Public questions to Council

The questions received by Council related to issues for which the responses may be seen to influence the election or perceptions of candidates and have therefore been ruled out of order.

The submitters have been advised that they are welcome to re-submit their questions to a future meeting of the Council following the election period.

Moved: Cr Lipshutz**Seconded: Cr Delahunty**

That Standing Orders be suspended at 8.44pm.

CARRIED UNANIMOUSLY

The Mayor, Cr Pilling expressed his appreciation to Councillors and Council officers for their contribution during his term of office.

The Mayor and Councillors conveyed their appreciation to Cr Lipshutz for his contribution and commitment to Council and the community over the past 11 years.
The Mayor and Councillors wished Cr Lipshutz best wishes for the future.

Cr Lipshutz responded thanking the Councillors for their kind words and spoke of the changes Glen Eira has experienced through his time in Council. Cr Lipshutz also thanked Council officers for their assistance and guidance.

Moved: Cr Lipshutz**Seconded: Cr Sounness**

That Standing Orders be resumed at 9.08 pm.

CARRIED UNANIMOUSLY

12. CONSIDERATION OF CONFIDENTIAL ITEMS**Moved: Cr Lipshutz****Seconded: Cr Delahunty**

That pursuant to Section 89(2)(i) of the Local Government Act 1989 that Council resolves to close the meeting to members of the public to consider the following item.

- Item 12.1 Citizen of the Year Awards Advisory Committee
– (LGA 1989 Section 89(2)(h))

CARRIED UNANIMOUSLY

Table of Contents

- 12.1 Citizen of the Year Awards Advisory Committee** (LGA 1989 Section 89(2)(h) Any matter which the Council or Special Committee considers would prejudice the Council or any person.

It is recorded that the public gallery was vacated to enable Council to consider the above listed items in Confidential Business.

Moved: Cr Lipshutz

Seconded: Cr Hyams

That the meeting be opened to members of the public.

CARRIED UNANIMOUSLY

Following consideration of Confidential Business the Chairperson declared the meeting closed at 9.11pm.

Confirmed this 15 Day of November 2016

Chairperson: