



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

5 APRIL 2016

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12.1 under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.028 – “Public Toilet Cleaning and Maintenance of Automated Public Toilets”

Number of tenders received	Nine
Number of evaluation criteria tenders assessed against	Nine (9)
Estimated contract value	\$1,800,000

12.2 under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.010 Supply and Delivery of Chemicals for Park Services maintenance activities which includes herbicides, pesticides, fungicides, algicides, wetting agents and fertilisers.

Number of tenders received	Three
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value (inclusive of GST)	\$1,445,000.00 over five (5) years

13. CLOSURE OF MEETING



**MINUTES of the ORDINARY MEETING OF THE
GLEN EIRA CITY COUNCIL held on TUESDAY, 5 APRIL 2016**

The meeting opened at 7.30 pm in the presence of:

**His Worship the Mayor, Councillor Neil Pilling
Councillor Margaret Esakoff
Councillor Jamie Hyams
Councillor Michael Lipshutz
Councillor Oscar Lobo
Councillor Jim Magee
Councillor Karina Okotel
Councillor Thomas Sounness**

1. ACKNOWLEDGEMENT

On behalf of Council the Mayor read the following 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 - Cr Delahunty

Crs Magee/Sounness

That the apology be received and noted.

The MOTION was put and CARRIED unanimously.

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

The Chairperson reminded Councillors that we remain bound by their 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 them under the Local Government Act or any other Act, to the best of their skill and judgement.

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

No Councillor disclosed any interest in any of the agenda items.

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

Copies of Minutes previously circulated.

Crs Lipshutz/Okotel

That the minutes of the Ordinary Council Meeting held on Tuesday, 15 March 2016 be confirmed.

The MOTION was put and CARRIED unanimously.

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

- (a) A petition with 374 signatories and reading as follows was submitted to the Council Meeting:

“This petition of certain residents of the City of Glen Eira draws to the attention of the Council the failure of the Minister for Public Transport and the Level Crossing Removal Authority (LXRA) to conduct public forums on the issue of elevated rail and failure to put the proposal to full and genuine consultation as per the Council’s motion of 23 February 2016 and Council’s letter to the Minister of 26 February 2016.

The LXRA conducted one additional information session in Glen Eira on the proposal but this could not be considered in any way to be public consultation nor does it meet the request of Council for full and genuine consultation. This information session had limited advertising and detailed plans were not available nor were any reports as requested by Council.

Your petitioners therefore pray that Council advises the Premier and Minister for Transport (copying correspondence to persons and media included in Council's letter to the Minister for Transport of 26 February 2016) and the LXRA of Council's objection to the implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.

Your petitioners also pray that Council will make further requests of the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these reports include and not be limited to an Environmental Effects Statement.

And your petitioners will ever pray."

Crs Esakoff/Okotel

That Council -

- 1. Accepts the petition be received and noted.**
- 2. Strongly supports the removal of level crossings in Glen Eira.**
- 3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.**
- 4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.**

The MOTION was put and CARRIED unanimously.

6. DOCUMENTS FOR SEALING – Nil

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

Cr Sounness reported on his attendance at the Smart Urban Futures conference.

8. REPORTS FROM COMMITTEES

a. **Advisory Committees** - Nil

b. **Records of Assembly**

- i. 8 March 2016
- ii. 15 March 2016
- iii. 22 March 2016

Crs Lipshutz/Esakoff

That the Record of the above Assembly be received and noted.

The MOTION was put and CARRIED unanimously.

Assembly of Councillors

8 March 2016

Record under S 80 A (2)

Meeting commenced at 6.44PM

A. Present

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

Rebecca McKenzie, CEO
Peter Jones
Ron Torres
John Vastianos
Rachel Ollivier
Paul Burke

Apologies

Cr Karina Okotel

B. Matters considered.

- (i) Rate capping – presentation by JWS Research.
- (ii) Policy regarding notification of intention to remove trees.
- (iii) Greenhouse gas emissions, projections and options.

7.52PM Cr Magee left the briefing room.

- (iv) Draft submission to the Level Crossing Removal Authority (LXRA).

7.55PM Cr Magee returned to the briefing room.

8.50PM the meeting adjourned.

9.03PM the meeting resumed in the presence of:

Cr Pilling, Mayor
Cr Delahunty
Cr Esakoff
Cr Hyams
Cr Lipshutz
Cr Lobo
Cr Magee

Cr Sounness

- (v) Draft submission to the LXRA – resumed.
 - (vi) Reconciliation Policy.
 - (vii) Bicycle parking, Glenhuntly Road, Elsternwick.
 - (viii) Council papers for the 15 March 2016 Council Meeting comprising sixteen officer reports together with standing items on the Agenda.
 - (a) Agenda Item 8(a) – Arts and Culture Committee, Amendment required.
 - (b) Agenda Item 9.1 - 6-10 Claire Street McKinnon.
 - (c) Agenda Item 9.2 - 22-26 Stanley Street, Elsternwick.
 - (e) Agenda Item 9.3 - VCAT Watch March 2016.
 - (f) Agenda Item 9.4 - Elections 2016 – Election Period Policy.
 - (g) Agenda Item 9.7 - Caulfield Racecourse Outdoor Music Event.
- DECLARATIONS OF INTEREST
- Cr Esakoff, Cr Hyams and Cr Lipshutz declared a Conflict of Interest in this item.
- 9.53PM Cr Esakoff, Cr Hyams and Cr Lipshutz left the room.
- 9.55PM Cr Esakoff, Cr Hyams and Cr Lipshutz returned to the room.
- (h) Agenda Item 9.10 - Foundation for Youth Excellence Committee Account Applications.
 - (i) Agenda Item 9.11 - Audit Committee Annual Report 2014-15.
 - (j) Agenda Item 11.1 – Requests for Reports – Cr Magee – Laneway 200 Koornang Road.

- (k) Agenda Item 11.4 – Public Questions.
- (l) Agenda Item 12.1 - under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.027-05 – Design, Supply, Installation and Commissioning of Solar Photovoltaic Systems for GESAC and Glen Eira Town Hall.
- (m) Agenda Item 12.2 - under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.026 Cyclical Painting Maintenance – Nominated Council Buildings.
- (n) Agenda Item 12.3 - under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.032 Neerim Rd & Bambra Rd and Glen Huntly Rd & Hopetoun St Traffic Signals Construction, Neerim Rd & Bambra Rd, Caulfield And Glen Huntly Rd & Hopetoun St, Elsternwick.

DECLARATIONS OF INTEREST

Cr Esakoff declared a Conflict of Interest in this item.

10.05PM Cr Esakoff left the briefing room.

10.07PM Cr Esakoff returned to the briefing room.

- (o) Agenda Item 12.4 - under s89 (2)(a) “personnel” which relates to Audit Committee Members remunerations.
- (ix) Records of Assembly
 - (a) Cr Hyams – 23 February 2016 - attendees.
 - (b) Cr Hyams – 1 March 2016 Minute B(vii)(a) – delete words.
 - (c) Cr Hyams – 1 March 2016 Minute B(vii)(h) – delete words.
- (x) General Business raised by Councillors.
 - (a) Cr Esakoff – MAV Council Meeting, 13 May 2016. Motions to be submitted by 15 April 2016.
 - (b) Cr Esakoff – Skyrail petition.

- (c) Cr Esakoff – Ulupna Road, Ormond – dumped rubbish.
- (d) Cr Esakoff – Girdwood Avenue, potential tree removals.
- (e) Cr Esakoff – Planning Institute forum on level crossings.
- (f) Cr Lipshutz – need to increase the cleaning regime in the Elsternwick Shopping Centre.
- (g) Cr Lipshutz – commencement of the tree planting season.
- (h) Cr Lipshutz – parking enforcement around the Caulfield Railway Station.
- (i) Cr Sounness – Car park adjacent to the Armadale Bowls Club. Vehicles parking on a garden bed.
- (j) Cr Sounness – status of the Caulfield Racecourse Reserve Trust.
- (k) Cr Sounness – Myrtle Street, St Kilda East.
- (l) Cr Sounness – vehicles associated with a construction site next to Glen Huntly train Station are causing problems in the station car park.
- (m) Cr Magee – Bailey Skate park, extension of lighting.
- (n) Cr Lipshutz – can the lighting in Caulfield Park be extended beyond 6am.
- (o) Cr Lobo – new Town Hall facilities.
- (p) Cr Hyams – Leader Newspaper, Carnegie Cricket club women's team.

Fin 10.30PM

Council Pre-Meeting

15 March 2016

Record under S 80 A (2)

Meeting commenced at 6.45PM

A. Present

Cr Neil Pilling, Mayor
Cr Mary Delahunty (Arr. 6.46PM)
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Michael Lipshutz
Cr Oscar Lobo
Cr Jim Magee
Cr Karina Okotel
Cr Thomas Sounness

Rebecca McKenzie, CEO
Peter Jones
Peter Swabey
Ron Torres
Mark Judge
Paul Burke

B. Matters considered.

- (i) Council Papers for 15 March 2016 consisting of twenty Officer reports together with standing items on the Agenda.

- (a) Agenda Item 9.1 - 6-10 Claire Street McKinnon.

6.46PM Cr Delahunty entered the room.

- (b) Agenda Item 9.7 - Caulfield Racecourse Outdoor Music Event.

DECLARATIONS OF INTEREST

Cr Esakoff, Cr Hyams and Cr Lipshutz declared a Conflict of Interest in this item.

6.48PM Cr Esakoff, Cr Hyams and Cr Lipshutz left the room.

6.48PM Cr Delahunty left the room.

6.50PM Cr Delahunty returned to the room.

6.52PM Cr Esakoff, Cr Hyams and Cr Lipshutz returned to the room.

- (c) Agenda Item 9.15 - Formal Submission to The Level Crossing Removal Authority.
- (d) Agenda Item 11.1 – Requests for Reports – Cr Magee – laneway Koornang/Shepparson, Carnegie.
- (e) Agenda Item 11.4 – Public Questions.

Fin 7.15PM

Assembly of Councillors

22 March 2016

Record under S 80 A (2)

Meeting commenced at 6.47PM

A. Present

Cr Neil Pilling, Mayor
Cr Mary Delahunty
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Michael Lipshutz
Cr Oscar Lobo (Arr. 6.50PM)
Cr Jim Magee
Cr Thomas Sounness

Rebecca McKenzie, CEO
Peter Jones
Peter Swabey
Ron Torres
Rachel Ollivier
Paul Burke

Apologies

Cr Karina Okotel

B. Matters considered.

(i) Draft Budget 2016-2017.

6.50PM Cr Lobo entered the briefing room.

DECLARATIONS OF INTEREST

Cr Esakoff declared a Conflict of Interest when an item relating to Hopetoun Gardens was discussed.

8.04PM Cr Esakoff left the briefing room.

8.06PM Cr Esakoff returned to the briefing room.

8.41PM the meeting adjourned.

8.55PM the meeting resumed in the presence of:

Cr Pilling, Mayor
Cr Delahunty
Cr Esakoff

Cr Hyams
Cr Lipshutz
Cr Lobo
Cr Magee
Cr Sounness

Discussion on the remainder of the draft budget was deferred to the next Assembly of Councillors.

(ii) Planning Scheme review.

9.41PM Cr Delahunty left the briefing room.

9.44PM Cr Delahunty returned to the briefing room.

(iii) Community Plan Action Plan 2015-16

9.59PM Cr Magee and Cr Delahunty left the briefing room.

10.01PM Cr Magee returned to the briefing room.

10.04PM Cr Magee left the briefing room.

10.05PM Cr Delahunty returned to the briefing room.

10.06PM Cr Magee returned to the briefing room.

(v) General Business raised by Councillors.

(a) Cr Sounness – circulated a potential public art policy.

(b) Cr Delahunty – public art policy.

(c) Cr Hyams – Elsternwick Plaza – skateboard issues.

(d) Cr Hyams – a heritage property in Elsternwick.

10.19PM Cr Delahunty left the briefing room.

- (e) Cr Hyams – Recent Citizenship Ceremony.
- (f) Cr Hyams – recent changes to the Local Government Act that make it easier to initiate a Councillor Conduct Panel.
- (g) Cr Pilling – responses to the public questions taken on notice at the last Council Meeting have been circulated to Councillors and will now be finalised.
- (h) Cr Lipshutz – Cr Delahunty’s response to the public question asked of her at the last Council Meeting.

10.23PM Cr Delahunty returned to the briefing room.

Fin 10.30PM

PROCEDURAL MOTION

Crs Lipshutz/Sounness

That Agenda Item 11.4 – Public Questions – be dealt with now and that a sample of the Public Questions received for this meeting be read out and responded to at this meeting with the remainder receiving a written response in due course.

The MOTION was put and CARRIED unanimously.

11. ORDINARY BUSINESS**Item 11.4 Public Questions**

Mr M Oswald

From:

Subject:

Public Questions

“Has the Council considered responding to Public Questions by email, especially when the Public Questions are submitted by email or via the Council website?”

The Mayor read Council’s response. He said:

“Your suggestion will be given consideration.”

From:

Ms C Dickson

Subject:

LXRA Permits

“Has Council approved any permits relating to any work (preliminary or project work) currently being undertaken, or to be carried out in the future, by the LXRA in the Glen Eira area? If so, are you able to provide us with details of these permits?”

The Mayor read Council’s response. He said:

“The State Government’s Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

“Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc....”

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

Asset Consent Permits are required for any works to be undertaken in Council road reserves, regardless of the Ministers exemption. At this point in time, Council has received one permit application for the purpose of geotechnical investigative works at Lorne Street, Caulfield East.”

From: Mr A Pollock
Subject: Grade Separation project.

“The Government claims that 11 MCG’s worth of open space will be available under the Skyrail. The actual plans from Grange to Poath Roads show these to be massive car parks joined by short, broken paths and flanked by residential back fences. Victoria Police Information Units identify these areas as ‘crime hot spots’ that invite loitering in areas which cannot be adequately patrolled. For over 100 years, our community has recognised that this is a rail corridor and not a playground. Rail Under Road with cut and cover will make real space available without the huge concrete pylons and tracks overhead. How is council going to address problems the proposed skyrail will bring such as graffiti, rubbish dumping and criminal activity? What plans are there for addressing these issues around the new station district that Council will be responsible for when Hughesdale Station is moved into Glen Eira?”

The Mayor read Council’s response. He said:

“There is no proposal before Council to manage the open space associated with the Skyrail proposal. Graffiti on railway infrastructure is the responsibility of the railway companies and antisocial behaviour is dealt with by Victoria Police. All these matters have been raised by Council in our submission to the LXRA which is available on the front page of Council’s website.”

From: Ms M Ridgeway
Subject: Property valuations

“Can Council please explain how the valuations on our properties will be calculated this year and what affect the elevated railway project will have on property valuations and rates?”

The Mayor read Council’s response. He said:

“At this early stage, it is difficult to give any indication as to the impact that the State Government’s Skyrail project may have on valuation movements. As Council valuations and associated rates are dependent on market levels through sales analysis, Council needs to have some sales evidence to establish an accurate movement. Additionally, the State Government’s recent announcement regarding a buy-back proposal for impacted properties may also affect the likely consideration to be paid for those properties.

Council’s valuers are currently appraising sales data as well as any other factors that may influence the value of properties along this corridor. If this evaluation establishes any impact on market levels then Council will adjust valuations and rates accordingly.”

From: Ms M Ridgeway
Subject: Land Sales

“Has the Glen Eira City Council sold or given any land to the Victorian Government so that the elevated railway project can proceed ie Council owned reserve abutting the railway corridor in Lorne Street and Girdwood Avenue Carnegie?”

The Mayor read Council’s response. He said:

“No, the Council has not sold or given any land to the Victorian Government.”

From: Aafko Schanssema
Subject: LXRA Permits

“Has council been approached by the Level Crossings Removal Authority to carry out test drilling on council land? If so, have permits been issued for this work?”

The Mayor read Council’s response. He said:

“Asset Consent Permits are required for any works to be undertaken in Council road reserves. At this point in time, Council has received one permit application for the purpose of geotechnical investigative works at Lorne Street, Caulfield East.”

From: Aafko Schanssema
Subject: LXRA land purchase

“Has council been approached by the Level Crossings Removal Authority to purchase any council land for the level crossings removal project? If so, where and when?”

The Mayor read Council’s response. He said:

“No. Council has not been approached by the LXRA.”

9. PRESENTATION OF OFFICERS REPORTS

- 9.1 249 Glen Eira Road and 1A Morrice Street Caulfield North
- 9.2 Planning Scheme Review 2016
- 9.3 VCAT Watch – April 2016
- 9.4 Eco-Buy Program
- 9.5 Public Parks and Private Memorials
- 9.6 Instrument of Appointment and Authorisation under the Planning and Environment Act 1987

Item 9.1

**249 GLEN EIRA ROAD AND 1A MORRICE
STREET CAULFIELD NORTH
APPLICATION NO. GE/PP-24302/2011/A**

**File No: GE/PP-24302/2011/A
Enquiries: Rocky Camera
Manager Statutory Planning**



APPLICATION SUMMARY

PROPOSAL	Increase hours of operation for the existing 120 place Child Care Centre
RECOMMENDATION	Notice of Decision to Grant a Permit subject to conditions restricting the hours of operation to 6.30pm
KEY ISSUES	<ul style="list-style-type: none"> • Amenity impacts – noise • Impact to existing traffic conditions
MUNICIPAL STRATEGIC STATEMENT	<ul style="list-style-type: none"> • Institutional and Non Residential Uses in Residential Areas • Child Care Centres Policy
APPLICANT	Perkins Architects
PLANNING SCHEME CONTROLS	<ul style="list-style-type: none"> • Neighbourhood Residential Zone
EXISTING LAND USE	Child Care Centre
PUBLIC NOTICE	<ul style="list-style-type: none"> • 15 properties notified • 98 notices sent (owners and occupiers) • 2 signs erected on site • 5 objections received
Application fee payable (fee increased by the State Government in 2009)	\$502.00

Item 9.1 (cont'd)**1. Community 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.

2. Recommendation

That Council:

- Issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-24302/2011/A allowing variation to the wording of Conditions 2 and 7 in accordance with the conditions contained in the Appendix.

3. Applicable Policies and CodesGlen Eira City Council

- Municipal Strategic Statement – Adopted by Council on 17 May 1999 and approved by the Minister on 5 August 1999.
- Child Care Centres Policy – Adopted by Council on 22 February 2011 and amended by the Minister on 14 January 2016.

4. Reasons For Recommendation

In recommending that Council determines to approve the proposal, consideration has been given to:

- All written objections and matters raised at the planning conference
- Council's MSS
- Council's Child Care Centres Policy
- Other relevant considerations of the Planning Scheme

The key issues influencing the recommendation are as follows:

Background

A Planning Permit was approved by VCAT on the 7 June 2013 which allowed for a 120 place Child Care Centre with parking.

Condition 2 of the planning permit required that the child care centre could only operate between the following times:

- Monday to Friday- 7:00am to 6:00pm

Condition 7 of the planning permit requires that playground areas 2 and 3 must not be used between the hours of 4:00pm on one day and 9:00am on the following day.

Compliance with Council's Child Care Centres Policy

The Neighbourhood Residential Zone enables the consideration of proposals for a range of non-residential uses serving local community needs in appropriate locations.

Item 9.1 (cont'd)

Council's Child Care Centres Policy aims to integrate these facilities into residential areas whilst minimising their impacts on the amenity of adjoining and nearby dwellings and protecting neighbourhood character.

Car parking, vehicle access, car park layout and traffic

- No changes are proposed to the approved layout of the basement and/or drop off and pick up areas within the basement.
- Staff numbers will remain unchanged. Therefore staff car parking will not change as a result of the extended hours of operation.
- It is considered that any impact on existing parking and/or traffic congestion within Glen Eira Road and/or Morrice Street will be negligible.

General Amenity

- The proposed extension to the approved hours of operation from 6:00pm to 6.45pm exceeds the finishing time prescribed in the Child Care Centres Policy by 15 minutes.
- A condition is included in the recommendation to limit the finishing time to 6.30pm in line with the prescribed times set out in the Child Care Centres Policy.
- The proposed extension to the approved hours of Playground Areas 2 and 3 falls within the prescribed times set out in the Child Care Centres Policy.
- The proposed extended hours to use Playground Areas 2 & 3 for an additional 15 minutes in the morning and an additional 1 hour and 45 minutes in the afternoon is considered acceptable given that noise impacts will be minimised by:
 - The existing 2 metre high acoustic paling fence erected along the northern boundary adjacent to Playground Area 2 at ground floor.
 - The existing 2.1 metre high acoustic barrier erected along the northern and western boundaries of Playground Area 3.
- The permit applicant did offer to limit the use of Playground Areas 2 & 3 during the middle of the day. No hours were specified by the permit applicant. The use of Playground Areas 2 & 3 during the middle of the day (as proposed) is considered reasonable and complies with Council's Child Care Centres Policy.
- A condition is included in the recommendation varying the wording of Condition 7 to extend the use of Playground Areas 2 & 3 as proposed.

Item 9.1 (cont'd)**APPENDIX**

ADDRESS: 249 GLEN EIRA ROAD AND 1A MORRICE STREET, CAULFIELD NORTH
APPLICATION NO: GE/PP-24302/2011/A

1. Proposal

(Refer to attached plans)

Features of the proposal include:

- Increase hours of operation from 7.00am - 6.00pm to 7.00am – 6.45pm by varying the wording of Condition 2.
- Increase the hours to use playground areas 2 & 3. Currently these playground areas can be used from 9.00am to 4.00pm. It is proposed that the playground areas 2 & 3 be used from 8.45am to 5.45pm by varying the wording of Condition 7.

2. Public Notice

- 15 properties notified
- 98 notices sent (owners and occupiers)
- 2 signs erected on site
- 5 objections received

The objectors' concerns are summarised as follows:

- Increased traffic congestion in the mornings and afternoons.
- The proposed extension to the hours of operation in the afternoon conflicts with people arriving home from work and other activities.
- The proposed extension to the hours for playgrounds 2 & 3 would cause an increased noise disturbance for nearby residents.
- The increased hours will have a negative impact on neighbors' amenity, health and well-being due to noise impacts.
- The approved hours of operation (i.e. 7am – 6pm) and restricted use of playgrounds 2 & 3 (i.e. not used between 4pm one day until 9am the following day) is adequate.
- Noise impacts from the playgrounds at ground and first floor.
- Playgrounds 2 & 3 have no acoustic screening.

3. Referrals

The application has been referred to various departments and individuals within Council for advice on particular issues. The following is a summary of relevant advice:

Transport Planning

- The extended operating hours are not expected to have any significant impact on existing traffic conditions within the vicinity of the subject land.

Item 9.1 (cont'd)**4. Planning Conference**

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:

- Noise
- Increase traffic congestion

Undertakings by the Applicant

- The use of Playground Areas 2 & 3 could be limited in the middle of the day.

5. Conditions

Amend planning permit pursuant to Section 75 of the Act be issued as follows:

This Permit was amended pursuant to Section 75 of the Planning and Environment Act 1987 by modifying the wording of Conditions 2 & 7 on 5 April 2015.

1. Before commencement of the development, amended plans are to be submitted to and approved by the Responsible Authority. Such plans are to be drawn to scale with dimensions and three copies are to be provided. When approved the plans are to be endorsed as evidence of their approval and will thereby become the endorsed plans in relation to this permit. The plans must be generally in accordance with the plans submitted with the application (identified as Drawing Nos. TP07-TP12, prepared by Perkins Architects, dated 20/12/11) but modified to show:

Building Layout and Appearance

- a) the material of the front fence along the Morrice Street boundary of the site to be changed from corrugated iron to a timber picket style fence with capping or of an alternative material that is in keeping with the quality of front fences in Morrice Street;
- b) additional notes to state that the screens around the perimeter of the upper level playground and for the west-facing window seat of Playroom 07 are to be not more than 25% transparent to restrict overlooking of the adjoining properties;
- c) a detailed schedule of materials, finishes and colours (including paint samples) for all external surfaces;
- d) an acoustic fence along the northern and western boundaries of the site to a minimum height of 2.0 metres above natural ground level and an acoustic barrier along the northern and western boundaries of "Playground 03";

Car Parking and Bicycle Parking Layout

- e) as to plan TPO6 and ground floor plan TP07 modifications in accordance with the changes recommended in Kate Partenio's Report dated 09/01/13 presented to the Victorian Civil and Administrative Tribunal in its hearing of Planning Application for Review P1019/2012; and

Item 9.1 (cont'd)Landscape Plan

- f) a landscape plan that must incorporate:
 - i) a survey, including botanical names, of all existing vegetation to be retained;
 - ii) buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary;
 - iii) 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;
 - iv) landscaping and planting within all open space areas of the site;
 - v) three advanced canopy trees (minimum 3.0 metres tall when planted) in playground areas or other locations but not sited over easements.
- 2. The child care centre allowed under this permit is to confine child care to the following times:
 - Monday to Friday 7:00am to 6:00~~00~~³⁰pm
- 3. Not more than 120 children are to be on the premises at any one time. This excludes children not enrolled at the centre.
- 4. Not more than 22 full-time and 3 part-time staff members/employees may be present on the site at any one time.
- 5. Prior to the commencement of the use, a Parking Management Plan must be submitted to and approved by the Responsible Authority. The Parking Management Plan must include as appropriate:
 - a) how the allocation of car spaces will be managed, including the provision of staff parking during the operating hours and the provision of 13 parent car spaces during the morning and afternoon peak periods;
 - b) which car spaces will be occupied by staff;
 - c) availability of parent parking during the middle of the day;
 - d) arrangements for delivery vehicles;
 - e) encouraging use of bicycles and shared transport arrangements;
 - f) intended education of parents and staff about the Parking Management Plan such as through an orientation session or the like;
 - g) prohibition on staff utilizing the two car parking spaces opposite the ramp during peak drop off and pick up times.
- 6. Prior to the occupation of the development, an acoustic fence must be erected along the northern and western boundaries of the site to a minimum height of 2.0 metres above natural ground level and an acoustic barrier to the satisfaction of the Responsible Authority must be erected along the northern and western boundaries of "Playground 03" to a minimum height of 2.1 metres above finished floor level in accordance with specifications to be prepared in consultation with a suitably qualified acoustic engineer or consultant and where details of the design and acoustic qualities of the fences have been approved by the Responsible Authority.

Item 9.1 (cont'd)

7. Playground Areas 2 and 3 must ~~not only~~ be used between the hours of ~~4.00pm on one day and 9.00am on the following day.~~ **8.45am - 5.45pm Monday to Friday and must not be altered without the prior written consent of the Responsible Authority.**
8. Not more than 50 children may be present in the rear playground areas (2 and 3) at any one time.
9. No playground equipment or playground structures which have a height greater than 0.5m are to be installed or maintained within 3.0m of the northern and western site boundaries.
10. Disabled persons' access to the building must be provided in accordance with the relevant Australian Standard/s to satisfy the provisions of the *Disability Discrimination Act*.
11. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
12. 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.
13. The amenity of the area must, to the satisfaction of the Responsible Authority, not be adversely affected by the use or development as a result of the:
 - (a) transport of materials, goods or commodities to or from the land; and or
 - (b) appearance of any building, works, stored goods or materials; and/or
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/orin any other way.
14. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.
15. No amplified public address system or other amplified sound is to be utilized out of doors except in cases of emergency.
16. All outdoor lighting must be baffled and/or located, to the satisfaction of the Responsible Authority, to prevent light from the site causing detriment to the locality.
17. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.

Item 9.1 (cont'd)

18. (a) Adequate provision, to the satisfaction of the Responsible Authority, must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles.
 - (b) All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must, to the satisfaction of the Responsible, be kept in a storage area screened from view.
 - (c) All bins and receptacles must be maintained, to the satisfaction of the Responsible Authority, in a clean and tidy condition and free from offensive odour.
19. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must, to the satisfaction of the Responsible Authority, 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;
20. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
21. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any redundant existing crossing or crossing opening must be removed and replaced with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
22. This Permit will expire if:
- The development and use 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 times referred to if a request is made in writing before this Permit expires or within three (3) months after the expiry date.

Item 9.1 (cont'd)

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

- A. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

Pursuant to Section 72 of the Planning and Environment Act 1987 a permit issued at the direction of VCAT cannot be the subject of an application for amendment of permit (which includes any plans, drawings or other documents approved under a permit).

- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a “title boundary” enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 150mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.

Crs Magee/Hyams

That the recommendation in the report be adopted with the following change to Condition 7 to read:

- “7. Playground Areas 2 and 3 must only be used between the hours of 8.45am – 4.00pm Monday to Friday and must not be altered without the prior written consent of the Responsible Authority.”**

The MOTION was put and CARRIED unanimously.



PLANNING PERMIT

GLEN EIRA PLANNING SCHEME

RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL

COPY

PLANNING PERMIT NUMBER:	GE/PP-24302/2011
ADDRESS OF THE LAND:	249 Glen Eira Road and 1A Morrice Street CAULFIELD NORTH VIC 3161
APPLICANT:	Perkins Architects
THE PERMIT ALLOWS:	Development and use of land for a 120 place Child Care Centre with parking in accordance with the endorsed plans provided for in the following conditions which are the conditions of the permit in accordance with the endorsed plans.

This Permit was issued at the direction of the Victorian Civil and Administrative Tribunal pursuant to Section 85(1)(b) of the Planning and Environment Act 1987 on the 31 May 2013.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 1 Before commencement of the development, amended plans are to be submitted to and approved by the Responsible Authority. Such plans are to be drawn to scale with dimensions and three copies are to be provided. When approved the plans are to be endorsed as evidence of their approval and will thereby become the endorsed plans in relation to this permit. The plans must be generally in accordance with the plans submitted with the application (identified as Drawing Nos. TP07-TP12, prepared by Perkins Architects, dated 20/12/11) but modified to show :

Building Layout and Appearance

- a) the material of the front fence along the Morrice Street boundary of the site to be changed from corrugated iron to a timber picket style fence with capping or of an alternative material that is in keeping with the quality of front fences in Morrice Street;
- b) additional notes to state that the screens around the perimeter of the upper level playground and for the west-facing window seat of Playroom 07 are to be not more than 25% transparent to restrict overlooking of the adjoining properties;
- c) a detailed schedule of materials, finishes and colours (including paint samples) for all external surfaces;
- d) an acoustic fence along the northern and western boundaries of the site to a minimum height of 2.0 metres above natural ground level and an acoustic barrier along the northern and western boundaries of "Playground 03";

Car Parking and Bicycle Parking Layout

- e) as to plan TPO6 and ground floor plan TP07 modifications in accordance with the changes recommended in Kate Partenio's Report dated 09/01/13 presented to the

DATE ISSUED: 7 June 2013

SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY

IMPORTANT – REFER TO
NOTES ON LAST PAGE

PAGE 1 OF 6



PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-24302/2011

Conditions Continued –

Victorian Civil and Administrative Tribunal in its hearing of Planning Application for Review P1019/2012; and

Landscape Plan

- f) a landscape plan that must incorporate:
- i) a survey, including botanical names, of all existing vegetation to be retained;
 - ii) buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary;
 - iii) 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;
 - iv) landscaping and planting within all open space areas of the site;
 - v) three advanced canopy trees (minimum 3.0 metres tall when planted) in playground areas or other locations but not sited over easements.

- 2 The child care centre allowed under this permit is to confine child care to the following times:
- Monday to Friday 7:00am to 6:00pm
- 3 Not more than 120 children are to be on the premises at any one time. This excludes children not enrolled at the centre.
- 4 Not more than 22 full-time and 3 part-time staff members/employees may be present on the site at any one time.
- 5 Prior to the commencement of the use, a Parking Management Plan must be submitted to and approved by the Responsible Authority. The Parking Management Plan must include as appropriate:
- a) how the allocation of car spaces will be managed, including the provision of staff parking during the operating hours and the provision of 13 parent car spaces during the morning and afternoon peak periods;
 - b) which car spaces will be occupied by staff;
 - c) availability of parent parking during the middle of the day;
 - d) arrangements for delivery vehicles;
 - e) encouraging use of bicycles and shared transport arrangements;
 - f) intended education of parents and staff about the Parking Management Plan such as through an orientation session or the like;
 - g) prohibition on staff utilizing the two car parking spaces opposite the ramp during peak drop off and pick up times.

DATE ISSUED: 7 June 2013

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PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-24302/2011

Conditions Continued –

- 6 Prior to the occupation of the development, an acoustic fence must be erected along the northern and western boundaries of the site to a minimum height of 2.0 metres above natural ground level and an acoustic barrier to the satisfaction of the Responsible Authority must be erected along the northern and western boundaries of "Playground 03" to a minimum height of 2.1 metres above finished floor level in accordance with specifications to be prepared in consultation with a suitably qualified acoustic engineer or consultant and where details of the design and acoustic qualities of the fences have been approved by the Responsible Authority.
- 7 Playground areas 2 and 3 must not be used between the hours of 4:00pm on one day and 9:00am on the following day.
- 8 Not more than 50 children may be present in the rear playground areas (2 and 3) at any one time.
- 9 No playground equipment or playground structures which have a height greater than 0.5m are to be installed or maintained within 3.0m of the northern and western site boundaries.
- 10 Disabled persons' access to the building must be provided in accordance with the relevant Australian Standard/s to satisfy the provisions of the *Disability Discrimination Act*.
- 11 The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
- 12 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.
- 13 The amenity of the area must, to the satisfaction of the Responsible Authority, not be adversely affected by the use or development as a result of the:
 - (a) transport of materials, goods or commodities to or from the land; and or
 - (b) appearance of any building, works, stored goods or materials; and/or
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/orin any other way.
- 14 All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.
- 15 No amplified public address system or other amplified sound is to be utilized out of doors except in cases of emergency.

DATE ISSUED: 7 June 2013

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AUTHORITY

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PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-24302/2011

Conditions Continued –

- 16 All outdoor lighting must be baffled and/or located, to the satisfaction of the Responsible Authority, to prevent light from the site causing detriment to the locality.
- 17 No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 18 (a) Adequate provision, to the satisfaction of the Responsible Authority, must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles.
- (b) All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must, to the satisfaction of the Responsible, be kept in a storage area screened from view.
- (c) All bins and receptacles must be maintained, to the satisfaction of the Responsible Authority, in a clean and tidy condition and free from offensive odour.
- 19 Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must, to the satisfaction of the Responsible Authority, 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;
- 20 Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
- 21 Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any redundant existing crossing or crossing opening must be removed and replaced with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
- 22 This Permit will expire if :
- The development and use 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 times referred to if a request is made in writing before this Permit expires or within three (3) months after the expiry date.

DATE ISSUED: 7 June 2013

**SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY**

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PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-24302/2011

Conditions Continued –

Conditions End

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

- A. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

Pursuant to Section 72 of the Planning and Environment Act 1987 a permit issued at the direction of VCAT cannot be the subject of an application for amendment of permit (which includes any plans, drawings or other documents approved under a permit).

- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a “title boundary” enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 150mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.

DATE ISSUED: 7 June 2013

**SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY**

**IMPORTANT – REFER TO
NOTES ON LAST PAGE**

PAGE 5 OF 6

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a Permit granted under Division 5 of Part 4 of the Planning and Environment Act 1987)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
 - (i) the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit, or
 - * the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan or subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if -
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development, or
 - * the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision -
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under the permit before the expiry.

WHAT ABOUT APPEALS?

- * The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil & Administrative Tribunal where, in which case no right of appeal exists.
- * An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- * An appeal is lodged with the Victorian Civil & Administrative Tribunal.
- * An appeal must be made on a Notice of Appeal form which can be obtained from the Victorian Civil & Administrative Tribunal, and be accompanied by the prescribed fee.
- * An appeal must state the grounds upon which it is based.
- * An appeal must also be served on the Responsible Authority.
- * Details about appeals and the fees payable can be obtained from the Victorian Civil & Administrative Tribunal.
- * The address of the Victorian Civil and Administrative Tribunal is Level 7, 55 King Street, Melbourne 3000. The telephone number is 03 9628 9777.

(LAST PAGE OF PERMIT)

Item 9.2**PLANNING SCHEME REVIEW 2016**

**Enquiries: John Bordignon
Acting Director Planning and Transport**

1. Community PlanTown 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.

Community Building and Engagement

To build a strong connected community that actively participates and engages with Council to improve outcomes for the community.

2. Proposal

To commence stakeholder and community consultation for Glen Eira's Planning Scheme Review 2016.

3. Recommendation

That Council:

- Notes the commencement of community consultation for the 2016 Planning Scheme Review
- Notes and endorses the attached Discussion Paper

4. Background

A *Planning Scheme* is a statutory document that outlines the strategic direction for a municipality and provides objectives, policies and provisions for development and land use. A *Planning Scheme* consists of a range of tools that aid councils in making decisions on where and how people develop their land, including both state and local policies.

Pursuant to Section 12B of the *Planning and Environment Act 1987*, a municipality must regularly review its *Planning Scheme* and report the findings to the State Government. Council is required to report its *Review* findings to the Minister for Planning, through the Department of Environment, Land Water and Planning (DELWP).

The Review in its broadest sense aims to test the continued relevance and applicability of all Council town planning policies, strategies and controls. This provides an opportunity for Council to consult with stakeholders and the community and to seek feedback, comments and views on planning matters within Council's ambit of responsibility.

Item 9.2 (cont'd)

The last planning scheme review was undertaken in 2010. Generally, planning scheme reviews are undertaken approximately every 4 years. However, the State Government has a number of significant reviews of its own which have been ongoing. It was considered that deferring Glen Eira's planning scheme review was warranted as the results of the State Government planning reviews had the potential to affect the outcomes of Glen Eira's own planning scheme review.

These State reviews have been progressing much slower than anticipated and it is therefore appropriate for Glen Eira to move forward regardless of the Statewide outcomes.

In 2013, Glen Eira translated its longstanding housing policies into the new residential zones (Ministerial Amendment C110). The translation achieved, amongst other things:

- Mandatory maximum height limits over all residentially zoned land in Glen Eira
- Co-location of higher density development with public transport
- More than the State design standard in the amount of porous areas, private open space and rear setback in the Neighbourhood Residential Zone (the majority of the municipality),
- A scaling down and moving away of buildings in a higher density residential zone, where it meets a Neighbourhood Residential Zone.

The new zones reinforced our Policies and, with mandatory maximum heights, ensured that VCAT could not approve taller buildings.

There is nothing that can be built under the new zones that could not be built before. There are things which could be built before which cannot be built now, especially relating to heights. Glen Eira has achieved a balance. We have gained more protection, whilst still enabling higher density development in appropriate locations.

The State Government is currently reviewing the reformed residential zones. A Ministerial advisory committee has been appointed to report on the implementation and application of the residential zones, and any recommended improvements.

The Committee is expected to report to the Minister in mid 2016. It is considered appropriate to wait for the imminent outcome of the State review before any detailed local review of residential zones is conducted.

The State Government has also commenced the removal of level crossings across Melbourne. The Minister for Planning has appointed a Standing Advisory Committee to provide advice and recommendations on 'integrated development opportunities' created by the removal of level crossings. Developments approved by the Minister at railway stations (Glen Eira's Activity Centres) may have a bearing on the outcomes of the review.

Item 9.2 (cont'd)**5. Community Engagement**

An integral part of the Planning Scheme review process is community and stakeholder consultation.

This will involve:

- Five Community Engagement meetings held over April and May at various locations throughout the municipality.
- The Community Engagement meetings will conclude with a sixth community meeting in June at the Town Hall. At the final meeting, the key findings from the previous meetings and written submissions will be presented, giving the community an opportunity for further discussion. Each meeting will be run by an external facilitator, with planning staff in attendance.
- Articles in Glen Eira News and The Leader newspaper.
- Letters to a diverse range of stakeholders.
- On-line discussion on “*Have Your Say*” Glen Eira.

6. Project Timeframes

At the conclusion of the the Community Engagement process, a report will be presented. The report will detail the submissions and feedback received during the consultation phase. It will also list recommended changes to improve the efficiency and effectiveness of Glen Eira’s Planning Scheme. These will form the basis of Council’s Strategic Planning workplan over the next four years.

The process to implement the adopted changes will be through a planning scheme amendment process. This process can be a lengthy one with the following fixed statutory steps:

(Depending on the project, significant research may be required prior to commencing the amendment process.)

1. The Minister for Planning must firstly authorise preparation of the amendment before exhibition can occur. Following this, notice (exhibition) of the amendment will commence, inviting public submissions. If Council agrees to exhibit an amendment, it does not necessarily follow that Council supports the proposal. Placing an amendment on public exhibition has an element of “testing the water”. During the authorisation process, the Minister may also authorise Council to approve the amendment (if minor in nature).
2. If there are no submissions Council can ‘adopt’ or ‘abandon’ the amendment and forward it to the Minister for certification or approval. It only becomes law when / if it is formally approved and gazetted.

Item 9.2 (cont'd)

3. If there are submission/s opposed to the amendment, the Council has three options – abandon the amendment, change the amendment in accordance with the submitter's request, or request the Minister to appoint an Independent Panel to hear the submissions.
4. If a Panel is appointed, submissions are heard and the panel reports its findings in the form of a recommendation to Council.
5. The Panel may make a recommendation to:
 - adopt the amendment;
 - abandon the amendment; or
 - modify the amendment.
6. Council then considers the panel report and makes its own decision. Council is not bound by the panel's findings. Again Council's options are to either abandon or adopt the amendment (with or without modifications).
7. If Council adopts the amendment, it is then referred to the Minister for Planning for approval or certification.

7. Discussion Paper

The attached Discussion Paper will be available on-line, and in hard copy at all Council libraries.

It has been prepared to initiate discussion on town planning issues and challenges facing the municipality. The paper contains six themes with accompanying questions to prompt thoughts on these and other town planning issues.

The six themes are:

Municipal Strategic Statement and Local Policies
Urban Design in Activity Centres
Environmentally Sustainable Development
Car Parking and Transport
Neighbourhood Character
Heritage

Crs Hyams/Lipshutz

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.



GLEN EIRA
CITY COUNCIL

Glen Eira Planning Scheme Review

2016

a discussion paper

Glen Eira City Council

Bentleigh

Bentleigh East

Brighton East

Carnegie

Caulfield

Elsternwick

Gardenvale

Glen Huntly

McKinnon

Murrumbeena

Ormond

St Kilda East



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Why do a <i>Planning Scheme Review</i> ?	7
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Themes

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2 Urban design in activity centres	12
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4 Car parking and transport	16
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6 Heritage	20



Glen Eira Planning Scheme Review 2016: a discussion paper

The *Glen Eira Planning Scheme Review* aims to test the continued relevance and applicability of all Glen Eira City Council's town planning policies, strategies and controls. As part of the *Review* process, Council will consult with the community to seek feedback, comments and views on planning matters within Glen Eira.

Glen Eira Planning Scheme Review 2016 — a discussion paper has been prepared to initiate discussion on town planning issues and challenges facing the municipality.

Context

Melbourne is rapidly growing in population with numbers expected to increase from its current 4.5 million to reach 7.8 million by the year 2051. With a projected significant increase in population over the next 35 years, the number of households in Melbourne is expected to reach 3.15 million by 2051. This would result in a 90 per cent increase from the current 1.59 million households in metropolitan Melbourne¹.

The average household size is expected to decline over the coming years as the average age of Melbourne's population increases. As older people form smaller households, this will result in a larger portion of the population requiring one or two-person homes.

In recent years, metropolitan Melbourne's housing growth has changed focus with the construction of apartment and medium density housing outweighing the construction of detached houses.

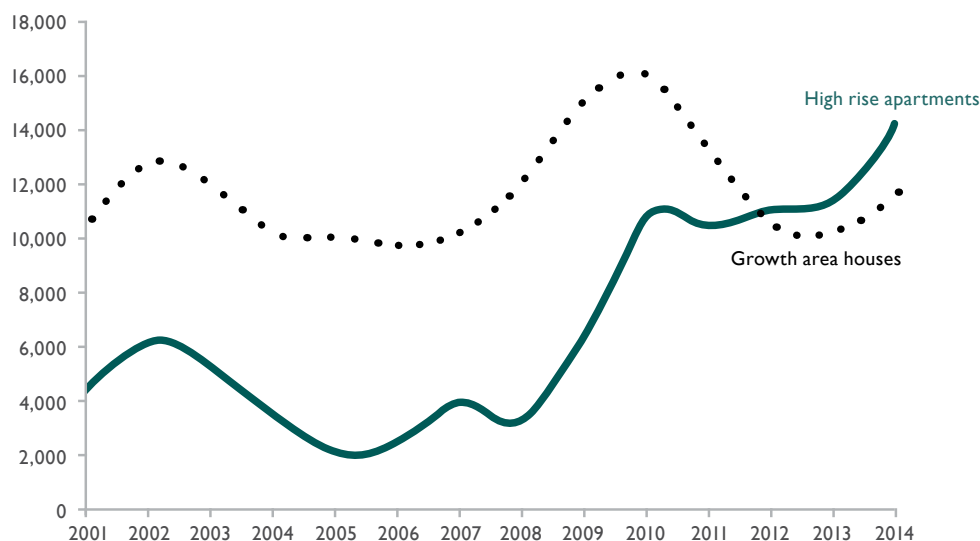


Figure 1: Annual approvals of dwellings by type, Melbourne, 2001–2014²

As a middle ring municipality, Glen Eira has experienced a significant increase in housing development in the form of residential infill — the replacement of one house with new townhouses or apartments — with more than 25 per cent of approvals being issued for dual occupancy development¹.

Residential infill can increase housing diversity within a municipality however, it may also affect the character of individual suburbs over time. By the year 2031, the population of Glen Eira is expected to increase by approximately 27,000 people, which is expected to result in a further increase of around 12,000 households³.

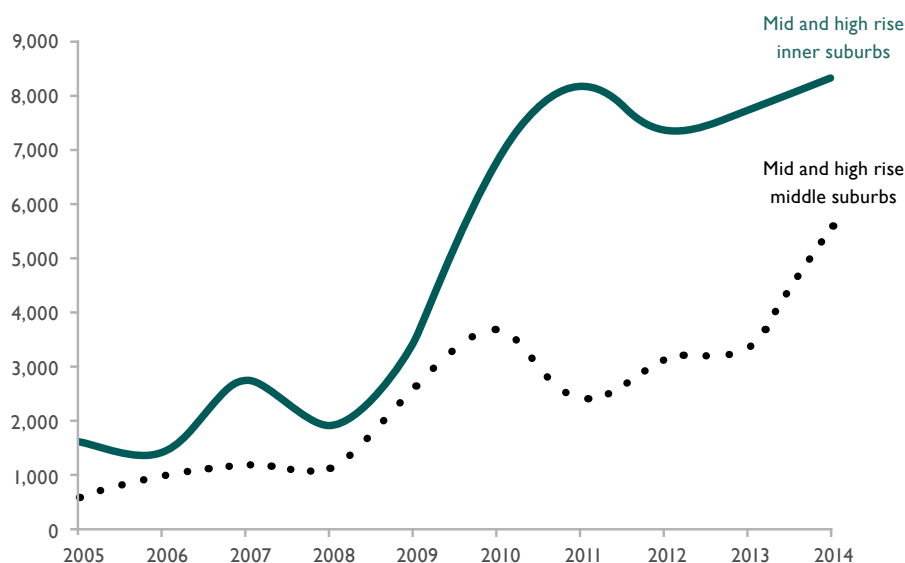


Figure 2: Annual number of building approvals of mid and high rise apartments in inner and middle Melbourne, 2001–2014²

What is a Planning Scheme?

A *Planning Scheme* is a statutory document that outlines the strategic direction for a municipality and provides objectives, policies and provisions for development and land use. A *Planning Scheme* consists of a range of tools that aid councils in making decisions on where and how people develop their land, including both state and local policies.

A Planning Scheme includes the following components:

State Planning Policy Framework (SPPF)

State-wide policies are contained within this section of the *Planning Scheme*, which comprises of general principles and provisions for land use and development. The *SPPF* is identical for every municipality and is currently under review by the State Government. Information contained in the *SPPF* is not the subject of the *Glen Eira Planning Scheme Review 2016*.

Local Planning Policy Framework (LPPF)

The *LPPF* is the subject of the Review. This section of the *Planning Scheme* includes local policies that apply solely to Glen Eira and outlines Council's strategic directions for the municipality. The *LPPF* must be consistent with the general directions of the *SPPF* and comprises the following components:

Municipal Strategic Statement (MSS)

The MSS details the broad strategic objectives for planning, land use and development in Glen Eira. Additionally, it provides the strategic basis for the local content of the *Planning Scheme*. This section also provides a rationale for zone and overlay requirements in the *Scheme*.

Local Planning Policies

These policies state the preferred outcomes for specific land uses or development in Glen Eira and contain tools for implementing the strategies set out in the MSS.

Zones and overlays

All land in Victoria has a zone that specifies the purpose of the land (residential, commercial, industrial etc.). The zoning of land states the allowable uses as well as the types of construction that require planning permission. The provisions within the zone are set by State Government, however, local provisions may be added through the use of schedules. For example, Glen Eira utilised this tool to implement maximum building heights across all residentially zoned land.

Particular and general provisions

These sections of the *Planning Scheme* contain specific provisions for a range of uses and developments, such as car parking, telecommunications facilities and advertising signs. Similar to the zones, these provisions are also set by the State Government.

Incorporated documents

External documents may be referenced within the *Scheme*, for example, a masterplan for a large area or precinct.

References

1. Department of Environment, Land, Water and Planning, 29 January 2016, *Managing Residential Development Taskforce: Overarching Report, Residential Zones State of Play*
2. Department of Environment, Land, Water and Planning, May 2015, *Better Apartment Discussion Paper, A Discussion Paper*.
3. Department of Environment, Land, Water and Planning, 29 January 2016, *Managing Residential Development Taskforce: Southern Subregion, Residential Zones State of Play*.

Why Do a Planning Scheme Review?

Pursuant to Section 12B of the *Planning and Environment Act 1987*, a municipality must regularly review its *Planning Scheme* and report the findings to the State Government. Council is required to report its Review findings to the Minister for Planning, through the Department of Environment, Land, Water and Planning (DELWP).

The aim of the review is to:

- reduce the complexity of processes and controls;
- remove unnecessary permit requirements;
- improve the performance of the *Planning Scheme* and strengthen its strategic objectives;
- address key issues faced by the municipality; and
- ensure consistency with state policies and strategies.

The process includes:

- community and stakeholder consultation;
- assessing progress since the last *Planning Scheme Review*;
- reviewing current policies;
- identifying policy gaps and inconsistencies; and
- setting goals for implementation of changes to the *Planning Scheme* before the next review.

Although the reformed zones were implemented in 2013, a full review of the *Glen Eira Planning Scheme* has not been carried out since 2010. Council has previously sought further time to undertake a review as multiple State Government policies and strategies that guide the *Planning Scheme* are also currently under review. These include *Plan Melbourne Refresh* — a review of Melbourne's metropolitan *Planning Strategy*; a review of the *State Planning Policy Framework*; a review of the new zones recently introduced to Victoria (such as the new residential zones); and a review of multi-dwelling design standards.

Recommendations in the final report will include a list of proposed changes to improve the efficiency and effectiveness of *Glen Eira's Planning Scheme*. These will be implemented via the *Planning Scheme* amendment process. This process can be lengthy and requires both the adoption of the proposed amendments by Council as well as approval from the Minister for Planning.

How can you participate?

An integral part of the Review process is community and stakeholder consultation.

This will involve three key stages:

1. Community engagement meetings
2. Submissions
3. Council feedback forum

Five community engagement meetings will be held during the consultation period. These meetings will give the community an opportunity to contribute to the Review and shape the final report that will be submitted to the State Government.

Council encourages interested parties to attend the community engagement meetings and to provide written comments and views on planning matters affecting Glen Eira.

Monday 18 April 2016 from 6pm	Moorleigh Pavilion Moorleigh Village 90–92 Bignell Road Bentleigh East (Melway Ref 78 B5)
Monday 2 May 2016 from 6pm	Moorleigh Pavilion Moorleigh Village 90–92 Bignell Road Bentleigh East (Melway Ref 78 B5)
Wednesday 4 May 2016 from 6pm	Duncan Mackinnon Pavilion Corner Murrumbeena & North Roads Murrumbeena (Melway Ref 68 K9)
Wednesday 18 May 2016 from 6pm	Caulfield Park Pavilion Corner Hawthorn & Balaclava Roads Caulfield Enter from car park off Balaclava Road (Melway Ref 68 C12)
Wednesday 25 May 2016 from 6pm	Packer Park Pavilion Leila Road Carnegie (Melway Ref 68 J8)

Once we have a better idea of your key planning issues, priorities and suggested improvements, we would like to present these to you and discuss them further.

Everybody is welcome to join the discussion on:

Wednesday
15 June 2016
from 6pm

Glen Eira Town Hall
Auditorium
Corner Glen Eira & Hawthorn Roads
Caulfield
(Melway Ref 68 A2)

Submissions

Council encourages written feedback from interested parties in response to the themes and questions raised within this discussion paper.

Any feedback must be made to Council by 31 May 2016

Submissions can be made:

Online:

www.gleneira.vic.gov.au/psr

By email:

mail@gleneira.vic.gov.au

Via post:

Glen Eira Planning Scheme Review
Strategic Planning Department
Glen Eira City Council
PO Box 42 Caulfield South 3162

Have Your Say

If you cannot attend one of the community engagement meetings but would still like to give us your feedback, there is an online forum available to discuss your thoughts or you can do an online survey. Follow the links from Council's website to take part in the conversation.



Theme 1

Municipal Strategic Statement (MSS) and local policies

Clause	Municipal Strategic Statement	Clause	Local Planning Policies
21.01	<i>Municipal Strategic Statement</i>	22.01	<i>Heritage Policy</i>
21.02	Key influences	22.02	<i>Non-Residential Uses in Residential Zones Policy</i>
21.03	Vision— <i>Strategic Framework</i>	22.05	<i>Urban Villages Policy</i>
21.04	Housing and residential development	22.06	<i>Phoenix Precinct Policy</i>
21.06	Business	22.07	<i>Housing Diversity Area Policy</i>
21.07	Industry	22.08	<i>Minimal Change Area Policy</i>
21.08	Institutional and non-residential uses in residential areas	22.09	<i>Student Housing Policy</i>
21.09	Public uses/community facilities	22.10	<i>Aged Persons Housing Policy</i>
21.10	Heritage	22.11	<i>Child Care Centres Policy</i>
21.11	Infrastructure	22.12	<i>Public Open Space Contribution Policy</i>
21.12	Transport		
21.13	Open space		
21.14	Monitoring and review		

To view these documents online, visit <http://planningschemes.dpcd.vic.gov.au/schemes/gleneira>

The *Municipal Strategic Statement (MSS)* is responsible for setting the strategic direction for land use and development within Glen Eira. It is important to review this section of the *Planning Scheme* to ensure that it accurately responds to the current needs of the municipality. The key strategies of the *MSS* should align with state policies and objectives. The current sections of the *MSS* are listed above in Clauses 21.01–21.14.

Glen Eira's local policies are listed in the *Planning Scheme* as Clauses 22.01–22.12. These policies provide more specific statements or expectations that guide decision-making. Local policies are tools that are used to achieve the objectives identified in the *MSS*. It is important to incorporate local policies in the *Planning Scheme* to help the community understand what the preferred outcomes are for land use and development occurring within the municipality.

Tell us more:

1. How effective is the *MSS*?
2. Are the current sections of the *MSS* still relevant?
3. Can/should the *MSS* be simplified?
4. How effective are Glen Eira's local policies?
5. Do local policies reflect sound planning principles?
6. Do the policies provide clear direction?
7. Are there additional policies that should be included in the *Planning Scheme*?



Theme 2

Urban design in activity centres

An activity centre is an area that incorporates employment, services, housing and social interaction, often located in close proximity to a public transport hub. These centres can range in size from smaller local centres such as the Patterson Road shopping strip in Bentleigh, to larger urban villages including Bentleigh, Carnegie and Elsternwick. Due to their high level of accessibility, larger-scale activity centres are focal points for higher-density residential development with relatively higher buildings proposed in recent times.

Guidance for development in these areas can include local policies, structure plans, urban design frameworks, zones, and overlay controls. Currently, Glen Eira utilises a combination of zoning and local policies to outline the preferred planning outcomes for its activity centres. High-rise development in commercial zones has recently been raised as a concern as prescriptive height limits do not apply at present.



Local policies

Local policies are guidelines for certain uses or developments specifically within the municipality (rather than a state policy across all *Planning Schemes*). These are used by Local Government as a basis for application decision-making. However, should a decision be appealed at the Victorian and Administrative Tribunal (VCAT), the tribunal is only required to consider local policies, not implement them.

Built form overlays

Built form overlays, such as the Design and Development Overlay, are a planning control used to manage development outcomes. These overlays can introduce objectives for building design as well as particular development requirements. They can also introduce mandatory or discretionary height limits.



Structure plans

Structure plans set general parameters for future development opportunities by providing a desired vision for a particular area, including projected changes in land use. This can offer certainty for residents and developers alike but takes time to implement due to the complexity of research required.

Urban Design Frameworks

An *Urban Design Framework (UDF)* identifies the future aspirations for the physical environment of a defined area. A *UDF* can earmark particular areas for future transport connections, along with major built, natural, and cultural features. In comparison to a structure plan, a *UDF* has a stronger focus on built form rather than land use. *UDFs* are often used in areas undergoing significant change and can inform changes to zoning or built form overlays.

Tell us more:

1. What are the key issues affecting activity centres in Glen Eira?
2. How should these key issues be prioritised?
3. Do adequate policies and controls exist to guide development in activity centres?
4. How can activity centres better deliver social housing, low-cost housing, and housing diversity?
5. Should commercially zoned land in activity centres have mandatory or discretionary maximum height limits?
6. What should these maximum height limits be?
7. How should the interface between commercial and residential properties be managed?

Theme 3

Environmentally sustainable development (ESD)

Climate change has been a growing concern in recent years with many councils introducing temporary policies for environmentally sustainable design into their *Planning Schemes*.

The policies utilise the *Sustainable Design Assessment in the Planning Process (SDAPP)* program, which introduces assessment tools such as *Sustainable Tools for Environmental Performance Strategy (STEPS)* for residential developments and the *Sustainable Design Scorecard (SDS)* for non-residential developments.

Currently, the *Glen Eira Planning Scheme* broadly identifies environmental sustainability objectives however; it doesn't specifically require development applications to be assessed against ESD standards.

The State Government, as part of *Plan Melbourne Refresh* — a review of Melbourne's metropolitan *Planning Strategy* — discusses the integration of the United Nations Sustainable Development Goals within the broader strategic framework for Melbourne, which in turn, will guide council local planning policies. It is argued that State Government policies and provisions hold greater weight for planning decisions than local policies and, therefore, minimum ESD requirements for development should be adopted statewide.



In addition, the State Government is currently undertaking the *Better Apartments* project — an initiative in collaboration with the Office of the Victorian Government Architect — which has the potential to shape future apartment design guidelines to better manage the amenity of apartment living in Victoria. As part of the project, discussion has been raised which suggests that ESD factors such as energy and resources and waste should be implemented as development standards within the Victoria Planning Provisions.

Tell us more:

1. What are the key environmental considerations with development in Glen Eira?
2. Should greater weight be given to the environmental considerations involved in residential and commercial development?
3. Is environmentally sustainable development an issue that should be addressed by local or state policies?
4. Should minimum application requirements be introduced for planning applications?
5. Will a local policy lead to more environmentally sustainable urban design?



Theme 4

Car parking and transport

Car parking, traffic safety and traffic congestion are issues frequently raised by the community, especially in and around activity centres.

Car parking design and rates for various uses are set by the State Government (Clause 52.06 of the *Planning Scheme*).

For example:

- A medical centre is required to provide five car spaces for the first practitioner providing health services for a site, plus an additional three spaces to every other person providing health services.
- A restaurant is required to provide 0.4 car spaces to each patron permitted at the site.
- For a multi-dwelling development such as an apartment block, one car space is required for each one or two bedroom dwelling, two car spaces to each dwelling with three or more bedrooms, and one visitor car space to every five dwellings within the development.

These rates apply throughout Victoria.

It is common for a planning permit to be sought in order to reduce the car parking requirement for a new use. For example, if a new restaurant requires 10 car spaces to be provided onsite, though it can only provide seven, a planning permit is required for a reduction of three car spaces. An assessment is carried out on a case-by-case basis.

To help guide decisions on car parking rates in some instances, certain planning tools can be utilised such as parking precinct plans, parking overlays or local policies. With controls such as these in place, greater clarity may be provided as to the required provision of car parking within activity centres.



Tell us more:

1. What are the key car parking issues in your neighbourhood?
2. Do the State Government parking standards satisfactorily manage car parking for developments?
3. Should developments provide more or less car parking? What factors affect this consideration?
4. How should sustainable transport outcomes be prioritised?
5. How could these be incorporated in a development?
6. Is basement car parking an appropriate way to provide car parking for a residential development?

Theme 5

Neighbourhood character

Neighbourhood character is an important element of residential areas that creates a sense of place. When residential land is developed, neighbourhood character forms part of the town planning assessment. Through the use of certain planning tools, existing neighbourhood character can be maintained or a new neighbourhood character can be encouraged.

ResCode is a set of state-wide multi-dwelling development standards that are incorporated into all *Planning Schemes*. These standards have been determined in order to identify reasonable and unreasonable amenity impacts as a result of development, and include objectives for neighbourhood character. As mentioned in Theme 3 the State Government is currently undertaking the *Better Apartments* project, which has the potential to introduce new development standards.

Zoning schedules can be introduced to alter ResCode standards within defined areas. For example, schedule 1 to the Neighbourhood Residential Zone for Glen Eira has particular variances from ResCode standards to implement certain neighbourhood character aspects identified in our local policies, such as a sense of openness and increased landscaping opportunities. These include increased rear setbacks, increased private open space requirements, decreased site coverage and increased permeability requirements.

For areas that present significant neighbourhood character elements, more restrictive planning controls may be applied, such as the Neighbourhood Character Overlay or the Design and Development Overlay.



A thorough assessment of Glen Eira's significant character areas was undertaken in 2010. As a result of this assessment, the Neighbourhood Character Overlay and Design and Development Overlay were introduced to six separate significant character areas. These controls set specific built form objectives for the area, such as roof pitch, street setbacks and front fencing requirements.

Tell us more:

1. What are the key neighbourhood character elements where you live?
2. How can change be best managed in your neighbourhood?
3. Do the current policies and controls adequately manage neighbourhood character?
4. What do you believe are the three most important ResCode standards to consider?
5. Is it reasonable for relatively larger residential properties (in the Neighbourhood Residential Zone) to be limited to having no more than two houses being built on them?



Theme 6

Heritage

A full review of Glen Eira's Heritage areas was last carried out in 1996 and heritage controls were introduced into the *Planning Scheme* in 1999–2000. Since that time, site-specific reviews have been performed at different locations within the municipality.

In terms of heritage controls, general objectives are captured within the *MSS* (Clause 21.10), more specific statements or expectations are listed within Glen Eira's *Heritage Policy* (Clause 22.01) and the statutory controls are located within the Heritage Overlay (Clause 43.01).

The role of a local heritage policy is to provide guidance and clarity for proposed demolition, development and use of heritage buildings. A policy may incorporate objectives, preferred outcomes, diagrams and examples for future development of heritage places.





Tell us more:

1. Is the current *Heritage Policy* (Clause 22.01) adequate?
2. Is more specific guidance required for heritage applications?
3. Is the previous heritage review still relevant?
4. Do anomalies exist within heritage protected areas?



GLEN EIRA
CITY COUNCIL

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Glen Eira City Council

Bentleigh	Bentleigh East	Brighton East	Carnegie	Caulfield	Elsternwick
Gardenvale	Glen Huntly	McKinnon	Murrumbeena	Ormond	St Kilda East

Item 9.3**VCAT WATCH
APRIL 2016****Enquiries: Michael Henderson
Supervising Planner (VCAT)****1. Purpose**

To report to Council recent VCAT decisions.

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.

2. Decisions

ADDRESS	10-12 STATION AVENUE, MCKINNON
PROPOSAL	THREE-STOREY BUILDING COMPRISING 21 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"> • RECONFIGURATION OF BASEMENT LAYOUT • REDUCTION OF GROUND FLOOR DECK AREAS • INTERNAL RECONFIGURATION OF DWELLINGS
VCAT DECISION	PERMIT
APPELLANT	STELLER ELITE PTY LTD

“Policies supporting more intensive development do not necessarily mean that individual lots will be capable of accommodating three storey apartment-style buildings. On numerous occasions, the Tribunal has commented on the opportunities for a higher building form provided by the consolidation of lots. For instance, consolidation provides the opportunity for larger front and side setbacks and the minimisation of land devoted to driveways. I am satisfied that this proposal takes advantage of those opportunities. It provides one accessway and achieves B17 compliance for a three storey development. It also includes apartments with generous internal and external spaces.”

- The subject site is located within the General Residential Zone and the McKinnon Neighbourhood Centre.
- The application was refused on grounds relating to neighbourhood character, visual bulk and mass and inadequate transition to adjoining properties. The application also failed to satisfy a number of ResCode requirements and provided an inadequate number of car parks for visitors.
- The Tribunal held that appropriate regard must be given to policy direction and recent approvals in the area of similar scale when assessing neighbourhood character.

Item 9.3 (cont'd)

- On that basis, the Tribunal held that the proposed development was an appropriate outcome for the site and the neighbourhood character. Further, the Tribunal held that the proposed development afforded an acceptable level of internal amenity for future occupants.
- The Tribunal held that the provision of three visitor car spaces was an acceptable outcome having regard to the scale of the development and availability of car parking in the area.
- On that basis, the Tribunal set aside Council's refusal and directed a permit be granted subject to conditions.

3. Recommendation

That Council note:

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

Crs Lipshutz/Okotel

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

VCAT WATCH**NEW APPEALS LODGED*****MAJOR CASES***

COMPULSORY CONFERENCE	FULL HEARING	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
22 April 2016	1 June 2016	P314/2016	68 Bent Street and 168-176 McKinnon Road, McKinnon	Construction of a part two and part three-storey building comprising 23 dwellings	GRZ	Refusal (Manager)	Refusal (Applicant)

PLANNING AND ENVIRONMENT LIST

HEARING DATE	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
12 April 2016	P101/2016	5 Seathorpe Avenue, Bentleigh East	Construction of two double-storey dwellings	NRZ	Permit (Manager)	Conditions (Applicant)
19 April 2016	P132/2016	18 Field Street, Caulfield South	Construction of two double-storey dwellings	NRZ	Refusal (Manager)	Refusal (Applicant)
28 June 2016	P78/2016	1 Forster Court, Bentleigh East	Construction of two double-storey dwellings	NRZ	Permit (Manager)	Conditions (Applicant)
1 July 2016	P102/2016	6 Glenmer Street, Bentleigh	Construction of two double-storey dwellings	NRZ	Refusal (Manager)	Refusal (Applicant)
4 July 2016	P104/2016	21 Hewitts Road, Carnegie	Construction of two double-storey dwellings	GRZ	Refusal (Manager)	Refusal (Applicant)
11 July 2016	P211/2016	64-66 Orrong Road, Elsternwick	Construction of a three storey building comprising 20 dwellings on land affected by the Heritage Overlay	GRZ	Refusal (Manager)	Refusal (Applicant)
12 July 2016	P193/2016	181 Grange Road, Glen Huntly	Use and development of the land for a child care centre	NRZ	Refusal (Manager)	Refusal (Applicant)
13 July 2016	P160/2016	12 Murrumbeena Crescent, Murrumbeena	Construction of two double-storey dwellings	NRZ	Refusal (Manager)	Refusal (Applicant)
13 July 2016	P199/2016	600-604 North Road, Ormond	Construction of a four storey building comprising up to 34 dwelling and four ground floor retail premises	C1Z	Permit (Resolution)	Conditions (Applicant)
15 July 2016	P218/2016	45 Kinlock Avenue, Murrumbeena	Construction of two double-storey dwellings	NRZ	Permit (Manager)	Conditions (Applicant)
21 July 2016	P239/2016	10 Patricia Street, Bentleigh East	Construction of two double-storey dwellings	NRZ	Refusal (Manager)	Refusal (Applicant)

22 July 2016	P263/2016	6 Rosella Street, Murrumbreena	Construction of a three storey building containing five dwellings	GRZ	Refusal (Manager)	Refusal (Applicant)
27 July 2016	P224/2016	29 Katandra Road, Ormond	Construction of a second floor level to the existing residential building containing an additional 9 dwellings (total 19 dwellings in total)	GRZ	Refusal (Manager)	Refusal (Applicant)
29 July 2016	P320/2016	363R Neerim Road, Carnegie	Construction of a three-storey building comprising four dwellings	GRZ	Refusal (Manager)	Refusal (Applicant)
3 August 2016	P275/2016	7 Brennan Street, McKinnon	Construction of two double-storey dwellings	NRZ	Refusal (Manager)	Refusal (Applicant)
3 August 2016	P328/2016	103A Gardenvale Road, Gardenvale	Construction of a four-storey building comprising an office and six dwellings	C1Z	Permit (Resolution)	Conditions (Applicant)
3 August 2016	P351/2016	62 Riddell Parade, Elsternwick	Partial demolition, alterations and additions to the existing dwelling	NRZ	Permit (Manager)	Conditions (Applicant)
5 August 2016	P305/2016	2/13 Wilmoth Avenue, Carnegie	Construction of a double storey dwelling to the rear of the existing single storey dwelling	NRZ	Refusal (Manager)	Refusal (Applicant)

Item 9.4**ECO-BUY PROGRAM**

**Enquiries: Peter Swabey
Chief Financial Officer**

1. Purpose

To report on the ECO-Buy program.

2. Community Plan

Theme 7 – Sustainable Community Assets and Infrastructure

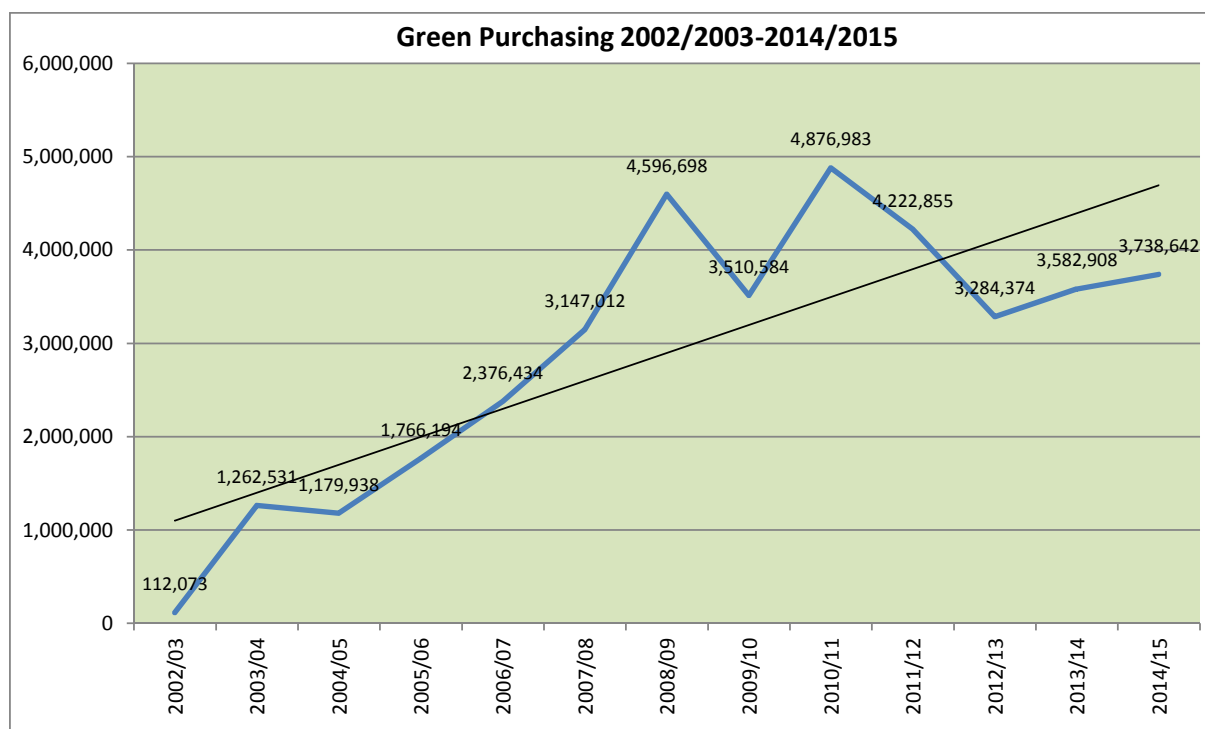
3. Final ECO-Buy Expenditure for 2014/15

As a member of the ECO-Buy program, one of Council's responsibilities is to report on expenditure of environmentally friendly products and services at the end of each financial year.

An interim report was provided to Council on 21 September 2015, showing Council's ECO-Buy expenditure for 2014/15 and progress since 2002/03 as shown in the graph below.

ECO-Buy have now confirmed Council's expenditure for 2014/15.

The following graph highlights the progress for Glen Eira since 2002/03.



Item 9.4 (cont'd)

The 2014/15 year saw a total spend of \$3,738,642 compared with \$3,582,908 in 2013/14, an increase of 4.3%. This increase is largely due to improved procedures to capture re-cycled asphalt and 'green' printing services provided to Council.

It is common for variations or spikes to occur between different reporting periods due to one-off or periodic purchases or Council's capital works program.

4. Membership of the ECO-Buy Program

Council was initially advised at the 3 February 2015 Council Meeting that Ernst & Young acquired "Netbalance" (the company that owned ECO-Buy). Council was further advised on 21 September 2015 that there were minor changes to the nature of services provided by ECO-Buy (with the cost of membership remaining at \$2,500 per year), and that the Purchasing Manager would continue to monitor developments under the new structure.

Over the last 6-12 months, participation by Victorian Councils in the ECO-Buy program has reduced to six. Two of the main reasons for joining the ECO-Buy program were to benchmark Council's expenditure against other Councils within the program and share information and ideas on improving environmentally friendly purchasing practices. Having only 6 Councils to compare against has made benchmarking less meaningful and reduced the benefits of shared learning.

Council has a committee who are responsible for purchasing "green" products and investigating the possibility of increasing the range of "green" products purchased. Thought leadership in "green purchasing" is provided through this committee. The purchase of green products will continue under the guidance of this committee in compliance of the procurement policy, and reports on the purchase of green products will be presented to Council annually with expenditure measured against prior years.

5. Recommendation

That:

1. The final expenditure on ECO-Buy for 2014 -15 is noted; and
2. Council no longer continues membership of the ECO-Buy program.

Crs Sounness/Lipshutz

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Item 9.5**PUBLIC PARKS AND PRIVATE MEMORIALS****Paul Burke
DCR****1. Purpose**

To finalise a position in relation to private memorials in public parks.

2. Community Plan

Theme 5: *To enhance recreation facilities and open space to meet current and future needs of the local community.*

3. Discussion

This matter has been the subject of discussion within the Councillor Group over some months. The attached draft policy represents the outcome of those discussions.

4. Recommendation

That Council adopt the attached policy entitled; 'Donations for Provision of Park Benches', that the policy be included on Council's website and the policy be advertised to the community.

Crs Lipshutz/Esakoff

That the recommendation in the report be adopted.

DIVISION

Cr Lipshutz called for a DIVISION on the voting of the MOTION.

FOR

**Cr Lipshutz
Cr Esakoff
Cr Hyams
Cr Magee
Cr Okotel
Cr Pilling**

AGAINST

**Cr Sounness
Cr Lobo**

On the basis of the DIVISION the Chairperson declared the Motion CARRIED.

Policy ID Number: [insert]

Donations for Provision of Park Benches

Date first adopted: [DATE] 2016 Replaced and Adopted: N/a	Version: 1 Next review date: July 2019	Status: Draft
Position Title of Responsible Director:	Director Community Relations	

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4 **GUIDELINES..... 3**

5 **HUMAN RIGHTS CHARTER COMPATIBILITY 5**

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7 **REFERENCES/RESOURCES 5**

1 TITLE

Donations for Provision of Park Benches

2 OBJECTIVE

The objectives of this Policy are to

- 2.1 enable financial donations to Council in order to assist Council to provide benches in Council parks; and
- 2.2 enable recognition of persons through a Council plaque affixed to a Council bench.

3 POLICY

- 3.1 Public open space owned or controlled by Council is managed by Council in the best interests of the Glen Eira community as a whole.
- 3.2 All matters under this policy are determined by Council in its absolute discretion.
- 3.3 Any recognition of any individual will be subject to Council's unqualified responsibility for the management of public open space owned or controlled by Council.
- 3.4 This policy and any actions taken under it do not create or confer any rights, property or otherwise, in relation to land owned or controlled by Council.
- 3.5 Council does not accept responsibility for permitting the installation of a plaque that at a later date is subject to a dispute between relatives or the community.
- 3.6 Council notes that opportunities exist in cemeteries, places of worship and on private property for individuals to be recognised with no involvement by Council.
- 3.7 In managing public open space in the best interests of the community as a whole and in its absolute discretion, Council will have regard to the following guidelines.

4 GUIDELINES

4.1 Donations

- 4.1.1 Donations may be offered to Council to assist Council to provide benches in parks. Council will not accept any conditions attached to a donation.
- 4.1.2 Donations must be monetary only. Donations of benches or other goods will not be accepted under this policy.
- 4.1.3 The quantum of donation under this policy will be set by Council from time to time having regard to the cost of supplying, installing and maintaining a bench in an unprotected environment. The quantum at the time of adoption of this policy is in Schedule 1.
- 4.1.4 Council may accept or decline any donation in its absolute discretion.

4.2 *Personal Recognition in Public Open Space*

- 4.2.1 Subject to the following section, the donor may indicate whether they would like a plaque of personal recognition (as provided for later in these guidelines) and, if so, may indicate a non-binding preference for a particular park and general location within the park.
- 4.2.2 Plaques of personal recognition will not be located in proximity to sites of general recognition including, but not limited to:
- War Memorials (eg those in parts of Caulfield Park, Bentleigh Reserve, Memorial Park, Koornang Park, Hopetoun Gardens, McKinnon Memorial Garden) or
 - recognition of Indigenous significance (eg Mallanbool Reserve, Booran Reserve).
- 4.2.3 The need for benches, the location of benches and the type of benches will be determined solely by Council and informed by Council's Open Space Strategy, Park Master Plans, other Council policies and land management considerations. Benches remain the property of the Council.
- 4.2.4 If Council declines the nomination of a particular park or location, a donor may ask to have their proposal retained for future consideration.
- 4.2.5 Plaques will be supplied and installed by Council, will be made of metal 15cm by 5cm, of a uniform design and will remain the property of the Council. The benches and plaques will be maintained by the Council.
- 4.2.6 The text for the plaque will be as follows:

<p style="text-align: center;">In recognition of < first name / surname / community group* > <year affixed></p>
--

- 4.2.7 Plaques will not recognise anything other than a person or a couple (eg not families, events, causes, groups, organisations, movements, commercial interests etc) or a not-for-profit community group* as recognised by Council's Community Grants criteria.
- 4.2.8 The plaque will not contain other content including, but not limited to, symbols, images, emblems etc.
- 4.2.9 Plaques will not include the identity of the donor.

- 4.2.10 Subject to this policy and guidelines, the plaque will be displayed for a period of ten years from the time of its affixing to a bench.
- 4.2.11 At the expiry of the ten year period, Council will use its best endeavours to contact the donor and give the donor the opportunity to make a new donation. If a new donation is made, a further period of ten years commences. If a new donation is not made, the plaque will be removed and Council will use its best endeavours to gift the plaque to the donor.
- 4.2.12 Plaques may be affixed by Council to an existing or additional bench at the quantum of donation referred to in section 4.1.3.
- 4.2.13 Only one plaque will be affixed to any one bench.
- 4.2.14 Council may relocate any bench containing a plaque to another location in the same park at its absolute discretion. Council will use its best endeavours to inform the donor of any such relocation.
- 4.2.15 Council may relocate a plaque to a different bench within the same park at its absolute discretion and will use its best endeavours to inform the donor of the relocation.
- 4.2.16 Council may remove any plaque at any time at Council's absolute discretion and will reimburse the donor part of their donation on a *pro rata* basis. Removal may occur where such recognition has become contrary to community values or where such recognition is detrimental to Council.

5 HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006*.

6 ASSOCIATED DOCUMENTS

Application Form for Donations for Provision of Park Benches

7 REFERENCES/RESOURCES

N/a

SCHEDULE 1

The quantum of the donation referred to in section 4.1.3 is \$3,500.00

Item 9.6**INSTRUMENT OF APPOINTMENT AND
AUTHORISATION UNDER THE PLANNING AND
ENVIRONMENT ACT 1987**

File No:
Enquiries: Diana Vaynrib
Legal and Governance Officer

1. Purpose

To change the authorisation of a Council officer as an authorised officer for the purpose of enforcing the *Planning and Environment Act 1987* ("Act") as a result of the appointment of that officer to a new position within Council.

2. Community Plan

Governance – to deliver strong local leadership and governance in an open and responsible manner in the best interest of the community.

3. Background

The Instrument provides for councils to appoint officers by resolution, pursuant to section 147(4) of the Act and may, where relevant, include the general appointment provision in section 232 of the Local Government Act 1989 to commence proceedings in a council's name.

A new authorisation is required for a member of staff whose new duties require him to enforce the Act under his new title.

4. Recommendation

That in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 232 of the *Local Government Act 1989* Council resolves that:

- (1) the member of staff referred to in the attached Instrument be appointed and authorised as set out in the Instrument;
- (2) the Instrument comes into force immediately the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it; and
- (3) the Instrument be signed and sealed.

Crs Hyams/Lipshutz

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

S11A Instrument of Appointment and Authorisation *(Planning and Environment Act 1987)*

In this Instrument "**officer**" means -

Rocky Camera, Manager Statutory Planning

By this Instrument of Appointment and Authorisation Glen Eira City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings and represent Council in proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- (a) comes into force immediately upon its execution; and
- (b) remains in force until varied or revoked, or the officer ceases to be an employee of Glen Eira City Council.

This Instrument is authorised by a resolution of Glen Eira City Council on 5 April 2016.

The seal of Glen Eira City Council was hereto affixed in the presence of:

..... Councillor

..... Chief Executive Officer

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10. URGENT BUSINESS

11. ORDINARY BUSINESS

11.1 Requests for reports from Officers - Nil

11.2 Right of reply - Nil

11.3 Councillor questions - Nil

11.4 Public questions to Council - Dealt with earlier in the Meeting after Agenda Item 8(b).

PROCEDURAL MOTION

Crs Lipshutz/Magee

That Standing Orders be suspended to allow Councillors to make comments on the resignation of Cr Karina Okotel.

The MOTION was put and CARRIED unanimously.

PROCEDURAL MOTION

Crs Hyams/Lipshutz

That Standing Orders be resumed.

The MOTION was put and CARRIED unanimously.

12. CONSIDERATION OF CONFIDENTIAL ITEMS

Crs Lipshutz/Sounness

That the meeting be now closed to members of the public under Section 89(2) of the Local Government Act 1989 in order to consider:

- 12.1 under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.028 – “Public Toilet Cleaning and Maintenance of Automated Public Toilets”**

Number of tenders received	Nine
Number of evaluation criteria tenders assessed against	Nine (9)
Estimated contract value	\$1,800,000

- 12.2 under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender number 2016.010 Supply and Delivery of Chemicals for Park Services maintenance activities which includes herbicides, pesticides, fungicides, algicides, wetting agents and fertilisers.**

Number of tenders received	Three
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value (inclusive of GST)	\$1,445,000.00 over five (5) years

The MOTION was put and CARRIED unanimously.

OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**Item 12.1**

Crs Lipshutz/Hyams

- 1. That Council appoints Makkim Pty Ltd, ACN 070 536 891 as the trustee for the Makkim Unit Trust, trading as Australian Environmental Cleaning Services (ABN 68 206 196 252) as the contractor under Tender number 2016.028 for an amount of \$1,518,894.60 over the life of the contract GST exclusive.**
- 2. That the contract be prepared in accordance with the Conditions of Contract included in the tender.**
- 3. That the contract be executed in an appropriate manner by affixing of the Council Seal.**
- 4. That this resolution be incorporated in the public minutes of this Meeting.**

The MOTION was put and CARRIED unanimously.

Item 12.2

Crs Lipshutz/Magee

- 1. That Council appoints K&B Adams Pty Ltd, A.C.N. 059 424 225 as panel contractor under Tender number 2016.010 in accordance with the Schedule of Rates submitted.**
- 2. That Council appoints Globe Australia Pty Ltd, A.C.N. 001 429 714 as panel contractor under Tender number 2016.010 in accordance with the Schedule of Rates submitted.**
- 3. That Council appoints Turf Renovations Australia Pty Ltd, A.C.N. 082 775 193 as panel contractor under Tender number 2016.010 in accordance with the Schedule of Rates submitted.**
- 4. That the contracts be prepared in accordance with the Conditions of Contract included in each respective tender.**
- 5. That the contracts with each of the tenderers be executed in an appropriate manner by affixing of the Council Seal.**
- 6. That this resolution be incorporated in the public minutes of this Meeting.**

The MOTION was put and CARRIED.

Crs Hyams/Magee

That the meeting be resumed in open Council.

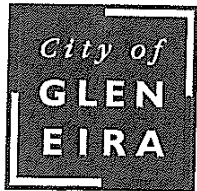
The MOTION was put and CARRIED unanimously.

13. CLOSURE OF MEETING

The meeting closed at 9.05PM.

CONFIRMED THIS 26 APRIL 2016

CHAIRPERSON



Office of the Mayor Cr Neil Pilling

Glen Eira City Council

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and much more

24 March 2016

Mr N Varvodic

BENTLEIGH EAST VIC 3165

Dear Mr Varvodic,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Dear Mayor Pilling, With regards to the censure of Cr Lobo you stated that his comments at a Council meeting go "against all our values" Can you please define those values?"

Your question was taken on notice.

Cr Pilling has provided a response as follows:

"I would define 'against all our values' in the context of the censure motion re Cr Lobo as being our values that deplores racism and anti-semitism."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

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Caulfield, Victoria

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ABN 65 952 882 314

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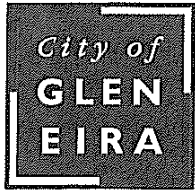
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr N Varvodic

BENTLEIGH EAST VIC 3165

Dear Mr Varvodic,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Dear Mayor Pilling, You state that Council recognises Australia is a worldwide leader in multiculturalism regardless of religion or ethnicity. Does Council accept and condone sporting groups whose members must only be from a particular religion?"

Your question was taken on notice.

Cr Pilling has provided a response as follows:

"Definition of what is racist and exemptions are contained in the Racial Discrimination Act 1975 (Cth) and the Racial and Religious Tolerance Act 2001 (Vic). For specific advice about racial discrimination, please contact the Victorian Equal Opportunity and Human Rights Commission on 1300 891 848."

Council accepts any exemptions granted to sporting or community groups by this State Government commission."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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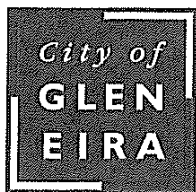
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr M Markogiannakis

MURRUMBEENA VIC 3163

Dear Mr Markogiannakis,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Given that you have submitted a question to the minister of transport - did you receive a reply and have you followed this up on our behalf?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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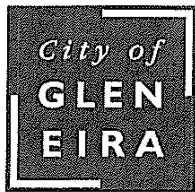
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Office of the Mayor Cr Neil Pilling

24 March 2016

Agapi Markogiannakis

MURRUMBEENA VIC 3163

Dear Agapi Markogiannakis,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"I believe no answer has been provided to council as yet from the minister of transport. When are you planning to follow this up and send another submission?"

Your question was taken on notice. I now provide a response on behalf of Council

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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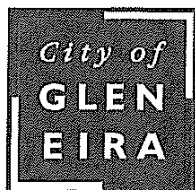
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms L Russell

CARNEGIE VIC 3163

Dear Ms Russell,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Will Council support Skyrail if Government continues to refuse to consult about any other option?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

While Council maintains that the government should genuinely consult the community before proceeding with this project, if it does determine to go ahead with its current proposal, Council will work to get the best possible outcome for the community."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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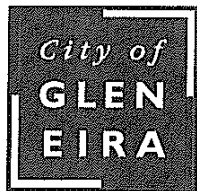
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr R Leigh

MURRUMBEENA VIC 3163

Dear Mr Leigh,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"What is Glen Eira doing to facilitate the genuine consultation between the state government, council and residents as requested in its letter dated 26th Feb? We are yet to hear a response from any party."

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual.

Council's submission, approved at the March 15 meeting, reiterated our position that genuine consultation should take place before anything is built, and our request that the government and LXRA hold a community forum, and we will continue to advocate those positions."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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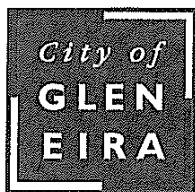
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr D Brittain

MURRUMBEEENA VIC 3163

Dear Mr Brittain,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Can council please advise whether it has received a response from its letter written to the Hon Jacinta Allan MP Minister for Public Transport on the 26 February 2016 in relation to the Motion passed at the Council Meeting held on the 23 Feb 2016 which advocated for no elevated train line through our city to be constructed until a full and genuine consultation is conducted, as to whether this is the community's preferred option. If no response has been received what is council doing to pursue a urgent response from the Government?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual."

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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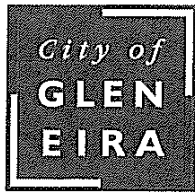
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Office of the Mayor Cr Neil Pilling

24 March 2016

Lynda and Thomas Portelli

MURRUMBEENA VIC 3163

Dear Lynda and Thomas Portelli,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"As very concerned local residents of Murrumbeena, we write to ask you the following regarding the sky rail proposal for the Dandenong Pakenham rail line;

- a) What response has the council received from the state government – Minister for Transport - in regards to gaining;
 1. Substantial and independent feedback on the Glen Eira community's preferred option for the Pakenham rail corridor?
 2. Independent reports on predicted noise, environmental, community and safety impacts; A cost benefit and future needs analysis on the design proposed for sky rail?
- b) Is the council representing the Glen Eira community in insisting these reports are conducted and that the results are open for public scrutiny?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual."

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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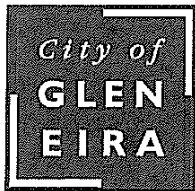
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Office of the Mayor Cr Neil Pilling

24 March 2016

Aivars Verdins

MURKUMBEENA VIC 3163

Dear Aivars Verdins,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"How is Council actively pursuing a response from the Government on their letter from the Council meeting on 23 February? What will Council do if there is no response to open consultation on the Skyrail project which will see adjacent property prices crash? Will rates be reduced?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual.

Council is not aware of any evidence to suggest that property prices will move one way or the other but if they do move up or down rates will ultimately reflect the change in valuation.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

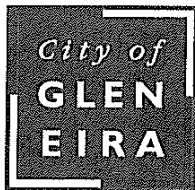
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24 March 2016

Ms M Rennie

CAULFIELD EAST VIC 3145

Dear Ms Rennie,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

*"The "Caulfield to Dandenong consultation report November 2015" from the LXRA states the following four possible design solutions,
• Rail under road – lowering the rail line under the road
• Rail over road – building a rail bridge over the road
• Road over rail – building a road bridge over the rail line
• Road under rail – lowering the road under the rail line.
When did the council learn that the successful tender, so called "Skyrail", is not one of LXRA's design solutions and will the council accept this solution on behalf of the Glen Eira residents without full and open consultation?"*

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

Council first became aware of the elevated rail decision at the same time as the community on 7 February 2016.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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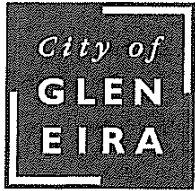
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24 March 2016

Mr AP Bidinost

MURRUMBEENA VIC 3163

Dear Mr Bidinost,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"With respect to the proposed skyrail, will there be any compulsory and/or acquisition of properties along the cranbourne/packenham rail crossing removal project?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separation projects are a State Government project not a Council project therefore your question is better directed to the State Government."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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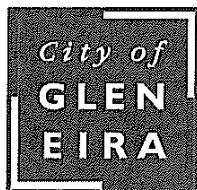
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr AP Bidinost

MURRUMBEENA VIC 3163

Dear Mr Bidinost,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Regarding the proposed skyrail, will the council support the interests of its constituents who live along the rail line and support the removal of the rail crossings by rail under road technique?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

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Thank you for your Public Question.

Yours sincerely,

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MAYOR

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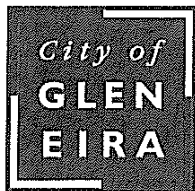
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24 March 2016

Mr A Teague

MURRUMBEENA VIC 3163

Dear Mr Teague,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"To the Mayor Have you had any response or acknowledgement to your letter to Jancinta Allen and has the the Minister or LXRA given any undertaking to address the concerns of the community and council with the proposed Sky Rail project."

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual."

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

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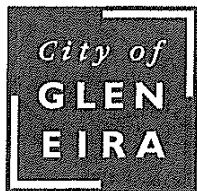
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24 March 2016

Ms R Thompson

MURKUMBEENA VIC 3163

Dear Ms Thompson,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Regarding the Caulfield - Dandenong Crossing removal. In the Level Crossing Removal Project document titled Urban Design it states they have worked with Glen Eira council to develop urban design principles for the project. When did this occur?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council officers attended an LXRA workshop some time ago."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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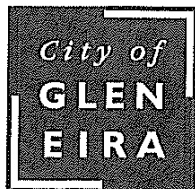
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms T Bigg

MURRUMBEENA VIC 3163

Dear Ms Bigg,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Could Council please advise when the State Government and LXRA will hold public forums with it and the community, as per its request of 26/2/16 in response to its motion of 23/2/16? If none have been organised, what is Council doing to ensure this occurs?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

This submission reiterated Council's position on the need for a public forum."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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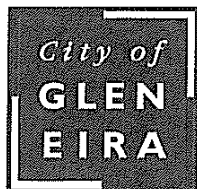
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr M Bigg

MURRUMBEENA VIC 3163

Dear Mr Bigg,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Besides Council's letter of 26/2/16 to Ms Allan MP, how is it advocating on Glen Eira residents' behalf to ensure, as per its 23/2/16 motion, that Skyrail isn't constructed until there's genuine consultation about our preferred option and full reports per its motion are made available for scrutiny?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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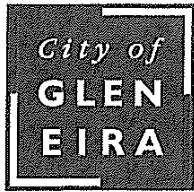
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24 March 2016

Ms R Thompson

MURRUMBEENA VIC 3163

Dear Ms Thompson,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Regarding the level crossing removal Caulfield-Dandenong. Has the LXRA or State Government had communication with the Glen Eira council regarding using Boyd Park to access the rail corridor for construction of the elevated rail? If so when?"

Your question was taken on notice. I now provide a response on behalf of Council:

"No."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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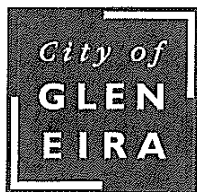
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24 March 2016

Ms A Dunstan

CARNEGIE VIC 3163

Dear Ms Dunstan,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Does Council have an agreed policy position, if so what is it in regard to Sky Rail? Do Council have any plans to rezone the use of land adjacent to the Sky Rail if Sky Rail goes ahead? Will Council commit to a high standard of ongoing maintenance of land under and around Sky Rail?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
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At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
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There are currently no plans to rezone land adjacent to the line and a review of the Glen Eira Planning Scheme is due later this year.

Council's position is that the relevant State Government authority is responsible for the maintenance of any railway infrastructure, including pillars. Council will maintain any public areas to the same high standards as it maintains all of the land for which it is responsible. The LXRA has offered to provide funding for the first ten years of maintenance, but Council's position, as set out in the submission, is that this time period should be longer."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

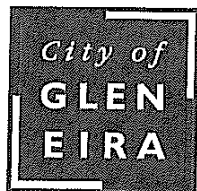
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr I McMahon

MURRUMBEENA VIC 3163

Dear Mr McMahon,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has the Mayor yet had the courtesy of a reply to his February 26 letter to the Minister for Public Transport reflecting widespread ratepayer concern that there should be adequate public consultation on above/below road options before proceeding with level crossing removals on the Dandenong-Pakenham rail line? Regardless of whether a reply has been received, can ratepayers be assured that Council will treat this matter with the utmost urgency and press ahead with representations on the justice of their call for genuine prior consultation?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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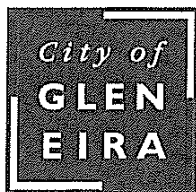
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Office of the Mayor Cr Neil Pilling

24 March 2016

Robert and Ruth Lazarus

MURRUMBEENA VIC 3163

Dear Robert and Ruth,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

*"letter to Hon Jacinta Allan MP 26 Feb 2016:-
Regardless of any delay in the reply to the aforementioned letter, and
regardless of any closing dates on official LXRA submissions, will the
Glen Eira Council continue to represent actively the concerns and
interests of affected residents with both the LXRA and the Government
until this matter is resolved."*

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

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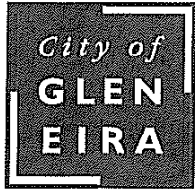
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms D Gibson

MURRUMBEENA VIC 3163

Dear Ms Gibson,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"At public information sessions LXRA representatives stated that the Victorian Government has ring-fenced ten years of funding for upkeep of Skyrail's 'green corridor' however has not determined which party – State of Local Government- will be responsible for upkeep. Has responsibility for ongoing maintenance of the green corridor upkeep been raised by the Victorian Government and agreed with Council? How much funding has been ring-fenced for ten years of upkeep to maintain safe, high quality green corridor for the community and in the view of Council is this funding adequate to the extent that our council rates will not have to be raised at any time in order to fund upkeep or fund any unintended consequences of Skyrail on the local community over its lifetime? "

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-letter-LXRA>

Council has not entered into any agreements.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

The LXRA has offered to provide funding for the first ten years of maintenance, but Council's position, as set out in the submission, is that this time period should be longer."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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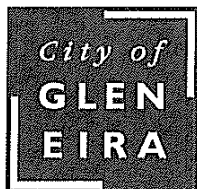
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms D Gibson

MURRUMBEENA VIC 3163

Dear Ms Gibson,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"At public sessions the LXRA state that many 'fifth' options were considered, including re-locating and reducing the number of stations to allow for a 'rail under' option, and we still have heard any plausible rationale for why rail over road at level crossings has been discounted. Was Council made aware of the various 'fifth' options and the consortia's and Government's rationale for them not being considered further?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council is not aware of anything that the public is not in relation to the issues raised in the question.

Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-letter-LXRA>

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Thank you for your Public Question.

Yours sincerely,


CR NEIL PILLING
MAYOR

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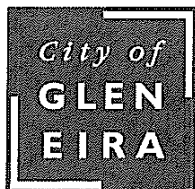
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Office of the Mayor Cr Neil Pilling

24 March 2016

Lindy

MURRUMBEENA VIC 3163

Dear Lindy,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"When will the Mayor inform the Glen Eira community of the response to his letter, dated 26th February 2016, to Minister for Public Transport, Jacinta Allan requesting halt to progress on proposed Skyrail until after a full and genuine consultation is conducted."

Your question was taken on notice. I now provide a response on behalf of Council

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. In accordance with Council's usual practice, the letter will be included in an agenda of a Council meeting.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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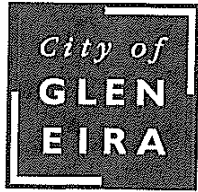
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Did the council find out any additional information on behalf of the community that will be affected by the Skyrail? Even after having a 1:1 consultation on the 3rd March our household is still awaiting answers to questions asked at the 1:1 and also images to show the true magnitude of this eyesore."

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Council has no additional information about the impact sky rail would have on individual houses

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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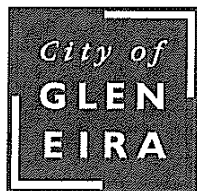
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24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Is the council concerned with the tree removal of the the existing mature trees along Lorne St and Girdwood Ave to make room for the Skyrail? What support do we have to save them if we don't even have the councils support to save our homes from the building of the Skyrail?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council does not have any further information about this aspect of the proposal and is also seeking additional information.

Usually for state government projects like this, the state government takes temporary control of all decisions relating to road reserves. This means that they would not need Council permits, even if the road is to be passed back to Council to manage after the project is complete.

Should the state government decide to proceed with the proposal, it is unlikely that Council will have control over trees in this location.

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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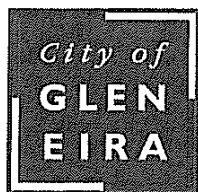
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"If we are not able to stop the building of the Skyrail - has the council requested privacy screens and sound barriers to be erected as a guaranteed item (as it was said during our 1 on 1 that they have to be requested by the community) in the construction of the Skyrail?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separations are a State Government project not a Council project and your question may be better directed to the State Government. To the best of Council's knowledge and based on the material seen to date, screening forms part of the LXRA's proposal."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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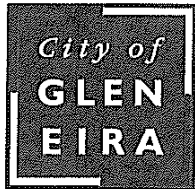
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms L McSwan
MURRUMBEENA VIC 3163

Dear Ms McSwan,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"What consultation took place between LXRA, Andrews govt and Glen Eira and Monash councils, with respect to moving Hughesdale Station from within city of Monash boundary into City of Glen Eira boundary? When did this takes place? What is the impact to City of Glen Eira council?"

Your question was taken on notice. I now provide a response on behalf of Council:

"We can only speak for Glen Eira City Council. we don't know enough about the specifics of the proposal to assess the impact."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

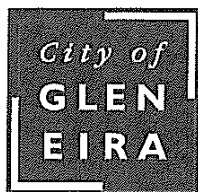
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Skyrail - Given the information sessions and the 1 on 1's provided by the LXRA were considered to be a PR stunt and a waste of time (we're still waiting on answers to questions and images of what our view will be - our 1:1 was on the 3rd March), will the council fight for our right for information?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council acknowledges your view.

Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-letter-LXRA>

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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
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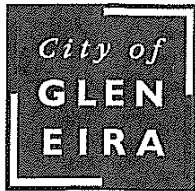
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr Y Eren

CARNEGIE VIC 3163

Dear Mr Eren,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Can the council please advise what steps it is going to take if the minister ignores or delays her reply to its 26/2/2016 letter about the Skyrail, and by that avoiding real discussion in the subject matter? Is the council going to take any legal actions?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-letter-LXRA>

Council is not proposing any legal action.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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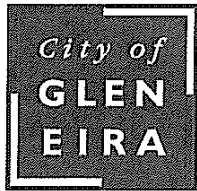
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms S Eren-Hoffman

CARNEGIE VIC 3163

Dear Ms Eren-Hoffman,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"What measurements is the council planning to take? Have you considered joining forces with other effected councils and if yes, how?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

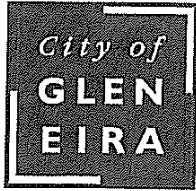
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"On the 9th March, The Legislative Council passed a motion calling on the Andrews Labor Government to implement rail under road for its level crossing removals on the Caulfield to Dandenong line. The motion also demanded a full Environmental Effects Statement - will Glen Eira council advocate for us?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-letttter-LXRA>

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
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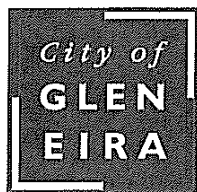
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms D Daley

MURRUMBEENA VIC 3163

Dear Ms Daley,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"At a recent LXRA information session I was unable to obtain concrete information about SkyRail. Has the Minister responded to Council's request for public forums? If not, what action will Council take?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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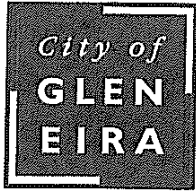
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms M Brooks

MURRUMBEENA VIC 3163

Dear Ms Brooks,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"1) Have you received a response to your letter to Premier Dan Andrews (following the last council meeting) in response to a full and proper consultation?

2) I understand tracks 3 & 4 are to be built in 12 years. Is this correct? Why don't we future proof and build this underground from Day 1?

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter was to the Minister for Public Transport, not to the Premier and a copy of the letter dated 26 February 2016 is available on Council's website. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project and Council encourages you to direct your questions to the State Government."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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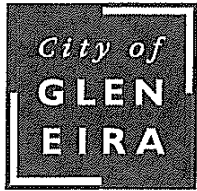
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Office of the Mayor Cr Neil Pilling

24 March 2016

Perry Morison

CARNEGIE VIC 3163

Dear Perry

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Should the Victorian state government go ahead with the Skyrail project, what legal recourse does the council have to challenge such a decision, and what is the council's intention in this regard?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link:
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

The project is a State Government project not a Council project and Council is not contemplating legal action.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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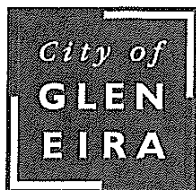
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Office of the Mayor Cr Neil Pilling

24 March 2016

Perry Morison

CARNEGIE VIC 3163

Dear Perry

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has the council received a response to its letter to the Minister for Public Transport as per the motion passed on February 23, and will council be insisting on a response so that the communities you represent are kept informed of the government's intention in relation to the Skyrail project?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that only three weeks have passed since the letter was sent this is not unusual.

You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
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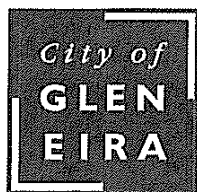
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms L Broadley

CARNEGIE VIC 3163

Dear Ms Broadley,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has Cr Pilling received a response to his letter dated 26 February 2016 to the Minister for Public Transport Jacinta Allan on the skyrail project. If not what is council's next action on this?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that only three weeks have passed since the letter was sent this is not unusual.

You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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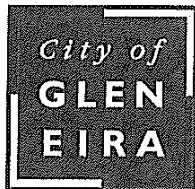
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24 March 2016

Ms K Shanahan

MURRUMBEENA VIC 3163

Dear Ms Shanahan

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Will Council allow the car park entrance at Hughesdale station to be moved from Poath Rd to council-managed Railway Parade? Will Council allow the destruction to the bush reserve at the southern end of Boyd Park for a construction staging ground?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

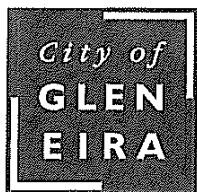
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Office of the Mayor Cr Neil Pilling

24 March 2016

Perry Morison

CARNEGIE VIC 3163

Dear Perry

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Does Glen Eira Council have any information regarding recent media reports that sections of the Skyrail could be demolished within 12 years to accommodate construction of extra rail tracks and how would this effect local residents and their properties?"

Your question was taken on notice. I now provide a response on behalf of Council:

"No. Your question would be better directed to the State Government".

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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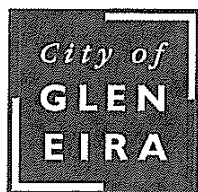
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms R Williams

MURRUMBEENA VIC 3163

Dear Ms Williams,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Does the acoustic report for the proposed Skyrail include modelling on forecasted figures for future increases in rail traffic on this line (up to 10 years) not just on rail volume at the immediate completion of this project? The design is future proofed for additional tracks including freight."

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separation initiatives are State Government projects, not Council projects. It is suggested that you direct your question to the State Government."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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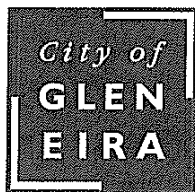
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Office of the Mayor Cr Neil Pilling

24 March 2016

Jorja Cleeland

MURRUMBEENA VIC 3163

Dear Jorja,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"If the State Government does not agree to conduct full and genuine consultation on the community's preference for level crossing removals or commission reports on noise, environment, amenity and community impacts etc, what further steps will the council take to protect the community on this issue?."

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separation initiatives are State Government projects, not Council projects.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
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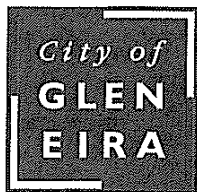
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms L Williams

MURRUMBEENA VIC 3163

Dear Ms Williams,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has the government replied to your letter regarding the level crossing removals. If so when is the information to be released and what is Councils response? If they have not replied what action does the council intend to take?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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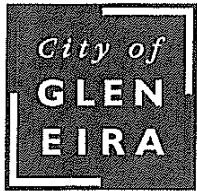
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms C Dickson

CARNEGIE VIC 3163

Dear Ms Dickson,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Was Council aware that the LXRA have told residents that the extra 3m+ height of Skyrail near Cosy Gum Ave in Carnegie is only required to meet a brief, short term construction restraint and that it serves no ongoing purpose beyond the construction phase?"

Your question was taken on notice. I now provide a response on behalf of Council:

"No.

The grade separation initiatives are State Government projects, not Council projects. It is suggested that you direct your question to the State Government."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

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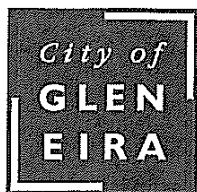
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr A Edmonds

MURRUMBEENA VIC 3163

Dear Mr Edmonds,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"The LXRA have announced (by letter box drop) that it will be formally requesting amendments to the planning scheme to facilitate access to the rail corridor and expedite the construction of Skyrail. These amendments will further exempt the project from any impact studies or protections currently enjoyed by the residents and ratepayers of Glen Eira. Given the COUNCIL MOTION OF FEBRUARY 23, 2016, what action will the council take to protect Glen Eira residents in the event that the State Government fails to adequately respond to or address the concerns raised in CR Pillings letter to the Minister for Public Transport?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

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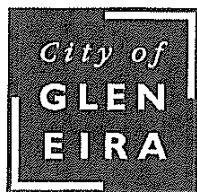
All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,


CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

24 March 20165

Ms P Guglielmino

CARNEGIE VIC 3163

Dear Ms Guglielmino,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"In reference to Council's letter to Minister Allan dated 28 February, the focus appears to be on elevated rail. Will the Council also ask the Government and the LXRA for comprehensive comparison reports for solutions to crossing removals that lower the rail under road?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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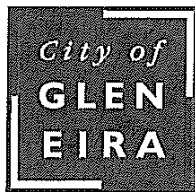
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ashley Brooks

MURRUMBEENA VIC 3163

Dear Ashley,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has the Government provided you with feedback following the last council meeting and questions both the council and local residents had? Can this proposal been extended until a proper consultation occurs? Instead of above ground, can we reconsider the underground option like other local suburbs?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

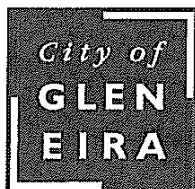
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms M Ridgeway

CARNEGIE VIC 3163

Dear Ms Ridgeway,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Can Glen Eira City Council please inform residents of any correspondence received from either the Vic State Gov and or the Level Crossing Removal Authority in relation to the proposed elevated railway since the last Council meeting and the petition put forward by Council in relation to Skyrail

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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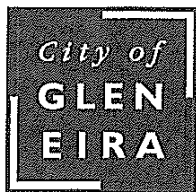
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Office of the Mayor Cr Neil Pilling

24 March 2106

Ms L Vainomae-Hoffman

MURRUMBEENA VIC 3163

Dear Ms Vainomae-Hoffman,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Is Council going to follow up its letter to the LXRA of February 26th prior to making its submission regarding the Skyrail proposal? I understand the Minister has not as yet responded."

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that only three weeks have passed since the letter was sent this is not unusual.

You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;

<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms L Vainomae-Hoffman

MURRUMBEENA VIC 3163

Dear Ms Vainomae-Hoffman,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"I submitted a number of questions regarding the Skyrail proposal prior to the last Council meeting but have not had a response. This issue is of great concern to impacted rate payers. Our expectation is that Council gives urgency to addressing residents' concerns and providing required support.

Your question was taken on notice. I now provide a response on behalf of Council:

"Responses to Public Questions at the previous Council Meeting have been sent out. Answers to all public questions taken on notice are available in the minutes of Council's meeting of March 15"

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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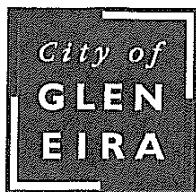
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24 March 2016

Mr K Bolt

CARNEGIE VIC 3163

Dear Mr Bolt,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"We have been advised by the LXRA that on Sep 22nd we will have 15 minutes of sunshine. Building Regulations state there should be a minimum 5 hours sunlight on this day. This will also effect many neighbours. Will the council fund a legal challenge on behalf of residents?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

Council is not contemplating any legal challenges.

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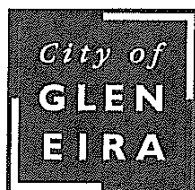
You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling'. The signature is written in a cursive, flowing style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

24 March 2016

Mr R Hoffman

MURRUMBEENA VIC 3163

Dear Mr Hoffman,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"The skyrail proposal is of great concern to residents including those residing near the proposed "Hughesdale" station in Glen Eira. Can you confirm no response has been received to Council's letter of 26 Feb to the Transport Minister, and if not please advise what follow-up action is proposed?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that less than three weeks have passed since the letter was sent this is not unusual. The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

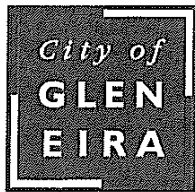
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms S Bousie

MURRUMBEENA VIC 3163

Dear Ms Bousie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Received a reply to their letter to Allen?
Is Council supporting residents in objecting elevated construction until after a FULL and GENUINE consultation and increased number of future SE trains to be introduced by 2018? Is Council reducing rates for residents LXRA corridors when building commences and afterwards due to reduction in house prices?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016, a copy of which can be found on Council's website at the following link: <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Mayor-lettter-LXRA>

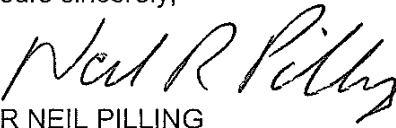
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Council is not aware of any evidence to suggest that property prices will move one way or the but if they do move up or down rates will ultimately reflect the change in valuation.

The grade separation initiatives are State Government projects, not Council projects."

Thank you for your Public Question.

Yours sincerely,


CR NEIL PILLING
MAYOR

Glen Eira City Council

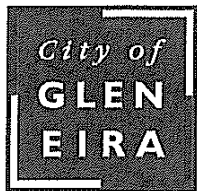
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Office of the Mayor Cr Neil Pilling

24 March 2106

Ms J Archibald
MURRUMBEENA VIC 3163

Dear Ms Archibald,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"When and how will reports be made available to the public on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis etc. of the proposed skyrail?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separation initiatives are State Government projects, not Council projects.

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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
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Glen Eira City Council

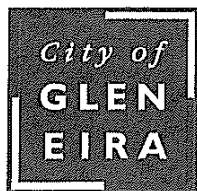
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr P Ridgeway

CARNEGIE VIC 3163

Dear Mr Ridgeway,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has Council been approached by or entered into discussions or negotiations with the State Government, it's Ministers, or Authorities, regarding the obtaining of road reserves along the north sides of Lorne Street and Girdwood Avenue for the purposes of construction of railway infrastructure?"

Your question was taken on notice. I now provide a response on behalf of Council:

"No.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

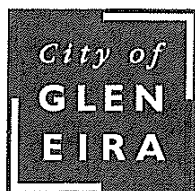
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Residents most affected by the proposed Skyrail wish to draw your attention to the fact that significant information remains outstanding. After a 1:1 consultation and a lone case manager assigned (whose area is from Lorne St to Koornang Rd) questions are still not answered. Will the council advocate?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The project is a State Government project not a Council project.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

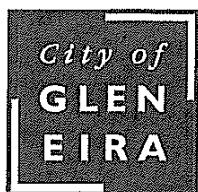
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms C Dickson
CARNEGIE VIC 3163

Dear Ms Dickson,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Council advocated that no railway be built through Glen Eira until a full and genuine consultation was undertaken. Is Council aware that many of it's residents have not yet received key information requested from LXRA, severely limiting their ability to deliver a considered submission by Friday.

Your question was taken on notice. I now provide a response on behalf of Council:

"The project is a State Government project not a Council project. It is suggested that you direct your question to the State Government.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

This submission reiterated Council's position on the need for genuine consultation and pointed out the shortness of the time frame for submissions."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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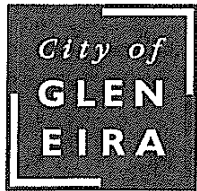
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr P Ridgeway

CARNEGIE VIC 3163

Dear Mr Ridgeway,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has the Mayor or Council received any reply or feedback from the planning minister, premier or any other member of Government regarding Cr Pilling's letter to the Planning Minister of 26th February 2016 regarding the proposed "Skyrail" project? What is that response?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that only three weeks have passed since the letter was sent this is not unusual.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

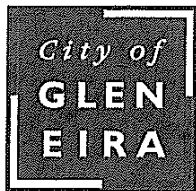
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr N Crofts

CARNEGIE VIC 3163

Dear Mr Crofts,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Can you also please advise if council holds any public land that the LXRA or the State Government wish to use or can it impact any Glen Eira council property. Initial studies suggest that some of the proposed design will at least be above council property."

Your question was taken on notice. I now provide a response on behalf of Council:

"This is a State Government project, not a Council project. Council has not been asked to yield any Council land and Council is not aware of the initial studies that you refer to.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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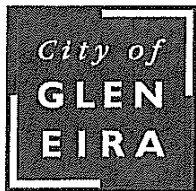
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Office of the Mayor Cr Neil Pilling

24 March 2016

Ms K Browning

CARNEGIE VIC 3163

Dear Ms Browning,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Would Council please advise what response you have received to date from the State Government, Members of Parliament and the LXRA relating to the motion passed on the 23 April 2016 by Council to write to the Public Transport Minister advocating that no elevated train line be constructed until genuine consultation was undertaken as to whether this is the communities preferred option, and that representatives of the LXRA and State Government hold public forums on the issue of the current design option which both community member's and Council can attend. If no response has been received, please advise what Council intends to do to pursue an urgent response in line with your motion. The community's worries have not abated and we expect that our Council will pursue an answer without delay and advise our community of the end result.

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. Written responses have not yet been received but given that only three weeks have passed since the letter was sent this is not unusual.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

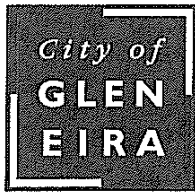
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr N Crofts

CARNEGIE VIC 3163

Dear Mr Crofts,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Is the Council aware that the height of the proposed Skyrail at Cosy Gum Rd is 12.5m (plus gantries is 18m high) of which the height is only required for 3 weeks of the project build. It would make sense for this to be lowered to the advertised 9m and train services interrupted for a longer period."

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separation initiatives are State Government projects, not Council projects. It is suggested that you direct your question to the State Government."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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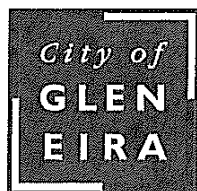
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Office of the Mayor Cr Neil Pilling

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24 March 2016

Mr R Wilson

CARNEGIE VIC 3163

Dear Mr Wilson,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"We have been informed by LXRA that they will be reviewing planning schemes and requesting an amendment to allow development of the project without the need for further planning permits. What is the council's opinion on this and does the land targeted include public land and/or council property?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

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You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;
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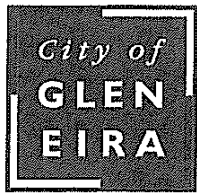
Council is not aware of any Council property being required but we are aware that large amounts of new public open space will be created if this project proceeds. The management of the new open space is yet to be determined.

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling', written in a cursive style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

24 March 2016

Mr A Pollock

MURRUMBEENA VIC 3163

Dear Mr Pollock,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Will Council insist on the State Government providing all the reports mentioned in its motion of 23/2/16, namely "full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis etc". Has council received any reply to its request for public forums to be conducted by the LXRA and State Government for Council and the community to attend? Besides Council's letter of 26 February 2016, how has Council been advocating for Glen Eira residents in line with its motion of 23 February 2016 regarding "no elevated train line being constructed until after a full and genuine consultation is conducted and until full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis etc. are made available for full and open public scrutiny"?

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that only three weeks have passed since the letter was sent this is not unusual.

You may be interested to know that at the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link;

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Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

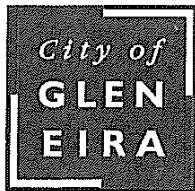
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Office of the Mayor Cr Neil Pilling

24 March 2106

Ms B Laurie
CARNegie VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"At the Council meeting on 23 Feb, a number of questions were not read in council chambers in relation to Elevated Rail due to time constraints. The council advised that each question would receive a written response. I know our household hasn't received a response yet

Your question was taken on notice. I now provide a response on behalf of Council:

"Responses to Public Questions at the previous Council Meeting have been sent out. Answers to all public questions taken on notice are available in the minutes of Council's meeting of March 15"

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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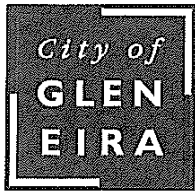
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24 March 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting on 15 March 2016 you asked the following Public Question;

"Mary Delahunty claimed at last months council meeting that she knew of elevated rail from last year. Is she able to show one document where she personally advised of long stretches of elevated rail to any Glen Eira residents. Other councillors denied knowledge and personally I believe them."

Your question was taken on notice. Cr Delahunty has provided the following response:

"All Councillors have attended regular presentations by the Level Crossing Removal Authority (LXRA). Late last year one of the LXRA's presentations clearly showed that elevated rail was being considered. If you write to the Mayor asking for a copy of the presentation I'm sure he will provide you with it.

Additionally, by letter dated 20 November 2015 the Minister for Public Transport, Hon Jacinta Allan MP, wrote to Council about the grade separation projects and open space in the City of Glen Eira. In her letter the Minister clearly says;

"There may be other opportunities to offset and even increase areas of public open space through project design solutions, such as creating public areas under elevated rail structures." (The underlining is mine).

A copy of the Minister's letter can be found on Council's website in the Minutes of the Council Meeting of 23 February 2016. Please refer to Attachment E at Agenda Item 9.7. I can confirm that all Councillors were provided with a copy of the Minister's letter in November 2015.

In terms of the State Government's announcement about the preferred option for the Caulfield/Dandenong rail corridor, I can inform you that the Council and Councillors found out about that at exactly the same time as the community.

You will always find me to be honest when representing the residents of our city."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

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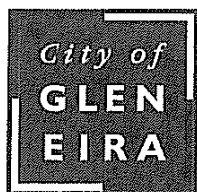
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Office of the Mayor Cr Neil Pilling

24 March 2016

M K Campbell
CARNEGIE VIC 3163

Dear Ms Campbell,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"Has Glen Eira City Council (Cr Neil Pilling) received a reply to letter sent to 'Hon Jacinta Allan MP, Minister of Public Transport' dated 26 February. If not, how and when will this be followed up?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's letter to the Minister, a copy of which is available on Council's website, is dated 26 February 2016. A written response has not yet been received from the Minister but given that only three weeks have passed since the letter was sent this is not unusual.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

80 MCGs of parklands
enough footpaths to reach Sydney
enough drains to reach Mildura
enough roads to reach South Australia
\$500m of town planning projects
2,000 food safety inspections
4,000 off-street car spaces
23,000 tonnes of recycling
32,000 tonnes of waste
one million library loans
care for 4,500 elderly
services for 8,000 children
9,000 immunisations
67 school crossings
46,000 street trees
8,500 street lights
45 sportsgrounds
47 playgrounds
and much more

Glen Eira City Council

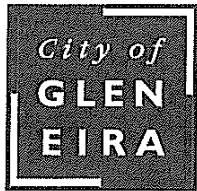
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr A Campbell

CARNEGIE VIC 3163

Dear Mr Campbell,

At the Council Meeting held on 15 March 2016 you asked the following Public Question:

"Will Glen Eira City Council consider changing minimum change areas to urban village areas in close proximity to the rail corridor?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council will shortly embark on a review of the Glen Eira Planning Scheme.

The Review in its broadest sense aims to test the continued relevance and applicability of all Council town planning policies, strategies and controls. This review will provide an opportunity for Council to consult with stakeholders and the community and to seek feedback, comments and views on planning matters within Council's ambit of responsibility.

When the time comes you are encouraged to participate in the consultation process and any submission you makes will be considered by Council."

Thank you for your Public Question.,

Yours sincerely,

CR NEIL PILLING
MAYOR

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Glen Eira City Council

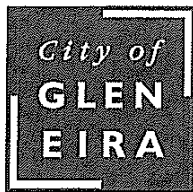
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Office of the Mayor Cr Neil Pilling

24 March 2016

Mr M Oswald

CARNEGIE VIC 3163

Dear Mr Oswald,

At the Council Meeting on 15 March 2016 you asked the following Public Question:

"I believe Miami elevated rail photographs were included in an LXRA presentation to Councillors. From my understanding, the Miami-Dade County Metrorail is an all passenger metro-style rail system. Are Councillors aware whether the system, or others similar, are used for freight and diesel trains?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Your question would be better directed to the State Government as they have knowledge and experience in running train networks whereas Council has no such experience."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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