



# **GLEN EIRA CITY COUNCIL**

## **ORDINARY COUNCIL MEETING**

**TUESDAY 28 APRIL 2020**

### **AGENDA**

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

*"The primary object of a Council  
is to endeavour to achieve  
the best outcomes for the local community  
having regard to the  
long term and cumulative effects of decisions."*

- s3c(1) Local Government Act

**Councillors:**

The Mayor, Councillor Margaret Esakoff  
Councillor Tony Athanasopoulos  
Councillor Anne-Marie Cade  
Councillor Clare Davey  
Councillor Mary Delahunty  
Councillor Jamie Hyams  
Councillor Jim Magee  
Councillor Joel Silver  
Councillor Dan Sztrajt

**Chief Executive Officer:** Rebecca McKenzie





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**1. ACKNOWLEDGEMENT**

Glen Eira City Council respectfully acknowledges that the Boon Wurrung people of the Kulin nation are the traditional owners of the land now known as Glen Eira. We pay our respects to their Elders past, present and emerging and acknowledge and uphold their continuing relationship to and responsibility for this land.

**2. APOLOGIES**

**3. REMINDER OF DECLARATION BY MEMBERS OF ANY DIRECT AND INDIRECT CONFLICT OF INTEREST OR PERSONAL INTEREST IN ANY ITEMS ON THE AGENDA**

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

**4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING OR MEETINGS**

Copies of Minutes previously circulated.

**RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on 7 April 2020 be confirmed.

**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**

**5.1 PETITION: CLIMATE EMERGENCY DECLARATION AND ACTION PLAN**

A petition containing 618 signatures was submitted to the Council Meeting.

The petition read as follows:

‘This petition draws to the attention of the Council the need for a Climate Emergency Declaration and Action Plan.

We the undersigned call on the City of Glen Eira to Declare a Climate Emergency and to upgrade their action plan to address the climate crisis.’

**RECOMMENDATION**

That Council:

1. receives and notes the petition; and
2. considers the petition in conjunction with the Action on Climate Change report being presented to the 5 May 2020 Special Council Meeting.

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



**7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY****7.1 Advisory Committees****7.1.1 ADVISORY COMMITTEE MINUTES**

**Author:** Janice Pouw, Coordinator Councillor Business

**Trim No:** 20/182574

**Attachments:** 1. Minutes - Community Engagement Advisory Committee - 1 April 2020 [↓](#)

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**RECOMMENDATION**

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

1. Community Engagement Advisory Committee Meeting Minutes – 1 April 2020



**Community Engagement Advisory Committee Meeting  
Minutes  
Wednesday 1 April 2020  
Meeting via Zoom**

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**Purpose:**

*To make recommendations to Council in relation to the ways in which Council consults with residents, ratepayers and other stakeholders in the community to ensure maximum participation, communication and value to the community.*

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Meeting opened at 6.40pm

**1. Present**

Cr Jamie Hyams (chair)  
Cr Anne-Marie Cade  
Dr Iris Levin - Community Representative  
Megan Dunkley - Community Representative  
Alex Palamarczuk – Community Representative  
Peter Jones – Director Community Wellbeing  
Sharon Sykes – Coordinator Community Planning and Engagement  
Anna Morath – Community Engagement Officer  
Chris Soderstrom – Community Engagement Support Officer  
Prue Blake – Community Engagement Project Officer (for item i)

**Apology**

Cr Mary Delahunty  
Gaye Stewart – Manager Community Development and Care

**2. Matters considered:**

- i. Community Vision Update
- ii. Community Engagement update
- iii. Online strategies for engaging during a crisis
- iv. Engaging with our community during this time
- v. Local Government Act 2020
- vi. Meeting dates 2020

**i. Community Vision Update**

An update about the Community Vision project was presented to the Committee for discussion and this included:

- The broad community engagement process was completed early March and a full report of the engagement results was provided to the Committee. These results were part of the initial package of information provided to the Deliberative Citizens Panel.
- During February, a randomly selected group of 42 community members was selected to be part of the Deliberative Citizen's Panel to develop the Glen Eira 2040 Community Vision. More than 350 residents had expressed interest in joining the Panel.
- The Panel is representative of the Glen Eira community in relation to many key demographic factors such as age, gender, level of education, housing profile, diversity and suburb of residence.



- The final group of 37 panel members commenced their work on developing the draft Community Vision in March 2020. They took part in two panel meetings before the COVID-19 pandemic placed a hold on any further panel meetings.
- Council will seek to resume the engagement process for the development of the Community Vision once the pandemic restrictions have been lifted. It was acknowledged that the timelines will need to be revised and are likely to be impacted by the upcoming Council elections.

## ii. Community Engagement update

The Committee acknowledged that there is a reduction in the number of current community activities due to the restrictions now imposed on face-to-face and public consultations. The following community engagement projects were discussed:

- Council is currently engaging with the community on the Bluestone Renewal Policy and is seeking feedback until 19 April through Have Your Say and mail/email.
- The draft Annual Budget, and Council and Community Plan commitments, including the Strategic Resource Plan are scheduled for public exhibition from 29 April to 29 May 2020. It is proposed that submissions will be invited through Have Your Say and mail/email. The formal process allows for submitters to address the Council remotely with only the Councillors being required to physically attend the meeting - this might present some challenges to the usual process of receiving feedback from the community.
- The proposed Classified Tree Local Law 2020 is scheduled for consultation to seek formal submissions from 20 May to 25 June 2020

Officers outlined some recent changes to Have Your Say that improve the way projects are designed and managed by Council. The community will see very little change with this new interface, but officers will be able to do much more in-depth analysis of the engagement data that is received. The Committee was pleased to hear that these continuous improvements are increasing the quality of community engagement outcomes.

Officers provided an update on Community Voice that included:

- The current survey closed on 17 March 2020 and is currently being analysed and a summary report prepared. This survey asked questions about gambling, gender equity, playground strategy and demographic questions to understand who is on the panel.
- There are two more survey activities proposed for Community Voice before 30 June and the Committee discussed the possibility of a future survey asking questions about how vulnerable and isolated members of the community are faring during the COVID-19 pandemic. This could include questions about mental health and actions Council could take to support the community's health and wellbeing during this time.
- The next priority for Community Voice is the re-registration of members who have now been on the panel for two years. The Terms of Reference for Community Voice outlines a commitment for two years, after which members will be asked if they wish to continue. A re-registration and recruitment initiative is proposed to ensure that a Community Voice panel of 400-600 people is representative of the Glen Eira community.

**Actions:** Officers will consider asking questions in an upcoming Community Voice survey about mental health, vulnerability and how Council can respond to challenges being faced within the community.

Officers will proceed with the re-registration of Community Voice members who have been on the panel for two years and undertake further recruitment to ensure Community Voice is representative of the community.

**iii. Online strategies for engaging during a crisis**

The Committee discussed some innovative ways to engage during the COVID-19 pandemic including online forums, interactive mapping tools, Q&As and Frequently Asked Questions as ways to inform and consult, Newsfeeds, Stories Quickpolls and Online interviews.

Some of the above tools suggested by IAP2 and Bang The Table (provider of the Have Your Say platform) may be useful for Council as it responds to COVID-19. It was agreed that Officers would share this information with other relevant teams within Council. Tools such as the interactive mapping tool could be useful in communications about what is open, what services are available and to identify community needs at this time.

**iv. Engaging with our community during this time**

The Committee discussed the question of whether Council should continue engaging with the community with 'business as usual' projects that impact Council's decisions. It is acknowledged that engagement can take place in online and alternate formats that comply with all current restrictions. Considerations included that some people will be very distracted by COVID-19 while others may welcome a break from the day-to-day isolation and would be happy to respond to a survey or an online forum discussion. It was suggested that as we have a Community Voice panel, Council should ask the panel this question.

**Action: Officers will design a Quickpoll for Community Voice asking a question about ongoing community engagement with the Glen Eira during the pandemic.**

**v. Local Government Act 2020**

With the recent passing of the Local Government Act 2020 there are implications for community engagement that Council needs to plan for.

The new Act has a greater focus on community engagement and accountability to the community in Council's decision making. This includes more deliberative and collaborative engagement methods. The new Act is also more prescriptive about the times when Council needs to engage – in the development of Community Vision, Council Plan, Budget and Financial Plan and Asset Plan.

Glen Eira's community engagement materials that will need to be reviewed to ensure they are aligned with the new Act include the Community Engagement Policy, which will need to be updated by March 2021 and the Community Engagement Strategy that is due for updating during 2021.

The Glen Eira 2040 Community Vision needs to be completed by October 2021 to comply with the requirements of the new Act. Subject to when this project can resume we are on track to meet the timeframes for endorsement of the Community Vision.

**Action: Officers will develop project and community engagement plans for a new Community Engagement Policy and Strategy for further discussion with the Advisory Committee.**

**vi. Meeting Dates 2020**

It was agreed that the meeting schedule for 2020 needs to be changed with the postponement of the Community Vision project. The next meeting is proposed for 27 May 2020 with following meeting being planned for July.

**Next Meeting: Wednesday 27 May 2020 at 6.30pm**

Meeting closed: 8.04pm

**7.2 Records of Assembly****7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS**

**Author:** Janice Pouw, Coordinator Councillor Business

**Trim No:** 20/182544

**Attachments:** 1. 24 March 2020 Assembly [↓](#)  
2. 31 March 2020 Assembly [↓](#)  
3. 7 April 2020 pre-meeting [↓](#)

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**RECOMMENDATION**

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

1. 24 March 2020
2. 31 March 2020
3. 7 April 2020 Pre-meeting

**Assembly of Councillors  
Tuesday 24 March 2020**

Meeting commenced at 6.52pm

**A. Present**

Cr Dan Sztrajt, Deputy Mayor  
Cr Tony Athanasopoulos  
Cr Clare Davey  
Cr Jamie Hyams  
Cr Jim Magee  
Cr Joel Silver

**Via Teleconference**

Cr Margaret Esakoff, Mayor  
Cr Anne-Marie Cade  
Cr Mary Delahunty

**Council Officers**

Rebecca McKenzie, CEO  
Samantha Krull  
Peter Swabey  
John Vastianos  
Karen Oh  
Janice Pouw

**Via Teleconference**

Peter Jones  
Ron Torres  
Keith Franklyn  
Jennifer Shin  
Andriana Kursar

**B. Matters considered**

1. Apologies – Nil  
6.53pm Cr Esakoff declared a conflict of interest in item 2 and left the teleconference.
2. Re-establishment of Road on title at Orrong Road car park, Elsternwick  
7.03pm Cr Esakoff rejoined the Assembly via teleconference.
3. Recycling Victoria Circular Economy Policy, Implications for Glen Eira  
7.06pm Cr Davey left the Assembly and re-entered at 7.08pm.  
7.13pm Cr Athanasopoulos left the Assembly and re-entered at 7.14pm.
4. Implications of Declaring a Climate Emergency  
  
7.52 pm Assembly adjourned  
8pm Assembly resumed

**Present**

Cr Dan Sztrajt, Deputy Mayor  
Cr Tony Athanasopoulos  
Cr Clare Davey  
Cr Jamie Hyams  
Cr Jim Magee  
Cr Joel Silver

**Via Teleconference**

Cr Margaret Esakoff, Mayor  
Cr Anne-Marie Cade

5. COVID-19 Update
6. 2020-21 Draft Annual Budget
7. General Business  
Cr Hyams
  - Story-telling festival
  - Porter Road planning application
  - Tree species
  - Planning conferences
  - ANZAC Day Wreaths

Cr Athanasopoulos  
- VCAT

Cr Davey – Citizenship Ceremonies

Cr Magee – Skate park

Cr Esakoff – Foster St planning application

Director Planning and Place – Planning application processes

9.44pm Cr Magee left the Assembly

Chief Executive Officer – Video conferencing

**Assembly finished at 9.46pm**

**Assembly of Councillors  
Tuesday 31 March 2020**

Meeting held via video conferencing commenced at 6.45pm

**A. Present**

Cr Margaret Esakoff (Mayor)  
Cr Tony Athanasopoulos  
Cr Anne-Marie Cade  
Cr Clare Davey  
Cr Mary Delahunty  
Cr Jamie Hyams  
Cr Jim Magee  
Cr Joel Silver  
Cr Dan Sztrajt

**Council Officers**

Rebecca McKenzie, CEO  
Samantha Krull  
Peter Swabey  
Peter Jones  
Ron Torres  
Alan Stone  
Andrew Barden  
Janice Pouw

**B. Matters considered**

1. Apologies – Nil
2. Dog Off Leash Areas within Glen Eira – Report Findings
3. General Business  
Cr Magee – Dog attack – investigation  
Cr Hyams
  - COVID-19 – Closure of playgrounds, basketball courtsCr Silver
  - COVID-19 – Unlawful assembly
  - COVID-19 – Social gathering
  - Willow St Elsternwick demolition

8.13pm Assembly adjourned

8.25pm Assembly resumed via video conference

**Present**

Cr Margaret Esakoff (Mayor)  
Cr Tony Athanasopoulos



Cr Anne-Marie Cade  
Cr Clare Davey  
Cr Mary Delahunty  
Cr Jamie Hyams  
Cr Jim Magee  
Cr Joel Silver  
Cr Dan Sztrajt

4. Draft Agenda 7 April 2020 Ordinary Council Meeting

Item 7.1 – Advisory Committees  
Item 7.2 – Records of Assembly  
Item 8.1 – COVID-19 Rates Financial Hardship Policy

General Business

Chief Executive Officer – COVID-19 – Support for businesses, residents and community groups

Item 8.2 – Instrument of Delegation to the Chief Executive Officer – Novel Coronavirus Contingency Planning  
Item 8.3 – Delegations under the Planning and Environment Act 1987 – Novel Coronavirus Contingency Planning

10.06pm Cr Davey left the Assembly and did not return  
10.18pm Cr Delahunty left the Assembly and did not return

Item 8.4 – VCAT Watch  
Item 8.5 – Analysis of VCAT Decisions  
Item 8.6 – Heather Road Caulfield South – Road Discontinuance  
Item 8.7 – Written Public Questions to Council Guidelines  
Item 10.3 – Councillor questions – Cr Athanasopoulos

General Business

Chief Executive Officer

- Letter from Minister – Bentleigh and Carnegie Structure Plans
- COVID-19 – Update on basketball courts and velodrome
- Media releases

Cr Esakoff – MAV - Municipal election

Assembly finished at 10.51pm

**Council Pre-Meeting****7 April 2020****Record under S 80 A (2)****Meeting Commenced at 7.05pm****A. Present**

Cr Dan Sztrajt, Deputy Mayor  
Cr Jamie Hyams  
Cr Jim Magee  
Cr Joel Silver

**Via Video Conference**

Cr Margaret Esakoff, Mayor  
Cr Anne-Marie Cade

**Officers**

Rebecca McKenzie – Chief Executive Officer  
Janice Pouw

**Via Video Conference**

Peter Jones  
Samantha Krull  
Peter Swabey  
Ron Torres  
Alan Stone

**B. Matters considered**

1. Apologies – Cr Clare Davey
- 7.07pm Cr Athanasopoulos entered the pre-meeting
2. Procedural Motion to consider Item 8.5 after Item 7.2
3. Procedural Motion to consider Item 10.4 after Item 8.5
- 7.10pm Cr Delahunty entered the pre-meeting
4. Item 10.4 – Public questions to Council
5. Item 8.3 – Instrument of Delegation to the Chief Executive Officer – COVID-19 Contingency Planning
6. Item 8.4 – Delegations under the Planning and Environment Act 1987 – Novel Coronavirus Contingency Planning
7. Item 10.3 – Councillor questions

**Pre-meeting finished at 7.27pm**



## 8. OFFICER REPORTS (AS LISTED)

### 8.1 501-503 HAWTHORN ROAD CAULFIELD SOUTH VIC 3162

**Author:** Zachary Van Grondelle, Town Planner

**Trim No:** 20/161606

**Attachments:** 1. [Decision Plans](#) [↓](#)  
2. [Clause 55 Assessment](#) [↓](#)

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#### PURPOSE AND SUMMARY

Council has received an application for the construction of a three-storey building, containing 16 dwellings over basement car parking. Department of Transport is a determining referral authority, as alteration to a road in a Road Zone is proposed. Melbourne Water is also a determining referral authority, as works are proposed within a Special Building Overlay.

Sixteen objections were received that generally relate to the scale of the development, non-compliance with zoning and policy objectives, general offsite amenity concerns and increased traffic.

On balance, the proposal is acceptable as it satisfies long established Council policy of directing growth to public transport corridors and will not have a significant impact on the adjoining properties or surrounding road network. The proposal features a high level of architectural quality and internal amenity, which will be a positive contribution to this section of Hawthorn Road.



## RECOMMENDATION

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/DP-32799/2019 for construction of a three storey building containing 16 dwellings over one level of basement car parking at 501-503 Hawthorn Road Caulfield South in accordance with the following conditions/grounds:

### Amended Plans

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as TP04, TP05, TP06, TP07, TP9, TP10, TP11, TP16, all revision F, produced by Summit Design Pty Ltd) but modified to show:
  - (a) A Landscape Plan in accordance with Condition 3;
  - (b) A Landscape Management Plan in accordance with Condition 4;
  - (c) Any requirement of the Waste Management Plan under Condition 11;
  - (d) Any requirement of the Environmentally Sustainable Design report under Condition 14;
  - (e) The north setback of the development to be modified at all levels to comply with Standard B17 at Clause 55.04-1 of the Glen Eira Planning Scheme. All changes must be absorbed into the building envelope;
  - (f) A notation added to the plans which notes that the obscured glass will not be more than 25% transparent;
  - (g) All secluded private open space areas (above ground) must comply with the requirements listed in Table 8 of Standard B43 at Clause 55.07-9 of the Glen Eira Planning Scheme, with all changes absorbed into the existing building envelope;
  - (h) The minimum headroom clearance above the ramp must be increased to 2.1 metres;
  - (i) All parking spaces to be dimensioned in accordance with Table 2 of Clause 52.06 of the Glen Eira Planning Scheme. Any changes to the layout of parking spaces must not result in a reduction in the statutory parking requirement; and
  - (j) The following Tree Protection Zones to be shown:
    - i. 2.4m to the north and 2.4m to the south of the tree on Hawthorn Road adjacent to 503
    - ii. 2m to the west and 2.7m to the east of the tree on Stone Street (western most)
    - iii. 2.2m to the west and 2.2m to the east of the tree on Stone Street (centre)
    - iv. 2.4m to the west and 2.4m to the east of the tree on Stone Street (eastern most)

1. When approved, the plans will be endorsed and will then form part of this Permit.
2. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.

### Landscaping and tree protection

3. Before the development starts, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as TP14 and TP15, all revision F, produced by Summit Design Pty Ltd) but modified to show:
  - (a) The *Allocasuarina littoralis* located along the northern boundary to be replaced with a suitable deciduous species of a fastigate form that can achieve a minimum mature height of 10 metres.
  - (b) Replacement of the *Bursaria spinose* with a more suitable species of similar dimensions that does not have spikes or other such irritants.
  - (c) Reference to AS4454-2012 *Composts, soil conditioners and mulches* to be notated on plans.
  - (d) Reference to AS2303-2015 *Tree stock for landscape use* and that all advanced trees used will comply with the standard.
  - (e) All landscape installation and maintenance to be carried out by persons with a minimum qualification of AQF 3 in Horticulture.
  - (f) A tree of mature height (8-12m) is required in the deep soil area
4. Before the development starts, a Landscape Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must generally accord with the plan submitted with the application (identified as 'Landscape Management Plan' submitted to Council on 22<sup>nd</sup> July 2019) but modified to indicate:
  - (a) That all tree pruning is to be undertaken in accordance with AS4373-2007 *Pruning of Amenity Trees* by suitably qualified and experienced arborists
  - (b) Watering systems to be inspected every six months to ensure correct operation and that appropriate levels of water are applied for the specific plant species used and the time of year.
  - (c) All landscape maintenance to be carried out by persons with a minimum qualification of AQF 3 in Horticulture.
  - (d) Confirmation that the landscaping as shown the endorsed Landscape Plan must be completed and carried out in accordance with the Landscape Plan and thereafter permanently maintained, including that any dead, diseased or damaged plant replaced in accordance with the Landscaping Plan to the satisfaction of the Responsible Authority.
5. The existing street tree (at 501 Hawthorn Road) to be removed must be replaced by a tree, the species, maturity and location of which must be to the satisfaction of Council's Parks Services Department. The new tree must be planted and maintained to the satisfaction of Council at no expense to the Council.
6. A Tree Protection Zone (TPZ) shall be established around the Council owned trees to the standard and conditions prescribed in AS 4970 –2009 Protection of Tree on Development Sites. The size, shape and conditions relating to the TPZ will be to the satisfaction of Council's Parks Services Department with the TPZ being constructed prior to any demolition, excavation or construction works. The TPZ shall remain in place until sign off / handover of the project. Removal or alterations to the TPZ, or any works inside the TPZ shall only be undertaken with written permission from the Responsible Authority.

7. The fence shall be constructed of chain mesh fencing panels (or similar sturdy materials) 1.8m tall, that is stable and strong with the internal area secured to prevent access. The TPZ is a NO GO ZONE to ensure the protection of the tree, its roots and health. Each side of the fencing shall display signage that this is a TPZ in clear text with the words "Tree Protection Zone, No entry or Dumping of Materials".
8. TPZ on the nature strip area. This shall form a rectangle along the back of the kerb, across the nature strip either side of the tree, and along the edge of the footpath. The footpath must remain open for public access. The TPZ fencing erected across the nature strip shall be located at the following distances:
  - (a) 2.4m to the north and 2.4m to the south of the tree on Hawthorn Road adjacent to 503
  - (b) 2m to the west and 2.7m to the east of the tree on Stone Street (western most)
  - (c) 2.2m to the west and 2.2m to the east of the tree on Stone Street (centre)
  - (d) 2.4m to the west and 2.4m to the east of the tree on Stone Street (eastern most)
9. Existing paved surfaces such as footpaths or vehicle crossings within the TPZ must remain accessible as long as all other protection measures remain in place. Removal of these hard surfaces must be undertaken with care so as not to damage any tree roots.
10. Above ground canopy TPZ shall be adopted with no works, structures or machinery to come within 1m of the trees crown/canopy. Any canopy pruning of the street tree required for construction of the new dwellings must be conducted before any works start on the site and must be carried out by Council's Parks Services Department. Pruning to provide the required clearance over the proposed crossover to the south of the tree is to be undertaken upon completion of all works and be performed by Council's Parks Services Department. All persons affected by this permit must be aware of AS 4970-2009 Protection of Trees on Development Sites and the conditions of this permit.

#### Waste management

11. Before the development starts, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plan must show:
  - (a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority.
  - (b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must:
    - i. Incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection;
    - ii. Use a small rigid vehicle;
  - (c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days;
  - (d) Details for best practice waste management once operating;
  - (e) Swept path analyses of waste vehicles in and out of the site, as well as through the local road network, prepared by a suitably qualified traffic engineer;

- (f) Demonstration all headroom clearances within the development are adequate for waste vehicles to complete waste collection on site; and
- (g) Demonstration all commercial and residential waste collection will occur on site.

All waste storage and collection must be undertaken in accordance with the approved Waste Management Plan, unless otherwise agreed in writing by the Responsible Authority.

#### Construction Management

12. Before the development starts, including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:

- (a) Delivery and unloading points and expected frequency;
- (b) Truck haulage routes, circulation spaces and queuing lanes;
- (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
- (d) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (e) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (f) any requirements outlined within this permit as required by the relevant referral authorities;
- (g) hours for construction activity in accordance with any other condition of this permit;
- (h) measures to control noise, dust, water and sediment laden runoff;
- (i) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- (j) any construction lighting to be baffled to minimise intrusion on adjoining lots.

Once approved the CMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

#### Car Stacker Management

13. The mechanical car stackers must be maintained by the Owner's Corporation in a good working order and be permanently available for the parking of vehicles in accordance with their purpose to the satisfaction of the Responsible Authority. Should no Owner's Corporation be established, then the lot owner must bear responsibility for ongoing maintenance of the car stacker.

#### Environmentally Sustainable Design

14. Before the development starts, an Environmentally Sustainable Design Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will then form

part of the permit. The report must outline how the development complies with Standards B35 and B39 of Clause 55 of the Glen Eira Planning Scheme. Any Environmentally Sustainable Design features within the report must be included and shown on the plans.

#### Drainage requirements

15. Before the dwellings are occupied, the permit holder must remove the existing open drain and reconstruct it with a new underground easement drain to the satisfaction of the Responsible Authority. The design and construction of the drain must be approved by Engineering Assets and all costs associated with the drain design and construction must be borne by the developer.
16. The site must be drained to the satisfaction of the Responsible Authority

#### Conditions required by Department of Transport

17. Before the commencement of the access works on Hawthorn Road, the Tram Power Pole, and any associated infrastructure must be relocated, as per the amended plans (DWG no: 750-TP05, revision D, dated 21 October 2019, prepared by Summit Design Pty Ltd) and at no cost to and to the satisfaction of the Head, Transport for Victoria and Yarra Trams.
18. The permit holder must avoid disruption to tram operation along Hawthorn Road during the construction of the development and relocation of the Tram Power Pole. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.
19. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged, other than that agreed by this permit. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.
20. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria or the Responsible Authority.
21. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria or the Responsible Authority.
22. Vehicles must enter and exit the land in a forward direction at all times.

#### Conditions required by Melbourne Water

23. Finished floor levels of the dwelling must be constructed no lower than 19.15 metres to Australian Height Datum (AHD).
24. The basement must be constructed 'in-ground' and incorporate a flood proof apex and associated bunding constructed no lower than 19.15 metres to AHD.

25. A minimum three (3) metre setback maintained at natural surface levels is required from the eastern boundary.
26. A minimum three (3) metre setback maintained at natural surface levels is required from the western boundary.
27. A minimum three (3) metre setback maintained at natural surface levels is required from the northern boundary.
28. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the building and driveway.
29. The open space areas within the property must be constructed at natural surface levels and no fill or retaining walls should be used in the development of this land.
30. Any new fencing located along Hawthorn Road and Stone Street and any new internal fencing must be open style (50%) of construction to allow for the conveyance of overland flow.
31. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.
32. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

#### Permit expiry

33. This Permit will expire if:
  - The development does not start within three (3) years from the date of this Permit; or
  - The development is not completed within five (5) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced. If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

#### **Permit notes:**

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

If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.



- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- D. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- E. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- F. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.
- G. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 2017, and any other relevant acts or regulations created under those Acts (note required by Department of Transport).
- H. The applicable flood level is 18.85 metres to Australian Height Datum (AHD).  
Fencing Design (note required by Melbourne Water).

**Engineering notes**

- I. No net increase in peak stormwater runoff in Council drainage network. Post development peak storm water discharge to Council drainage network must be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations should be submitted to Council for approval prior any construction works.
- J. Engineering Services encourage using of rainwater tanks for storage and reuse for toilet and irrigation purpose and or stormwater detention system.
- K. Drainage associated with basement construction (seepage and agricultural waters are to be filtered to rain water clarity) must be discharged to the nearest Council Drain /Pit and not be discharged to the kerb and channel.
- L. All stormwater runoff must be connected to Council underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths.
- M. Any firefighting equipment for the building shall be accommodated within title boundary. Submitted plans are not showing location of any hydrant / booster. Council will not allow private fire equipment in the Road Reserve.



- N. Asset Protection Permit must be obtained from Council Engineering Services Department prior commencement of any building works.
- O. All relevant Engineering Permits must be obtained prior any works within the Road Reserve and or stormwater connection to Council drainage network.
- P. Any modifications, amendments or changes that could impact Council's infrastructure assets are to be discussed with the Engineering Services prior to issuing a planning permit.

<b>Address</b>	501-503 Hawthorn Road CAULFIELD SOUTH VIC 3162
<b>Title details</b>	Lot 1 on TP010459E Lot 4 on PS013863 Lot 5 on PS013863 Lot 1 on TP649436D
<b>Restrictions on title</b>	An easement runs at the rear of the site (east boundary) and is 3.05 metres in width.
<b>Proposal</b>	Construction of a three storey building containing 16 dwellings over 1 level of basement car parking
<b>Zoning and Overlay Controls</b>	General Residential Zone 2 (GRZ2) Parking Overlay 2-3 (PO2-3) Special Building Overlay (SBO)
<b>Permit requirements</b>	Construction of two or more dwellings Buildings and works on land affected by an SBO Alteration of access to a road in a Road Zone
<b>Relevant Planning Scheme provisions</b>	Clause 22.07 (Housing Diversity Area Policy) Clause 32.08 (GRZ) Clause 44.05 (SBO) Clause 52.06 (Car Parking) Clause 52.29 (Land adjacent to a Road Zone)
<b>Seriously entertained amendments</b>	None
<b>Notification</b>	Notice undertaken in accordance with Section 52 of the <i>Planning and Environment Act 1987</i> , including 3 notices on site and a notice mailed to 8 surrounding properties. Plans were amended in March 2020 however as there were no significant changes proposed, the amended plans were not advertised again. The amended plans are attached to this report.
<b>Submissions</b>	16 objections received and are detailed in the report (an additional objection was received and later withdrawn and is not detailed in this report)
<b>Cultural Heritage Management Plan required</b>	None required

## DESCRIPTION OF PROPOSAL

The proposal includes the following:

- Demolition of the existing dwellings (planning permit not required)

- Construction of 16 dwellings in a three storey building
- One level of basement parking (accessed from Hawthorn Road)
- Private open space provided on balconies and within the front, rear and side setbacks
- All dwellings are accessed from a central lobby

## LAND DESCRIPTION AND SURROUNDING AREA

The site is comprised of four separate lots including two regular sized lots which front Hawthorn Road and two narrow lots towards the rear of the site (adjoining 1 Stone Street). The land has no significant fall to it. The immediate area is developed with single storey detached homes however further along Hawthorn Road, more intensive development is occurring. The character of the area is discussed further in this report.

The following is an image of the subject site:



## CONSULTATION AND ENGAGEMENT

There were 16 objections received as part of the notification process and included the following concerns:

- Neighbourhood character and streetscape integration
- Visual bulk and scale
- Non-compliance with GRZ setbacks
- Traffic safety and parking impacts
- Shadowing
- Overlooking / Privacy
- Waste collection
- Flooding concerns

A planning conference was chaired by Cr. Sztrajt in October 2019 and attended by the applicant and several objectors. Since the planning conference, the applicant amended plans however the changes did not alter the built form and were therefore not re-advertised.

## REFERRALS

The following is a summary of comments and requirements from relevant referral areas:

<b>Statutory Referrals</b>	
Department of Transport	Initially Department of Transport (DoT) did not support the application however discussions between the applicant and DoT resolved the issues. DoT are now supportive of the application subject to conditions listed in their letter dated 20 January 2020. These conditions will be added to the permit.
Melbourne Water	The application was referred to Melbourne Water and a response was received dated 23 August 2019 which included some conditional changes and standard conditions. A further response received on 28 January 2020 and notes that new plans have satisfied the conditional changes. The standard conditions will be added to the permit.
<b>Non-statutory referrals</b>	
Transport Planning	Council's Traffic Engineers have reviewed the proposal and provided recommendations. These recommendations have been included into the 'Car parking and traffic' section of this report.
Asset Engineering	Council's Asset Engineers support the development subject to the open drain in the rear easement being reconstructed as an underground drain. This condition will be added to the permit.
Landscape Officer	Council's Arborist is satisfied that the neighbouring vegetation will not be impact by the development therefore no protection measures are required. Several updates to the onsite landscaping plan are required and will be added as a condition of the permit.
Parks Services	There are five street trees adjoining the site (2 on Hawthorn Road and 3 on Stone Street). The northern most tree on Hawthorn Road is to be removed at cost to the developer. All other trees are to be retained and protected with standard tree protection conditions added to the permit.

## ISSUES AND DISCUSSION

The assessment of the proposal has regard to the following:

- Zoning and policy context
- Neighbourhood character and design detail
- Amenity impacts (including building massing)
- Site layout and Environmentally Sustainable Design
- Offsite / Internal amenity
- Car parking and traffic
- Objectors concerns

### Zoning and policy context

Glen Eira's longstanding residential housing strategy is to direct growth to sites that are well serviced by public transport, commercial, community, educational and recreational facilities. This is recognised in the Planning Policy Framework, specifically Clause 21.04 (Housing and Residential Development) and Clause 22.07 (Housing Diversity Area Policy) and is implemented through the use of the general residential zoning around major transport hubs and along tram routes.

The subject site is located on one of these tram routes and is zoned General Residential, Schedule 2 and is also subject to Council's Housing Diversity Area Policy. The purpose of the General residential Zone, Schedule 2 is:

- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

The Housing Diversity Area Policy expands on this further, where the general objectives of the policy are:

- *To encourage housing diversity in preferred strategic locations that have good access to public transport, commercial, community, educational and recreational facilities.*
- *To promote a range of housing types, comprising of a mix of single dwellings, two dwelling developments and other forms of multi-unit development.*
- *To promote a diversity of dwelling layouts and sizes.*
- *To ensure that the density, mass and scale of residential development is appropriate to the location, role and neighbourhood character of the specific housing diversity area.*
- *To ensure that key development sites contribute to the provision of housing diversity in Glen Eira.*
- *To ensure that key development sites that are located in close proximity to fixed public transport or commercial areas are developed for multi-unit development.*
- *To ensure that the siting and design of new residential development takes account of its interface with existing residential development on adjoining sites.*
- *To ensure that the design of new residential development is sensitive to and respectful of the scale of existing residential development on adjoining sites.*

It can therefore be demonstrated that the zoning and policy anticipates that the application site will and should be subjected to a higher order of residential development, such as what is proposed. The appropriateness of this particular proposal, will come down to its siting, design and response to neighbourhood character, as discussed below.

#### Neighbourhood character and design detail

The zoning and policy context anticipate change in this area and the existing streetscape has not yet seen this level of change. The most prominent dwelling stock is single detached houses in a spacious garden setting. The dwellings are mostly single storey. In terms of architectural detailing, the dwellings have either a hipped or gable ended roof form and are mostly of a brick and tile composition. They are reflective of a traditional middle suburban character.

The built form proposed here is different, and introduces a larger built form, however it is reflective of the type of development anticipated on key transport corridors, is within the height tolerance of the zone and is of an appropriate design. The building massing is clearly different from the existing character of the area, however as discussed in the local policy section, Council has long anticipated that a higher order development will occur along Hawthorn Road and change the streetscape.

This is already evident further north with several three storey apartment developments near Maple Street and both surrounding and in between Glen Huntly and Glen Eira Roads. The subject application will be the first apartment development in this section of the Hawthorn Road, however the zoning context is the same as the areas mentioned around Maple Street.

The architectural style of the proposed development can be described as contemporary however the project architect has picked up on the materiality of the surrounding area to

ensure that the development would respond well to the existing character. This includes pressed bricks and white concrete sections on the façade. Aluminium cladding is proposed on the top (second) floor in a dark colour which will help with visual recession of that floor. Unique triangular forms have also been incorporated to blend the walls into the roof and reduce some of the massing. The proposal is considered to be a high quality architectural design that is appropriate for these sites.

#### Amenity Impacts (including building massing)

A significant concern raised by the objector groups is the impact to residential amenity. Clause 55 (particularly 55.04) of the Glen Eira Planning Scheme sets what can be expected as a reasonable outcome in terms of offsite amenity impacts and Council is generally bound by these requirements in its assessment.

The site takes benefit of its corner location, as there are no north facing windows within 3 metres of the southern boundary and the majority of the overshadowing produced by the proposal falls within the road reserve of Hawthorn Road and Stone Street. No adjoining secluded private open space areas are impacted by overshadowing which is compliant with the standard requirement.

The opportunity for overlooking only occurs from the north and east elevations as the south and west elevations face the street. The development is compliant regarding overlooking due to the following:

- The ground floor is less than 0.8 metres above natural ground level and there is a visual barrier of at least 1.8 metres high (a 2 metre high boundary fence) along the north and east boundaries.
- First floor balconies and habitable room windows along the north and east elevation have obscure glazing to a height of 1.7 metres above the finished floor level. A notation should be added to the plans which notes that the glass will not be more than 25% transparent.
- Balconies on the second floor along the north and east elevation have obscure glazing to a height of 1.7 metres above the finished floor level. A notation should be added to the plans which notes that the glass will not be more than 25% transparent.

The setback on the north side of the site is compliant (and exceeds the standard) at both ground and first floor. At the second floor a variation is sought of 1 metre for the balcony and 0.39 metres for the wall. As this setback is a state standard setback (i.e. not locally modified by a schedule) and the neighbouring dwelling to the north is a single storey dwelling, there is no reason why the proposed development should not comply with the setback requirement. This setback will have to be modified via a condition. A key requirement for this condition is to ensure equitable development opportunity if 499 Hawthorn Road is developed in future.

The eastern setback requirement is modified by Schedule 2 to the General Residential Zone, as the site adjoins land in the Neighbourhood Residential Zone. The setback requirement is 4 metres at ground floor, 5.5 metres at first floor and 11.5 metres at the second floor. This variation has been sought at the first floor, where 4 metres is provided and at the second floor where the setback provided ranges from 5.86 metres to 8.7 metres. The intention of this setback requirement is to maintain a rear garden setting with properties in the Neighbourhood Residential Zone, where a 4 metre rear setback is required.

An 8 metre garden corridor would be created along the boundary as a transition between the zones. However, in this instance, the adjoining property in the Neighbourhood Residential

Zone (1 Stone Street) does not back onto the subject land. Rather, its side boundary adjoins it. Therefore, the intended garden corridor will never be achieved here as 1 Stone Street would never be expected to achieve a 4 metre side setback. The setback that has been proposed along the eastern boundary of the subject site provides adequate visual relief and exceeds the daylight requirement for habitable room windows on the adjoining lot. This is an appropriate outcome which will both provide adequate transition to the Neighbourhood Residential Zone and not impact unreasonably on the amenity of the existing dwelling.

#### Site layout and Environmentally Sustainable Design

A mandatory garden area of 35% is required under the General Residential Zone. This has been provided across the entire site, with 386m<sup>2</sup> of garden area. A street setback of 5.2 metres from Hawthorn Road has been provided. Although this is a variation to the standard requirement of 7.8 metres, as discussed in the policy and neighbourhood character section of this report, the built character of the area is changing. It is likely that the prevailing street setback will be decreased over time and this development will set an acceptable precedent of a setback that still provides visual relief and space for landscaping but makes efficient use of a site which is zoned for higher order development.

A deep soil planting area is required by Clause 55.07-4 and this has been provided along the Hawthorn Road setback which will contribute to the garden setting (a tree of mature height 8-12m is required in the deep soil area as a condition of the permit). The Stone Street setback is compliant and the built form steps back (the setback increases) further along Stone Street. This provides an appropriate transition to the dwellings in the Neighbourhood Residential Zone.

The proposed site coverage of the development is 63%. Again, this is a variation to the standard requirement of 60% however as demonstrated in 'amenity impacts', there is no offsite amenity impact caused by the development. There is adequate garden space around the perimeter of the building and a landscape plan will be required as a condition of permit to ensure a garden setting is maintained.

Environmentally Sustainable Design (ESD) objectives at Clause 55.07-1 and -5 require that the development meets certain energy efficiency standards and integrated storm water standards. An ESD report will have to be provided as a condition of permit, however it is considered that the development will be able to comply with these requirements without significant change.

#### Onsite / Internal Amenity

Clause 55.07 of the Glen Eira Planning Scheme specifies a range of requirements for apartment developments. The proposal complies with these requirements which is considered to be a positive outcome, ensuring the future occupants will live in high quality dwellings. This includes:

- The minimum functional layout requirements which specify bedroom and living area dimensions are satisfied and generally exceeded.
- The development provides a compliant number of accessible dwellings (50%)
- 10 of the dwellings have a dual aspect which exceeds the requirements for natural ventilation.
- The proposed living room depths comply and, in most instances, exceed, the standard requirement of 2.5 metres times the height of the ceiling (which is 2.7 metres high).

- All habitable room windows are on the outer edge of the building, so the building will be well serviced by natural light.
- Each dwelling is provided with an appropriate amount of internal and external storage (external storage is provided within the basement) and a legend is provided on the plans to allocate the storage appropriately.
- A secluded private open space (SPOS) area has been provided at either the ground floor or on a balcony for each dwelling. In most instances these spaces comply with the requirement however dwellings 7, 8, 12 and 15 do not provide an adequate area as an air conditioning unit has been proposed (where domestic services are provided on the balcony an additional 1.5m<sup>2</sup> is required). The private open space of dwellings 9, 13 and 16 does not satisfy the minimum dimension requirements. The variations sought to the private open space areas are minor and could be reasonably achieved through a reduction of the apartment area. A condition will be added to the permit which requires all SPOS areas to comply with the appropriate requirements (at no increase to the building envelope). All SPOS areas have adequate solar access (either north, east or west).

Regarding onsite amenity, the proposed development includes a large central lobby with a skylight. This layout satisfies the requirement for natural light and air ventilation and a secured entrance and sense of address provided to the dwellings.

In terms of waste facilities, a centralised bin room is provided in the basement. No other details have been provided, so the permit will require a waste management plan as a condition. The plan must include details of how the waste will be collected, including turning circles and access arrangements for waste trucks. The waste collection must be done on site, given that there is a tram stop on Hawthorn Road. Any modifications to be basement required as a result of the waste management plan must be made before the plans are endorsed. The central lobby should also be provided with a waste/recycling chute for the convenience of the future residents.

The site is not within a noise influence area and the layout of the development does not pose any significant acoustic concerns. The mechanical plant has been decentralised and is now in individual units within the SPOS areas. This is unlikely to have significant offsite amenity impact.

#### Car parking and traffic

The composition of the dwellings is 6 three bedroom dwellings and 10 one and two bedroom dwellings, which creates a requirement of 22 parking spaces. 26 parking spaces have been provided within the basement.

The accessways comply with Design Standard 1 of Clause 52.06 as the ramp allows vehicle movement in both directions and adequate circulation within the basement. The minimum headroom clearance above the ramp must be increased to 2.1 metres to achieve full compliance. Where the basement ramp meets Hawthorn Road, pedestrian visibility triangles have been provided.

Parking space dimensions have not been shown on the plans and do not scale to adequate dimensions. Notations will be required on the plans as a condition of permit and may result in the loss of some spaces. Provided that the statutory requirement of 22 spaces is still met, this is an acceptable outcome.

The majority of the car parking is provided within mechanical stacker systems. The planning scheme allows this type of arrangement. A car stacker management plan will be required to ensure that future residents will use the system appropriately.

VicRoads are a determining authority as the proposal involves creating additional access to Hawthorn Road. VicRoads have provided their consent for both the access arrangement and the development overall.

Bicycle parking is not required by the planning scheme for this proposal however spaces have been provided in the basement which is a positive outcome.

#### Objector concerns

Sixteen objections were received and related to the following issues:

- Neighbourhood character and streetscape integration
- Visual bulk and scale
- Non-compliance with GRZ setbacks

These issues have been previously discussed in the 'policy', 'neighbourhood character' and 'amenity impacts' section of this report. It concludes that despite the existing character of the area being low scale, the site has long been zoned for higher order development and it is clear that this is Council's preferred character. The proposal appropriately balances a higher density with low impact to off site amenity.

- Traffic safety and parking impacts

The proposal has been assessed by both Council and Department of Transport traffic engineers. The development was found to comply with relevant parking and traffic standards.

- Shadowing

The standards regarding overshadowing only consider additional overshadowing to the secluded private open spaces areas on adjoining properties. Given that Stone Street is to the south of this development, all additional overshadowing falls within the road reserve or the front yard of 1 Stone Street (not considered by the standard as a sensitive area). Therefore this development complies with overshadowing requirements.

- Overlooking / Privacy

The development is compliant with the overlooking requirements as all habitable room windows and balconies have been provided with a screen or sill to a height of 1.7 metres.

- Waste collection

A waste management plan is a requirement of the permit. Waste must be collected on site to avoid any impacts to the operation of the road network.

- Flooding concerns

Melbourne Water is the determining authority regarding flooding issues. They have consented to the application, subject to conditions, which will be added to the permit.



**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

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

**POLICY AND LEGISLATIVE IMPLICATIONS**

All matter required at Section 60 of the *Planning and Environment Act 1987* have been taken into consideration as part of the assessment of this application.

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme One: Liveable and Well Designed  
A well planned City that is a great place to live.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

The proposal is considered to be site responsive, does not result in offsite amenity impact, provides for additional housing and would support the economic development in Victoria. The proposal is supported by policy and therefore it is recommended that a Notice of Decision to Grant a Planning Permit be issued.

DRAWING No.	DOCUMENT
TP01	SITE DESCRIPTION PLAN
TP02	DESIGN RESPONSE
TP03	MULTI USE DEVELOPMENT
TP04	BASEMENT FLOOR PLAN
TP05	GROUND FLOOR PLAN
TP06	FIRST FLOOR PLAN
TP07	SECOND FLOOR PLAN
TP08	APARTMENTS ACCESSIBILITY PLAN
TP09	ROOF PLAN
TP10	ELEVATIONS
TP11	STREET ELEVATIONS
TP12	SECTIONS
TP13	SHADOWS DIAGRAM
TP14	LANDSCAPE PLAN
TP15	LANDSCAPE PLAN
TP16	COLOR BOARD



CLIENT:		OWNER			
PRINT RESOLUTION BAR (1:1 SHEET)					
ALL RIGHTS RESERVED. THE CONTENTS OF THE DRAWINGS INCLUDING ANY INFORMATION OR DOCUMENTS IS THE PROPERTY OF THE COMPANY. NEITHER THE FORM OR THE PART OF IT OR ANY INFORMATION OR DOCUMENTS IS TO BE REPRODUCED OR INCORPORATED IN ANY OTHER WORKS WITHOUT THE WRITTEN PERMISSION OF THE COMPANY.					
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SUMMIT DESIGN PTY LTD  
873 GANDERBANK ROAD, MALVERN EAST VIC 3145

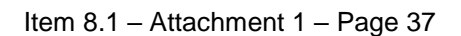
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501-503 HAWTHORN ROAD  
COVER

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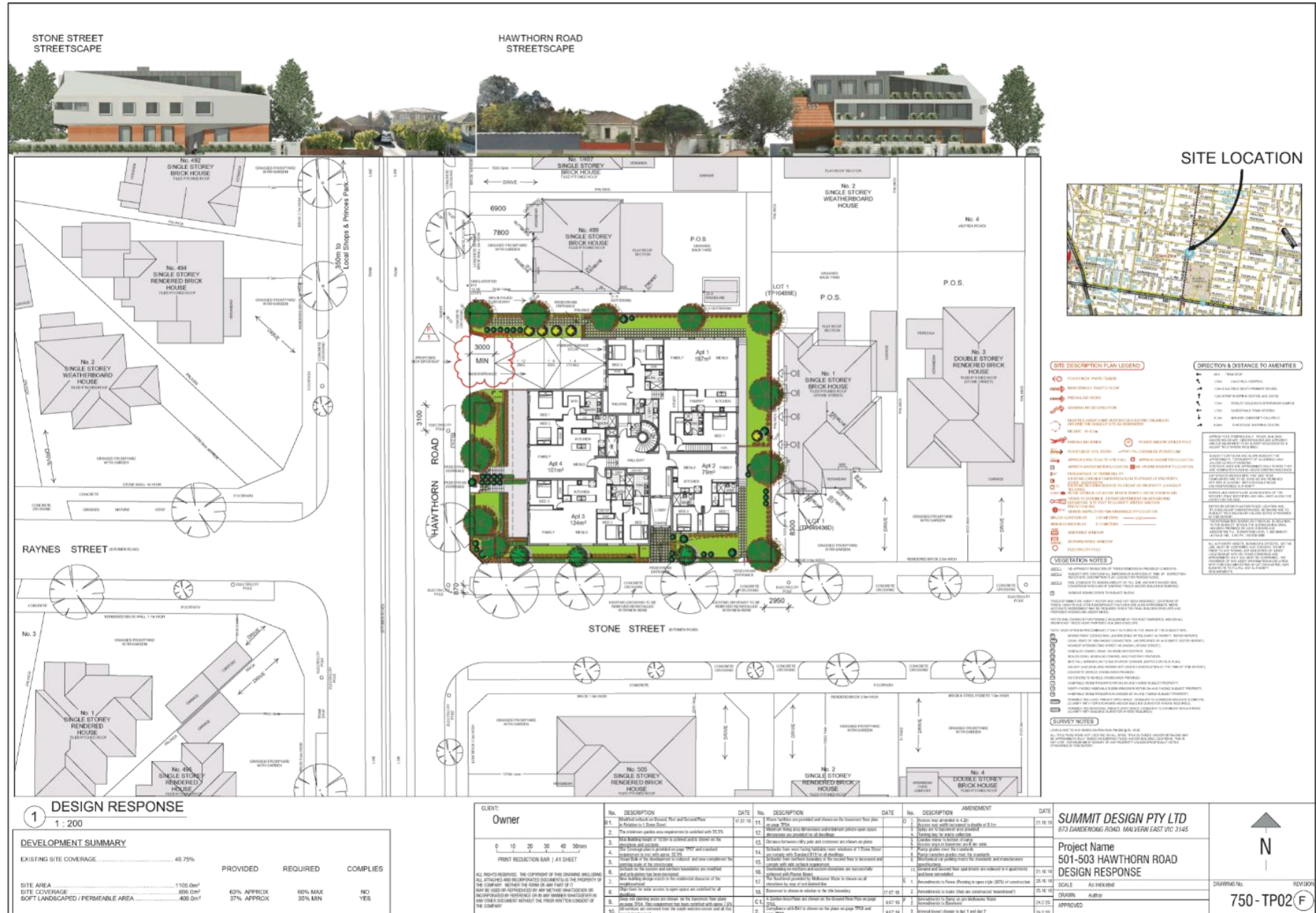
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DRAWING NO. 750-TP00

REVISION









HAWTHORN ROAD  
STREETSCAPE

268 HAWTHORN ROAD - 3 STORIES



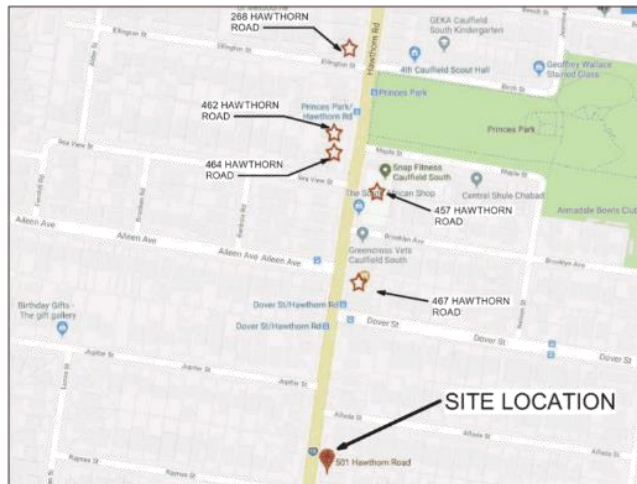
452 HAWTHORN ROAD - 3 STORIES



457 HAWTHORN ROAD - 5 STORIES



462 HAWTHORN ROAD - 3 STORIES



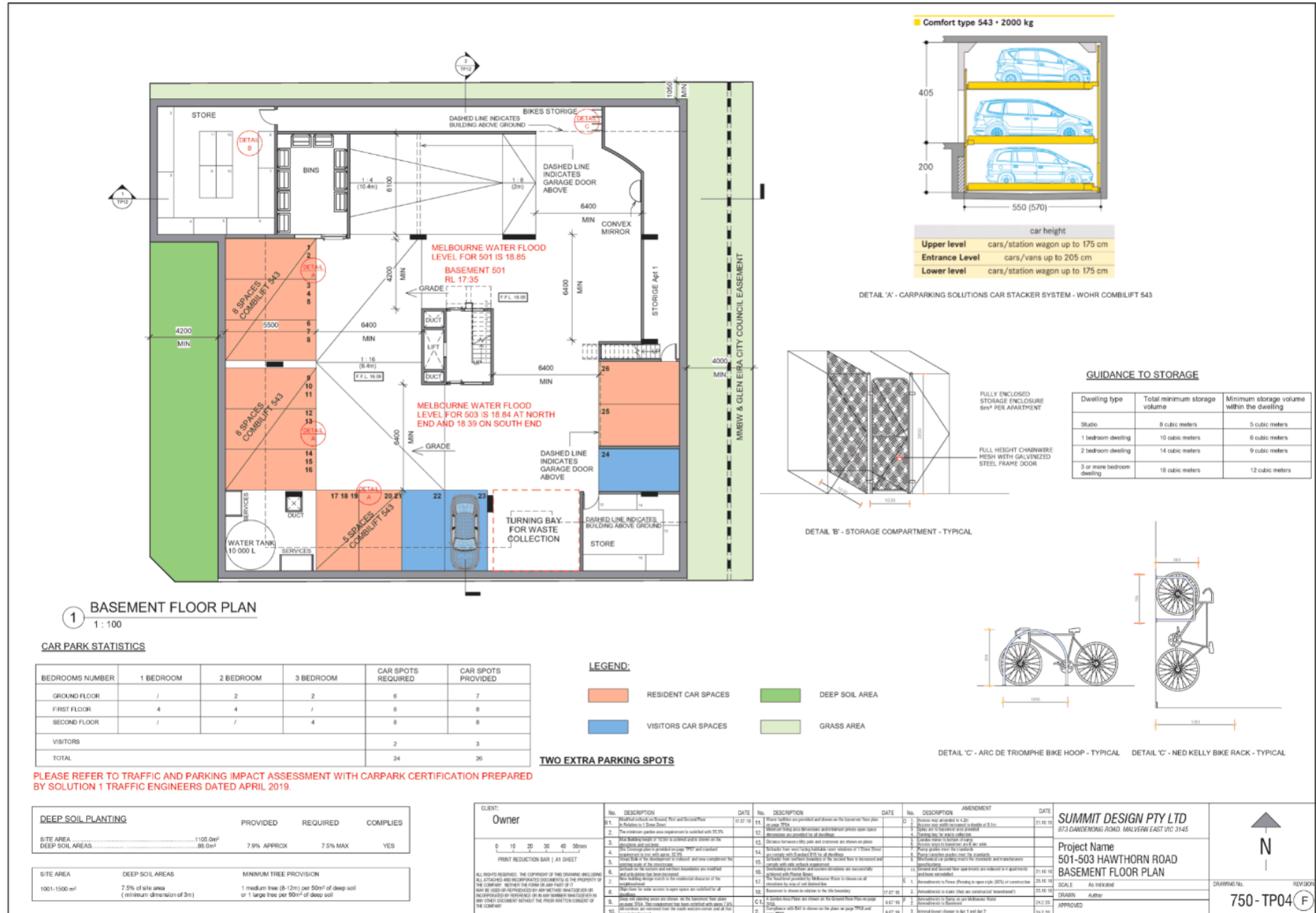
464 HAWTHORN ROAD - 3 STORIES



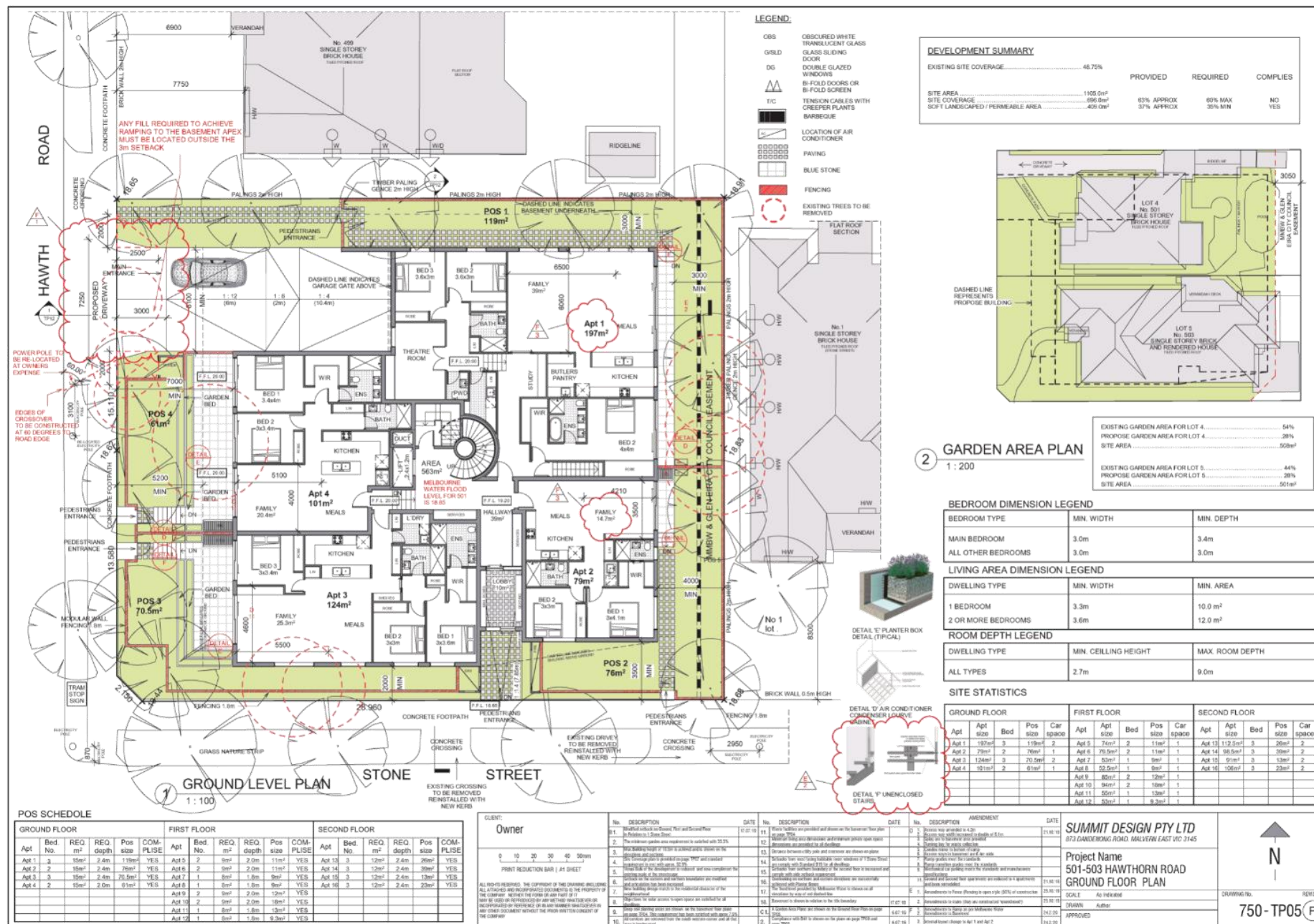
467 HAWTHORN ROAD - 4 STORIES



CLIENT:		No.	DESCRIPTION	DATE	No.	DESCRIPTION	DATE	No.	DESCRIPTION	AMENDMENT	DATE
Owner		01	Initial design of the development	17/01/19	01	Initial design of the development	17/01/19	01	Initial design of the development		17/01/19
0 10 20 30 40 50m		02	The external public area is required to be reduced to 50.0%		02	The external public area is required to be reduced to 50.0%		02	The external public area is required to be reduced to 50.0%		21/01/19
PRINT REDUCTION BAR   A1 SHEET		03	The external public area is required to be reduced to 50.0%		03	The external public area is required to be reduced to 50.0%		03	The external public area is required to be reduced to 50.0%		21/01/19
ALL RIGHTS RESERVED. THE COMPANIES OF THIS DRAWING, INCLUDING		04	The external public area is required to be reduced to 50.0%		04	The external public area is required to be reduced to 50.0%		04	The external public area is required to be reduced to 50.0%		21/01/19
SUMMIT DESIGN PTY LTD		05	The external public area is required to be reduced to 50.0%		05	The external public area is required to be reduced to 50.0%		05	The external public area is required to be reduced to 50.0%		21/01/19
873 GANDENONG ROAD, MALVERN EAST VIC 3145		06	The external public area is required to be reduced to 50.0%		06	The external public area is required to be reduced to 50.0%		06	The external public area is required to be reduced to 50.0%		21/01/19
Project Name		07	The external public area is required to be reduced to 50.0%		07	The external public area is required to be reduced to 50.0%		07	The external public area is required to be reduced to 50.0%		21/01/19
501-503 HAWTHORN ROAD		08	The external public area is required to be reduced to 50.0%		08	The external public area is required to be reduced to 50.0%		08	The external public area is required to be reduced to 50.0%		21/01/19
MULTI USE DEVELOPMENT		09	The external public area is required to be reduced to 50.0%		09	The external public area is required to be reduced to 50.0%		09	The external public area is required to be reduced to 50.0%		21/01/19
DRAWN: Author		10	The external public area is required to be reduced to 50.0%		10	The external public area is required to be reduced to 50.0%		10	The external public area is required to be reduced to 50.0%		21/01/19
APPROVED		11	The external public area is required to be reduced to 50.0%		11	The external public area is required to be reduced to 50.0%		11	The external public area is required to be reduced to 50.0%		21/01/19
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1 FIRST FLOOR PLAN

1 : 100

## SITE STATISTICS

GROUND FLOOR					FIRST FLOOR					SECOND FLOOR				
Apt	Apt size	Bed	Pos size	Car space	Apt	Apt size	Bed	Pos size	Car space	Apt	Apt size	Bed	Pos size	Car space
Apt 1	79m²	2	119m²	2	Apt 5	74m²	2	119m²	1	Apt 13	112.5m²	3	29m²	2
Apt 2	79m²	2	79m²	1	Apt 6	79.5m²	2	119m²	1	Apt 14	95.5m²	3	39m²	2
Apt 3	124m²	3	70.5m²	2	Apt 7	53m²	1	99m²	1	Apt 15	91m²	3	13m²	2
Apt 4	101m²	2	81m²	1	Apt 8	52.5m²	1	99m²	1	Apt 16	109m²	3	23m²	2
					Apt 9	85m²	2	129m²	1					
					Apt 10	94m²	2	189m²	1					
					Apt 11	55m²	1	139m²	1					
					Apt 12	53m²	1	9.3m²	1					

## BEDROOM DIMENSION LEGEND

BEDROOM TYPE	MIN. WIDTH	MIN. DEPTH
MAIN BEDROOM	3.0m	3.4m
ALL OTHER BEDROOMS	3.0m	3.0m

## LIVING AREA DIMENSION LEGEND

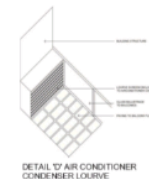
DWELLING TYPE	MIN. WIDTH	MIN. AREA
1 BEDROOM	3.3m	10.0 m²
2 OR MORE BEDROOMS	3.6m	12.0 m²

## ROOM DEPTH LEGEND

DWELLING TYPE	MIN. CEILING HEIGHT	MAX. ROOM DEPTH
ALL TYPES	2.7m	9.0m

## LEGEND:

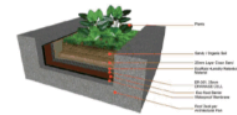
- OBS OBSURED WHITE
- GLSD TRANSLUCENT GLASS
- DG GLASS SLIDING DOOR
- DT DOUBLE GLAZED WINDOWS
- TIC B/FOLD DOORS OR B/FOLD SCREEN
- BARBIE TENSION CABLES WITH CREEPER PLANTS
- LOC LOCATION OF AIR CONDITIONER
- PAV PAVING
- BLU BLUE STONE
- FENC FENCING
- RED EXISTING TREES TO BE REMOVED



DETAIL 'D' AIR CONDITIONER CONDENSER LOUVER



DETAIL 'E' PLANTER BOX DETAIL (TYPICAL)



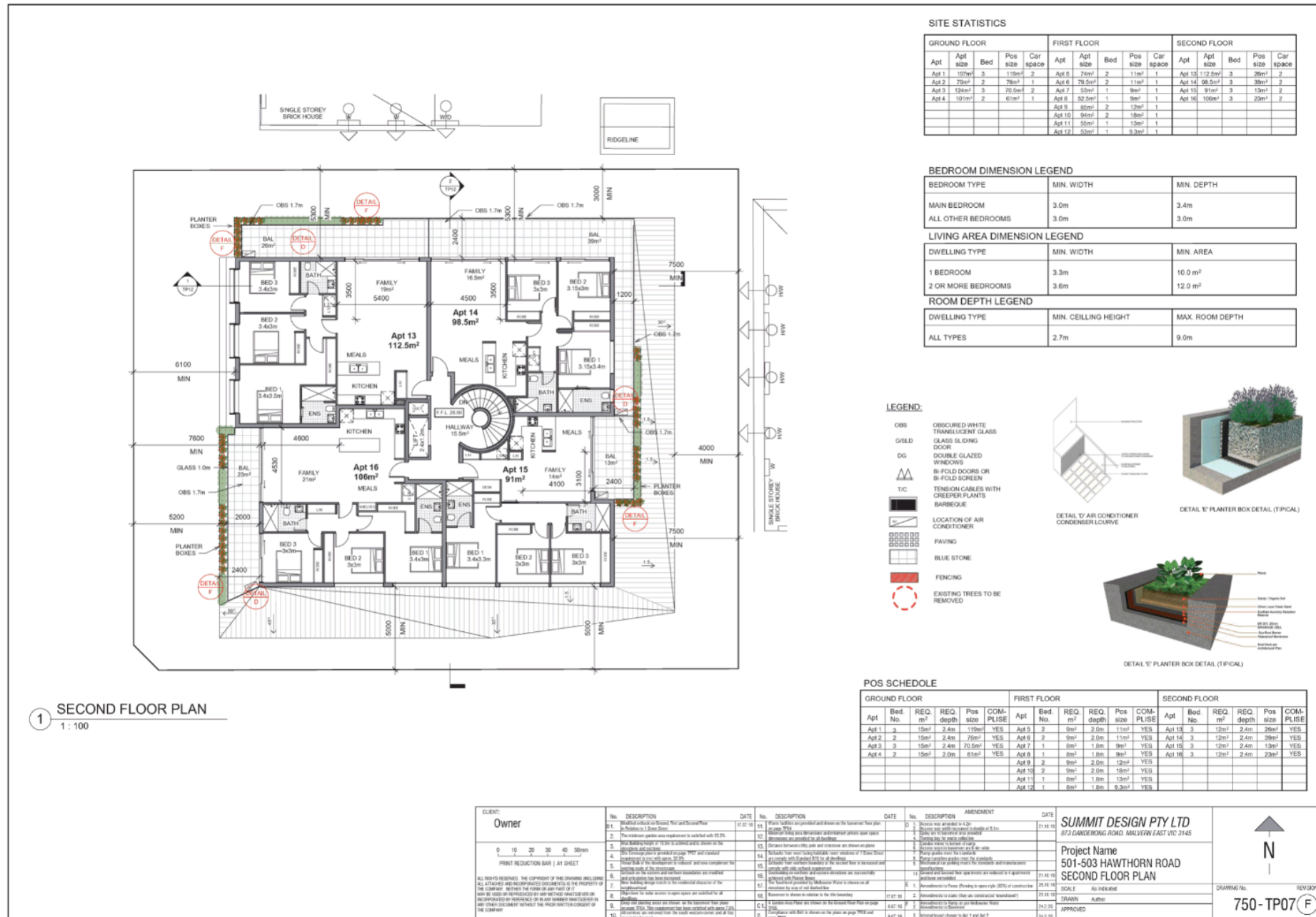
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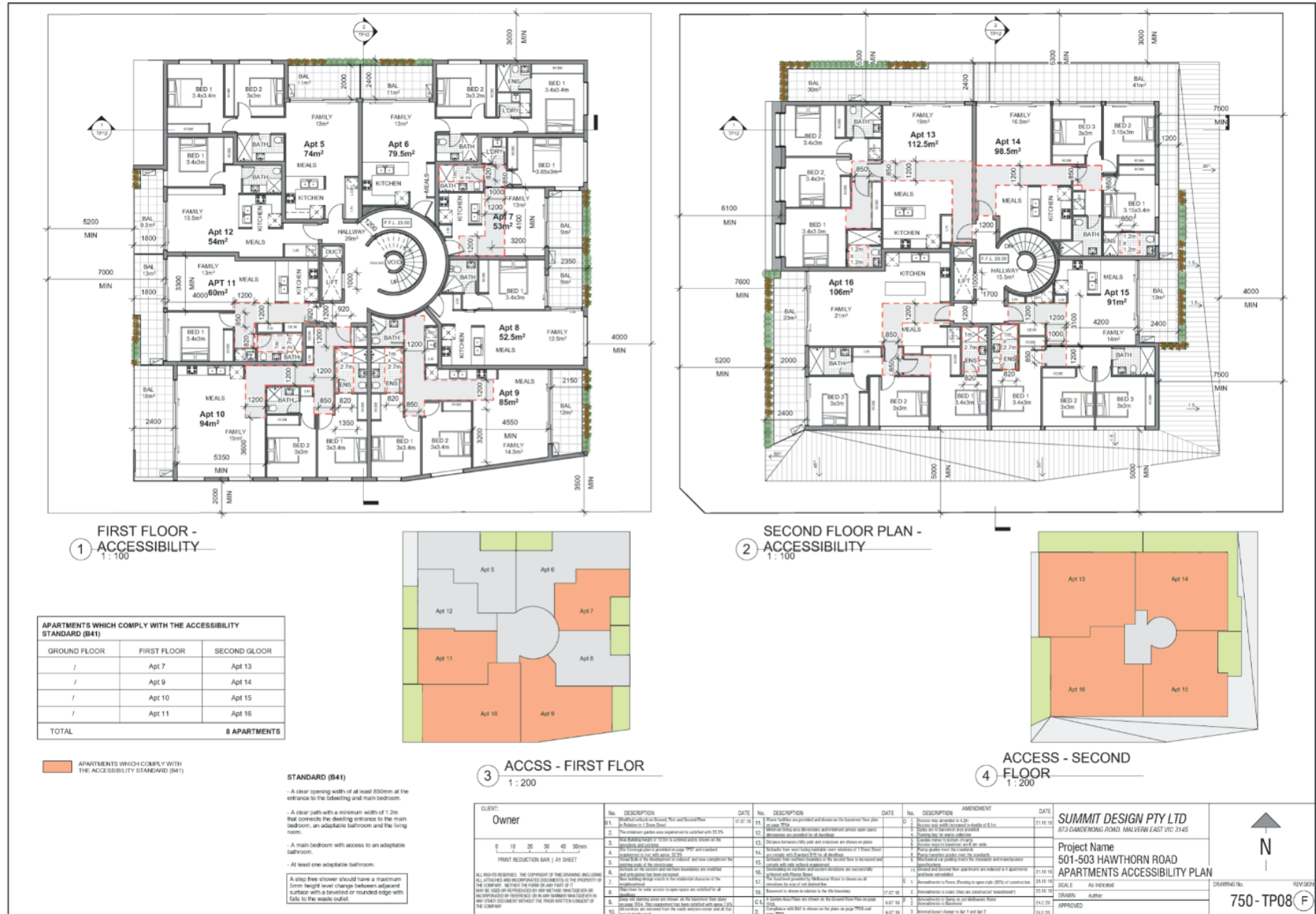
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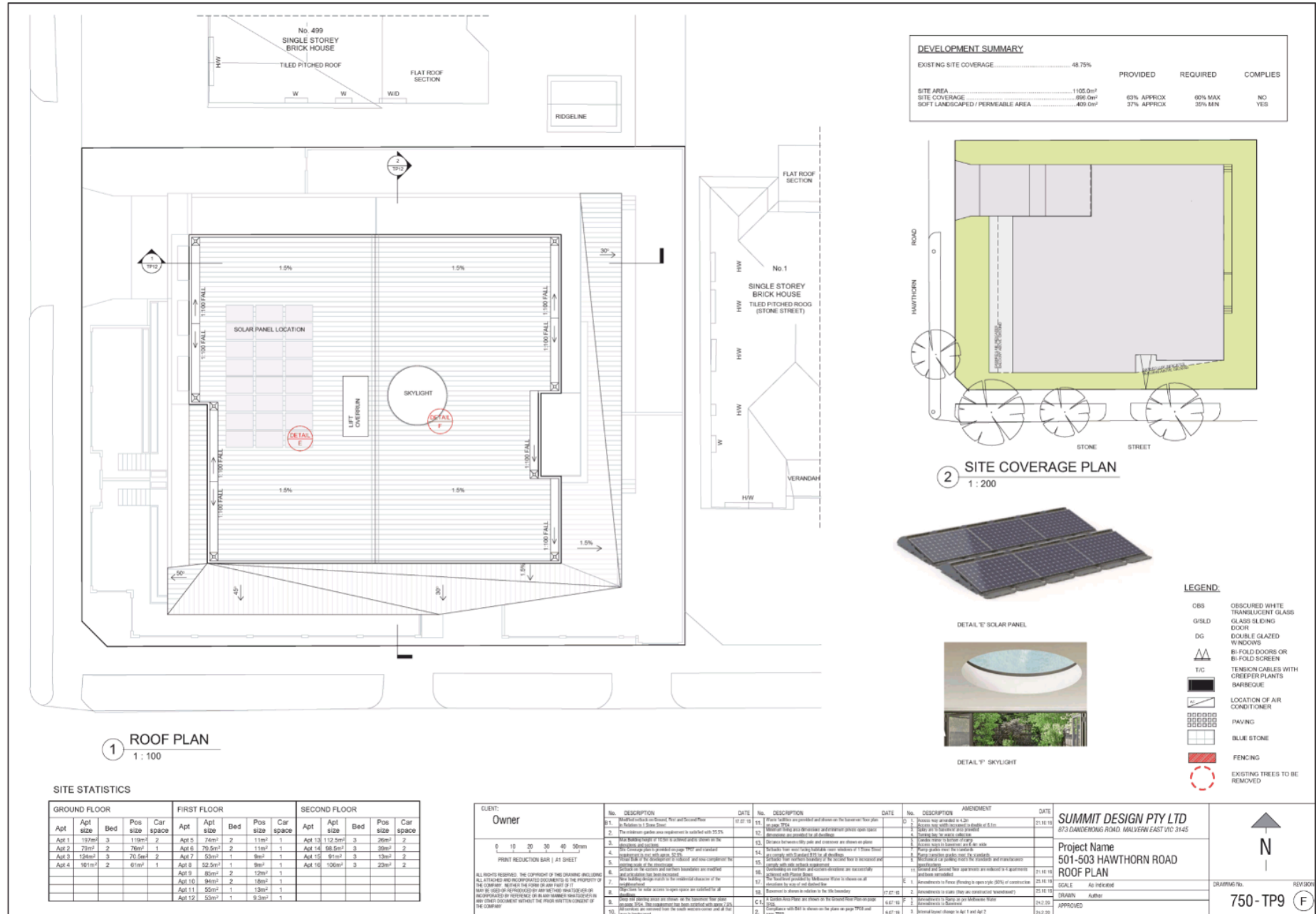
GROUND FLOOR						FIRST FLOOR						SECOND FLOOR					
Apt	Bed. No	REQ. m²	REQ. depth	Pos. size	COM. PLISE	Apt	Bed. No	REQ. m²	REQ. depth	Pos. size	COM. PLISE	Apt	Bed. No	REQ. m²	REQ. depth	Pos. size	COM. PLISE
Apt.1	2	15m²	2.4m	119m²	YES	Apt.5	2	9m²	2.0m	119m²	YES	Apt.13	3	12m²	2.4m	29m²	YES
Apt.2	2	15m²	2.4m	79m²	YES	Apt.6	2	9m²	2.0m	119m²	YES	Apt.14	3	12m²	2.4m	39m²	YES
Apt.3	3	15m²	2.4m	70.5m²	YES	Apt.7	1	9m²	1.8m	99m²	YES	Apt.15	3	12m²	2.4m	13m²	YES
Apt.4	2	15m²	2.0m	81m²	YES	Apt.8	1	9m²	1.8m	99m²	YES	Apt.16	3	12m²	2.4m	23m²	YES
						Apt.9	2	9m²	2.0m	129m²	YES						
						Apt.10	2	9m²	2.0m	189m²	YES						
						Apt.11	1	9m²	1.8m	139m²	YES						
						Apt.12	1	9m²	1.8m	9.3m²	YES						

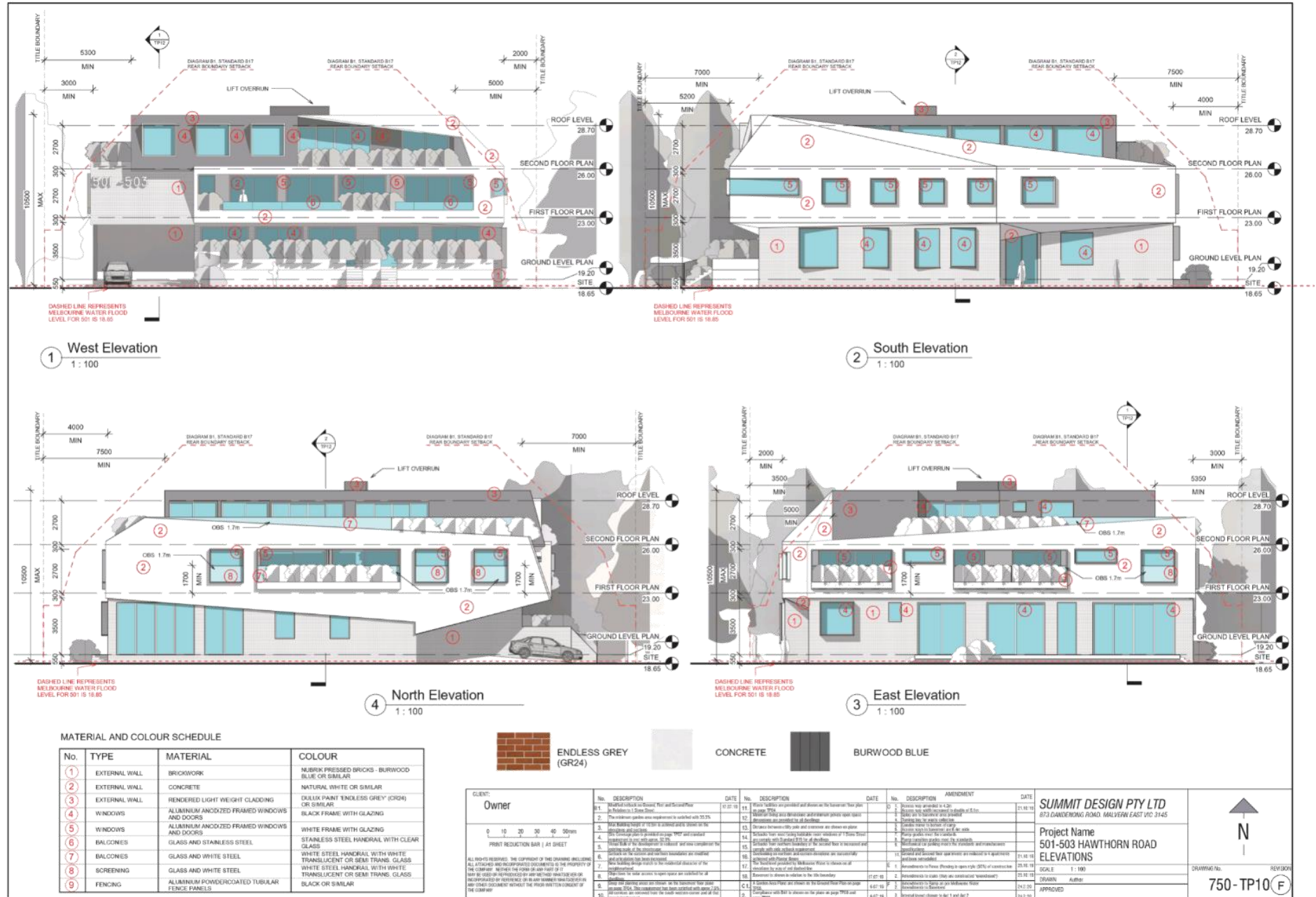
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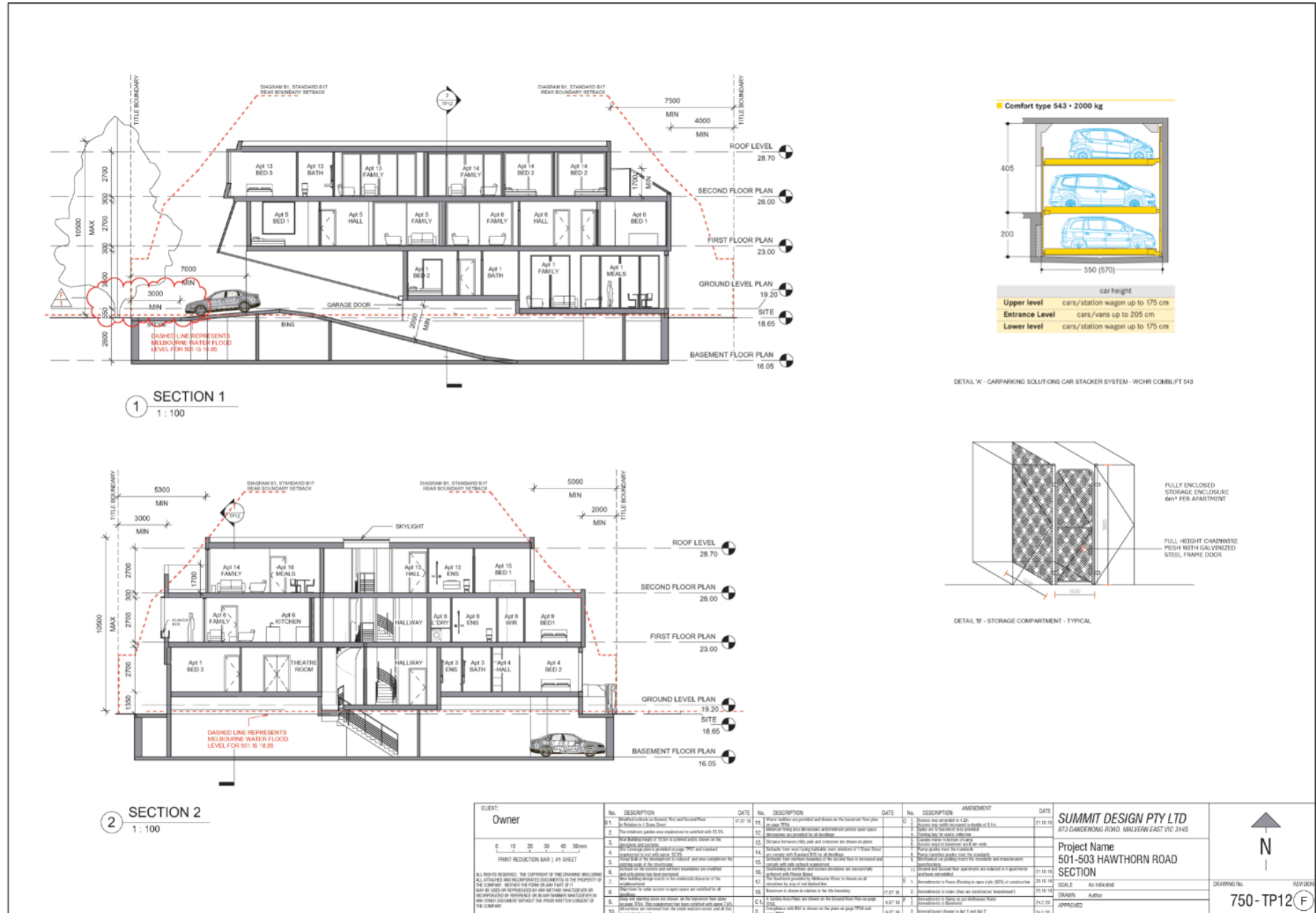


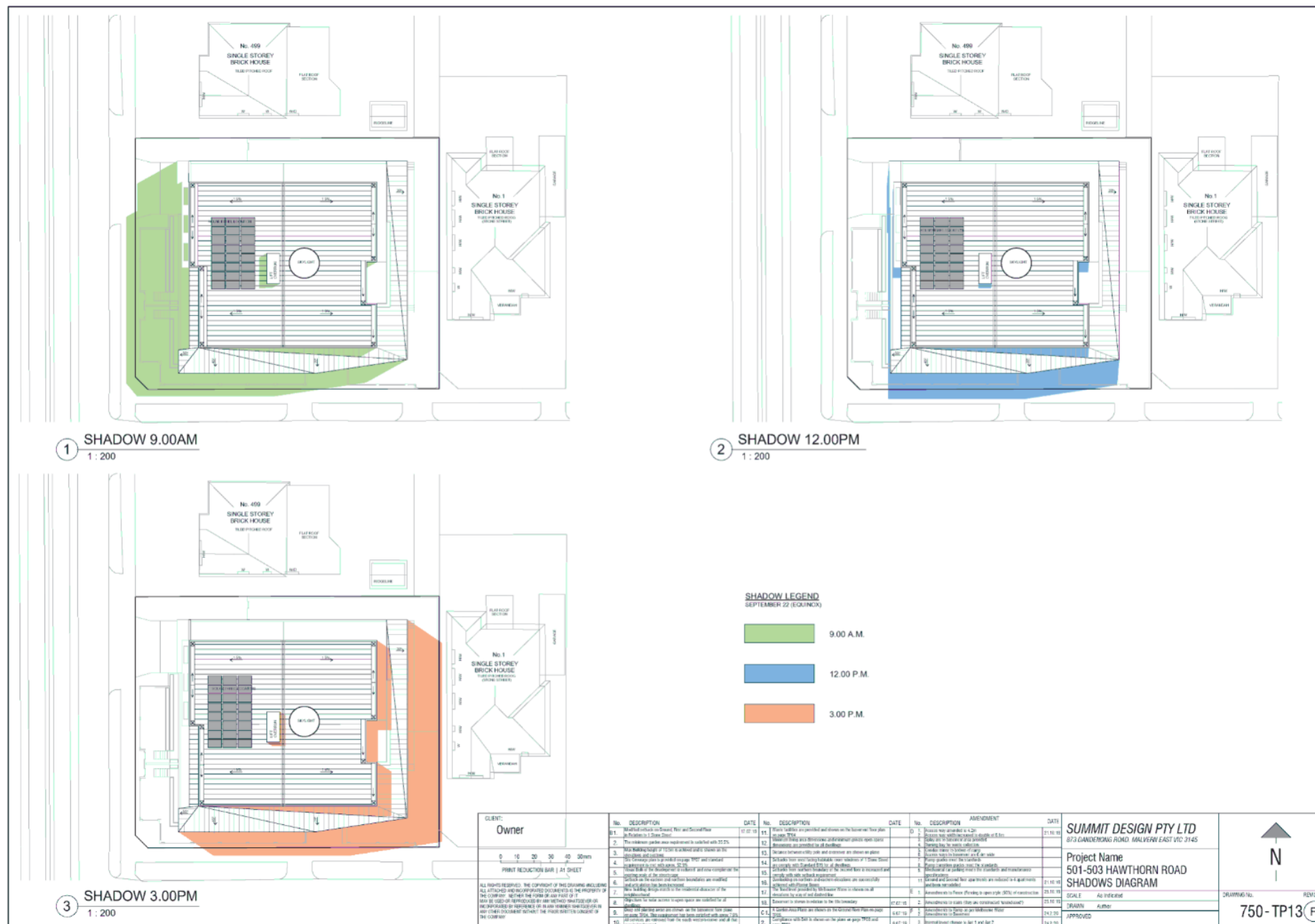








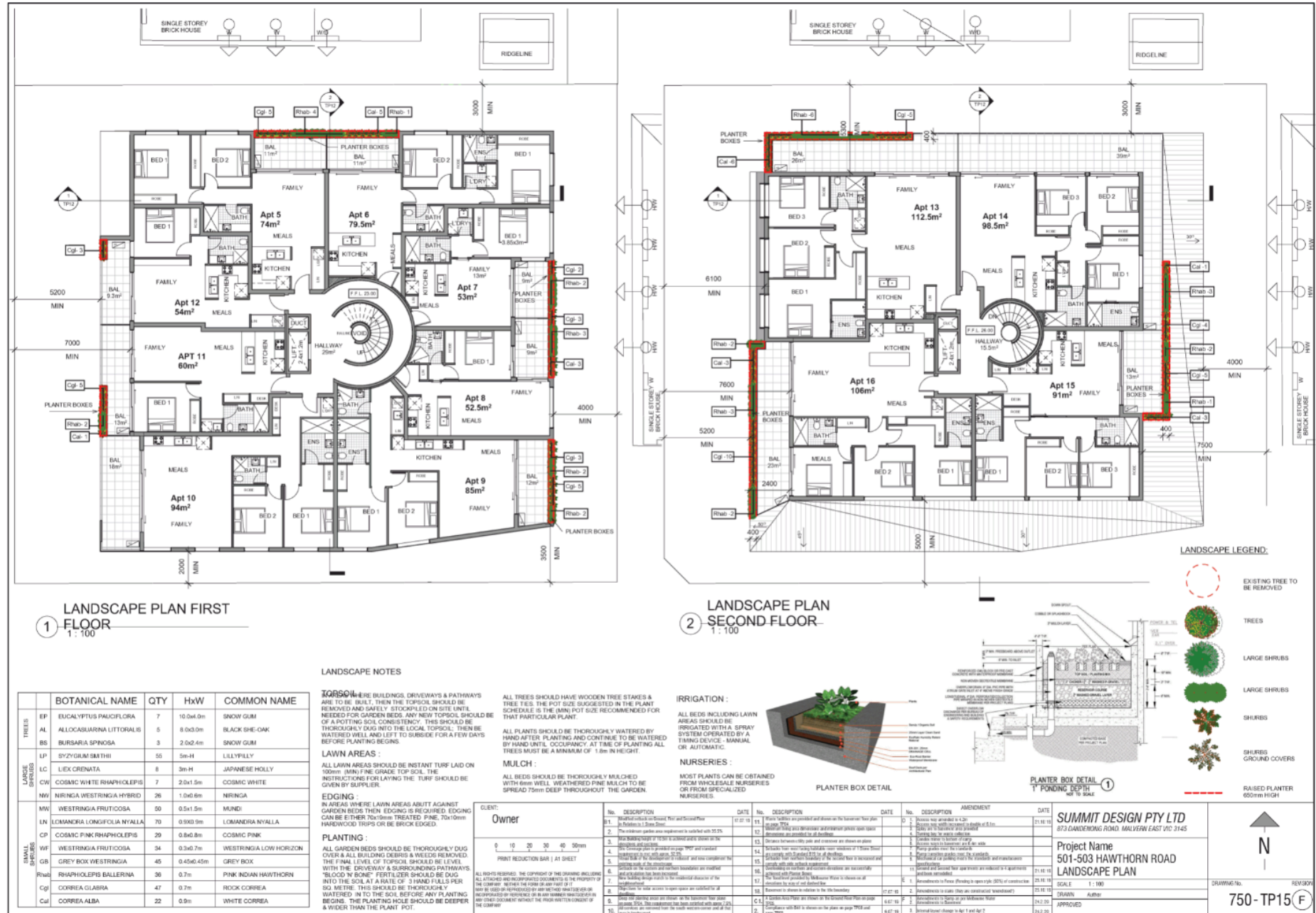
















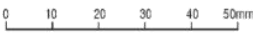








	<b>1. EXTERNAL WALL</b> BRICKWORK NUBRIK PRESSED BRICKS - BURWOOD BLUE OR SIMILAR		<b>5. WINDOWS</b> ALUMINUM ANODIZED FRAMED WINDOWS AND DOORS WHITE FRAME WITH GLAZING		<b>8. SCREENING</b> GLASS AND WHITE STEEL WHITE STEEL HANDRAIL WITH WHITE TRANSLUCENT OR SEMI TRANS. GLASS
	<b>2. EXTERNAL WALL</b> RENDERED LIGHT WEIGHT CLADDING DULUX PAINT 'ENDLESS GRAY' (CR24) OR SIMILAR		<b>WINDOWS FRAME</b> BLACK AND WHITE FRAME AROUND WINDOWS		<b>BALCONIES</b> PLANTER BOXES
	<b>3. EXTERNAL WALL</b> CONCRETE NATURAL WHITE OR SIMILAR		<b>6. BALCONIES</b> GLASS AND STAINLESS STEEL STAINLESS STEEL HANDRAIL WITH CLEAR GLASS		<b>BALCONIES</b> PLANTER BOXES
	<b>4. WINDOWS</b> ALUMINUM ANODIZED FRAMED WINDOWS AND DOORS BLACK FRAME WITH GLAZING		<b>7. BALCONIES</b> GLASS AND WHITE STEEL WHITE STEEL HANDRAIL WITH WHITE TRANSLUCENT OR SEMI TRANS. GLASS		<b>BALCONIES</b> PLANTER BOXES

CLIENT: Owner	Project Name 501-503 HAWTHORN ROAD COLOR BOARD
 PRINT REDUCTION BAR   A3 SHEET <small>ALL RIGHTS RESERVED THE COMPANY, NO REPRODUCTION UNLESS WRITTEN CONSENT GIVEN</small>	<b>SUMMIT DESIGN PTY LTD</b> 873 DANDENONG ROAD, MALVERN EAST VIC 3145
SCALE: 1 : 100 DRAWN: Author	JOB / DRAWING No. <b>750 TP16</b> REVISION <b>(F)</b>

**ZONES:****General Residential Zone (GRZ)**

## Clause 32.08-4 Minimum Garden Area Requirement

**Minimum Garden Area Requirement**

Lot size	Requirement	Proposed	Assessment
Above 650m <sup>2</sup> (1105m <sup>2</sup> )	35%	35.01% (386m <sup>2</sup> )	✓ <b>Complies</b>

## Clause 32.08-9 Maximum Building Height

**Mandatory Maximum Building Height (SCHEDULE 1, 2 OR 3)**

	Requirement	Proposed	Assessment
Building height requirement	10.5m	10.5m above the applicable flood level	✓ <b>Complies</b>
Maximum number of storeys	3	3	✓ <b>Complies</b>

**Clause 55 (ResCode - Apartments)**

Application Type	Applicable Clauses
<ul style="list-style-type: none"> <li>To construct or extend an apartment development, or</li> <li>To construct or extend a dwelling in or forming part of an apartment development.</li> </ul>	All of Clause 55 except: 55.03-5, 55.03-6, 55.04-8, 55.05-1, 55.05-2 and 55.05-6.

**Clause 55.02 - Neighbourhood Character & Infrastructure****Clause 55.02-1 (B1) Neighbourhood Character**

Objective	Assessment
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.	✓
To ensure that development responds to the features of the site and the surrounding area.	✓

**Planner's Comments:**

A detailed assessment of the proposal against the existing and preferred neighbourhood character has been undertaken in the local policy section of the Council report. This assessment demonstrated that the proposal will respect the existing character of the nearby area and wider precinct, whilst also providing an appropriate contribution to the preferred character of the area.

**Clause 55.02-2 (B2) Residential Policy**

Objective	Assessment
To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	✓
To support medium densities in areas where development can take	✓

<i>advantage of public transport and community infrastructure and services.</i>	
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Clause 55.02-3 (B3) Dwelling Diversity	
Objective	Assessment
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i>	✓

**Planner's Comments:**

A mix of 1, 2 and 3 bedroom dwellings are proposed within the development.

Clause 55.02-4 (B4) Infrastructure	
Objective	Assessment
<i>To ensure development is provided with appropriate utility services and infrastructure.</i>	✓
<i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i>	✓

Clause 55.02-5 (B5) Integration With The Street	
Objective	Assessment
<i>To integrate the layout of development with the street.</i>	✓

**Clause 55.03 - Site Layout and Building Massing**

Clause 55.03-1 (B6) Street Setback	
Objective	Assessment
<i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</i>	✓

**Table B1 Street Setback**

Development context	Minimum setback from front street	Minimum setback from a side street
The site is on a corner.	<p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p>	Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

	Proposed	Required	Assessment
Hawthorn Road	5.2m	7.8m	x
Stone Street	2m – 3.5m	2m	✓



**Planner's Comments:**

A detailed assessment of the street setback variation has been undertaken in the Council report. This assessment demonstrated that the street setbacks of the development will respect the existing character of the nearby area and wider precinct, whilst also making efficient use of the site.

<b>Clause 55.03-2 (B7) Building Height</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</i>	✓

<b>General Residential Zone - Schedule 1, 2 and 3</b>				
<b>Proposed Max. Height</b>	<b>Proposed Max. Storeys</b>	<b>Max. Height Allowed</b>	<b>Max. Storeys Allowed</b>	<b>Assessment</b>
10.5m above the applicable flood level	3	10.5m	3	✓

<b>Clause 55.03-3 (B8) Site Coverage</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i>	✓

<b>Proposed</b>	<b>Required</b>	<b>Assessment</b>
63%	60%	x

**Planner's Comments:**

A detailed assessment of the proposal against the existing and preferred neighbourhood character has been undertaken in the Council report. This assessment demonstrated that the proposal will respect the existing character of the nearby area and wider precinct, whilst also providing an appropriate contribution to the preferred character of the area, despite the minor variation sought.

<b>Clause 55.03-4 (B9) Permeability</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To reduce the impact of increased stormwater run-off on the drainage system.</i>	✓
<i>To facilitate on-site stormwater infiltration.</i>	✓
<i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i>	✓

<b>Proposed</b>	<b>Required</b>	<b>Assessment</b>
37%	20%	✓
<i>The stormwater management system should be designed to:</i> <ul style="list-style-type: none"> <li><i>Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i></li> </ul> <i>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces</i>		✓

**Planner's Comments:**

The site is compliant with the permeability standards of the Scheme. It is noted that no water tanks are shown on the plans. It is recommended a condition be included on any favourable decision to issue that the proposal meet best practice performance for stormwater quality.

**Recommended Condition**

- Demonstration that the stormwater management system on site is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

<b>Clause 55.03-7 (B12) Safety</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure the layout of development provides for the safety and security of residents and property.</i>	✓

<b>Clause 55.03-8 (B13) Landscaping</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To encourage development that respects the landscape character of the neighbourhood.</i>	✓
<i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i>	✓
<i>To provide appropriate landscaping.</i>	✓
<i>To encourage the retention of mature vegetation on the site.</i>	N/A

**Planner's Comments:**

A detailed assessment against the landscaping provisions for the development has been undertaken in the Arborists Comments of the Council report, which has demonstrated that the proposed landscaping opportunities will respect the existing and preferred landscape character of the area.

<b>Clause 55.03-9 (B14) Access</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</i>	✓

<b>Clause 55.03-10 (B15) Parking Location</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide convenient parking for resident and visitor vehicles.</i>	✓
<i>To protect residents from vehicular noise within developments.</i>	✓

**Clause 55.04 - Amenity Impacts**

<b>Clause 55.04-1 (B17) Side and Rear Setbacks</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i>	✓
<b>Standard</b>	
<i>A new building not on or within 200mm of a boundary should be set back</i>	Refer to

<p><i>from side or rear boundaries:</i></p> <ul style="list-style-type: none"> <li>At least the distance specified in a schedule to the zone, or</li> <li>If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	tables below
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Ground Floor				
	Wall Height	Setback	Setback Required	Assessment
North	3.9m	3m	1.09m	✓
East	3.9m	4m	4m	✓
First Floor				
	Wall Height	Setback	Setback Required	Assessment
North	7.2m	3m	2.29m	✓
East	7.2m	4m	5.5m	x
Second Floor				
	Wall Height	Setback	Setback Required	Assessment
North (balcony)	8.9m	3m	3.99m	x
North (wall)	10.6m	5.3m	5.69m	x
East (apt 15, bed 3)	10.6m	7.5m	11.5m	x
East (apt 15, balcony)	9.01m	5.86m	11.5m	x
East (apt 15, wall)	10.6m	8.7m	11.5m	x
East (apt 14, balcony)	9.01m	6.3m	11.5m	x
East (apt 14, wall)	10.6m	7.5m	11.5m	x

#### **Planner's Comments:**

The setback on the north side of the site is compliant (and exceeds the standard) at both ground and first floor. At the second floor a variation is sought of 1 metre for the balcony and 39 cm for the wall. As this setback is a state standard setback (ie not locally modified by a schedule) and the neighbouring dwelling to the north is a single storey dwelling, there is no reason why the proposed development should not comply with the setback requirement. This setback will have to be modified via a condition. Compliance with this standard will also ensure equitable development opportunity if 499 Hawthorn Road is developed in future.

The eastern setback requirement is modified by Schedule 2 to the GRZ, as the site adjoins land in the NRZ. The setback requirement is 4 metres at ground floor, 5.5 metres at first floor and 11.5 metres at the second floor. This variation has been sought at the first floor, where 4 metres is provided and at the second floor where the setback provided ranges from 5.86

metres to 8.7 metres. The intention of this setback requirement is to maintain a rear garden setting with properties in the NRZ, where a 4 metre rear setback is required. An 8 metre garden corridor would be created along a GRZ/NRZ boundary as a transition between the zones. However, in this instance, the adjoining property in the NRZ (1 Stone Street) does not back onto the subject land. Rather, its side boundary adjoins it. Therefore, the intended garden corridor will never be achieved here as 1 Stone Street would never be expected to achieve a 4 metre side setback. The setback that has been proposed along the eastern boundary of the subject site provides adequate visual relief and exceeds the daylight requirement for habitable room windows on the adjoining lot. This is an appropriate outcome which will both provide adequate transition to the NRZ and not impact unreasonably on the amenity of the existing dwelling.

<b>Clause 55.04-2 (B18) Walls On Boundaries</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i>	<b>N/A</b>

<b>Clause 55.04-3 (B19) Daylight to Existing Windows</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To allow adequate daylight into existing habitable room windows.</i>	<b>✓</b>
<b>Standard</b>	
<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</i>	<b>Refer to table below</b>
<i>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</i>	<b>Refer to table below</b>
<i>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</i>	



Ground Floor					
	3m <sup>2</sup> Light Court	Wall Height	Setback from Window	Setback Required	Assessment
North	✓	3.9m	5.6m	1.95m	✓
East	✓	3.9m	5.5m	1.95m	✓
First Floor					
	3m <sup>2</sup> Light Court	Wall Height	Setback from Window	Setback Required	Assessment
North	✓	7.2m	5.6m	3.6m	✓
East	✓	7.2m	5.5m	3.6m	✓
Second Floor					
	3m <sup>2</sup> Light Court	Wall Height	Setback from Window	Setback Required	Assessment
North (balcony)	✓	8.9m	5.6m	4.45m	✓
North (wall)	✓	10.6m	7.9m	5.3m	✓
East (apt 15, bed 3)	✓	10.6m	9m	5.3m	✓
East (apt 15, balcony)	✓	9.01m	7.36m	4.55m	✓
East (apt 15, wall)	✓	10.6m	10.2m	5.3m	✓
East (apt 14, balcony)	✓	9.01m	7.8m	4.55m	✓
East (apt 14, wall)	✓	10.6m	9m	5.3m	✓

**Planner's Comments:**

Due to the large ground floor setbacks along the north and east boundaries that are continued in the upper levels, there is adequate separation and daylight access provided to the adjoining habitable room windows at 1 Stone Street and 499 Hawthorn Road.

Clause 55.04-4 (B20) North Facing Windows	
Objective	Assessment
To allow adequate solar access to existing north-facing habitable room windows.	N/A

Clause 55.04-5 (B21) Overshadowing Open Space	
Objective	Assessment
To ensure buildings do not significantly overshadow existing secluded private open space.	✓
Standard	
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.	✓
If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.	

**Planner's Comments:**

The site benefits from its corner location in that all additional overshadowing falls within the road reserve or within the front yard of the abutting lot (1 Stone Street). Neither of these areas are sensitive interfaces or are protected under the standard. The level of overshadowing is compliant.

<b>Clause 55.04-6 (B22) Overlooking</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To limit views into existing secluded private open space and habitable room windows.</i>	✓
<b>Standard</b>	
<p><i>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space or habitable room window of an existing dwelling (horizontal 9m rule and from a height of 1.7m above floor level).</i></p> <p><i>A habitable room window, balcony, terrace, deck or patio with a direct view should be either:</i></p> <ul style="list-style-type: none"> <li><i>Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</i></li> <li><i>Have sill heights of at least 1.7 metres above floor level.</i></li> <li><i>Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</i></li> <li><i>Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</i></li> </ul>	✓
<i>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</i>	✓
<p><i>Screens used to obscure a view should be:</i></p> <ul style="list-style-type: none"> <li><i>Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</i></li> <li><i>Permanent, fixed and durable.</i></li> <li><i>Designed and coloured to blend in with the development.</i></li> </ul>	✓
<i>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</i>	✓

#### **Planner's Comments:**

The opportunity for overlooking only occurs from the north and east elevations as the south and west face the street. The development is compliant regarding overlooking due to the following:

- The ground floor is less than 0.8 metres above natural ground level and there is a visual barrier of at least 1.8 metres high (a 2 metre high boundary fence) along the north and east boundaries.
- First floor balconies and habitable room windows along the north and east elevation have obscure glazing to a height of 1.7 metres above the finished floor level. A notation

should be added to the plans which notes that the glass will not be more than 25% transparent.

- Balconies on the second floor along the north and east elevation have obscure glazing to a height of 1.7 metres above the finished floor level. A notation should be added to the plans which notes that the glass will not be more than 25% transparent.

#### **Recommended Conditions:**

- A notation that obscured glazing along the north and east elevations will not be more than 25% transparent.

<b>Clause 55.04-7 (B23) Internal Views</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</i>	✓

#### **Clause 55.05 - On-Site Amenity and Facilities**

<b>Clause 55.05-3 (B27) Daylight to New Windows</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To allow adequate daylight into new habitable room windows.</i>	✓

<b>Clause 55.05-4 (B28) Private Open Space</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>	✓
<b>Standard</b>	<b>Refer to table below</b>
<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> <li>• An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>• A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>• A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	

Dwelling	Proposed SPOS w Min. Dimension	Additional SPOS	Required SPOS/POS		Assessment
Dwelling 1	119m <sup>2</sup>	0m <sup>2</sup>	25m <sup>2</sup>	40m <sup>2</sup>	✓
Dwelling 2	76m <sup>2</sup>	0m <sup>2</sup>	25m <sup>2</sup>	40m <sup>2</sup>	✓
Dwelling 3	51.6m <sup>2</sup>	18.9m <sup>2</sup>	25m <sup>2</sup>	40m <sup>2</sup>	✓
Dwelling 4	61 m <sup>2</sup>	0m <sup>2</sup>	25m <sup>2</sup>	40m <sup>2</sup>	✓

Clause 55.05-5 (B29) Solar Access to Open Space	
Objective	Assessment
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings.</i>	✓
Standard	
The private open space should be located on the north side of the dwelling or residential building, if appropriate.	✓
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.	✓

**Planner's Comments:**

The SPOS area for all dwellings has either a north, west or east aspect. No dwellings are provided with a southern aspect, which is a positive feature. This will ensure compliance with this objective.

**Clause 55.06 - Detailed Design**

Clause 55.06-1 (B31) Design Detail	
Objective	Assessment
<i>To encourage design detail that respects the existing or preferred neighbourhood character.</i>	✓

**Planner's Comments:**

This is discussed in the Council report.

Clause 55.06-2 (B32) Front Fences	
Objective	Assessment
<i>To encourage front fence design that respects the existing or preferred neighbourhood character.</i>	✓

**Planner's Comments:**

The proposed along Hawthorn Road is 1.8 metres high which is below the maximum height for Road Zone (2 metres). The design is acceptable. The height of the fence along Stone Street is also 1.8 metres which is above the 1.5 metre height maximum for residential streets. This additional height is acceptable as the existing fence that runs along the Stone Street boundary is approximately 1.8 metres tall and less permeable than what is proposed.

Clause 55.06-3 (B33) Common Property	
Objective	Assessment



<i>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</i>	✓
<i>To avoid future management difficulties in areas of common ownership.</i>	✓

<b>Clause 55.06-4 (B34) Site Services</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that site services can be installed and easily maintained.</i>	✓
<i>To ensure that site facilities are accessible, adequate and attractive.</i>	✓

### **Clause 55.07 - Apartment Developments**

<b>Clause 55.07-1 (B35) Energy Efficiency</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To achieve and protect energy efficient dwellings and buildings.</i>	✓
<i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i>	✓
<i>To ensure dwellings achieve adequate thermal efficiency</i>	✓
<b>Standard</b>	
Buildings should be: <ul style="list-style-type: none"> <li>• Oriented to make appropriate use of solar energy.</li> <li>• Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> <li>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul>	✓
<i>Living areas and private open space should be located on the north side of the development, if practicable.</i>	✓
<i>Developments should be designed so that solar access to north-facing windows is optimised.</i>	✓
<i>Dwellings located in a climate zone identified in Table B4 should not exceed the maximum NatHERS annual cooling load specified in the following table.</i>	✓

#### **Planner's Comments:**

An environmentally sustainable design report must be provided as a condition of permit which demonstrates that the objectives of Clause 55.07-1 have been satisfied. It is generally considered that the development would be able to comply with the requirements.

<b>Clause 55.07-2 (B36) Communal Open Space</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</i>	N/A
<b>Standard</b>	
<i>Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, which ever is lesser.</i>	N/A

Clause 55.07-3 (B37) Solar Access to Communal Outdoor Open Space	
Objective	Assessment
<i>To allow solar access into communal outdoor open space.</i>	N/A

Clause 55.07-4 (B38) Deep Soil Areas and Canopy Trees	
Objective	Assessment
<i>To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.</i>	✓
Standard	
<i>The landscape layout and design should:</i> <ul style="list-style-type: none"> <li>• <i>Be responsive to the site context.</i></li> <li>• <i>Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.</i></li> <li>• <i>Maximise deep soil areas for planting of canopy trees.</i></li> <li>• <i>Integrate planting and water management</i></li> </ul>	✓
<i>Developments should provide the deep soil areas and canopy trees specified in Table B5.</i>	Refer to table below
<i>If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:</i> <ul style="list-style-type: none"> <li>• <i>Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.</i></li> <li>• <i>Vegetated planters, green roofs or green facades.</i></li> </ul>	N/A

Table B5 - Deep Soil Areas and Canopy Trees			
Site Area	Deep Soil Areas	Minimum Tree Provision	Assessment
1001 - 1500m <sup>2</sup>	7.5% of site area (minimum dimension of 3m)	1 medium tree (8-12m) per 50m <sup>2</sup> of deep soil	✓

**Planner's Comments:**

A deep soil area of 82.87m<sup>2</sup> is required and 85m<sup>2</sup> has been provided with the Hawthorn Road setback (minimum dimension of 4.2 metres. This is adequate. 1 medium tree will be required as a condition of permit.

Clause 55.07-5 (B39) Integrated Water and Stormwater Management	
Objective	Assessment
<i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i>	✓
<i>To facilitate stormwater collection, utilisation and infiltration within the development.</i>	✓
<i>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i>	✓
Standard	
<i>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</i>	✓
<i>Buildings should be connected to a non-potable dual pipe reticulated</i>	✓

<i>water supply, where available from the water authority.</i>	
<i>The stormwater management system should be:</i> <ul style="list-style-type: none"> <li>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</li> </ul>	✓

**Planner's Comments:**

A rainwater tank is provided within the basement. An environmentally sustainable design report must be provided as a condition of permit which demonstrates that the objectives of Clause 55.07-5 have been satisfied.

<b>Clause 55.07-6 (B40) Noise Impacts</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To contain noise sources in developments that may affect existing dwellings.</i>	✓
<i>To protect residents from external and internal noise sources.</i>	✓
<b>Standard</b>	
<i>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</i>	✓
<i>The layout of new dwellings and buildings should minimise noise transmission within the site.</i>	✓
<i>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</i>	✓
<i>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</i>	✓
<i>Buildings within a noise influence area specified in Table B6 (below) should be designed and constructed to achieve the following noise levels:</i> <ul style="list-style-type: none"> <li>Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.</li> <li>Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.</li> </ul>	N/A

**Planner's Comments:**

The development is not within a noise influence area. The mechanical plant is not centralised and has been decanted to each individual apartment on the balconies. Given that each air-conditioning unit will be a small, single dwelling use, its noise output is considered to be low. Nonetheless, standard acoustic measures will be implemented via conditions.

<b>Clause 55.07-7 (B41) Accessibility</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure the design of dwellings meets the needs of people with limited</i>	✓

<i>mobility.</i>	
<b>Standard</b>	
<i>At least 50 per cent of dwellings should have:</i>	
<ul style="list-style-type: none"> <li>A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</li> </ul>	✓
<ul style="list-style-type: none"> <li>A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.</li> </ul>	✓
<ul style="list-style-type: none"> <li>A main bedroom with access to an adaptable bathroom.</li> </ul>	✓
<ul style="list-style-type: none"> <li>At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.</li> </ul>	<b>Refer to table below</b>

Dwelling	Clear opening width (850mm)	Clear path (1.2m)	Main bedroom access	Adaptable bathroom
Apt 7	✓	✓	✓	✓ (Design B)
Apt 9	✓	✓	✓	✓ (Design B)
Apt 10	✓	✓	✓	✓ (Design B)
Apt 11	✓	✓	✓	✓ (Design B)
Apt 13	✓	✓	✓	✓ (Design A)
Apt 14	✓	✓	✓	✓ (Design A)
Apt 15	✓	✓	✓	✓ (Design B)
Apt 16	✓	✓	✓	✓ (Design B)
Total Dwellings in accordance with Standard B41				50%

Table B7 - Bathroom Design		
	Design Option A	Design Option B
<b>Door opening</b>	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
<b>Door design</b>	Either: <ul style="list-style-type: none"> <li>A slide door, or</li> <li>A door that opens outwards, or</li> <li>A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li> </ul>	Either: <ul style="list-style-type: none"> <li>A slide door, or</li> <li>A door that opens outwards, or</li> <li>A door that opens inwards and has readily removable hinges.</li> </ul>
<b>Circulation area</b>	A clear circulation area that is: <ul style="list-style-type: none"> <li>A minimum area of 1.2m by 1.2m.</li> <li>Located in front of the shower and the toilet.</li> <li>Clear of the toilet, basin and the door swing.</li> </ul> The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> <li>A minimum width of 1m.</li> <li>The full length of the bathroom and a minimum length of 2.7m.</li> <li>Clear of the toilet and basin.</li> </ul> The circulation area can include a shower area.
<b>Path to circulation area</b>	A clear path with a minimum width of 900mm from the door opening to the circulation area.	N/A
<b>Shower</b>	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the



		door opening.
<b>Toilet</b>	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

**Planner's Comments:**

Apartment 9 has no front door and needs to be added to the plans.

<b>Clause 55.07-8 (B42) Building Entry and Circulation</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide each dwelling and building with its own sense of identity.</i>	✓
<i>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</i>	✓
<i>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</i>	✓
<b>Standard</b>	
<i>Entries to dwellings and buildings should:</i> <ul style="list-style-type: none"> <li>• <i>Be visible and easily identifiable.</i></li> <li>• <i>Provide shelter, a sense of personal address and a transitional space around the entry.</i></li> </ul>	✓
<i>The layout and design of buildings should:</i> <ul style="list-style-type: none"> <li>• <i>Clearly distinguish entrances to residential and non-residential areas.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>Provide windows to building entrances and lift areas.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>Provide visible, safe and attractive stairs from the entry level to encourage use by residents.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>Provide common areas and corridors that:</i> <ul style="list-style-type: none"> <li>▪ <i>Include at least one source of natural light and natural ventilation.</i></li> <li>▪ <i>Avoid obstruction from building services.</i></li> <li>▪ <i>Maintain clear sight lines.</i></li> </ul> </li> </ul>	✓

**Planner's Comments:**

All dwellings are accessed via a central lobby which has a large skylight.

<b>Clause 55.07-9 (B43) Private Open Space Above Ground Floor</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>	✓
<b>Standard</b>	
<i>A dwelling should have private open space consisting of:</i> <ul style="list-style-type: none"> <li>• <i>An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>A balcony with an area and dimensions specified in Table B8 and convenient access from a living room, or</i></li> </ul>	<b>Refer to tables below for balcony size</b>
<i>If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.</i>	x

Table B8 - Balcony Size		
Dwelling Type	Minimum Area	Minimum Dimension
Studio or 1 bedroom dwelling (1br)	8m <sup>2</sup>	1.8m
2 bedroom dwelling (2br)	8m <sup>2</sup>	2.0m
3 or more bedroom dwelling (3br)	12m <sup>2</sup>	2.4m

Dwelling	Type	Min. area	Assessment	Min. dimension	Assessment
5	2br	11m <sup>2</sup>	✓	2m	✓
6	2br	11m <sup>2</sup>	✓	2m	✓
7	1br	9m <sup>2</sup>	✗	2m	✓
8	1br	9m <sup>2</sup>	✗	2m	✓
9	2br	12m <sup>2</sup>	✓	1.8m	✗
10	2br	18m <sup>2</sup>	✓	2.4m	✓
11	1br	13m <sup>2</sup>	✓	1.8m	✓
12	1br	9.3m <sup>2</sup>	✗	1.8m	✓
13	3br	26m <sup>2</sup>	✓	1.9m	✗
14	3br	39m <sup>2</sup>	✓	2.4m	✓
15	3br	13m <sup>2</sup>	✗	2.4m	✓
16	3br	23m <sup>2</sup>	✓	1.86m	✗

**Planner's Comments:**

All balconies are to satisfy the minimum dimension requirements listed in table B8 of Clause 55.07-9. This can be achieved through reducing the dwelling living areas. Currently dwellings 9, 13 and 16 do not comply.

An additional 1.5 square metres has not been provided for some balconies, as air conditioners are located on the balcony of all dwellings (dwellings 7, 8, 12 and 15 do not comply).

Clause 55.07-10 (B44) Storage	
Objective	Assessment
<i>To provide adequate storage facilities for each dwelling.</i>	✓
Standard	
<i>Each dwelling should have convenient access to usable and secure storage space.</i>	✓
<i>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.</i>	✓

Table B9 - Storage		
Dwelling Type	Total min. storage volume	Min. storage volume within the dwelling
1 bedroom dwelling (1br)	10m <sup>3</sup>	6m <sup>3</sup>
2 bedroom dwelling (2br)	14m <sup>3</sup>	9m <sup>3</sup>
3 or more bedroom dwelling (3br)	18m <sup>3</sup>	12m <sup>3</sup>

**Planner's Comments:**

All external storage has been provided within the basement. A legend on that plan sets out the capacity of each storage unit and the internal storage of the dwellings, which complies with the requirements of this standard.

<b>Clause 55.07-11 (B45) Waste Recycling</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure dwellings are designed to encourage waste recycling.</i>	✓ (COP)
<i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i>	✓
<i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i>	✓
<b>Standard</b>	
<i>Developments should include dedicated areas for:</i> <ul style="list-style-type: none"> <li>Waste and recycling enclosures which are: <ul style="list-style-type: none"> <li>Adequate in size, durable, waterproof and blend in with the development.</li> <li>Adequately ventilated.</li> <li>Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</li> </ul> </li> </ul>	✓
<ul style="list-style-type: none"> <li>Adequate facilities for bin washing. These areas should be adequately ventilated.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</li> </ul>	✓ (COP)
<ul style="list-style-type: none"> <li>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</li> </ul>	✓
<i>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</i> <ul style="list-style-type: none"> <li>Be designed to meet the better practice design options specified in <i>Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019)</i>.</li> </ul>	✓ (COP)
<ul style="list-style-type: none"> <li>Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.</li> </ul>	✓ (COP)

**Planner's Comments:**

- A waste management plan is required.
- A garbage and recycling chute is to be provided in the central lobby areas with access at all levels.

<b>Clause 55.07-12 (B46) Functional Layout</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure dwellings provide functional areas that meet the needs of residents.</i>	✓

<b>Standard</b>	
<i>Bedrooms should:</i>	<b>Refer to table below</b>
<ul style="list-style-type: none"> <li>Meet the minimum internal room dimensions specified in Table B10.</li> <li>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</li> </ul>	✓
<i>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.</i>	<b>Refer to table below</b>

**Table B10 - Bedroom Dimensions**

Bedroom Type	Min. width	Min. depth
Main bedroom	3m	3.4m
All other bedrooms	3m	3m

Dwelling 1	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	4m	4m	✓
Bed 2	Other	3m	3.6m	✓
Bed 3	Other	3m	3.6m	✓

Dwelling 2	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	4.1m	✓
Bed 2	Other	3m	3m	✓

Dwelling 3	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.6m	✓
Bed 2	Other	3m	3m	✓
Bed 3	Other	3m	3.4m	✓

Dwelling 4	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3.4m	4m	✓
Bed 2	Other	3m	3.4m	✓

Dwelling 5	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3.4m	3.4m	✓
Bed 2	Other	3m	3m	✓

Dwelling 6	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3.4m	3.4m	✓
Bed 2	Other	3m	3.2m	✓

Dwelling 7	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.85m	✓

Dwelling 8	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.4m	✓

Dwelling 9	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.4m	✓
Bed 2	Other	3m	3.4m	✓

Dwelling 10	Main/other	Min. width	Min. depth	Assessment
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Bed 1	Main	3m	3.4m	✓
Bed 2	Other	3m	3m	✓

Dwelling 11	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.4m	✓

Dwelling 12	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.4m	✓

Dwelling 13	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3.4m	3.5m	✓
Bed 2	Other	3m	3.4m	✓
Bed 3	Other	3m	3.4m	✓

Dwelling 14	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3.15m	3.4m	✓
Bed 2	Other	3m	3.15m	✓
Bed 3	Other	3m	3m	✓

Dwelling 15	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3.3m	3.4m	✓
Bed 2	Other	3m	3m	✓
Bed 3	Other	3m	3m	✓

Dwelling 16	Main/other	Min. width	Min. depth	Assessment
Bed 1	Main	3m	3.4m	✓
Bed 2	Other	3m	3m	✓
Bed 3	Other	3m	3m	✓

Table B11 - Living Area Dimensions		
Dwelling type	Min. width	Min. area
Studio and 1 bedroom dwelling	3.3m	10m <sup>2</sup>
2 or more bedroom dwelling	3.6m	12m <sup>2</sup>

Dwelling No.	Type	Min. width	Min. area	Assessment
1.	2 or more bed	6m	39m <sup>2</sup>	✓
2.	2 or more bed	3.5m	14.7m <sup>2</sup>	✗
3.	2 or more bed	4.6m	25.3m <sup>2</sup>	✓
4.	2 or more bed	4m	20.4m <sup>2</sup>	✓
5.	2 or more bed	4.4m	13m <sup>2</sup>	✓
6.	2 or more bed	4.4m	13m <sup>2</sup>	✓
7.	1 bedroom	4.1m	13m <sup>2</sup>	✓
8.	1 bedroom	3.3m	13m <sup>2</sup>	✓
9.	2 or more bed	4.55m	14.5m <sup>2</sup>	✓
10.	2 or more bed	5.35m	19m <sup>2</sup>	✓
11.	1 bedroom	3.3m	13m <sup>2</sup>	✓
12.	1 bedroom	3.87m	13.5m <sup>2</sup>	✓
13.	2 or more bed	5.4m	19m <sup>2</sup>	✓
14.	2 or more bed	4.5m	16.5m <sup>2</sup>	✓
15.	2 or more bed	4.1m	14m <sup>2</sup>	✓
16.	2 or more bed	4.53m	21m <sup>2</sup>	✓



Clause 55.07-13 (B47) Room Depth	
Objective	Assessment
To allow adequate daylight into single aspect habitable rooms.	✓
Standard	
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.	✓
The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:	✓
<ul style="list-style-type: none"> <li>The room combines the living area, dining area and kitchen.</li> </ul>	✓
<ul style="list-style-type: none"> <li>The kitchen is located furthest from the window.</li> </ul>	✓
<ul style="list-style-type: none"> <li>The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.</li> </ul>	✓

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Planner's Comments:**

The ceiling height for all levels is 2.7 metres which would require a maximum room depth of 6.75 metres. All bedrooms within the development comply with this requirement. No living room exceeds a depth of 9 metres, which is acceptable given that the kitchen is at the rear of these spaces.

Clause 55.07-13 (B48) Windows	
Objective	Assessment
To allow adequate daylight into new habitable room windows.	✓
Standard	
Habitable rooms should have a window in an external wall of the building.	✓
A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.	✓
The secondary area should be:	✓
<ul style="list-style-type: none"> <li>A minimum width of 1.2 metres.</li> </ul>	✓
<ul style="list-style-type: none"> <li>A maximum depth of 1.5 times the width, measured from the external surface of the window.</li> </ul>	✓

Clause 55.07-15 (B49) Natural Ventilation	
Objective	Assessment
To encourage natural ventilation of dwellings.	✓
To allow occupants to effectively manage natural ventilation of dwellings.	✓
Standard	
The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.	
At least 40 per cent of dwellings should provide effective cross ventilation that has:	✓
<ul style="list-style-type: none"> <li>A maximum breeze path through the dwelling of 18 metres.</li> </ul>	✓
<ul style="list-style-type: none"> <li>A minimum breeze path through the dwelling of 5 metres.</li> </ul>	✓

<ul style="list-style-type: none"> <li>• Ventilation openings with approximately the same area.</li> </ul> <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>	✓
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**Planner's Comments:**

Dwellings 1, 2, 3, 6, 9, 10, 13, 14, 15 & 16 have dual aspect (ie are corner dwellings) and have openings in both walls. These dwellings are laid out so that the breeze paths will penetrate both bedrooms and living spaces.

**Clause 52.06 (Car Parking)**

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
	Applies the standard rate to all zones	Only applies where the site is in the PPTN or if specified in a schedule to the Parking Overlay or another provision of the planning scheme	
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every 5 dwellings for developments of 5 or more dwellings

**Clause 52.06-9 (Design Standards)**

Design Standard 1 - Accessways	
Standard	Assessment
Accessways must:	
• Be at least 3 metres wide	✓
• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	✓
• Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	✓
• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	x
• If the accessway serves four or more car spaces or connects to a	✓

road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.	
<ul style="list-style-type: none"> <li>Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.</li> </ul>	✓

**Planner's Comments:**

The headroom clearance above the ramp is less than 2.1 metres. This should be modified to be a minimum of 2.1 metres.

**Recommended Conditions:**

- Minimum headroom clearance of 2.1 metres to be provided above the ramp and in all areas of the basement.

<b>Design Standard 2 - Car Parking Spaces</b>	
<b>Standard</b>	<b>Assessment</b>
Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.	<b>Refer to table below</b>
<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 of Design Standard 2 of Clause 52.06-9, other than:</p> <ul style="list-style-type: none"> <li>A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.</li> <li>A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul>	×
Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover	✓

<b>Table 2: Minimum Dimensions of Car Parking Spaces and Accessways</b>					
<b>Angle of car space to accessway</b>	<b>Accessway width</b>	<b>Car space width</b>	<b>Car space length</b>	<b>Proposed car space width</b>	<b>Assessment</b>
90°	6.4m	2.6m	4.9m	<b>Scaled at 2.5m</b>	×

**Planner's Comments:**

Parking space dimensions have not been noted on the plans and do not appear to scale to correct dimensions.

**Recommended Conditions:**

- All parking spaces to be dimensioned and in accordance with Table 2 of Clause 52.06.

<b>Design Standard 3 - Gradients</b>	
<b>Standard</b>	<b>Assessment</b>
<i>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage.</i>	✓
<b><i>This does not apply to accessways serving three dwellings or less.</i></b>	
<i>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</i>	<b>Refer to table below</b>
<i>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</i>	✓
<i>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</i>	✓

<b>Table 3: Ramp Gradients</b>				
<b>Type of car park</b>	<b>Ramp length</b>	<b>Maximum grade</b>	<b>Proposed grade</b>	<b>Assessment</b>
Residential Car Park	20.0m or more	1:5 (20%)	1:12 – 1:8 – 1:4 – 1:8	✓

<b>Design Standard 4 - Mechanical Parking</b>	
<b>Standard</b>	<b>Assessment</b>
<i>Mechanical parking may be used to meet the car parking requirement provided:</i>	✓
<i>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.</i>	✓
<i>Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.</i>	✓
<i>The design and operation is to the satisfaction of the responsible authority.</i>	✓

**Planner's Comments:**

A car stacker management plan is required.





## 8.2 HERITAGE REVIEW OF 58 LUMEAH ROAD, CAULFIELD NORTH

**Author:** Alison Orwin, Town Planner

**Trim No:** 20/184516

**Attachments:** 1. 58 Lumeah Road Heritage Citation [↓](#)

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### PURPOSE AND SUMMARY

The purpose of this report is to seek Council approval to commence the statutory implementation of permanent heritage controls for 58 Lumeah Road, Caulfield North.

This property forms part of the heritage project known as the *Post-War and Hidden Gems Heritage Review*. Interim heritage controls have already been sought for the property as it has been considered to be under threat of demolition.

### RECOMMENDATION

That Council:

1. endorses the heritage citation for 'Light House' 58 Lumeah Road, Caulfield North;
2. seeks authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to include the subject property within the Schedule to the Heritage Overlay;
3. authorises the Manager City Futures or Manager Urban Planning to undertake minor changes to the Amendment, including changes requested by the Minister for Planning or the Department of Environment, Land, Water and Planning, in order to receive authorisation, where the changes do not affect the purpose or intent of the Amendment; and
4. subject to receiving authorisation from the Minister of Planning, places the Amendment on public exhibition for a period of at least one month.

### BACKGROUND

#### Heritage Program

Council is undertaking a program of various heritage reviews across the municipality to identify and protect places of heritage value.

The *Post-war and Hidden Gems Heritage Review* project seeks to identify and protect some of the most outstanding heritage sites within the municipality, including underrepresented architectural building styles and periods. This *Post-war and Hidden Gems Heritage Review* project has nominated forty-four individual properties and five precincts as being worthy of a Heritage Overlay in the Glen Eira Planning Scheme.

The property at 58 Lumeah Road is included in this heritage review which was undertaken by Built Heritage Pty Ltd on behalf of Council. The draft Post-war and Hidden Gems Review 2020 report containing citations of all properties and precincts is completed, with pre-amendment consultation being completed in early March. A further report will be put to Council to consider the Review and pre-amendment submissions made by property owners, prior to commencing a Planning Scheme Amendment to implement the recommendations of the report as adopted by Council.

### Interim Heritage Controls

In recognising the large heritage program Council is currently undertaking and to provide a fair and transparent process for both landowners and the community, on 13 August 2019 (item 9.8) Council resolved:

3. *in relation to other proposed heritage sites and areas which may be identified through the current heritage projects described in this report, authorises the Director Planning and Place, Manager City Futures and Manager Urban Planning to make a request to the Minister for Planning to prepare, adopt and approve a Planning Scheme Amendment for Interim Heritage Controls (including by exercising powers under section 20(4) of the Planning and Environment Act 1987), as follows:*
  - a) *a relevant heritage review and citation(s) for the heritage project has been prepared; or*
  - b) *a citation for an individual site or precinct has been prepared which demonstrates its significance and the individual site or precinct is under threat of demolition or substantial alteration through a request for demolition submitted to Council under Section 29A of the Building Act 1993 or a planning application has been submitted that involves demolition or substantial alterations to buildings and/or works.*

This resolution outlines two triggers for interim heritage controls to be applied for by Officers, which are:

- A completed heritage citation for the entire project, or
- A threat to a proposed heritage building (which includes a planning application that invokes demolition) which has a completed citation.

### 58 Lumeah Road – Demolition Consent Application

In early April 2020 a demolition request was lodged with the Building Department.

Given a heritage citation for the property was completed prior to this and the demolition request had been lodged, the required triggers as outlined in the August 2019 Council resolution had been reached for Officers to apply for interim heritage protection.

### Interim Heritage Protection Application

Following the above triggers being met, the Manager City Futures lodged a request for interim heritage protection with the Minister of Planning on 14 April 2020.

Should Council resolve to seek protection for this site, the interim heritage controls seek to protect heritage elements while the permanent heritage controls proceed through the normal amendment process. The amendment process involves public exhibition and the ability for property owner (or other members of the public) to make submissions to both Council, and possibly to an independent panel.

## **ISSUES AND DISCUSSION**

A copy of the heritage citation for 58 Lumeah Road was completed 11 February 2020 and can be found as an attachment to this report.

The former 'Light House' at 58 Lumeah Road, Caulfield North, is a single-storey flat-roofed brown brick house in the post-WW2 modernist style, with asymmetrical triple-fronted street façade. Erected in 1965, the house was designed by architect Kurt Elsner.

The significant fabric is defined as the exterior of the entire building.

The dwelling satisfies Criterion E (aesthetic significance) and Criterion B (possession of uncommon, rare or endangered aspects of our cultural or natural history).

The attached citation recommends inclusion in the heritage overlay schedule as an individual heritage place. Officers consider the consultant's reasoning thorough and sound.

#### Pre-Amendment Consultation

Council undertook 'non-statutory' pre-amendment consultation in February-March 2020. Officers wrote directly to all property owners covered under the *Post-war and Hidden Gems* heritage project.

A response from the landowners of 58 Lumeah Road was received in February 2020. In summary the submission sets out:

- That the house is not visually appealing;
- The original architect is totally unremarkable and unknown in the history of Australian architecture; and
- The building itself is in poor condition and was sold as a knock-down job.

Council officers have reviewed the submission and recommend no changes to the citation or its findings.

#### **FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS**

The costs to undertake the Amendment will be monitored. Costs include exhibition, panel representation, panel and Department of Environment, Land, Water and Planning fees.

#### **POLICY AND LEGISLATIVE IMPLICATIONS**

In seeking to apply Heritage Overlays, Planning Practice Note 1 August 2018 – Applying the Heritage Overlay provides guidance and has been used in preparing the attached heritage citation.

The *Planning and Environment Act 1987* requires councils to use their planning schemes to implement the objectives of planning in Victoria, including:

- To conserve and enhance buildings, areas and other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value (Section 4(1)(d) *Planning and Environment Act 1987*).

Once Council has determined to commence a planning scheme amendment, the process must go through the following fixed statutory steps:

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.

2. If there are no submissions Council can 'adopt' the amendment and forward it to the Minister for approval. It only becomes law if it is formally approved and gazetted.
3. If there are submissions opposed to the amendment, the Council has three options – abandon the amendment, change the amendment in accordance with the submitters' 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. The Panel may make a recommendation to:
  - adopt the amendment
  - abandon the amendment
  - modify the amendment
5. 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).
6. If Council adopts the amendment, it is then referred to the Minister for Planning for approval.

The process required to amend the Glen Eira Planning Scheme is lengthy and provides opportunities for input from interested parties. With regard to the current proposal, Council is at Step 1.

## **COMMUNICATION AND ENGAGEMENT**

The owner of the affected property, as well as other interested parties, will be able to make a submission when the Planning Scheme Amendment for permanent heritage controls is exhibited. Council must obtain authorisation from the Minister for Planning to exhibit a proposed planning scheme amendment.

## **LINK TO COUNCIL AND COMMUNITY PLAN**

Theme One: Liveable and Well Designed  
A well planned City that is a great place to live.

## **OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

## **CONCLUSION**

Council has a role to protect identified places and precincts of heritage significance. Independent heritage advice commissioned by Council has identified 58 Lumeah Road, Caulfield North as a place of local heritage significance.

For the Department of Environment, Land, Water and Planning to process Council's interim heritage control request, Council is required to endorse the attached statement of significance (heritage citation) and resolve to commence a Planning Scheme Amendment for permanent heritage controls.

In undertaking a Planning Scheme Amendment for permanent heritage controls for the site, the Amendment will go through the required statutory steps, including public exhibition, which will give the owner and other interested parties the ability to be involved in this process.

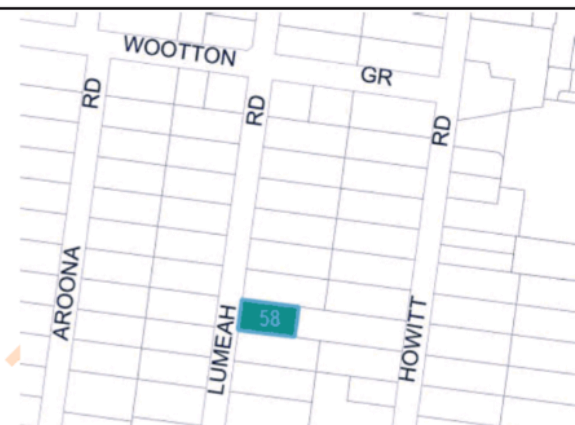




<b>IDENTIFIER</b>	HOUSE	<b>Citation No</b>	PW24
<b>Other name/s</b>	Light House (former)	<b>Melway ref</b>	58 J12
<b>Address</b>	58 Lumeah Road CAULFIELD NORTH	<b>Date/s</b>	1965
<b>Designer/s</b>	Kurt Elsner	<b>Builder/s</b>	Unknown



Photograph by Built Heritage Pty Ltd, October 2019



Location map and extent of HO

<b>Heritage Group</b>	Residential building (private)	<b>Condition</b>	Excellent
<b>Heritage Category</b>	House	<b>Intactness</b>	Excellent
<b>Thematic context</b>	6.7 Making homes for Victorians		
<b>Recommendation</b>	Include on heritage overlay schedule as an individual heritage place		
<b>Controls</b>	<input type="checkbox"/> External Paint <input type="checkbox"/> Interior Alteration <input type="checkbox"/> Trees		

### Statement of Significance

#### What is significant?

The former Light House at 58 Lumeah Road, Caulfield North, is a single-storey flat-roofed brown brick house in the post-WW2 modernist style, with asymmetrical triple-fronted street façade comprising a projecting wing to the right (containing narrow windows bays with projecting jambs) a central recessed porch (with diapered grid of small square openings) and an integrated double carport. The house was erected in 1965 for Polish-born manufacturer Samuel Light and his wife Helen, to a design by compatriot architect Kurt Elsner.

The significant fabric is defined as the exterior of the entire building.

#### How is it significant?

The house satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.



### *Why is it significant?*

The house is architecturally significant as a rare private commission by Polish-born architect Kurt Elsner (1909-1996). A Melbourne resident for six decades, from 1939 until his death, Elsner seems to have spent most of his career employed by large companies or government bodies (including ICIANZ and the Commonwealth Department of Works), and consequently undertook only a very limited number of private commissions under his own name. Dating from 1965, the Light House is the only known example of his work in the City of Glen Eira, and the last of only five buildings in Melbourne that he is known to have designed over the prior two decades. (*Criterion B*)

The house is aesthetically significant as an unusual example of modernist residential architecture of the mid-1960s. Its overall expression, as a single-storey flat-roofed brick dwelling with asymmetrical multi-fronted façade and carefully considered fenestration, is typical of many such houses in the City of Glen Eira that were by European émigré architects. This particular example, however, demonstrates an uncommon degree of sophistication in its distinctive window treatment (with narrow full-height bays and fin-like brick jambs), contrasting dark brick and white-painted angled fascias, elegantly-detailed carport, and an eye-catching feature wall with diapered grid of small square openings. (*Criterion E*)

### **History**

The house at 58 Lumeah Road, Caulfield North, was built in 1965 for Polish-born manufacturer Samuel Light and his wife Helen, to a design by compatriot architect Kurt Elsner. Warsaw-born Samuel Light (*ne* Lichszejn) (1925-2002) was the son of a draper (later shoe manufacturer) who took the family from Poland to Costa Rica in the early 1930s, then returned to Poland for a few more years before migrating to Australia in 1938. After arriving in Melbourne in September of that year, the family settled in Carlton and were still living there in 1946, when son Samuel married fellow émigré (and Holocaust survivor) Helen Rosenfeld. The young couple initially made their home in Baker Street, St Kilda. In 1950, by which time they already had two children under the age of three years, the family moved to a larger house in Albion Street, Caulfield South. During this period, electoral rolls listed Samuel Light's occupation as a glove manufacturer.

By May 1964, when the couple acquired the title to the present site in Lumeah Road, Caulfield North, Samuel was identified as an importer. At the time, the site was occupied by a three-bedroom inter-war brick house, advertised as being "situated in a most sought-after locality" (*Age* 18/01/1964:41). The location, in a coveted enclave that had already become something of a hotspot for well-to-do European émigrés, evidently had more appeal than the house itself, which the Lights intended to demolish for erection of a new family residence, to be designed by architect and fellow Polish émigré, Kurt Elsner.

Born in Cieszyn in southern Poland, Kurt Elsner (1909-1996) completed his architectural studies at the Technical University of Danzig (now Gdańsk) in 1931. Although he would later state that he had "eight years' experience in Europe", no further details are currently known. Concerned by the worsening political situation in the late 1930s, Elsner and his fiancée Stella left Poland for London, migrating thence to Australia. Married shortly after their arrival in Melbourne in August 1939, the couple initially resided in Elwood. Elsner became naturalized in 1944 and, the following year, was registered as an architect in Victoria. At that time, he appears to have been working under the Chief Engineer at ICIANZ in Deer Park. In 1949, the family moved from Elwood to a new house that Elsner designed for them in Kew. In 1954, he completed a Diploma of Town & Regional Planning at the University of Melbourne and, early the following year, took a position as Architect (Grade 1) in the Commonwealth Department of Works. Little else is known of Elsner's subsequent architectural career; the fact that so few buildings can be credited to him suggests that he remained as a departmental architect and carried out a limited number of private commissions for family or friends. At the time of his death in 1996, Elsner and his wife were still living in the Kew house that he had designed almost fifty years earlier.





Elsner's working drawings for the new Light House in Lumeah Road, which are not dated, proposed a single-storey brick dwelling on an asymmetrical T-shaped plan that provided three bedrooms, study, and sundry service areas to the south, and a large open-planning living/ dining area, with kitchen to one side, to the north. Demolition of the original brick dwelling on the site was underway by August 1965, when a newspaper advertisement drew attention to a "demo job" at 58 Lumeah Road, offering for sale "building material, hardwood flooring, pink bath and basin, kitchen units, built-in cupboards, etc" (Age 18/08/1965:45).

Belatedly, Samuel Light is first recorded as the occupant of the finished house in the *Sands & McDougall Directory* for 1968. The Light family, which included son Larry (who married in 1972) and daughter Suzanne, would ultimately occupy the house for more than five decades. After Samuel's death in October 2002, his widow Helen remained there, and was still in residence when the property was offered for sale for the first time in July 2019.

### Description

The former Light House at 58 Lumeah Road, Caulfield North, is a single-storey flat-roofed brick house in the post-WW2 modernist style. Starkly expressed in dark brown brickwork with raked joints, and a flat roof with narrow timber-slatted eaves and white-painted fascias, the house presents an asymmetrical triple-fronted façade to the street. A recessed central bay, containing the entry porch, is flanked on the left (north) side by a double-carport, and on the right (south) side by a projecting bay. The carport roof, set slightly lower than that of the house, is supported on paired timber posts with a fascia that projects across the central recessed bay to link with the projecting bay to the right. The projecting bay has a row of narrow full-height windows bays framed by protruding fin-like brick reveals. The front entry, set into a recessed porch to the right side of the central bay, opens onto a paved terrace with steps, and is marked by a feature wall of small squares in a diapered grid, inset with circular openings.

### Comparisons

As already noted, Kurt Elsner does not appear to have maintained a particularly active private practice; evidence suggests that, because he was employed in the Commonwealth Department of Works, he undertook private commissions on a limited basis, possibly only for a select group of family or friends. To date, research to date has identified only five Elsner projects across the entire Melbourne metropolitan area. With the exception of some additions to the Montefiore Home for the Aged in St Kilda Road (1956), these are individual residences designed between 1949 and 1965. The Light House is not only the last of these, but also the only one within what is now the City of Glen Eira.

Elsner's earliest known private project is his own house at 34 Stawell Street, Kew (1949), a two-storey rendered brick dwelling with low gabled roof and large multi-paned window bays, in an understated modernist mode that reflects the austerity of the immediate post-WW2 years. The slightly later Krauss House, at 17 Allenby Road, Glen Iris (1953), was evidently a fairly simple brick dwelling; little else is known of the dwelling, which has long since been demolished. Still standing, and more boldly modernist in expression, is the Rosenbaum House at 31 Holroyd Street, Kew (1960). Built on a sloping site, it is articulated as a glass-walled volume on a C-shaped plan, partly elevated on stilts. The house was published in the *Australian House & Garden*.

In the absence of other examples of Elsner's work in what is now the City of Glen Eira, the Light House can be considered more broadly amongst the municipality's sizeable body of post-WW2 modernist houses by other European-trained émigré architects. There are countless other local houses of the 1960s that are similarly expressed: single-storey flat-roofed dwellings in face brick, with asymmetrical double-fronted facades, integrated carports, carefully considered fenestration, and sparse but effective decorative embellishment.



Typical examples from the latter half of the decade, by as yet unconfirmed architects, include 25 Virginia Court, Caulfield South (c1967) and 18 Younger Avenue, Caulfield South (c1968). Others that have been conclusively attributed include 372 Glen Eira Road, Caulfield (Robert Cutts, 1967), 18 Kent Grove, Caulfield (Erwin Kaldor, 1968), and 16 Wattle Grove, McKinnon (Oscar Gimesy, 1969). A number of other specimens, such as 32 Northcote Avenue (Robert Cutts, 1966) and 19 Kelburn Street, Caulfield (Harry Hershberg, 1970) are known to have been demolished or significantly remodelled in recent years.

#### References

Certificate of Title, Volume 8628, Folio 135, created 17 April 1964.

K Elsner, "New brick residence at No 58 Lumeah Road, Caulfield, for Mr & Mrs S Light", working drawings, undated [c1965]. City of Caulfield Permit No 33,664.

ARBV file for Kurt Elsner. Unit 4, VPRS 8838/P2 (Individual Architects Registration Files), PROV.

#### Identified by

Built Heritage Pty Ltd





### 8.3 PROPOSED HERITAGE PROTECTION FOR 87 AND 89 KAMBROOK ROAD CAULFIELD NORTH

**Author:** Madeleine Grimes, Senior Strategic Planner

**Trim No:** 20/173341

**Attachments:** 1. *Kambrook Road Precinct Citation* [↓](#)  
2. *87 and 89 Kambrook Road, Caulfield North structural engineer reports* [↓](#)

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#### PURPOSE AND SUMMARY

To inform Council that the properties at 87 and 89 Kambrook Road, Caulfield North, identified as having potential heritage significance under the Caulfield Station Precinct Heritage Review, are recommended for no further action under this project.

The reason for this is that further information has been submitted which considers these properties structurally unsound.

#### RECOMMENDATION

That Council resolves to:

1. remove 87 and 89 Kambrook Road, Caulfield North from the proposed Kambrook Road Precinct.
2. authorise Council officers to withdraw the interim controls C208glen lodged with the Department of Environment, Land, Water and Planning (DELWP).
3. not pursue permanent heritage controls for 87 and 89 Kambrook Road, Caulfield North.

#### BACKGROUND

In 2019, Council engaged RBA Architects and Conservation Consultants to review the Caulfield Station Precinct Structure Plan study area for potential heritage precincts and properties.

The review project is not at the stage yet of having a completed draft heritage review report. However, an initial evaluation has been completed, which included preliminary data sheets for recommended heritage precincts and individual properties.

The evaluation identified a potential heritage precinct called the Kambrook Road Precinct, consisting of properties that are generally intact single-story houses and garages deriving from the Federation and Interwar periods. Properties at 87 and 89 Kambrook Road were identified as part of the potential Kambrook Road Precinct.

The consultants provided Council with a draft citation of the Kambrook Road Precinct at the end of 2019 and was refined in consultation with Council and was provided on 21 January 2020 (Attachment 1). Within the citation, the key attributes of 87 and 89 Kambrook Road were as follows:

**87 Kambrook Rd** – circa 1915 - Federation Queen Anne, corrugated metal roof cladding, roughcast finish and weatherboard dado to façade, side porch and square bay. Partly obscured by overgrown garden.

**89 Kambrook Rd** – circa 1915 - Federation Queen Anne with symmetrical façade, original /early corrugated metal roof cladding, metal cresting and finials, fretwork to porch, roughcast walling, faceted bays and leadlighting. Largely obscured by planting.

Council's Building Department received a request for demolition of the two properties on 21 January 2020.

In accordance with Council's resolution in August 2019 regarding the seeking of interim heritage controls, officers applied to Department of Environment, Land Water and Planning (DELWP) for interim heritage protection for 87 and 89 Kambrook Road on 11 February 2020.

The relevant trigger for seeking interim heritage controls was that a heritage citation had been completed and the two properties were under threat given the demolition request. The request for demolition was then suspended by Council's Building Department while the process progressed.

On 25 February 2020, DELWP requested further information, including confirmation on when Council would be seeking authorisation for permanent controls, and whether the request would be for the whole Kambrook Road Precinct.

At this time, DELWP has not made a decision on the request for interim controls.

## ISSUES AND DISCUSSION

Since lodgement of the interim heritage control request, the person seeking to demolish 87 and 89 Kambrook Road has provided a structural engineering report detailing the structural stability of the two dwellings and their ability to be retained (Attachment 2).

These reports provide information pertaining to the structural condition of each of the dwellings. Both are described as being in very poor overall condition, in advanced stages of disrepair/decay.

The summary of observations of these properties include:

- *The floor and subfloor structure show signs of extreme failure. We would expect the rotting of stumps and bearers. Subsequently the floor coverings have degraded to a point of non-repair.*
- *The walls and ceiling members have been exposed to weathering and not maintained, as a result they are showing damage in the form of rot and dislodgments from supporting members.*
- *The roof and internal structural supports are showing signs of excessive rotting and dislodgement as a result of leaks and general building movements.*
- *The services supply and connections would need to be further assessed but we are confident that they are not to current code.*
- *We observed mould and water damage to large areas within the building.*

In conclusion the Structural Engineer states that in their opinion, the buildings are "structurally unsound". As the Report states "given the age of the building and the low probability to retain any of the existing features and structure of this building" it can be concluded that these properties are beyond repair and it would be unreasonable to do this.

Council officer have had the report reviewed by Council's Municipal Building Surveyor who considers the methodology to be sound.

In light of the information in the structural engineering reports and the advice of the Municipal Building Surveyor, Council officers are recommending that these two properties be removed as contributory buildings to the proposed Kambrook Road Precinct.

In recommending this action, it is also proposed that the current interim heritage control request that is with DELWP be withdrawn.

#### **FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS**

There are no financial, resource, risk and asset management implications as a result of the decision not to proceed with heritage controls based on the advice relating to the structural stability of the building.

#### **POLICY AND LEGISLATIVE IMPLICATIONS**

There are no additional policy and legislative implications.

#### **COMMUNICATION AND ENGAGEMENT**

The applicant for the demolition request will be advised of Council's decision on this matter.

#### **LINK TO COUNCIL AND COMMUNITY PLAN**

Theme One: Liveable and Well Designed  
A well planned City that is a great place to live.

#### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

#### **CONCLUSION**

Given the information detailed in the structural engineering reports Council officers consider it reasonable to withdraw the request for interim heritage controls for these two properties that have been previously lodged with DELWP.

It is also considered suitable to not proceed with inclusion of these two properties as contributory buildings within the draft Kambrook Road Precinct which at this time has not been adopted by Council.

Glen Eira Heritage Review of the Caulfield Station Precinct Structure Study Area, Caulfield East & Glen Huntly  
Stage 1B

Citation 8

## KAMBROOK ROAD PRECINCT

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<b>Address</b>	Eskdale Road: 119 Hudson Street: 2, 2A, 2B, 2C, 2D, 2E Kambrook Road: 33-115 (west side only) – Caulfield North
<b>Significance</b>	Local
<b>Construction Dates</b>	circa 1907-1940
<b>Period</b>	Federation and Interwar
<b>Date Inspected</b>	mid-2019



101 and 99 Kambrook Road

### Statement of Significance

#### What is Significant?

The following original or early elements contribute to the significance of the Kambrook Road Precinct:

- Generally intact single-storey houses and garages deriving from the Federation and Interwar periods,
- Early 20<sup>th</sup> century subdivision pattern,
- Intact roof forms (gabled, cross-gabled, transverse gabled, gambrel, hipped, jerkinhead) and cladding (including terracotta tiling and corrugated metal sheeting),
- Face/dinker brick or rendered chimneys, as well as terracotta pots,
- Roof detailing such as cresting, finials, exposed rafters, beams, etc.,

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Stage 1B

Citation 8

- Various 'rustic'/natural finishes to gable ends (shingling, weatherboard, battens, roughcast, half-timbering and vents),
- Intact painted timber-framed walls clad in weatherboard or roughcast rendered sheeting,
- Intact walls of red brick (face or common), including tuckpointing,
- Face or clinker brick detailing, including soldier/header courses, plinths, banding, 'quoining' motifs, corbelling, etc.,
- Verandah/porch detailing, including timber posts, friezes/valances, brackets, fretwork or battered columns, masonry pedestals and balustrades, and decks of tessellated tiles,
- Bay windows, including faceted and bow,
- Timber-framed windows, including double-hung sashes, casements, toplights and picture windows,
- All leadlighting and decorative glass,
- Timber-framed glazed front doors, including French doors, highlight or transom windows and sidelights,
- Front fences,
- Front garden settings, and
- Basalt pitches to kerbing and channelling.

Contributory places:

- Eskdale Road: 119
- Hudson Street: 2, 2A, 2B, 2C, 2D, 2E
- Kambrook Road: 33, 35, 37, 39, 43, 45, 63, 65, 67, 69, 71, 73, 77, 79, 83, 85, 87, 89, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115

Non-contributory places:

- Kambrook Road: 41, 75, 91, 93

#### How is it Significant?

The Kambrook Road Precinct is of historical and representative significance to the City of Glen Eira.

#### Why is it Significant?

The Kambrook Road Precinct is of historical significance as a concentrated illustration of the suburban growth and consolidation in Caulfield North between the late Federation and Interwar periods. The intensive bursts of construction activity undertaken in the precinct during the mid- to late 1910s and mid-1920s are reflective of broader development trends in the district and evidence of the progressive break-up of late Victorian period estates and transformation of the semi-rural character that had once defined the locality. The speculative operations of William James Hardy in erecting bungalows for sale in the precinct are also typical of the small-scale speculative builder at work in the period. The type of residences constructed – a mixture of Federation weatherboard villas and Interwar masonry bungalows, all in garden settings – was emblematic of the prevailing suburban ideal that, from the early 20<sup>th</sup> century, was widely adopted by the middle classes and came to define the built form of the district. (Criterion A)

The Kambrook Road Precinct is of representative significance for being comprised of good and largely intact examples of early 20<sup>th</sup>-century housing stock, including Federation villas, 1920s bungalows and some late 1930s houses. The variety of styles renders a streetscape of considerable diversity, underlain for the most part by a robust Arts and Crafts aesthetic. In particular, the precinct has an unusual clustering of Federation Bungalow style dwellings and Craftsman-type bungalows with distinctive transitional characteristics. The range of detailing to the latter type demonstrates the non-fixed nature of 'styles' and the fluidity between contemporary design idioms. Original fences and garages contribute to the streetscape, while basalt kerbing and channelling as well as original crossovers and driveways are complementary elements. (Criterion D)

#### Description

The Kambrook Road Precinct is essentially a linear conservation area, with most of its buildings fronting the west side of Kambrook Road. There is also a small group of houses to the north side of Hudson Street at its intersection with Kambrook



Glen Eira Heritage Review of the Caulfield Station Precinct Structure Study Area, Caulfield East & Glen Huntly  
Stage 1B

Citation 8

Road. It encompasses 29 contributory houses that are predominantly single-storey, double-fronted and freestanding, although a small number are semi-detached. The majority are of red brick construction with a gabled roof, either single or tiered, or have a gable end in combination with a hipped profile. A few examples (late 1930s) have hipped roofs. Generally, all are clad in terracotta tiles.<sup>1</sup> There are also three timber-framed residences, two of which (97 and 89 Kambrook Road) appear to retain original/early corrugated metal cladding (indicated by short and overlapping sheets).

The precinct has a relatively flat topography with dwellings mostly addressing Kambrook Road; a bitumen surfaced carriageway.<sup>2</sup> Generally, original basalt pitchers to kerbing and channelling survive. Some sections of concrete crossovers and footpaths likely date to the Interwar period (suggested by exposed aggregate), with others being contemporary replacements. Grassed nature strips with spaced street trees of several indigenous/native species are also present.

Most allotments are rectangular and characterised by landscaped front gardens and relatively deep back yards. Moderate setbacks from the street are consistent in the precinct, although houses clustered at the Kambrook and Hudson roads intersection are located closer to the front property boundary. Around half of the contributory places in the precinct retain their front fences.<sup>3</sup> These tend to be low and constructed of red face or clinker brick, though there are some taller rendered examples (35 and 37 Kambrook Road) and a seemingly original timber-framed fence with woven ('Cyclone') wire at no. 67. Some original garages and driveways (dual concrete wheel strips with a central grass island) are also evident and contribute to the character of the streetscape.



77 Kambrook Road  
Example of an original dual wheel strip driveway and garage with double timber doors.

The contributory houses were all erected between circa 1907 and 1940, with two pronounced phases in the immediate post-WWI years and during the mid-1920s. When viewed collectively, these dwellings document the shift between domestic design approaches favoured in the Federation period and inter-war years. Straddling both is a clear Arts and Crafts aesthetic, with an emphasis on a 'natural' or vernacular material palette.

The three earliest houses (or 'villas' in the contemporary parlance) in the precinct – 199 Eskdale Road + 87 and 89 Kambrook Road – are designed in the Queen Anne idiom. This style, evolving from the late 19<sup>th</sup> century, drew freely on contemporary English and American architectural sources, in particular, the Arts and Crafts movement, and was progressively acclimatised and adopted across Australia. By 1900, it was the dominant architectural expression, especially within Melbourne's expanding suburbs, having entered the vernacular of the speculative builder.<sup>4</sup> As typical for these styles, these dwellings feature picturesque compositions and roofscapes as well as walls featuring a combination of finishes (roughcast, weatherboard, red brick) and decorative timberwork to verandahs and gable ends.

<sup>1</sup> Unsympathetic replacement cladding is noted at 97 and 111 Kambrook Road.

<sup>2</sup> Kambrook Road was a government road surveyed in the 1850s, metalled in the late 1860s ('Caulfield District Board', *Telegraph*, 10 March 1866, p4) and later – likely in the Interwar period, as was typical – asphalted (an action that reflected the rising importance of the vehicles). The relevant section of Hudson Street was formed in circa 1909 during the Kambrook Estate subdivision.

<sup>3</sup> Original or early front fences are identified at 2E and 2D and 2 and 2A (modified) Hudson Street; and 33, 35, 37, 67, 71, 73, 77, 95, 99, 113, 115 Kambrook Road

<sup>4</sup> Conrad Hamann, 'Federation Architecture', Philip Goad and Julie Willis, eds., *The Encyclopedia of Australian Architecture* (Cambridge University Press, 2012), pp. 245-46

Glen Eira Heritage Review of the Caulfield Station Precinct Structure Study Area, Caulfield East & Glen Huntly  
Stage 1B

Citation 8



89 Kambrook Road  
Timbered Federation period villa in the Queen Anne style

The majority of dwellings in the precinct could be described as bungalows. Portrayed in contemporary discussion and real estate argot as 'Californian style Bungalows', such houses were, in reality, an economical amalgam of more informal modes of residential design, revolving around a regionalised adaption of (primarily) west coast American bungalow elements and well-established Federation period idioms. The bungalow was heavily promoted across Australia by building magazines and institutions and was quickly embraced as the preferred type of development for middle-income families; its desirability bolstered by a perceived ruggedness, informality, scope for variation and strong associations with the suburban ideal.<sup>5</sup>

Of this bungalow stock, those constructed during and immediately following WWI are generally Federation Bungalow in style. This was essentially a transitional approach, utilised mainly by speculative builders, in which the usual form of the Federation period villa – the asymmetrically placed front gable in line with the front verandah/porch – was retained in form but overlaid with 'new' elements perceived as indicative of the bungalow. The hybrid results varied but are often identified by the presence of hallmarks from both idioms. Continuations from the Federation period could include tuck-pointing to façade brickwork, side projections or entrances, faceted or bow bays, cement dressed lintels and sills, exposed rafter ends and terracotta tiles. The bungalow mode was then generally expressed through a simplified roofscape, plain red brick chimneys and more restrained detail (often still Federation in character) as well as some ostensibly 'rustic' finishes, such as roughcast rendered walling (or sheeting for the timber-framed examples), stained/painted wall-hung shingles or to gable end/s a half-timbered effect, lattice or battens. A key transitional feature was also the move away from the prominent Federation period verandah towards a smaller porch, which had a low masonry balustrade and a roof (either gabled, recessed or flat) supported by timber posts or Tuscan order-like columns. Sometimes, curved timber brackets or valances were also retained, hinting at their Queen Anne antecedents.



95 Kambrook Road – Federation Bungalow style



73 Kambrook Road – Federation Bungalow style

<sup>5</sup> The expansion of the credit foncier loan system over the early 20<sup>th</sup> century was a key factor in the growth of Australian suburbs. In Victoria, the role of the State Saving Bank of Victoria (government-owned, 1842-1990) was prominent, particularly in promoting the bungalow style (colloquially, the 'State Bank Cal Bung') as the Interwar suburban vernacular. (Seamus O'Hanlon, 'State Bank Homes', *eMelbourne*, School of Historical & Philosophical Studies, University of Melbourne, July 2008, <<http://www.emelbourne.net.au/blogs/EM01421b.htm>>, accessed 5 April 2019)



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Amongst the mass of bungalows built in Interwar Melbourne, only a few are direct reproductions of American precedents. Accordingly, the adoption of the 'Californian' bungalow in Australia was most apparent in regard to overall form – a horizontal emphasis (albeit, dictated by the breadth of the allotment) – as well as broad and often tiered gable roofs (usually low-pitched). An array of vernacular finishes, particularly clinker brick detailing (to banding, piers, etc.), textured render and a half-timbered effect or shingled skirting to the gable end was also common. The front porch, often with a gable roof in the 1920s, with battered columns (often roughcast) on squat masonry pedestals and brick balustrade (note lozenge shape niches) or pylons, become another conspicuous element.



71 Kambrook Road – Californian bungalow



45 Kambrook Road – Californian bungalow

A small number of bungalows in the precinct also make varying levels of references to the 'Craftsman' bungalow. This subtype derived from the designs spread by Gustav Stickley's magazine, *The Craftsman* (1901-16) – a principal propagator of the American Arts and Crafts movement – as well as a contemporary interest in Australia with 'primitive simplicity'. It was generally defined by a rectangular form, symmetrical façades (central entrance) and a single-ridged front-facing or transverse gable roof, generally without projections (the porch instead, being recessed).<sup>6</sup> In the precinct, 'Craftsman influence' designates (in the following table) a more definitive example of this idiom, while 'Craftsman-like' conveys a more diluted version; for instance, a single-ridged gable example with a projecting porch.



103 Kambrook Road – Craftsman influenced bungalow



65 Kambrook Road – Craftsman-like bungalow

Scattered through the precinct, with a cluster to its southern extent, are a handful of clinker brick or rendered houses with low-pitched hipped roofs. Such designs, indicative of the late 1930s, illustrate an emerging aesthetic at the close of the Interwar period that stressed pared-down detail and streamlined design; essentially, the response of the speculative builders to

<sup>6</sup> John Clare, *The post-Federation house in Melbourne: Bungalow and Vernacular Revival styles 1900-1930*, Faculty of Architecture and Planning, University of Melbourne, October 1984, Section 1.3

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'progressive' architecture. The eclecticism of the 1920s however, was rarely wholly abandoned at suburban developments and gestures towards popular revival idioms persisted. In the precinct, the use of clinker brick, shouldered ('Tudor') arches or corbelling suggests the Old English style, while light painted renders and rounded arches implied a Mediterranean influence. Further, curved elements, such as concrete hoods to porches, were perceived as bestowing a sleekness that was associated with the Moderne style.



33 Kambrook Road – late Interwar period



77 Kambrook Road – late Interwar period

In general, windows at contributory buildings in the precinct are timber-framed double-hung sashes, sometimes boxed, and often grouped. There was a conscious departure in the Interwar period from the narrow casement windows and toplights characteristic of residential design in the Federation period. However, examples of these earlier window types are still noted at some of the transitional bungalows, particularly to bays. Small picture windows are also found throughout the precinct, often with ornate leadlighting.

Leadlighting or decorative glass (coloured or texture) is widespread. In the precinct, the influence of the Art Nouveau, popular in the Federation period, is detectable at the earlier residences and some of the transitional bungalows; signposted by simple florals and draping motifs. At dwellings built in the late 1920s and 1930s, bolder, more geometric (angular and crystalline) and less colourful leadlighting (loosely Art Deco) is apparent – predominantly to the upper pane. Of this type, quarrels (that is, diamond) patterns, appear frequently.

Although often obscured, many contributory buildings appear to have original timbered doors, some paired (French doors), and several with decorative glazing bars (e.g. diamond pattern). Many are accompanied by sidelights (single or dual) or a highlight/transom window.

The following table summarises key details of each contributory place in the Kambrook Road Precinct:

Address	Construction date <sup>7</sup>	Key Attributes
33 Kambrook Rd	Circa 1937 ( <i>'Caulfield: 33 Kambrook Road', Age, 12 September 1956, p19</i> )	Old English style, lightly textured render, clinker brick detailing, decorative glass and partly enclosed porch (partition wall) with shouldered arches. Original fence, driveway and garage (modified door).
35 Kambrook Rd	Circa 1925-26	Californian Bungalow type, clinker brick detail, porch with battered columns and original French doors with glazing. Original fence.
37 Kambrook Rd	Circa 1925-26	Bungalow, Craftsman-like, porch with battened columns and roughcast rendered balustrade, clinker brick detailing and leadlighting. Original driveway and distinctive fence.

<sup>7</sup> Unless otherwise stated, information derives from the City of Caulfield rate book and/or the *Sands and McDougall's Directory*



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39 Kambrook Rd	Circa 1925-26	Bungalow, Californian type, jerkin-head roof, clinker brick detailing, bow window and infilled porch.
43 Kambrook Rd	Circa 1925-26	Bungalow, Californian style, modified porch (enclosed) with battered columns and balustrade with slab capping.
45 Kambrook Rd	Circa 1925-26	Californian Bungalow style, roof with side gable, porch with battered columns and curved balustrade, clinker brick detailing, picture window/leadlighting and double door with diamond glazing bars.
63 Kambrook Rd	Circa 1919, <i>Kepdarroch</i>	Federation Bungalow style – return verandah with decorative timber elements and tessellated tiled deck, bow bay (casements) with floral leadlighting, and original door.
65 Kambrook Rd	Circa 1920	Bungalow, Craftsman influence, projecting porch has battered columns (smooth/roughcast combination), deck of tessellated tiles, and an Asiatic-inspired beam, as well as bow window/leadlighting and a recessed glazed door.
67 Kambrook Rd	1919, <i>Dagr</i>	Bungalow, Californian type, front gable extends over porch (timber posts), faceted bay to southern elevation, picture window, leadlighting and original door. 'Cyclone' wire fence and curved garden path with pebble edging, likely original.
69 Kambrook Rd	1917, <i>Danbigh</i>	Federation Bungalow style, porch with timbered posts/brackets and deck of tessellated tiles, picture window, leadlighting and original door.
71 Kambrook Rd	1917, <i>Armagh</i>	Californian Bungalow style, gabled ventilator, pylons to porch and faceted bay. Original fence.
73 Kambrook Rd	1918, <i>Coalville</i>	Federation Bungalow type, early example of transverse ridge, porch with timber posts/brackets and roughcast balustrade/pedestals, square bay with shingled skirting and leadlighting. Garage and fence likely early additions.
77 and 79 Kambrook Rd	1937 (‘Advertising’, Herald, 14 September 1947, p21)	Mirror ‘semi’, eclectic late 1930s (Mediterranean influence), rendered with brick detailing, arched side porch entry, concrete hoods and restrained leadlighting. No. 77 has an original garage (double timbered door with glazing bars) as well as a front fence and driveway.
119 Eskdale Road	Circa 1907, <i>Kira Ora</i>	Federation Queen Anne, largely obscured by well-established trees and high fence, return verandah with timber brackets and fretwork, square bay clad in serrated shingling, casements with toplights, and leadlighting.
83/85 Kambrook Rd	Circa 1924	Asymmetrical ‘semi’, Californian style bungalow, roughcast rendered walling with face/clinker brick detailing, picture windows and leadlighting. No. 85 has a visible side porch with battered columns. Likely repeated to no. 83, which has been extended to its northern elevation.
87 Kambrook Rd	Circa 1915, <i>Gwylata</i>	Federation Queen Anne, corrugated metal roof cladding, roughcast finish and weatherboard dado to façade, side porch and square bay. Partly obscured by overgrown garden.
89 Kambrook Rd	Circa 1915, <i>Glen Elgin</i>	Federation Queen Anne with symmetrical façade, original/early corrugated metal roof cladding, metal cresting and finials, fretwork to porch, roughcast walling, faceted bays and leadlighting. Largely obscured by planting.
95 Kambrook Rd	Circa 1916, <i>Helga Malm</i>	Federation Bungalow with three front gable ends, modified porch, faceted bay, pair of picture windows and leadlighting/ripple glass. Likely original front red brick fence with dogtooth pattern.
97 Kambrook Rd	Circa 1919	Bungalow, enlarged and altered. Original form remains legible. Roughcast finished gable end (front/painted) and quarrel leadlighting.
99 Kambrook Rd	Circa 1919	Bungalow, Californian type, projecting front gable, porch (enclosed) with pylons and faceted bay/leadlighting. Original brick fence.



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101 Kambrook Rd	Circa 1919	Bungalow, Craftsman-like, central porch with battered columns and recessed entry.
103 Kambrook Rd	Circa 1919	Bungalow, Craftsman influence, recessed porch with timber posts and brackets, arched side entry, faceted bay, and wall-hung shingling.
105 Kambrook Rd	Circa 1919	Federation Bungalow type, central projecting gable, porch with battered columns, square bay with skillion hood, picture window and leadlighting.
107 and 109 Kambrook Rd	Circa 1919, <i>Ronadene</i>	Asymmetrical 'semi', Federation Bungalow influence, side porch and front verandah with decorative timber elements, and leadlighting.
111 Kambrook Rd	Circa 1917	Bungalow, modified (rendered). Original form remains. Shingled effect to gable ends.
113 and 115 Kambrook Rd + 2 and 2A Hudston St	Circa 1939-40 Described as 'flats' at initial sale	Asymmetrical/interlocking 'semis', streamlined Moderne character, clinker brick, curved cantilevered porch awnings, horizontal glazing bars and original doors with ribbed glass panes. Integrated garages – 113 and 115 Kambrook Road. Original low brick fence, incorporating hedge for privacy.
2B and 2C Hudson St	Circa 1939-40	Asymmetrical 'semis', Old English style, corbelled gable end. Façade of 2C has been rendered. No. 2B retains an original driveway.
2D and 2E Hudson St	Circa 1939-40	Asymmetrical 'semis', pared-down late Interwar character, clinker brick.



View (left to right) of 39, 37 and 35 Kambrook Road



View (left to right) to 35, 35 and 33 Kambrook Road

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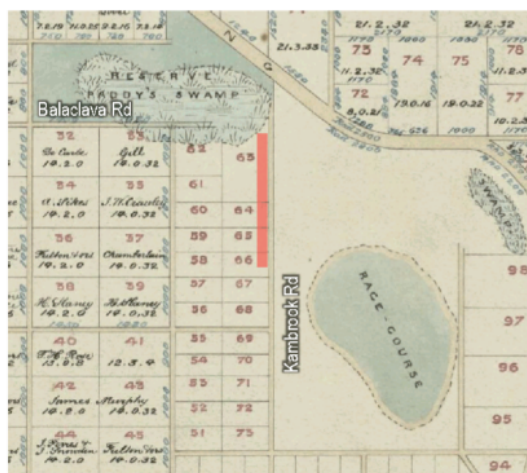
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## History

At its survey in 1856, the Kambrook Road Precinct formed part of a considerable section near the centre of the Caulfield district reserved by the Crown for recreational use.<sup>8</sup> This area included a wetland, known as Paddy's Swamp (now Caulfield Park) and an expanse of 'flat sandy scrub', known initially as the 'The Heath', which was proclaimed the Caulfield Racecourse in 1859.<sup>9</sup> The land east of Bambra Road and south of Redan and Balaclava roads had been excised from this reserve system by 1857, although it was not auctioned until 1864 as part of the last major sale of Crown land in the area.<sup>10</sup>

Of the initial buyers, John Payne, Esq., who acquired Allotments 66 and 67 (and later 65), was the first to build in the precinct. The director of various Melbourne and Tasmanian companies, he had been active in acquiring land across the district since the mid-1850s. A keen racehorse owner, Payne was also one of the first trustees of the Caulfield racecourse (before its management by the VATC). His relatively small estate (in the context of Caulfield), founded in circa 1867 to the south-west of Redan and Kambrook roads, was named *Kambrook*.<sup>11</sup> At an unsuccessful listing for its sale in the late 1870s, the property – and in effect, the early character of the central portion of the precinct – was described as containing a 'family [wood/brick] residence of seven rooms' set in 'Land about 15 acres, laid out in lawn planted with English trees of 20 years' growth, shrubs ... orchard, flower and vegetable garden, remainder divided into three paddocks laid down with English grass'.<sup>12</sup>

The northernmost section of the precinct, the block bound by Redan, Balaclava and Kambrook roads, remained part of Paddy's Swamp until 1879, at which time it was surveyed and sold (with allotments 1-3 of Section 9 forming part of the precinct).<sup>13</sup> Its initial buyers included the Newing family (Allotments 1 and 2), whose patriarch, Thomas Robert Newing – a Melbourne-based 'oil and colour merchant', racehorse enthusiast, and later president of the Caulfield Shire (1887) – built a 5-roomed brick house and timber stables on the south side of Redan Road, near its intersection with Kambrook Road (outside the precinct) around 1868. It was later known as *Ellington*.<sup>14</sup>



Early parish map depicting the newly released land between Bambra and Kambrook roads, without owners yet identified.

The approximate precinct portion is shaded red.

(Source: Thomas H Lightfoot, *Plan of the Parish of Prahran in the County of Bourke*, 1865, SLV)

<sup>8</sup> Caulfield was first surveyed by Henry B Foot in the early 1850s, likely on the instructions of Victoria's first Surveyor-General, Robert Hoddle (appointed 1851). Foot's subsequent surveys of the district were published between 1853-56 (refer to *Plan of portions marked in the Parish of Prahran*, 1851, SLV, BIB ID 2030273; and *Plan of the Parish of Prahran, County of Bourke*, 1853, SLV, BIB ID 2153766), with the majority of initial sales taking place between 1854-64 (Peter R Murray and John C Wells, *From sand, swamp and heath: A History of Caulfield* (J & D Burrows, City of Caulfield, 1980), p2. Foot also established the locality's road grid, including Kambrook Road.

<sup>9</sup> 'Trustees of the ground set apart at Caulfield as a site for racing and other purposes of public recreation', *Victorian Government Gazette*, no. 50, 5 April 1859, p660; and 'The Caulfield Races', *Argus*, 25 April 1859, p5. The name, 'The Heath', referred to the central part of the reserve and was used into the 20<sup>th</sup> century.

<sup>10</sup> *Part of the Parish of Prahran*, Department of Crown Lands and Survey, 25 June 1857, SLV, Map 5; and Murray and Wells, *From sand, swamp and heath*, p2

<sup>11</sup> Review of *Sand and McDougall's Directory* editions, 1864-70

<sup>12</sup> 'Advertising', *Argus*, 14 September 1878, p2; and Caulfield rate book,

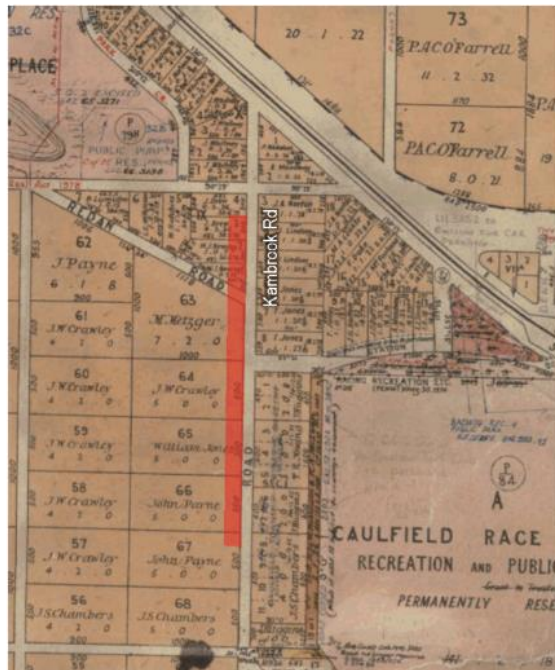
<sup>13</sup> Following pushback from the Shire of Caulfield, the Minister of Lands agreed to reserve Paddy's Swamp in late 1879 permanently. ('Municipal Councils', *Age*, 27 September 1879, p6)

<sup>14</sup> Murray and Wells, *From sand, swamp and heath*, p2; Certificate of Title, vol. 1127, folio 366; 'Will and Bequests', *Table Talk*, 29 March 1888, p8; and Caulfield rate book, 1880



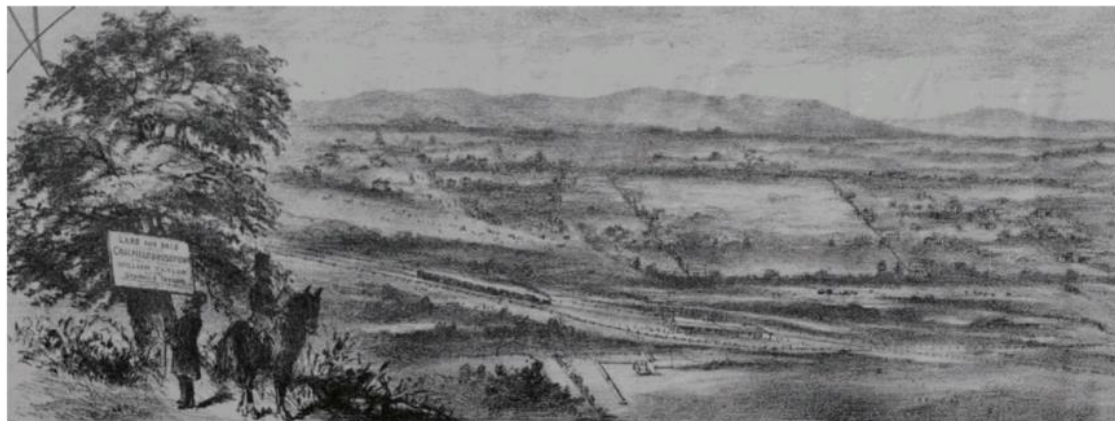
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Parish map showing the original purchasers in the precinct, approximately shaded red.  
(Source: *Cities of Brighton and Caulfield*, PROV, VPRS, 16171)

Caulfield emerged, from the mid-19<sup>th</sup> century, as a sparsely inhabited and peripheral region of Melbourne, a landscape of swamp, heath and red gum flats – exploited by transient timber-cutters and Gippsland graziers as a holdover point for stock on the way to market – with a nascent settlement at the intersection of Glenhuntly and Hawthorn roads known as 'Camden Town'. Despite its relative isolation, the early Crown sales attracted those of means and a patchwork of grand homes arose, set amidst generous gardens and working properties. Classed as a 'pastoral and agricultural district' in the mid-1860s,<sup>15</sup> it was still seen as a 'pretty [and] rural place' at the beginning of the 1880s.<sup>16</sup> The establishment of Caulfield railway station (1879) boosted the profile of the racecourse and the area's reputation for market gardens, nurseries and orchards, rather than as a residential locale.



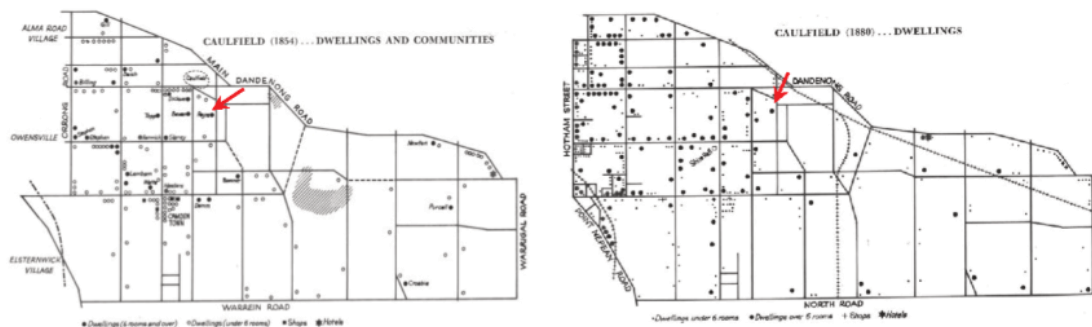
Extracted sketch of Caulfield railway station and surrounding, still semi-rural, environs, in the 1880s.  
(Source: *Plan of building allotments in suburban portions 74 & 90, Parish of Prahran*, 188?, SLV, BIB ID 2038369)

<sup>15</sup> Robert Whitworth, *Bailliere's Victorian Gazetteer Road Guide* (London, 1865), p84

<sup>16</sup> Robert Whitworth, *The Official Handbook & Guide to Melbourne* (F Bailliere, 1880), p196

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Representation of pre-land boom building distribution in the Caulfield district in 1854 (left) and 1880 (right), presumably based on rate book information. Approximate position of the precinct indicated by the red arrow.  
(Source: Murray and Wells, *From sand, swamp and heath*, p7 and 16)

From the mid-1880s, large swathes of the region began to transform with the hyper-speculation of the 'land boom', which led to a surge in subdivision and construction activity, principally in proximity to rail corridors. By the close of the decade, the population had more than tripled (from approximately 2,400 to 8,000), and the dwelling count swelled (400 to approximately 2,000).<sup>17</sup> Like elsewhere on Melbourne's suburban fringe, this phenomenon was driven by an inflow of British capital, an enlarging population, widespread prosperity and a sweeping desire to occupy a freestanding and single-family house.<sup>18</sup> At the height of this marked growth, one of the local newspapers even appropriated the popular contemporary epithet for the city and portrayed the rapidly swelling district as 'marvellous Caulfield'.<sup>19</sup> This intensive phase proved transitory, curtailed by the depression conditions of the early 1890s. General growth renewed gingerly from the turn of the century, further stimulated by the expansion and enhancement of the railway and tram networks, before once again escalating in pace and extent across the Interwar period as the district's middle-class identity solidified.<sup>20</sup> By the mid-1920s, the eastern and central parts of the municipality consisted of various well-established middle-radius suburbs and the district as a whole was second only to the City of Melbourne in population.<sup>21</sup>

In line with much of Caulfield, various land syndicates and companies acquired and amalgamated land from the opening parish sales in the precinct. Many of these holdings were sold during the land boom as 'villa' developments, predominantly along arterial roads and railway stations/corridors. In this mould, the Llangollen Estate – once known as Snipe's paddock – was released in 1888 by The Australian City and Suburban Investment and Banking Company Limited. A large-scale offer, which included a small extent of the precinct either side of Eskdale Road (initially an extension of Station Street). This was the first instance of closer subdivision in the precinct (the narrow lots originally offered were later combined). In promoting the sale, its auctioneer, Mr Taylor ('business-like and courteous combined'), predicated a 'great future for Caulfield – what the city of Prahran is to-day, so will Caulfield be in an few years more'. He also stressed that the estate overlooked the racecourse, now 'second only to that of Flemington', a fact that should 'command the attention of trainers and those interested in equine affairs'.<sup>22</sup> Development to the Kambrook Road frontage of the Llangollen Estate was however slow, and the weatherboard Queen Anne

<sup>17</sup> Henry Heylyn Hayter, *Victorian Year Book For 1880-81* (Melbourne, Government Printer, 1881), p48; and Hayter, *Victorian Year-Book 1892* (Melbourne, Government Printer, 1892), p94

<sup>18</sup> The 19<sup>th</sup>-century conception of the suburb (*rus in urbe*), which persisted into the post-WWII period, drew on multiple currents, including the garden city tradition (a crucial force in the history of British planning with an international influence), class consciousness, sanitary science (which castigated both the real and imagined ill-health and social stigma of the city) and an emphasis on domestic privacy. High wages, cheap/available freehold land and stable central governments were also essential factors in the intense desire for Australians to own a freestanding house with a front garden and rear yard. Despite contemporary intellectual critiques, the suburban tradition was immensely popular and is one of Australia's most recognisable cultural landscape types – one shaped by ordinary people. (Graeme Davison, *City dreamers: the urban imagination in Australia*, Sydney, NewSouth Publishing 2016, Chapter 5)

<sup>19</sup> 'A Place Worth Seeing', *Prahran Telegraph*, 24 November 1888, p24

<sup>20</sup> 'Caulfield', *Victorian Places*, 2014, <[www.victorianplaces.com.au/caulfield](http://www.victorianplaces.com.au/caulfield)>, accessed 19 August 2019; Jill Barnard, 'Caulfield', *eMelbourne*, School of Historical & Philosophical Studies, The University of Melbourne, July 2008, <[www.emelbourne.net.au/biogs/EM00310b.htm](http://www.emelbourne.net.au/biogs/EM00310b.htm)>, accessed 19 August 2019

<sup>21</sup> Review of population figures contained with *Victorian Year Books*, Australian Bureau of Statistics

<sup>22</sup> 'A Place Worth Seeing', *Prahran Telegraph*

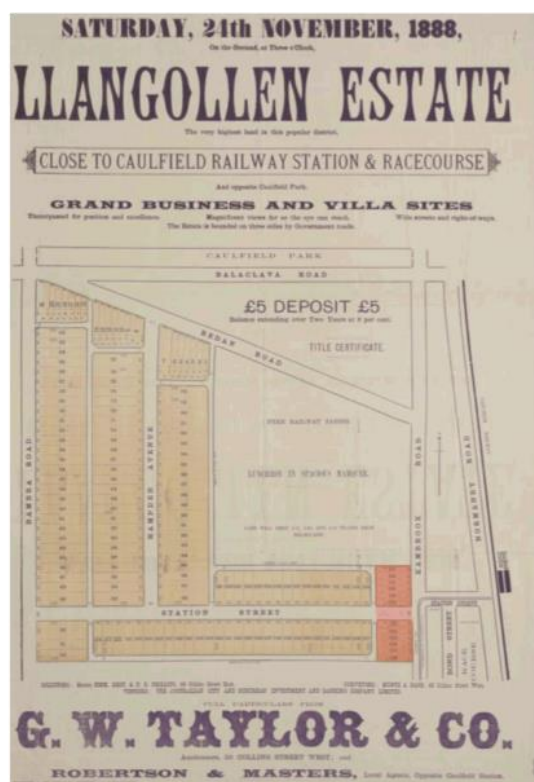


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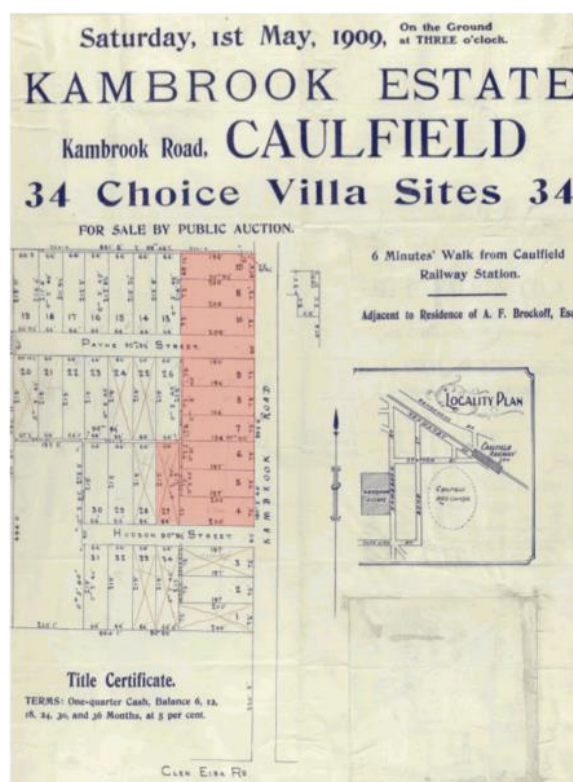
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villa at 119 Eskdale Road (at the corner of Kambrook Road) was not built until circa 1907. It is the oldest surviving house in the precinct.

The next substantial subdivision in the precinct, that of the *Kambrook* estate (John Payne had died in 1881<sup>23</sup>) did not occur until 1909; a reflection of the boom and bust cycles that marked the turn of the century. *Kambrook* had been offered for sale several times between the 1890s and early 1900s, with later promotions moving from marketing the estate as an attractive homestead to one 'eminently suitable for subdivisonal purposes'.<sup>24</sup> This was a subtle indication of a wider shift in the district's social character over the early 20<sup>th</sup> century, with the commodious semi-rural seats of Caulfield's landed gentry now encroached upon by rows of solid bungalows – the respectable marker of the middle-class suburb. By 1906, the proprietors of *Kambrook*, as tenants in common, were Emily Frances M Payne (the sister of John) and Emma Florence Hudson, both of York Street, St Kilda.<sup>25</sup> As part of the works organised for its sale as the Kambrook Estate in 1909, its grounds were cleared and the original residence demolished. Payne and (the eastern portion of) Hudson streets (note namesake) were also laid, to accommodate the pegging out of 34 suburban-scaled lots ('splendid depths') 'for those seeking a site for [the] erection of a MODERN VILLA'.<sup>26</sup> Ten of these lots were situated along the Kambrook Road of the precinct and, for the most part, were sold between 1912-15.<sup>27</sup> The lots north of Payne Street were built on during this time, while those to the south appeared around 1919, mostly by the hand of contract builder James William Hardy (see below).



Llangollen Estate – small precinct section shaded red. Note Station Street west of Kambrook Road was renamed Eskdale Road. (Source: NLA, Bib ID 1736711)



Kambrook Estate – section in the precinct is shaded red. (Source: Vale Collection, SLV)

In 1914, the Newing family (Thomas had died at *Ellington* in 1888<sup>28</sup>) also subdivided their holding – the last of the large land

<sup>23</sup> 'Family Notices', *Australasian*, 4 June 1881, p25  
<sup>24</sup> 'Advertising', *Age*, 4 March 1903, p2  
<sup>25</sup> Certificate of Title, vol. 3143, folio 497  
<sup>26</sup> 'Advertising', *Age*, 17 April 1909, p2  
<sup>27</sup> Certificate of Title, vol. 3143, folio 497  
<sup>28</sup> 'Family Notices', *Argus*, 27 January 1888, p1



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releases in the precinct, which established nearly half of the existing lot pattern. Promoted as the Ellington Estate, purchase involved the acceptance of a covenant that, at a minimum, £500 was required to be expended on building costs.<sup>29</sup> (A serviceable cottage could be erected for £350 or £400 in the period.<sup>30</sup>) As part of the works, Newington Grove and Bowls Avenue were also formed (outside the precinct). Most of these lots were subject to development during WWI or in the immediate post-war years.

The sale and development of the Ellington Estate was a turning point in the evolution of the locale from semi-rural land use, utilised in particular as paddocks by horse owners and trainers,<sup>31</sup> to a suburban precinct. It coincided with the wider growth and consolidation of Caulfield proper in this period. A trend much-commented upon by contemporary observers:

The development of the district south of the Yarra grows greater every year. Steadily the area of Greater Melbourne is being enlarged. The electric trams are doing the work of suburban expansion it was foreseen they would do. It affords a remarkable contrast to review what Caulfield was, and what it has become. It was created a road board in 1857, and was regarded as out in the bush, given over to market gardeners and farmers. To-day on the places where cabbages were grown are massed suburban villas, and Caulfield is a full blown city ... While these [railway] lines have been instrumental in bringing population, the inevitable tram... [has been] the mainstay in that direction.<sup>32</sup>



(Above) Undated photograph towards the corner of Eskdale and Wyuna roads, just west of the precinct, likely 1900-10. A semi-rural landscape is depicted.

(Source: Glen Eira Historical Society, Object Registration 1192A)

(Left) Ellington Estate, late 1914 – with precinct portion shaded red.  
(Source: Landata, LP 6512)

The section of the precinct north of Redan Road was acquired by James William Hardy, a resident of Kambrook Road (no. 73), in 1924.<sup>33</sup> He divided the acquisition into six lots, which were purchased between 1924-25.<sup>34</sup> Whether these properties were sold as land/house package deals is not known, although it appears likely that Hardy constructed most, if not all, of the existing bungalows to this stretch (nos 35-45). This was not Hardy's first interaction with Kambrook Road.<sup>35</sup> Previously, he had purchased the land and presumably built houses (again bungalows) at nos 67 and 97-105 Kambrook Road around 1919.<sup>36</sup> He is also known to have been active elsewhere in the municipality.<sup>37</sup> This was the archetypal approach of the small-scale speculative builder in Interwar Melbourne; that is, the acquisition of land – often several lots, freshly subdivided – followed by the expeditious erection of cost-effective but desirable suburban abodes, which could be sold on quickly or, less so in 'quality' areas, tenanted.

A review of the recorded occupation for original or early occupants (1910s and 1920s) in the precinct reveals a high proportion of 'professionals' (stockbroker, clerks, military officer, salesman, mining manager, optician, publisher, dentist, commercial traveller) as well as some 'blue-collar' workers, most of whom were involved in the construction industry. This small sample size equates

<sup>29</sup> 'Caulfield', *Herald*, 10 September 1914, p8

<sup>30</sup> 'Homes for the People', *Herald*, 5 December 1912, p3

<sup>31</sup> Certificate of Title, vol. 3889, folio 619

<sup>32</sup> 'Caulfield's Progress', *Prahran Telegraph*, 28 June 1919, p6

<sup>33</sup> Hardy died in 1944, aged 68, a resident of East Malvern. ('Death Notice', *Argus*, 1944, p2)

<sup>34</sup> Certificate of Title, vol. 4799, folio 643

<sup>35</sup> Hardy is also known to have been active in construction elsewhere in Caulfield, including the Heywood Street Precinct.

<sup>36</sup> (no. 67) Certificate of Title, vol. 4114, folio 620; (no. 97-105) Certificate of Title, vol. 4124, folio 607

<sup>37</sup> For instance, refer to the Heywood Street Precinct.

Glen Eira Heritage Review of the Caulfield Station Precinct Structure Study Area, Caulfield East & Glen Huntly  
Stage 1B

Citation 8

with the wider documented socio-economic profile of the Caulfield district across the Interwar period.<sup>38</sup>

The group of clinker brick houses in the southern section of the precinct were erected between 1939-40, in place of an earlier timber residence. These were also likely the result of another speculative builder, perhaps Leo Norman Graham, who was recorded as a builder and resident of 2A Hudson Street in 1940, the same year that the other similarly styled, neighbouring houses were being constructed.<sup>39</sup>

The following aerial photographs show the precinct as developed by 1931 and 1945. The likely original form and footprint of the contributory buildings are depicted, as are an array of outbuildings (only some of which have survived). Street plantings are not evident or well established enough to appear in the 1931 aerial. Their presence in the 1945 aerial suggests that they were mostly the result of post-WWII municipal planting efforts, in which native species were increasingly favoured.

#### *Late 20<sup>th</sup>-century change*

Over the late 20<sup>th</sup> century, some Federation and Interwar period dwellings were replaced with contemporary residences, including a two-storey house at 93 Kambrook Road, a single-storey flat-roofed house at no. 91 and a unit development at no. 75. Other reoccurring changes in the precinct are the infilling or enclosing of front porches.



1931 aerial photograph of the precinct. All contributory buildings are extant, except for the late Interwar examples (33, 77 and 79 and 113 and 115 Kambrook Road and 2 to 2E Hudson Street)  
(Source: Landata, *Maldon Prison*, Frame 2477)

<sup>38</sup> See Murray and Wells, *From sand, swamp and heath*, pp225-228

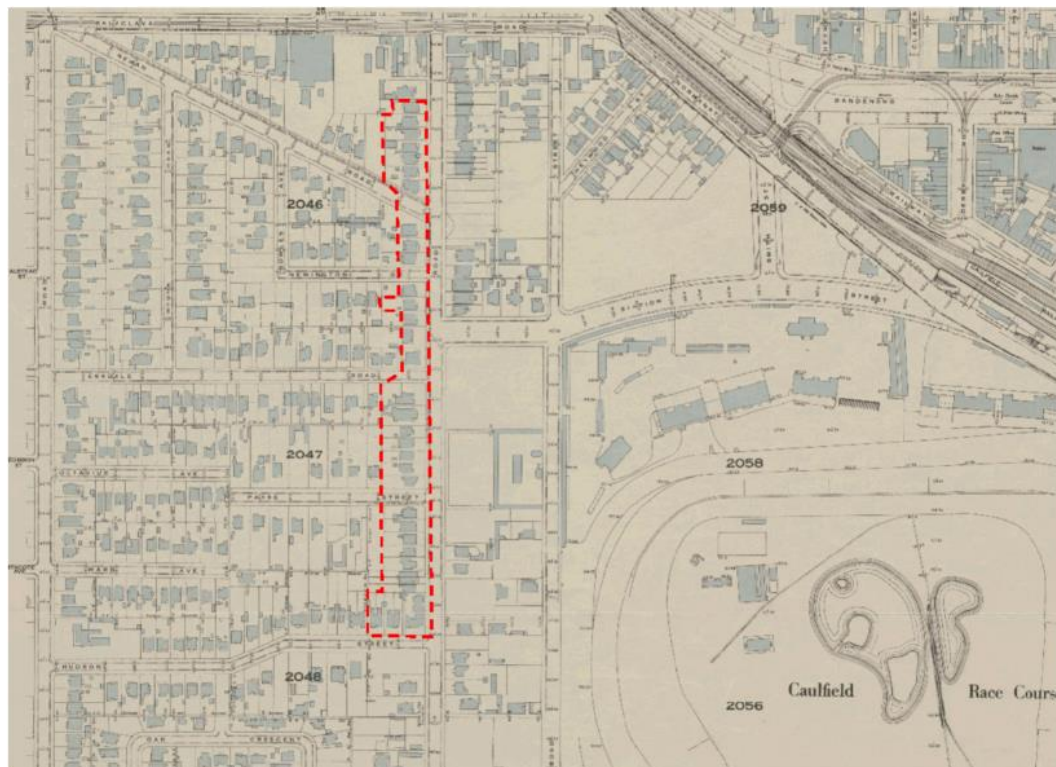
<sup>39</sup> 'Notice to Creditors of Intention to Declare Dividend', *Commonwealth of Australia Gazette*, 24 October 1940, p2301

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1945 aerial photograph of the precinct. Left to right – north to south. All contributory places extant  
(Source: Landata, *Melbourne and Metropolitan Area Project No.5*, Run 16, Frame 57836)



MMBW plan no. 79 (160 feet to 1 inch), Caulfield and Malvern  
The Kambrook Road Precinct, outlined, and surrounding environ as developed by 1949  
(Source: *Maps of Melbourne*, The University of Melbourne)

### Thematic Context/Comparative Analysis

*City of Glen Eira Heritage Management Plan – vol. 1* (Historical Background):

- The Post Federation Years (1900s-1910s), and
- Suburban Expansion and Consolidation (1920s-1930s).



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Citation 8

#### *Known comparable places in the City of Glen Eira*

The Kambrook Road Precinct is one of several predominantly Interwar period residential precincts in Glen Eira; a reflection of the municipality's consolidation in the Interwar period. Few other precincts, however, contain the same concentration of bungalow variety (transitional, Californian and Craftsman); the result of a spate of construction during and immediately following WWI (years in which the transitional modes flourished), the bungalow ascendancy of the early to mid-1920s and later phase (1930s) of more austere housing design. All of these types demonstrate the presence of the small-scale speculative builder.

Comparable mixed precincts include:

- Glen Eira Road and Environs, Caulfield North (HO73) – generally substantial bungalows and late Interwar period houses with a smattering of late Federation period villas on a subdivision deriving from the grounds of the late 19<sup>th</sup>-century mansion, *Nithsdale*.
- Caulfield North Estate and Environs (HO14) – a considerable precinct of diverse typologies (cottages, villas, row/terrace houses, 'semis', flats – albeit few Interwar period bungalows) dating from the late 19<sup>th</sup> century to the inter-war years. Some transitional Federation bungalows in Camarvon Road.
- Ormond Precinct environs (HO75) – large precinct with an array of Interwar period housing, numerous timbered examples. Some Victorian and Federation period dwellings are present.
- Bailey Avenue and Myrtle Street environs, East St Kilda (HO68) – a small precinct on the north side of Glen Eira Road with a modest housing stock defined by an assortment of Federation Queen Anne style villas (red brick as well as weatherboard) and masonry Interwar period bungalows.
- Elsternwick North Precinct (as amended, part of HO72) and Elsternwick South Precinct (recommended for a HO) – both sweeping precincts that encompass a diversity of typologies and late 19<sup>th</sup> and early to mid-20<sup>th</sup> century idioms with the former having fewer examples from the Interwar period than the latter. Bungalows are well represented in both precincts but tend to be the Californian type.

Other Interwar period precincts with a high proportion of bungalows include:

- Beauville Estate and Environs, Murrumbeena (HO12),
- Hillcrest Avenue and Environs, Caulfield (HO32),
- Glen Huntly Park Estate and Environs (HO28),
- Bentleigh Residential Precinct (HO69), and
- Rose Hill Estate Precinct, Bentleigh (recommended for a HO).

#### **Condition**

Good

#### **Integrity**

Largely intact

#### **Previous Assessment**

Andrew Ward, *City of Caulfield Conservation Study*, 1990, Survey Sheet 11:

- 63 Kambrook and 119 Eskdale Road – of local significance (C grade),
- 95 Kambrook Road – of local interest (D grade), and
- All others – N grade (not significant).

#### **Heritage Overlay Schedule Controls**

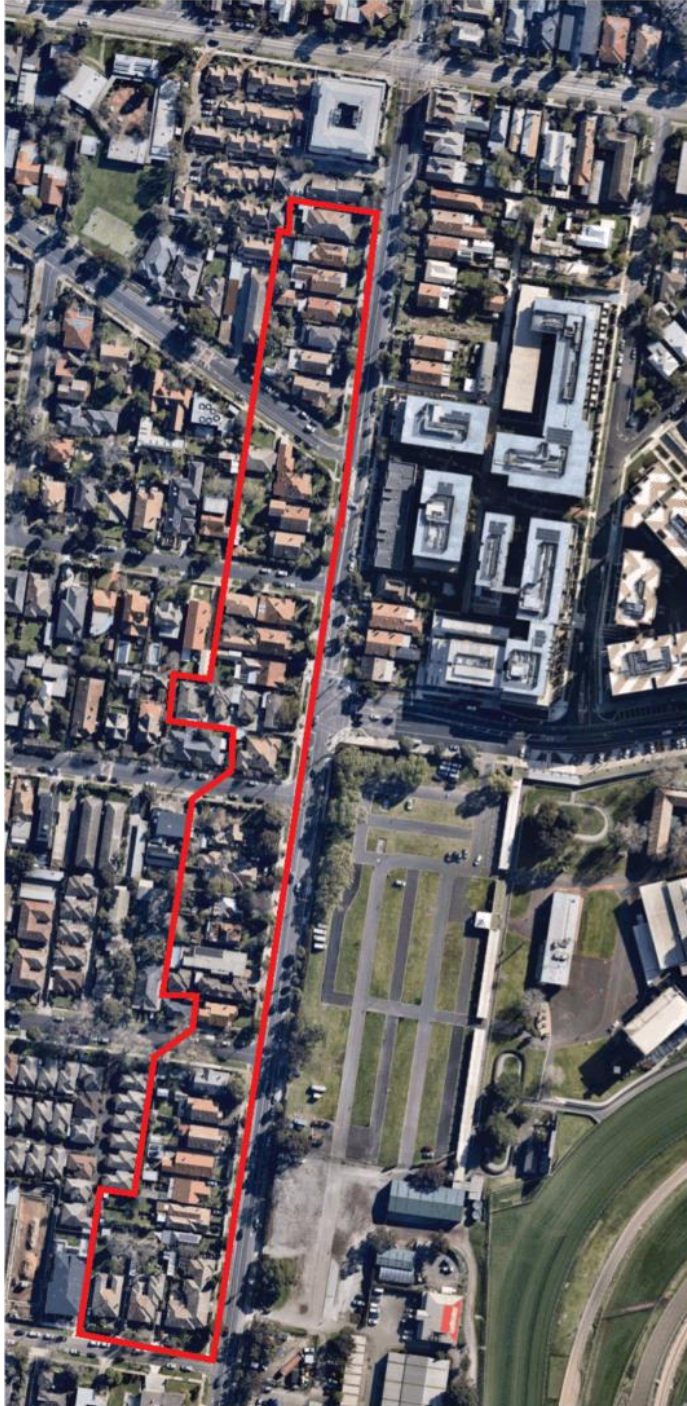
External Paint Controls	No
Internal Alteration Controls	No
Tree Controls	No
Outbuildings and/or Fences	No

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### Extent of Heritage Overlay

The proposed extent of the heritage overlay would be as outlined on the following map:



Recommended extent of registration  
(Nearmap, depicting August 2019)



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Stage 1B

Citation 8



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REF: MEL-20003\_ENG\_REP\_01

# STRUCTURAL ENGINEERING REPORT

*89 Kambrook Road,  
Caulfield North, VIC 3161*

Report Number: REP\_01 Rev: C

Report Status: Issued to Council

Issue Date: 25/03/2020



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## DOCUMENT CONTROL TABLE

SITE ADDRESS	89 Kambrook Road Caulfield North, VIC 3161
JOB NUMBER	MEL20003
CLIENT	William A. Steward & Young-Ae Steward
CLIENT REFERENCE	Structural Engineer Report
VISITING ENGINEER	Rino Albanese
SITE VISIT DATE	11/03/2020
OWNERS	William A. Steward & Young-Ae Steward
ATTENDEES	Luciano Palma, Project Elements Pty Ltd
REPORT NUMBER	20003-R01
REPORT AUTHOR	Rino Albanese
REPORT DATE	13/03/2020
STATUS	Issued to Council – Conclusion clarified
REVISION	C
QA REVIEWER	Christine Foster



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## 1. INTRODUCTION

- 1.1. In response to instructions received from Project Elements P/L on behalf of William A. Steward & Young-Ae Steward (referred to hereafter as 'the client'), Rino Albanese from Flussig Spatial (referred to hereafter as 'Flussig') has carried out a site visit of the existing single-level residential structure located at 89 Kambrook Road, Caulfield North, VIC 3161 (referred to hereafter as 'the structure') on 11/03/2020 in the presence of Mr Luciano Palma (referred to hereafter as 'the representative').
- 1.2. This report is intended to review the building structure and provide professional advice as to the status of this building.

## 2. DESCRIPTION OF SITE AND STRUCTURE

- 2.1. The structure is a single-level residential structure primarily accessed from Kambrook Road.
- 2.2. The structure construction is generally described as follows:
  - Corrugated Iron poly pitch roof supported on conventionally framed solid timber rafters and beams.
  - The original house has had an addition constructed sometime after it was in use. The external walls of the original section of the structure are timber framed and are clad in a mixture of timber weather boards and rendered stucco. Both the weatherboards and stucco are painted.
  - The external walls of the additions are timber framed and are clad in a mixture of timber weather boards and fibre cement sheeting. Both weather boards and cement sheeting are painted. We did not establish if there is any **asbestos** on site that might need to be removed, although given the period of this home we are expecting to find substantial asbestos throughout the building.
  - The internal walls are solid timber framed and are lath and plaster. The original Sections of the kitchen and bathroom have been tiled.
  - The floor of the structure is timber floorboards over timber joists and bearers. At the time of the inspection the sub-floor was not accessible, as such it is unknown if the structure is supported on timber or concrete stumps. Given the age and condition of the structure it is likely that the structure is supported on timber stumps.



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2.3. The site is generally described as follows:

- The site faces east towards Kambrook Road and is relatively flat.
- Site drainage conditions were generally considered to be poor, no active site drainage was noted at the time of the inspection. The gutters and down pipes are degraded and don't seem to be able to function adequately.
- Trees and gardens were noted immediately adjacent the structure, obscuring parts of the facades. Sections of the site and structure were overgrown. Access to the Northern façade of the structure was not possible due to overgrown vegetation.
- An outdoor carport and timber shed are located on the southwest corner of the site.

### 3. OBSERVATIONS

3.1. We made the following observations during the site visit. Note - this is a general description of the observations that are deemed to be relevant to this investigation and is not intended to be a complete list of defects.

**Appendix A** contains a selection of photographs captured during the site visit which in our opinion provide an accurate representation of the general condition of the site and structure at the time of the site visit.

#### 3.2. General

3.2.1. The existing structure is in a very poor overall condition, in advanced stages of decay.

3.2.2. Electrical wiring and fixtures are not to code and will require an additional inspection by a qualified electrical consultant. (note: - power supply has been abolished)

3.2.3. Gas supply is not able to be checked without an intrusive inspection. (note - gas abolishment order in progress)

3.2.4. Plumbing connections and internal reticulation is not able to be checked without an intrusive inspection. The plumbing fixtures are outdated and non-compliant for current use. (water supply has been capped, meter in process of being removed)





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3.2.5. Sewer connections are not able to be checked without an intrusive inspection. With visible excessive floor movements, we would expect these to require some attention. ( note - Water supply has been capped and meter booked to be removed)

### 3.3. External

#### 3.3.1. Northern External Wall

- The northern external wall was not accessible at the time of the inspection due to overgrown vegetation.
- The windows were inspected internally and are generally in a state of non-repair.

#### 3.3.2. Eastern External Wall

- The eastern external wall is in generally poor condition. Sections of the façade were not accessible due to the proximity of vegetation. Large sections of the façade are covered in a creeper.
- Windows and door are in very poor state and in our opinion not repairable.

#### 3.3.3. Southern External Wall

- The southern external wall is in poor condition. Small sections of the façade are covered in a creeper. The hot water unit is located along this wall and seems to be less than 10 years old. (Not sure if it was operational)
- There is evidence of rot to the stud walls and weather boards.
- The window frames show an excessive amount of rot and cannot function.

#### 3.3.4. Western External Wall

- This wall is in extremely poor condition. The wall is covered in a creeper both internally and externally.
- This wall is part of an extension to the original building, the consensus on the extension is that it is not in a repairable state.

#### 3.3.5. Roof Sheeting



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- The roof sheeting is in poor condition. The surface of the sheeting is noticeably rusted and rusted through in many places. Several sections of the roof sheeting have become detached from the timber roof framing. There is no flashing between the original external wall and the roof sheeting over. The framing for this section of roof appears to be of adhoc construction.
- The roof has visible sags and damage consistent with extreme decay. Repairing the structure would seem unreasonable. If this structure was required to be repaired, we would recommend total replacement.

#### 3.3.6. Roof Guttering

- The roof guttering is in very poor condition. Several sections of the guttering have become detached from the structure and the down pipes are not in working order.

#### 3.3.7. Carport and Storage Shed

- The carport and the timber storage shed are in very poor condition. The roof and the northern wall of the shed have sagged significantly, the timber framing and cladding appears to be rotten. This structure is unrepairable.

### 3.4. Internal

#### 3.4.1. Bedroom 1

- Bedroom 1 is in poor condition.
- Mould is present on the walls and ceiling.
- The floor falls noticeably into a valley running from east to west.
- There is significant cracking in the walls, cornice and the ceiling. Due to the cracking large areas of the lath are exposed in parts where the rendered plaster has broken away.
- The ceiling cornice has cracked, and the paint is peeling off in several locations.

#### 3.4.2. Bathroom



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- The bathroom is in very poor condition.
- Mould and rot are present on all surfaces, particularly on the ceiling and around the bath.
- The timber floor falls towards the north west corner.
- The floor is rotten in areas, particularly around the bath where there is noticeable water damage.

#### 3.4.3. Bedroom 2

- Bedroom 2 is in poor condition.
- The ceiling cornice has cracked, and the paint is peeling off in several locations.
- The wall plaster is cracked in the southeast corner and there is some evidence of timber decay.
- The paint on the timber window frame is cracked and there is mould present.

#### 3.4.4. Bedroom 3

- Bedroom 3 is in very poor condition.
- The wall plaster throughout the room is significantly cracked. On the southern wall significant sections of the plaster have become dislodged from the wall
- The ceiling plaster throughout the room is significantly cracked. Immediately adjacent to the fireplace a large section of the ceiling plaster has dislodged from the ceiling.

#### 3.4.5. Hallway

- The hallway is in very poor condition.
- The ceiling plaster is significantly cracked. The cracks are running in a north south direction and are located at approximately 500-600mm intervals.



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- Several of the ceiling cracks continue down the north and south walls. The walls also have significant cracks located in the lower half of the wall.
- The western wall separating the hall has significant diagonal cracking over the door wall. The door into the kitchen will not close.
- There is strong evidence of sub-floor and structural wall failure.

#### 3.4.6. Kitchen

- The Kitchen is in very poor condition.
- The door into the Laundry/Sunroom closes but it will not open fully.
- The floor falls noticeably towards the north west corner. Evident sub-floor structural failure.
- Ceiling is in poor condition. Paint is peeling in several locations. The ceiling is warped and there is noticeable water damage and mould. Evidence of leaking roof and damage to structure.
- The cornice between the ceiling and the walls is cracked in several locations.
- The walls all have significant cracking, particularly the western wall.

#### 3.4.7. Laundry and Sunroom

- The laundry and sunroom are part of the extension and it is in extremely poor condition.
- Timber framing is rotting, existing cladding is dislodging.
- Evidence of water ingress along the entire extent.
- Floor is rotting and uneven. External door will not open fully.
- There is a creeper growing throughout the room. The laundry was not accessible due to the creeper.

#### 3.4.8. Living Room



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- The living room is in very poor condition.
- There is a strong odour in the room.
- The chimney structure shared with Bedroom 3 is significantly cracked and cannot be retained.
- The floor directly adjacent the north facing window is wet and there are signs of mould and damp.
- There is rot present in the window frame and water damage is evident in the immediate vicinity of the window.
- There is significant cracking on all walls and the cornices and the ceiling.

#### 4. DISCUSSION

##### 4.1. Summary of Observations

- 4.1.1. The floor and subfloor structure show signs of extreme failure. We would expect the rotting of stumps and bearers. Subsequently the floor coverings have degraded to a point of non-repair.
- 4.1.2. The walls and ceiling members have been exposed to weathering and not maintained, as a result they are showing damage in the form of rot and dislodgments from supporting members.
- 4.1.3. The roof and internal structural supports are showing signs of excessive rotting and dislodgement as a result of leaks and general building movements.
- 4.1.4. The services supply and connections would need to be further assessed but we are confident that they are not to current code.
- 4.1.5. We observed mould and water damage to large areas within the building.

#### 5. CONCLUSIONS

After careful consideration, given the age of the building and the low probability to retain any of the existing features and structure of this building, we conclude that it is beyond repair, that the extent of work required to bring this structure in line with current codes and regulations would be unreasonable.





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It is my opinion that this building is structurally unsound.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Rino Albanese", enclosed within a light blue oval border.

**Rino Albanese**

***Civil/Structural Principal***

**EC 46579**



***Flüssig Spatial | Victoria-Australia***



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## APPENDIX A

Photos and comments



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Photo A1



Western wall – wall beyond repair.

Photo A2



Inside of western extension – Roof calapsed and vegetation causing major structural decay.



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Photo A3



South-west of wall and rear carport with attached shed – Building wall not vertical, showing internal sub structure failure and rear carport and shed damaged beyond repair.



REF: MEL-20003\_ENG\_REP\_01\_87

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# STRUCTURAL ENGINEERING REPORT

*87 Kambrook Road,  
Caulfield North, VIC 3161*

Report Number: REP\_01 Rev: C

Report Status: Issued to Council

Issue Date: 25/03/2020





REF: MEL-20003\_ENG\_REP\_01\_87

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## DOCUMENT CONTROL TABLE

SITE ADDRESS	87 Kambrook Road Caulfield North, VIC 3161
JOB NUMBER	MEL20003
CLIENT	William A. Steward & Young-Ae Steward
CLIENT REFERENCE	Structural Engineer Report
VISITING ENGINEER	Rino Albanese
SITE VISIT DATE	11/03/2020
OWNERS	William A. Steward & Young-Ae Steward
ATTENDEES	Luciano Palma, Project Elements
REPORT NUMBER	20003-R01
REPORT AUTHOR	Rino Albanese
REPORT DATE	13/03/2020
STATUS	Issued to Council – Conclusion clarified
REVISION	C
QA REVIEWER	Christine Foster



REF: MEL-20003\_ENG\_REP\_01\_87

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## 1. INTRODUCTION

- 1.1. In response to instructions received from Project Elements on behalf of William A. Steward & Young-Ae Steward (referred to hereafter as 'the client'), Rino Albanese from Flussig Spatial (referred to hereafter as 'Flussig') has carried out a site visit of the existing single-level residential structure located at 87 Kambrook Road, Caulfield North, VIC 3161 (referred to hereafter as 'the structure') on 11/03/2020 in the presence of Mr Luciano Palma (referred to hereafter as 'the representative').
- 1.2. This report is intended to review the building structure and provide professional advice as to the status of this building.

## 2. DESCRIPTION OF SITE AND STRUCTURE

- 2.1. The structure is a single-level residential structure primarily accessed from Kambrook Road. Front entrance is to the South.
- 2.2. The structure construction is generally described as follows:
  - Corrugated Iron poly pitch roof supported on conventionally framed solid timber rafters and beams.
  - The original house has had an addition constructed sometime after it was in use. The external walls of the original section of the structure are timber framed and are clad in a mixture of timber weather boards and rendered stucco. Both the weatherboards and stucco are painted.
  - The external walls of the additions are timber framed and are clad in a mixture of timber weather boards and fibre cement sheeting. Both weather boards and cement sheeting are painted. We did not establish if there is any **asbestos** on site that might need to be removed, although given the period of this home we are expecting to find substantial asbestos throughout the building.
  - The internal walls are solid timber framed and are lath and plaster finished. The original Sections of the kitchen and bathroom have been tiled.



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REF: MEL-20003\_ENG\_REP\_01\_87

- The floor of the structure is timber floorboards over timber joists and bearers. At the time of the inspection the sub-floor was not accessible, as such it is unknown if the structure is supported on timber or concrete stumps. Given the age and condition of the structure it is likely that the structure is supported on timber stumps.

2.3. The site is generally described as follows:

- The site faces east towards Kambrook Road and is relatively flat.
- Site drainage conditions were generally considered to be very poor; no active site drainage was noted at the time of the inspection. The gutters and down pipes are degraded and don't seem to be able to function adequately.
- Trees and gardens were noted immediately adjacent the structure, obscuring parts of the facades. Sections of the site and structure were overgrown. Access to the Northern façade of the structure was not possible due to overgrown vegetation.
- An outdoor carport and timber shed are located on the southwest corner of the site.

### 3. OBSERVATIONS

3.1. We made the following observations during the site visit. Note - this is a general description of the observations that are deemed to be relevant to this investigation and is not intended to be a complete list of defects.

**Appendix A** contains a selection of photographs captured during the site visit which in our opinion provide an accurate representation of the general condition of the site and structure at the time of the site visit.

#### 3.2. General

3.2.1. The existing structure is in a very poor overall condition, in advanced stages of disrepair. In our assessment we have been asked to consider the feasibility of retaining some of the building period features if the building was to be repaired and brought up to current construction code standard to make the residence habitable.

3.2.2. Electrical wiring and fixtures are not to code and will require an additional inspection by a qualified person to establish costs and feasibility to rectify. (note: - power supply has been abolished)



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REF: MEL-20003\_ENG\_REP\_01\_87

3.2.3. Gas supply is not able to be checked without an intrusive inspection. (note: -gas supply has been abolished)

3.2.4. Plumbing connections and internal reticulation is not able to be checked without an intrusive inspection. The plumbing fixtures are outdated and non-compliant for current use. Water supply has been capped and meter removed.

3.2.5. Sewer connections are not able to be checked without an intrusive inspection. With visible excessive floor movements, we would expect these to require some attention.

### 3.3. External

#### 3.3.1. Northern External Wall

- The northern external wall was not accessible at the time of the inspection due to overgrown vegetation.
- The windows were inspected internally and are generally in a state of non-repair.

#### 3.3.2. Eastern External Wall

- The eastern external wall is in generally poor condition. Sections of the façade were not accessible due to the proximity of vegetation. Large sections of the façade are covered in a creeper.
- Windows and door are in very poor state and will require replacement.

#### 3.3.3. Southern External Wall

- The southern external wall is in poor condition. Small sections of the façade are covered in a creeper.
- There is some evidence of rot and a good portion of wall and boards would require to be replaced. The laths are exposed in parts where the rendered plaster has broken away.
- The window frames show an excessive amount of rot and cannot function in current state.

#### 3.3.4. Western External Wall

- This wall is in extremely poor condition. The wall is covered in a creeper both internally and externally.



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- This wall is part of an extension to the original building, the consensus on the extension is that it is not in a repairable state, or the extent of the repair is well beyond reasonable.

#### 3.3.5. Roof Sheeting

- The roof sheeting is in poor condition. The surface of the sheeting is noticeably rusted. Several sections of the roof sheeting have become detached from the timber roof framing. There is no flashing between the original external wall and the roof sheeting over. The framing for this section of roof appears to be of adhoc construction.
- The roof has visible sags and damage consistent with extreme decay. Repairing the structure would seem unreasonable. If this structure was required to be repaired, we would recommend total replacement.

#### 3.3.6. Roof Guttering

- The roof guttering is in very poor condition. Several sections of the guttering have become detached from the structure and the down pipes are not in working order.

#### 3.3.7. Carport and Storage Shed

- The carport and the timber storage shed are in very poor condition. The roof and the northern wall of the shed have sagged significantly, the timber framing and cladding appears to be rotten. This structure is unrepairable.

### 3.4. Internal

#### 3.4.1. Bedroom 1

- Bedroom 1 is in poor condition.
- Mould is present on the walls and ceiling.
- The floor falls noticeably into a valley running from east to west.
- There is significant cracking in the walls cornice and the ceiling.





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- The ceiling cornice has cracked, and the paint is peeling off in several locations.

#### 3.4.2. Bathroom

- The bathroom is in very poor condition.
- Mould and rot are present on all surfaces, particularly on the ceiling and around the bath.
- The timber floor falls towards the north west corner.
- The floor is rotten in areas, particularly around the bath where there is noticeable water damage.

#### 3.4.3. Bedroom 2

- Bedroom 2 is in poor to fair condition.
- The ceiling cornice has cracked, and the paint is peeling off in several locations.
- The wall plaster is cracked in the southeast corner and there is some evidence of timber decay.
- The paint on the timber window frame is cracked and there is mould present.

#### 3.4.4. Bedroom 3

- Bedroom 3 is in very poor condition.
- The wall plaster throughout the room is significantly cracked. On the southern wall significant sections of the plaster have become dislodged from the wall
- The ceiling plaster throughout the room is significantly cracked. Immediately adjacent to the fireplace a large section of the ceiling plaster has dislodged from the ceiling.

#### 3.4.5. Hallway



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- The hallway is in very poor condition.
- The ceiling plaster is significantly cracked. The cracks are running in a north south direction and are located at approximately 500-600mm intervals.
- Several of the ceiling cracks continue down the north and south walls. The walls also have significant cracks located in the lower half of the wall.
- The western wall separating the hall has significant diagonal cracking over the door wall. The door into the kitchen will not close.
- There is strong evidence of sub-floor and structural wall failure.

#### 3.4.6. Kitchen

- The Kitchen is in very poor condition.
- The door into the Laundry/Sunroom closes but it will not open fully.
- The floor falls noticeably towards the north west corner. Evident sub-floor structural failure.
- Ceiling is in poor condition. Paint is peeling in several locations. The ceiling is warped and there is noticeable water damage and mould. Evidence of leaking roof and damage to structure.
- The cornice between the ceiling and the walls is cracked in several locations.
- The walls all have significant cracking, particularly the western wall.

#### 3.4.7. Laundry and Sunroom

- The laundry and sunroom are part of the extension and it is in extremely poor condition.
- Timber framing is rotting, existing cladding is dislodging.



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- Evidence of water ingress along the entire extent.
- Floor is rotting and uneven. External door will not open fully.
- There is a creeper growing throughout the room. The laundry was not accessible due to the creeper.

#### 3.4.8. Living Room

- The living room is in very poor condition.
- There is a strong odour in the room.
- The chimney structure shared with Bedroom 3 is significantly cracked. The extent of repair would be extensive and, in my opinion, not salvageable. Will require significant reconstruction.
- The floor directly adjacent the north facing window is wet and there are signs of mould and damp.
- There is rot present in the window frame and water damage is evident in the immediate vicinity of the window.
- There is significant cracking on all walls and the cornices and the ceiling.

#### 4. DISCUSSION

##### 4.1. Summary of Observations

- 4.1.1. The floor and subfloor structure show signs of extreme failure. We would expect the rotting of stumps and bearers. Subsequently the floor coverings have degraded to a point of non-repair.
- 4.1.2. The walls and ceiling members have been exposed to weathering and not maintained, as a result they are showing damage in the form of rot and dislodgments from supporting members.
- 4.1.3. The roof and internal structural supports are showing signs of excessive rotting and dislodgement as a result of leaks and general building movements. Excessive repairs would be required to bring back to code.
- 4.1.4. The services supply and connections would need to be further assessed but we are confident that they would require considerable upgrade.



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4.1.5. We observed mould and water damage to large areas within the building.

## 5. CONCLUSIONS

After careful consideration, given the age of the building and the low probability to retain any of the existing features of this building, we conclude that it is beyond repair, that the extent of work required to bring this structure in line with current codes and regulations would be unreasonable.

It is my opinion that this building is structurally unsound.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Rino Albanese", enclosed within a light blue oval.

**Rino Albanese**

***Civil/Structural Principal***

**EC 46579**



***Flüssig Spatial | Victoria-Australia***



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APPENDIX A

Photos and comments

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Photo A1



Southern wall and entrance3 – Deterioration of wall cladding caused major rot and decay of principal structure. Post supporting verandah roof section beyond repair.

Photo A2 and A3



Southern wall – Major deterioration of structure due to missing cladding.



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Photo A4



Inside Southern extension – Structural failiure in both vertical and horizontal alignment.

Photo A5



Lounge to Kitchen doorway – Structural failiure at wall causing floor to settel to the south. (Left)



## 8.4 VCAT WATCH

**Author:** Kristian Cook, Coordinator Urban Planning

**Trim No:** 20/174888

**Attachments:** 1. VCAT Watch - Attachment - 28 April 2020 [↓](#)

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### PURPOSE AND SUMMARY

To report to Council applications currently before, and any recent decisions of the Victorian Civil and Administrative Tribunal (VCAT).

### RECOMMENDATION

That Council notes the applications currently before the Victorian Civil and Administrative Tribunal.

### BACKGROUND

The VCAT process is an integral part of the planning permit process and provides opportunity of independent review of planning decisions. VCAT is required to take into consideration any relevant planning policy.

### ISSUES AND DISCUSSION

This report includes an attachment that provides an overview of all applications currently before VCAT and those that have recently been decided by the VCAT. The attachment table is broken down into 'New Appeals lodged with the VCAT', 'Current matters before VCAT' (including upcoming hearings or where Council is waiting for a decision after the hearing has taken place) and 'Recent decisions of the VCAT'.

Since the previous report there have been no new appeals lodged. There has been one new decision.

### INFORMATION TO NOTE

#### VCAT and in the impact from the onset of the Coronavirus (COVID-19)

Officers have received several enquiries from residents affected by existing and new planning application appeals at VCAT.

VCAT has sought to clarify some of these concerns through new messaging updated on their website on 31 March 2020 as follows:

#### **Coronavirus (COVID-19) response**

*VCAT is considered an essential service however all venues, including VCAT Magistrates' Court counters, are now closed to the public.*

*No face-to-face hearings are scheduled, and all non-critical cases listed up to and including **15 May 2020** will be adjourned for the foreseeable future.*

*VCAT is working hard to hear more cases via phone and other technologies. We will contact you about your matter, including if your case can be heard earlier.*

*The matters that are proceeding currently, Residential Tenancies and Guardianship matters (and a small number of other critical matters) are being heard by telephone.*

*If you require further information call 1300 01 8228 or visit Today's Hearings for case times.*

*Will my case still be heard?*

*VCAT is still hearing certain cases, primarily about residential tenancies, guardianship and some critical matters by phone. Other matters deemed non-critical have been postponed to a future date to be set.*

*My case has been adjourned, what's next?*

*VCAT is working hard to hear more cases by telephone and to expand its current range of services as soon as possible. VCAT will contact you regarding a new date for your hearing.*

*I want to resolve my case with the other party. What should I do?*

*You may be able to resolve your dispute by negotiating with the other party. If you can resolve your dispute you may not need to have a hearing.*

**New cases**

*Is VCAT still accepting new cases outside of Residential Tenancy / Guardianship or other critical matters?*

*You can still apply about any matter that falls in VCAT's jurisdiction. However all cases not deemed critical will be postponed to a future date.*

*Given the current circumstances are existing timeframes for applications still relevant?*

*Yes, current application time limits are still relevant.*

*When will my case be resolved?*

*If your application is deemed critical, we will schedule a phone hearing date with you. If your application is not deemed critical your case will be adjourned (postponed) to be heard on a date to be fixed in the future. We will contact you to discuss this.*

*At present we are unable to confirm precise timeframes for non-critical cases..*

*I've been asked to respond to an application. What do I do?*

Visit [How to respond to a case](#) on our website where we provide a step-by-step process for each type of case.

**Further VCAT updates in procedural orders:**



Council has also received copies for procedural orders for hearings that have been postponed due to the Coronavirus (COVID-19) pandemic. As part of these procedural orders, the parties are being asked to do the following:

- a) *whether the matter is resolved or is proceeding to a hearing;*
- b) *whether all parties agree in writing that the proceeding can be determined 'on the papers' without the need for the parties to attend a hearing in person;*
- c) *where all parties agree in writing to the proceeding being determined 'on the papers', an agreed proposed timetable for the following:*
  - *submissions and all relevant documents / materials by all parties;*
  - *submissions in response by all parties; and*
  - *permit conditions.*

VCAT are also including the following remarks in the procedural orders:

- *Given the state of emergency declared in Victoria and the current health advice related to the COVID-19 pandemic, and in order to protect the health of VCAT members and staff and participants in a proceeding, VCAT is limiting face-to-face hearings.*
- *Alternative arrangements for hearings 'on the papers' or through telephone or electronic means are being considered where possible, and Tribunal resources are being prioritised for essential matters. Please visit the VCAT website for more information. The parties' understanding of the need for these alternative arrangements is appreciated.*
- *Where the parties do not agree to the proceeding being determined 'on the papers', the proceeding will be listed for a hearing by further Tribunal order. This may include a hearing by telephone or video conference.*
- *Any requests for consent orders or withdrawals should be made in accordance with Practice Note PNVCAT1 (Common Procedures) which is available on the VCAT website.*

It is expected that only essential matters will be listed for a face to face hearing, but these dates are still unknown at this time. An essential matter might be one that requires multiple hearing days or a high number of parties. All other matters are likely to be decided on the papers or via a tele or video conference style hearing, again with these dates yet to be determined. As listed in the attachment, Council has limited upcoming appeals, although some of them might fall into the category of an essential matter given their size. As these matters are impacted and relisted, this will be update through future VCAT Watch reports.

## RECENT VCAT DECISIONS

<b>Address</b>	103 Gardenvale Road, Gardenvale
<b>Proposal</b>	Construction of a four storey building containing a ground floor retail use, two offices and one dwelling above. Based on the amended plans, five on-site car spaces are provided.
<b>Council decision</b>	Refusal
<b>VCAT decision</b>	Permit
<b>Appellant</b>	Begonia Properties Pty Ltd

This application was refused by officers under delegation following an objection received by Melbourne Water as a determining referral authority. Council was generally supportive of the application subject to improvements to the ground level streetscape appearance of the building along Begonia Road.

The night before the hearing, Melbourne Water advised the permit applicant that they no longer objected to the application and would not be appearing at the hearing.

At the hearing, officers made submissions that Council's concerns could be resolved but that it would require further amended plans. These plans were formally lodged and notice given to all affected persons. There were no other parties to the hearing. The amended plans resolved Council's concerns which lead to a change of position that was supported by VCAT, who directed that a permit be issued.



Figure 1 – Aerial view of subject site and surrounding properties

## COMMUNICATION AND ENGAGEMENT

There has been no communication or engagement for this report.

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme One: Liveable and Well Designed  
A well planned City that is a great place to live.

### OFFICER DECLARATION OF CONFLICT OF INTEREST

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

## CONCLUSION

The report provides an update of the applications before VCAT and the recent decisions made by the Tribunal.



## APPLICATIONS BEFORE AND RECENT DECISIONS OF THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

## NEW APPEALS LODGED WITH THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

No new appeals lodged since the last report.

## MATTERS BEFORE THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (\*INCLUDING APPEALS AWAITING A DECISION)

Address	VCAT Reference	Description of Proposal	Type of Appeal	Zone	Council Decision	Delegate For Decision	Next Type of Hearing	Next VCAT Date
6-8 Bevis Street, Bentleigh East	P840/2019	Construction of a 3 storey building comprising up to 22 apartments and a basement car park	s77 (Refusal)	GRZ1	Refusal	Council	Merits Hearing	*
11 Carre Street, Elsternwick	P70/2020	Partial demolition and construction of a double storey extension to the existing dwelling in a Neighbourhood Character Overlay	S80 (Conditions)	RGZ1	Permit	Officer	Merits hearing	5/5/20
5 Porter Road, Carnegie	P2338/2019	Construction of four double storey dwellings on a lot affected by the Special Building Overlay	S77 (Refusal)	NRZ1	Refusal	Council	Merits	11/5/20
10-16 Selwyn Street, Elsternwick	P263/2019	Part demolition of the site and construction of a mixed use building of up to 14 storeys; use of the land as a shop, place of assembly and for the sale of packaged liquor	s77 (Refusal)	MUZ1	Refusal	Council	Merits Hearing	25/5/20 (10 days)
51 Hawthorn Road CAULFIELD NORTH	P290/2020	Buildings and works including, part demolition, external alterations to the existing building, construction of a four storey addition to the rear of the existing building and a reduction in the car parking requirements	s77 (Refusal)	C1Z	Refusal	Council	Merits Hearing	20/7/20
430-434 Neerim Road MURRUMBEENA	P125/2020	Construction of a nine storey mixed use building, use of the land for a residential building (Student Housing), and a reduction in the statutory car parking requirements	s77 (Refusal)	C1Z	Refusal	Officer	Merits Hearing	20/7/20
39 Lilac Street BENTLEIGH EAST	P2412/2019	Construction of three double storey dwellings	s82 (Objector)	GRZ1	NOD	Coordinator	Merits Hearing	28/7/20
441 Inkerman Road, St Kilda East	P194/2020	Permit allows: Construction of a building associated with a section 2 use and within a special building overlay and use of the land for accommodation (retirement village). Proposed amendment: Changes to conditions of the permit.	S87A (Amend a permit)	NRZ1	Not yet decided	N/A	Merits Hearing	17/8/20
9 Faulkner Street BENTLEIGH	P293/2020	Construction of a double storey dwelling on a lot less than 300 square metres	s82 (Objector)	GRZ1	NOD	Coordinator	Merits Hearing	19/8/20

RECENT DECISIONS OF THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL									
Address	VCAT Reference	Description of proposal	Type of appeal	Zone	Council decision	Delegate for decision	Appeal outcome	Date of VCAT decision	VCAT Decision (effect on Council decision)
103 Gardenvale Road, Gardenvale	P1559/2019	Development of the site for a 4 storey mixed use development comprising ground floor retail, 2 levels of offices and use of the upper level for a dwelling with a reduction in car parking requirements within a Special Building Overlay	s77 (Refusal)	C1Z	Refusal	Officer	Set aside	27/3/2020	Permit issued
456 Glen Eira Road, Caulfield	P2164/2019	Construction of five double storey dwellings and alteration to access to a road in a Road Zone	S82 (Objector)	NRZ1	NOD	Council	Withdrawn	27/3/2020	Application withdrawn, no permit issued.





**8.5 NEW DWELLINGS APPROVED BY VCAT DECISIONS THAT HAVE SET ASIDE COUNCIL'S DECISION**

**Author:** Kristian Cook, Coordinator Urban Planning

**Trim No:** 20/183450

**Attachments:** Nil

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**PURPOSE AND SUMMARY**

The purpose of this report is to compare the number of dwellings approved by the VCAT as a result of an overturned Council decision over the last five years.

The analysis only considers applications refused by Council. It does not include applications that were conditionally approved by Council that reduced the number of dwellings, which were then varied by VCAT.

The reports shows that, through a number of contributing factors, there has been a considerable reduction in the number of dwellings approved by VCAT overturned decisions over the past five years.

**RECOMMENDATION**

That Council notes:

1. there has been a reduction in the number of planning decisions by Council being appealed to VCAT;
2. the number of dwellings approved by VCAT, through 'set aside' decisions, have decreased substantially;
3. the implementation of the interim Structure Plan controls for the Bentleigh, Carnegie and Elsternwick activity centres have contributed to these reductions; and,
4. the changes implemented by the Urban Planning team in respect to improved processes and engagement with all parties have also contributed to these reductions.

**BACKGROUND**Background on the report timing

At the 25 February 2020 Ordinary Council Meeting (OCM), Cr Magee requested a report on an analysis of decisions made by the Victorian Civil and Administrative Tribunal (VCAT) as follows:

*That officers prepare a report comparing the number of dwellings approved by VCAT as a result of an overturned Council decision over the last five years. The report should also include analysis of the number of VCAT appeals against Council's decisions over this period; a comparison with similar Council's; and analysis on whether Council's structure planning has impacted the number of VCAT appeals.*

This report was scheduled to be presented to the Ordinary Council Meeting on 7 April 2020, however due the large volume of data and manual analysis required to complete the report

this was not achievable. A further resolution was made at the Ordinary Council Meeting on 7 April 2020, that the report be presented at an upcoming Ordinary Council Meeting.

#### Background data to substantiate the report

Over the last 10 years, there has been an increasing demand for housing in Glen Eira, fuelled by Victoria's growing population and changing household types. As a result there has been a consistent rate of residential development applications, and a steady increase in the number of dwellings being approved in Glen Eira. This reached a peak in 2017/18 when there were 2557 dwellings approved.

A summary of the number of dwelling approved over the last five years since 2014/15 is provided in the following table:

Financial year	Houses approved	Apartments/Units approved	Total
2014-15	305	1419	<b>1724</b>
2015-16	354	1323	<b>1677</b>
2016-17	349	1589	<b>1938</b>
2017-18	338	2219	<b>2557</b>
2018-19	251	1199	<b>1450</b>
2019-20 Jan FYTD	133	433	<b>566</b>

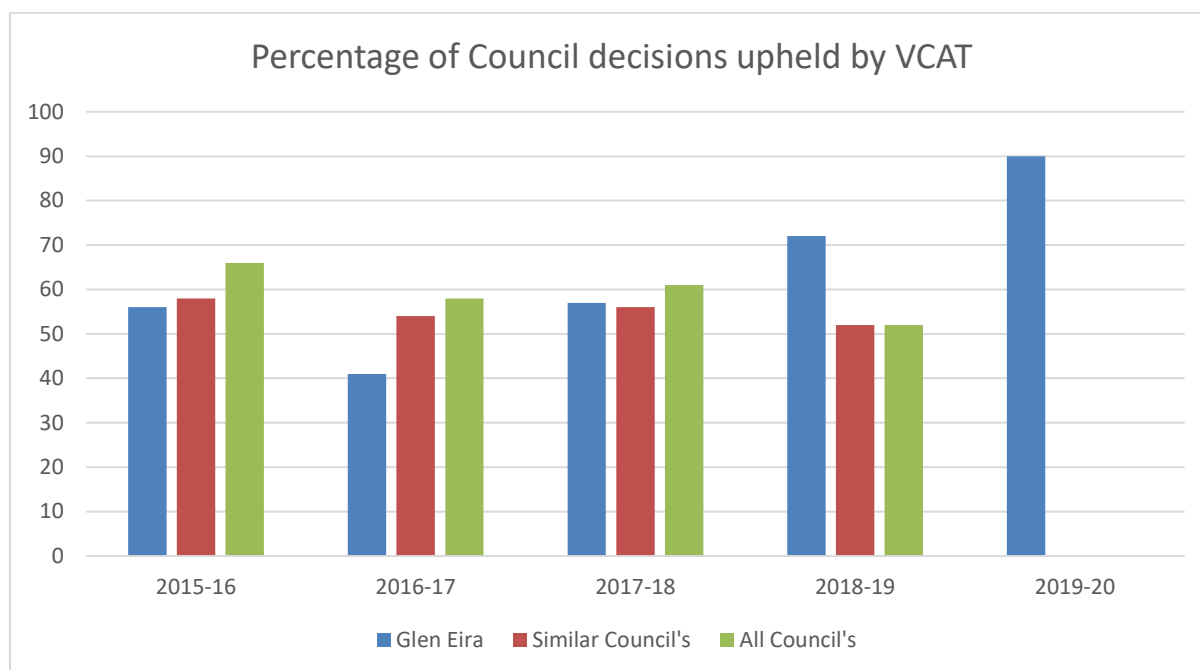
Of these approved dwellings, the following table represents the number of dwellings that were approved by VCAT by setting aside Council's decision to refuse a planning permit:

Year (ending 30 June)	Number of appeals <sup>1</sup>	Number of decisions set aside by VCAT (%) <sup>2</sup>	Number of dwellings approved by VCAT
2015-16	102	58 (56%)	607
2016-17	111	51 (45%)	550
2017-18	81	30 (37%)	214
2018-19	27	7 (26%)	65
2019-20 Jan FYTD	8	1 (12%)	0

Below is analysis of the percentage of all Council decisions upheld by VCAT compared against similar Councils (being inner and middle ring Councils) and all other Councils (including all metropolitan, regional and rural Councils):

<sup>1</sup> This includes all appeals against refusal, including those eventually settled via consent

<sup>2</sup> This excludes decisions reached via consent of the parties



The following table details the total number of dwellings approved within each of the Bentleigh, Carnegie and Elsternwick activity centres<sup>3</sup> that are now covered by the respective structure plans and interim Design and Development Overlay (DDO) controls:

Year	Bentleigh	Carnegie	Elsternwick
2015-16	389	366	420
2016-17	236	189	49
2017-18	132	205	53
2018-19	33	35	20
2019-20 Jan FYTD	20	21	44

## ISSUES AND DISCUSSION

The information above identifies that the percentage of decisions made by VCAT that overturn applications has steadily decreased over the past five years as has the resulting number of dwellings that are approved through this VCAT process.

Since the peak in 2017/18, there has been a decrease in the number of dwellings approved in Glen Eira, with this continuing into the current financial year where there is a projection of approximately 1100 dwellings based on current application rates. This is substantially lower than any other year since the new zones were introduced. This trend is also reflective within Glen Eira's three largest activity centres in Bentleigh, Carnegie and Elsternwick, which have seen only minor dwelling number approvals since the start of 2018.

It is considered that there is a direct correlation between the introduction of the interim planning controls for Glen Eira's major activity centres in Bentleigh, Carnegie and Elsternwick in August 2018 and reduction in dwellings being approved. This timing also reflects the changes implemented by Council's Urban Planning team from early 2018, where increased engagement with applicants and objectors before making decisions on planning applications started occurring.

<sup>3</sup> Based on land within the Commercial 1 Zone and Residential Growth Zone

For the previous financial year (2018-19), Glen Eira had 72% of planning decisions upheld by VCAT, compared to 52% for similar and all other Council's. This trend is continuing with an even higher percentage of Council decisions being upheld by VCAT in the current financial year (2019-20), where 90% of decisions have been upheld.

What is evidenced by the above findings is that by engaging with applicants and objectors throughout the planning permit process, including during the VCAT appeal process, better outcomes are being achieved through the consent of the parties, meaning less appeals making it to a hearing. The only matters ending up at a hearing are those where the parties cannot reach agreement because their expectations are too far apart. In these situations, Council now has a very high success rate of defending these decisions at VCAT.

### **FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS**

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

### **LINK TO COUNCIL AND COMMUNITY PLAN**

Theme One: Liveable and Well Designed  
A well planned City that is a great place to live.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

### **CONCLUSION**

Overall, it is considered that the combination of new interim planning controls for our largest activity centres, improved engagement with all parties, process improvements delivered through the revised delegation, are all leading to fewer Council planning decisions progressing to VCAT.

This has resulted in a substantial reduction in the number of dwellings that have been approved by VCAT as a result of overturned Council decisions.



**8.6 LEASE WITH SCOUT ASSOCIATION OF AUSTRALIA (VICTORIA)**

**Author:** Amanda Mills, Property Coordinator

**Trim No:** 20/173557

**Attachments:** 1. Location and lease plan - Boyd Park Scout Hall [↓](#)

---

**PURPOSE AND SUMMARY**

Under the Crown Land (Reserves) Act 1978 Council acts as Committee of Management for the Crown Land site known as Boyd Park.

The 9<sup>th</sup> Caulfield Scout Group has occupied the Scout Hall within Boyd Park since 1961 (see attached location plan). The current lease has expired and the Scout Association of Australia, Victorian Branch (Scouts Victoria) has asked for a new lease for their continued occupation of the Scout Hall.

As Boyd Park is Crown Land, landowner approval to negotiate and enter into a new lease must be obtained from the State Government. This report seeks Council's approval to seek approval from the State Government and subject to that approval, enter into a new lease agreement with both the State Government and Scouts Victoria.

**RECOMMENDATION**

That Council:

1. seeks the formal approval of the Department of Environment, Land, Water and Planning to enter into a new lease with the Scout Association of Australia, Victorian Branch for occupation of Crown Land at Boyd Park, Murrumbidgee; and
2. subject to that approval, authorises officers to finalise the terms of a new lease with both parties noted above; and
3. executes the above lease in an appropriate manner by affixing the Council Seal.

**BACKGROUND**

As per *Council's Leasing and Licensing Policy 2019* all groups who occupy Council owned or managed land must have a current lease or licence.

Scouts Victoria has 8 property leases and 1 licence for occupation of Council owned or managed land.

The 9<sup>th</sup> Caulfield Scout Group has occupied the Scout Hall within Boyd Park since 1961. There are currently 83 children who are members of this Group.

The existing lease has expired, and Scouts Victoria has asked for a new lease.

## ISSUES AND DISCUSSION

The first step in the leasing process is to obtain the written approval of the State Government via the Department of Environment, Land, Water and Planning. We will propose the following lease terms, which are in accordance with our own *Council Leasing and Licensing Policy 2019*:

- Premises – Scout Hall, part of Boyd Park, old Outer Circle Railway, Ricourt Avenue, Murrumbeena
- Permitted use – Community Scout Hall and associated community-based activities
- An initial term of 5 years with two further terms of 2 years each
- An annual rental of \$104.00 per annum plus GST
- The lessee to hold public liability for \$20 million
- Requirement for the tenant to be responsible for all repairs, maintenance and capital costs for the premises

Once that approval is obtained, all three parties will then enter into a *Section 17D Crown Land (Reserves) Act 1978 Lease (non-retail)*.

## FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

There is no financial cost to Council during the term of the lease other than the preparation of a new lease.

Scouts Victoria will be responsible for all outgoings including applicable Rates, Taxes and Utility charges associated with their tenancy. In addition, the tenant is responsible for all repairs, maintenance and capital costs for the leased premises.

The rental payment will remain at the community level of \$104.00 per annum plus GST.

## POLICY AND LEGISLATIVE IMPLICATIONS

The new lease will comply with Crown Land (Reserves) Act 1978 and is in line with our Council Leasing and Licensing Policy 2019.

## COMMUNICATION AND ENGAGEMENT

Other than obtaining the prior approval of the State Government for a new lease, no other communication or community engagement is required.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

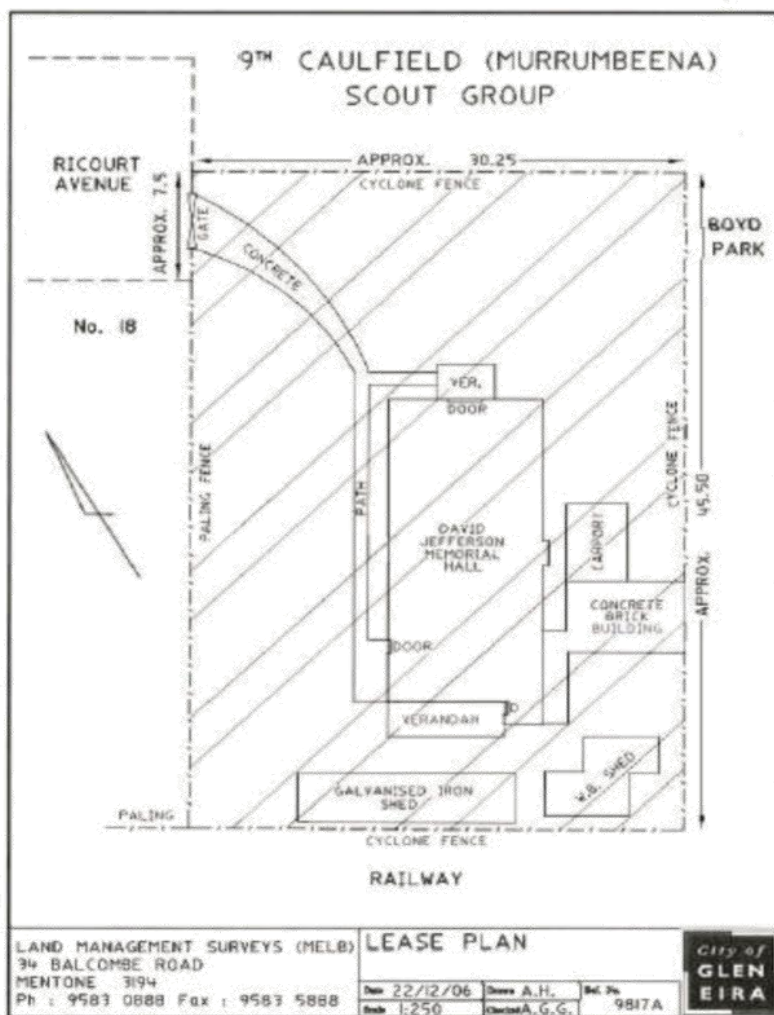
## OFFICER DECLARATION OF CONFLICT OF INTEREST

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

## CONCLUSION

Scouting continues to be a popular activity within Victoria, with Scouts Victoria noting in their 2018/19 Annual Report that more than 18,000 young people are part of their Association. The membership for 9<sup>th</sup> Caulfield Scout Group is solid and during their tenure at the Boyd Park Scout Hall, Scouts Victoria has invested substantially in renovations and maintenance. It is recommended that Council seeks approval from the State Government to enter a new lease with Scouts Victoria.

## Location and lease plans – Boyd Park Scout Hall



## 8.7 LEASE WITH CAMELOT TRAFFIC SCHOOL

**Author:** Amanda Mills, Property Coordinator

**Trim No:** 20/170312

**Attachments:** 1. Location plan [↓](#)  
2. Camelot Traffic School activities 2013 to 2019 [↓](#)

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### PURPOSE AND SUMMARY

This report seeks Council's approval to execute a new lease agreement with Camelot Traffic School Pty Ltd for its continued occupation of Council owned property at 70F East Boundary Road, Bentleigh East as a children's traffic school.

Since 2007 Council has leased the land to Camelot Traffic School, initially for a 5-year term and then via a series of short-term leases, the latest of which expires in May 2020. Camelot Traffic School would like to enter into a new lease term.

The traffic school is located at the front of King George VI Memorial Reserve (see Attachment 1). Council's Open Space Strategy has identified the need in the longer term to undertake a Landscape Master Plan for this Reserve including the traffic school site. However, until the outcome of future master planning is known, officers recommend continuing the lease arrangement.

To balance the need to give the traffic school certainty and retain flexibility for future use of this Reserve, Officers propose offering Camelot Traffic School Pty Ltd a new, 1-year lease term for the property on the same terms and conditions as previous lease agreements. A further 1-year Option will be included in the new lease but available only at the agreement of both parties.

### RECOMMENDATION

That Council:

1. authorises officers to finalise the terms of a new year lease with Camelot Traffic School Pty Ltd including a lease term of 1 year with an option for a further 1 year; and
2. executes the above lease in an appropriate manner by affixing the Council Seal.

### BACKGROUND

In 1967, the RACV set up the children's traffic school in East Boundary Road, Bentleigh East operating it with the Victoria Police as the "Moorabbin Traffic School". In 2007, the Police ceased operating at the site, citing a different approach to provide more effective road safety education.

Since 2007 Camelot Traffic School has leased the site and run educational programs for kindergarten and primary school children and children with special needs. It also holds monthly open days and provides a venue for children's parties. More detail on these activities is shown in Attachment 2.

The lease requires Camelot Traffic School to provide the services at the traffic school on a not-for-profit basis.

## ISSUES AND DISCUSSION

During its 13 years of tenure Camelot Traffic School has fulfilled its obligations under the conditions and terms of its various leases, including maintenance and has generally improved facilities at the site.

Recommendation 6.3C-3 of Council's Open Space Strategy states:

*"King George VI Memorial Reserve: Continue to maintain the existing structured sport and unstructured recreation facilities. In the medium term, prepare a Landscape Masterplan for this Reserve, including review of the two restricted uses in the reserve including the Moorabbin Children's Traffic School and the childcare facility and providing a secure and wider pedestrian access into the reserve from Chesterville Road"*

The Strategy has higher priority recommendations for master plans and it may be some time before Council completes a master plan for the Reserve.

Until the outcome of the master planning is known, it is recommended that another short-term lease is offered over the site. Consequently, it is proposed to offer Camelot Traffic School Pty Ltd a new 1-year lease term for the property on the same terms and conditions as the previous lease agreement, with an Option for a further 1-year available at the agreement of both Council and the tenant.

## FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

There is no financial cost to Council during the term of the lease other than the preparation of a new lease.

Camelot Traffic School is responsible for all outgoings including applicable Rates, Taxes and Utility charges associated with their tenancy. In addition, the tenant is responsible for all repairs, maintenance and capital costs for the leased premises.

The rental payment will remain at the community level of \$104.00 per annum plus GST. The tenant will also be required to hold public liability insurance for \$20million.

## POLICY AND LEGISLATIVE IMPLICATIONS

The new lease complies with Section 190 of the *Local Government Act 1989* and is in line with Council's *Council Leasing and Licensing Policy 2019*.

## COMMUNICATION AND ENGAGEMENT

No other community engagement or public notice requirements are required by entering into a new lease. Officers have advised Camelot Traffic School that a short-term lease will be recommended to Council, given the intention to prepare a master plan for the reserve in the future, as outlined in Council's Open Space Strategy.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

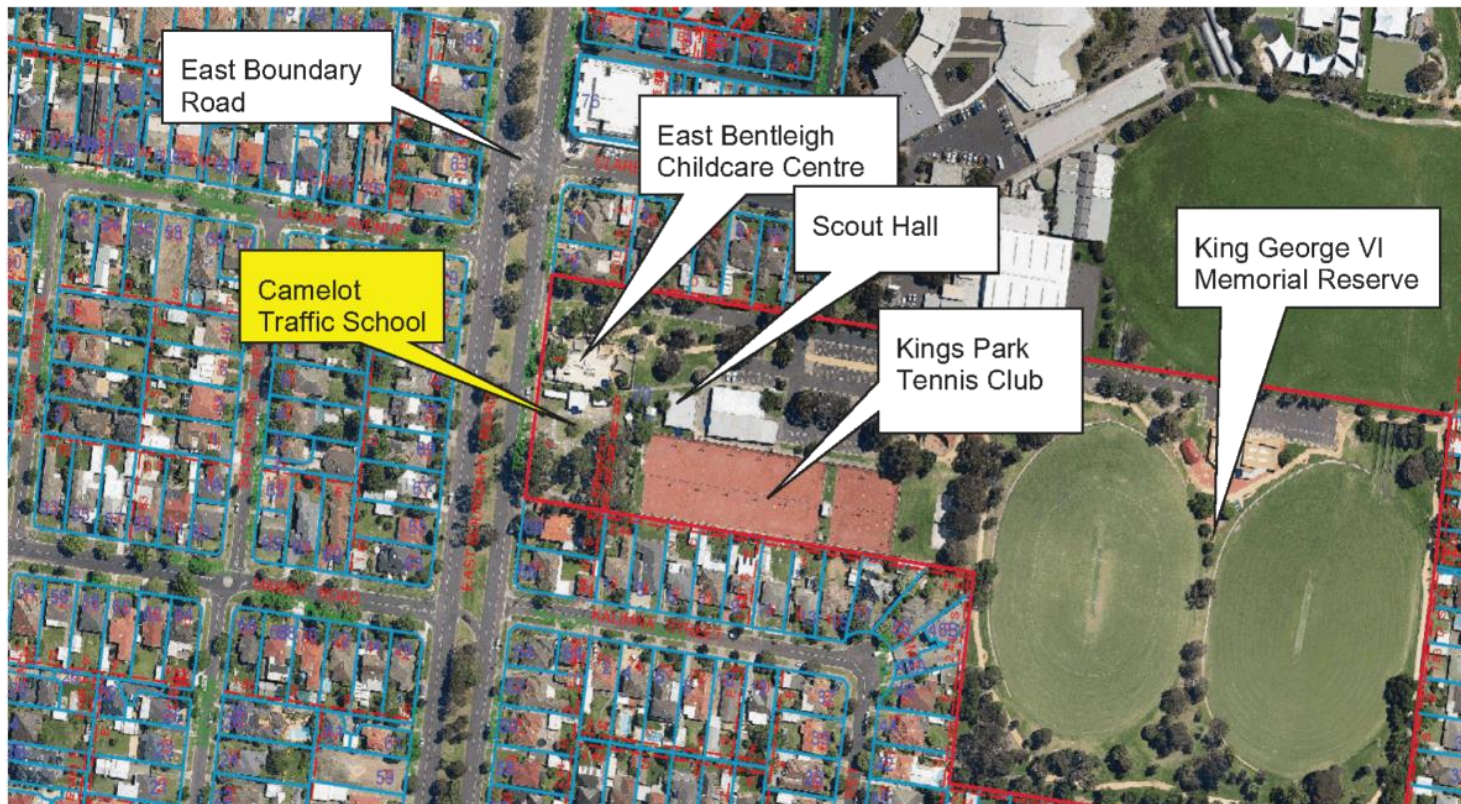
## OFFICER DECLARATION OF CONFLICT OF INTEREST

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



**CONCLUSION**

During their existing tenure Camelot Traffic School has fulfilled its obligations under the terms of their current lease including community use and access, as well as investment in infrastructure and services.

**Camelot Traffic School – location plan**

**Camelot Traffic School – activities 2013 to date**

<b>Activity</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Kindergarten and School visits</b>	<b>71</b>	<b>85</b>	<b>46</b>	<b>53</b>	<b>59</b>	<b>52</b>	<b>35*</b>
<b>Monthly Open Days (total visitors)</b>	<b>108</b>	<b>79</b>	<b>99</b>	<b>70</b>	<b>223</b>	<b>196</b>	<b>238</b>
<b>Birthday Parties (number of parties)</b>	<b>149</b>	<b>129</b>	<b>136</b>	<b>127</b>	<b>105</b>	<b>98</b>	<b>128</b>

*\*The fall in numbers is advised as being Glen Eira Kindergarten Association running similar programs as part of its in-house curriculum rather than using the traffic school*

**8.8 LEASE WITH VICTORIAN RAIL TRACK CORPORATION (VICTRACK) - RAILWAY LOT 20 ELSTERNWICK**

**Author:** Amanda Mills, Property Coordinator

**Trim No:** 20/178527

**Attachments:** 1. Location plan Railway Lot 20 Elsternwick, Ripponlea Footpath [↓](#)

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**PURPOSE AND SUMMARY**

This report seeks Council approval to enter a lease with Victorian Rail Track Corporation (VicTrack) for a piece of railway land known as Railway Lot 20 in Elsternwick. This lease will formalise Council's existing occupation of this land and will retain an important shared user path abutting the rail corridor.

**RECOMMENDATION**

That Council:

1. authorises officers to finalise the terms of a five (5) year lease with Victorian Rail Track Corporation (VicTrack) ABN 55 047 316 805; and
2. executes the above lease in an appropriate manner and by affixing the Council Seal.

**BACKGROUND**

Council has leased a variety of different land parcels from VicTrack (and its historical predecessors) since at least 1895. These have included parks, footpaths, car parks and land on which public toilet blocks are situated.

Council officers have been working with VicTrack to tidy up a lot of these historical agreements. The recent Level Crossing Removals around the municipality have given further impetus to do this as several old leases were revoked (i.e. around Carnegie and Murrumbeena stations) and new ones created (i.e. public toilet blocks at Carnegie, Murrumbeena and McKinnon).

Railway Lot 20 is known as the 'Ripponlea footpath', abutting the Elsternwick rail corridor (see Attachment 1) and is approximately 533.44M<sup>2</sup>. Our current lease for this footpath was drawn up in the name of City of Caulfield and commenced in July 1895. Since July 1896 it has been in 'overholding'. VicTrack has offered Council a new lease.

**ISSUES AND DISCUSSION**

The Ripponlea footpath provides an important shared user link along the Elsternwick to Ripponlea rail corridor, with one of the key objectives of the Elsternwick Structure Plan to encourage walking and cycling.

The key terms of the lease proposed by VicTrack are as follows:

- Term: 5 years
- Commencing rental: \$250.00 per annum with a 3% increase per annum
- Permitted use: Shared user path
- Requirement for Council to hold \$20million public liability insurance

Council officers tried to secure a longer lease term but VicTrack officers advised they are bound by their community policy and cannot offer a longer term.

**FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS**

The rental proposed is in line with other community leases between Council and VicTrack and/or Metro Trains Melbourne (VicTrack's franchisee).

The cost to Council over the term of the lease will be \$1,327.28 plus GST. Council will also be responsible for general maintenance of the footpath including graffiti removal.

**POLICY AND LEGISLATIVE IMPLICATIONS**

There are no legislative implications where Council is the tenant. The lease is consistent with Council's Leasing and Licensing Policy 2019.

**COMMUNICATION AND ENGAGEMENT**

There is no requirement for community consultation or engagement to enter in to this lease.

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

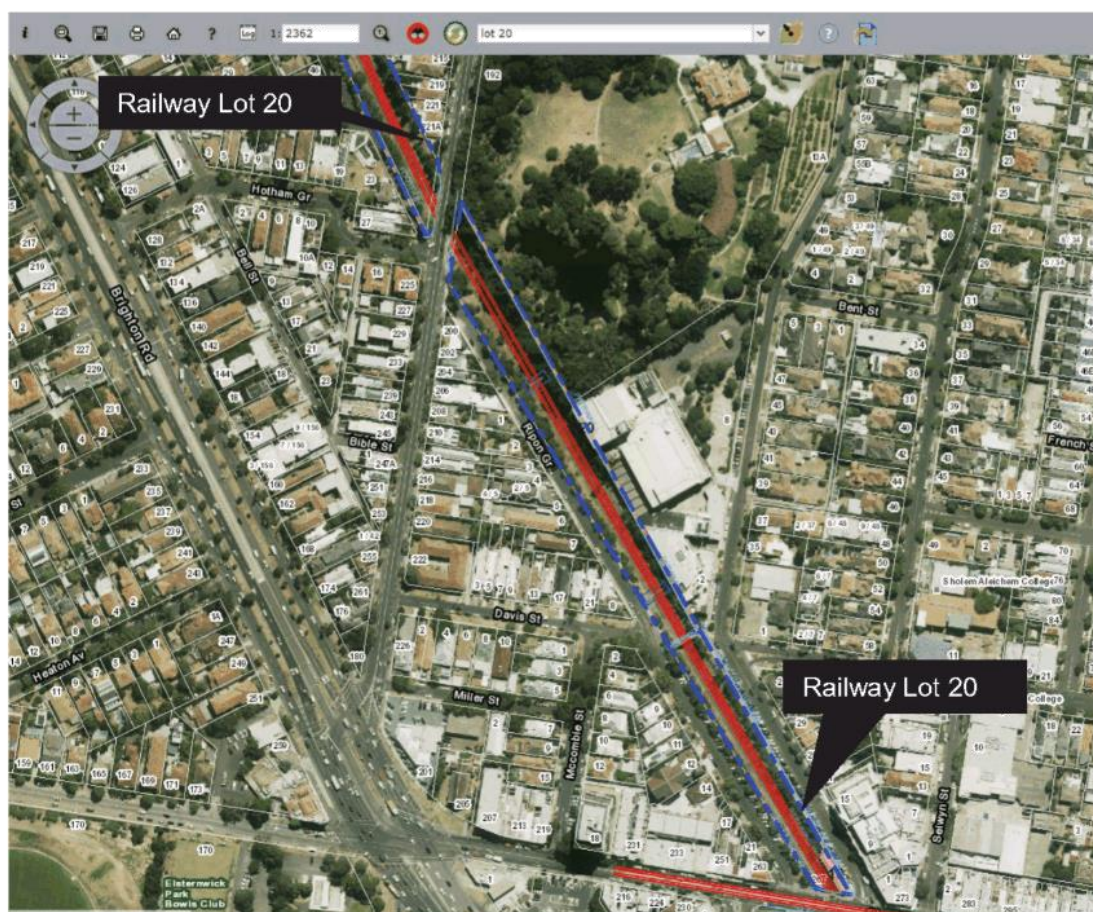
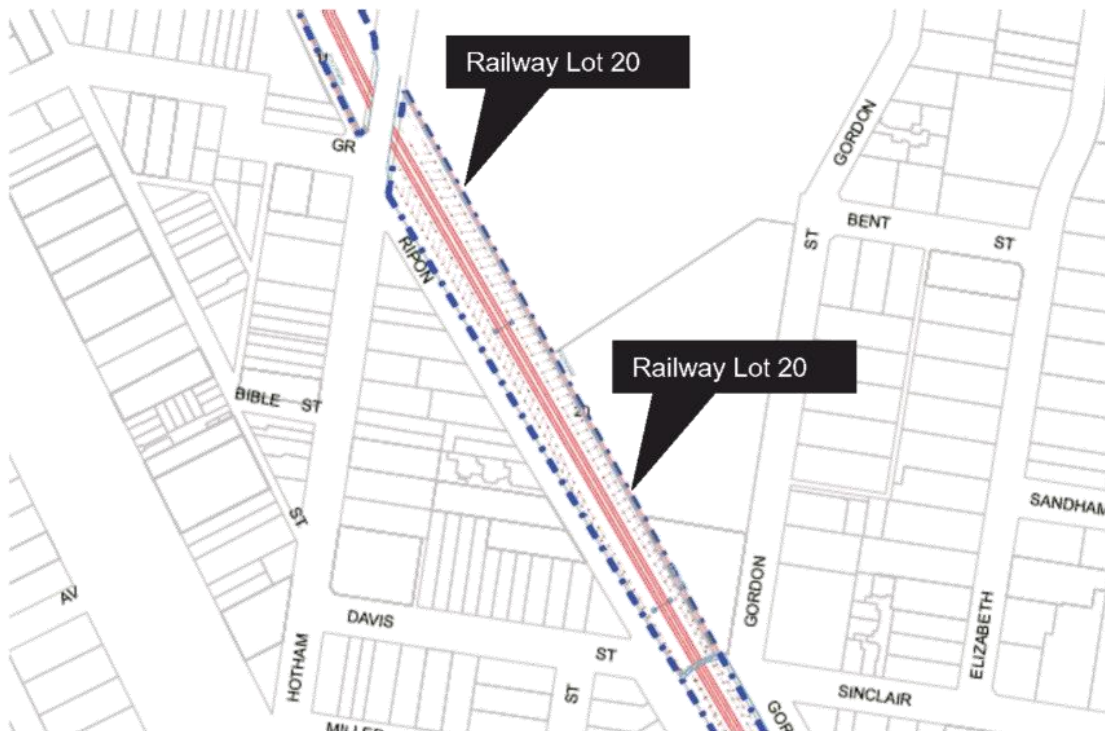
**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

It is recommended that Council enter a new lease for this footpath.



**Lot 20 Elsternwick (Ripponlea footpath)**

## 8.9 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING 31 MARCH 2020

**Author:** Alon Milstein, Financial Accountant

**Trim No:** 20/181598

**Attachments:** 1. March 2020 Financial Management Report [↓](#)

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### PURPOSE AND SUMMARY

To report Council's finances in the Financial Management Report for the period ending 31 March 2020.

### RECOMMENDATION

That Council notes the Financial Management Report for the period ending 31 March 2020.

### BACKGROUND

The report includes a comparison of year-to-date (YTD) actual income and expenditure with budgeted (YTD and forecast end-of-year) and other information for the current financial year. This report also provides a review of the 2019-20 Capital Works Program, cash flow reports and investment reports.

### ISSUES AND DISCUSSION

#### **a) COVID-19**

The impact of the COVID-19 outbreak has affected countries globally and has become one of the biggest threats to human life and the global economy ever experienced.

On 7 April 2020, Council endorsed the '*COVID-19 Response and Recovery Package*' which contains a mix of both financial concessions and new initiatives. In the 2019-20 financial year it will be resourced through re-prioritisation of existing budgets and the re-allocation of resources (staffing and budgetary) from activities now unable to be progressed due to COVID-19. The value of initiatives is estimated at \$2.8m for 2019-20 and this has been reflected in Council's amended forecast.

While Council has always enjoyed a sound financial position, we are already experiencing a detrimental impact on previously reliable income streams as a result of the outbreak. Facility closures, changes to programming, reduced revenue and unanticipated increased expenditure will all have an impact on Council's long-term financial position and liquidity.

#### **b) Financial Position**

Council's financial position is presently sound, however the impact of COVID-19 on Council's forecast operating result for 2019-20 will be significant. The Balance Sheet currently indicates a satisfactory financial position with forecast total current assets of \$90.34m and total current liabilities of \$65.31m.

Cash and investment holdings at 31 March are \$86m. This is higher than originally budgeted and results in a forecast liquidity ratio of 1.38 as at 30 June 2020.

**FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS**

The key financial objectives for Council are:

- Mitigate risks to our community and local economy arising from the impact of the pandemic of COVID-19.
- Manage finances appropriately within the constraints set by the State Government's Rate Capping regime.
- Renew and upgrade our ageing assets and community facilities.
- Maintain essential services at not less than current levels.
- Set fee increases that are manageable and sustainable.
- Invest in continuous improvement, technology and other enablers to efficiency and embrace customer outcomes.
- Keep day-to-day costs manageable and rates below our peers.

**POLICY AND LEGISLATIVE IMPLICATIONS**

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

**COMMUNICATION AND ENGAGEMENT**

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

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

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

ORDINARY COUNCIL MEETING

28 APRIL 2020

ATTACHMENT 1:

Financial Management Report for the period ending 31 March 2020

1. Contents

Executive Summary ..... 2

Income Statement..... 6

Balance Sheet..... 7

Capital Works Expenditure Program ..... 13

Financial Strategy ..... 17

Assurance Map ..... 20

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Executive Summary*****for the period ending 31 March 2020*****a) Current Month Budget Result**

At the end of March 2020, the performance against budget from ordinary activities showed an unfavourable variance of \$623k due to lower than anticipated income of \$261k and unfavourable variance in operating expenditure of \$362k (refer to page 8 for details of the variances).

**b) Current Month Forecast Result**

The forecast result expected for the financial year is a surplus of \$8.03m compared with the original adopted *2019-20 Annual Budget* of \$18.31m.

The current monthly forecast movement from ordinary activities shows a decrease in operating revenue of \$10.38m and a decrease in operating expenditure of \$1.84m.

**c) COVID-19 Financial Impact 2019-20**

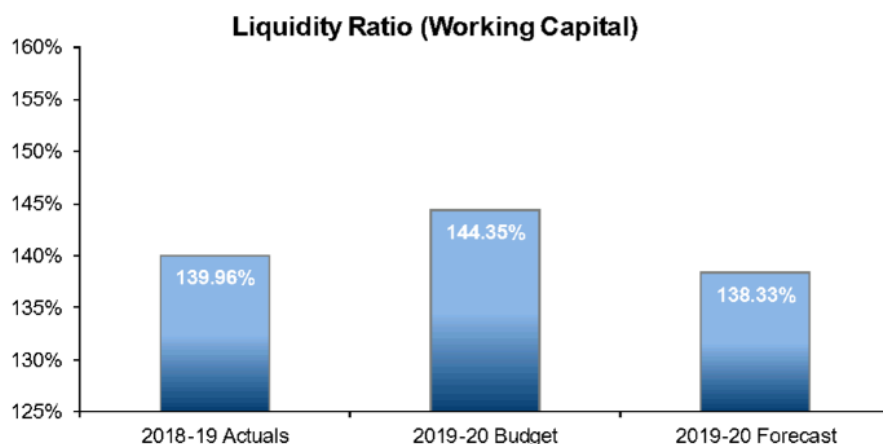
COVID-19 was declared a global pandemic on the 11 March 2020 and a State of Emergency was declared in Victoria on the 16 March 2020. The COVID-19 pandemic has a significant impact on individuals, businesses and government. As a result, the impact of COVID-19 on Council's financial position between March and June 2020 is expected to be substantial, with an adverse forecast movement of \$8.5m (refer page 5 of this report for further details).

**d) Liquidity**

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

Council will continue to have a large investment in capital works projects. However, capital spend for the remainder of the year may be impacted by the pandemic.

Council is required to hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and *Fire Services Property Levy*.





## ORDINARY COUNCIL MEETING

28 APRIL 2020

**e) Open Space****Contributions**

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

**Open Space Reserve**

Capital projects funded by Open Space contributions meet the conditions of the Open Space Strategy which is mainly focused on increasing open space in identified gap areas and to localities with forecast population growth.

The balance of the Open Space Reserve as at 31 March 2020 is as follows:

Description	2019-20 Current Month Actual	2019-20 Year to Date
Open Space Contributions Received	\$624,150	\$6,550,725
Open Space Capital Expenditure*	-	(\$2,156,758)
<b>Net Movement</b>	<b>\$624,150</b>	<b>\$4,393,967</b>
<b>Opening Balance as at 1 July 2019</b>		<b>\$18,584,749</b>
<b>Closing Balance Open Space Reserve</b>		<b>\$22,978,716</b>

*\*A review of prior year expenses on eligible open space capital works projects has been concluded. The expenditure in the table above reflects this.*

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Superannuation – Defined Benefits Scheme*****Vested Benefits Index (VBI)***

Defined benefit plans are required by law to have an actuarial investigation at least once every three years. Vision Super monitors the vested benefit position of the defined benefits plan on a quarterly basis.

The VBI is the key index that the super fund regulator, APRA, considers when assessing the financial position of the Defined Benefit Plan. In simple terms, this measures whether there would be enough assets to meet the liabilities of the Defined Benefit Plan if it became necessary to pay all members their total entitlements on a particular day.

Under the superannuation prudential standards, VBI's must generally be kept above a fund's nominated shortfall threshold, currently 97%. The higher the index the less chance of a future call.

For the Plan to be in a satisfactory financial position requires a VBI of 100% or more.

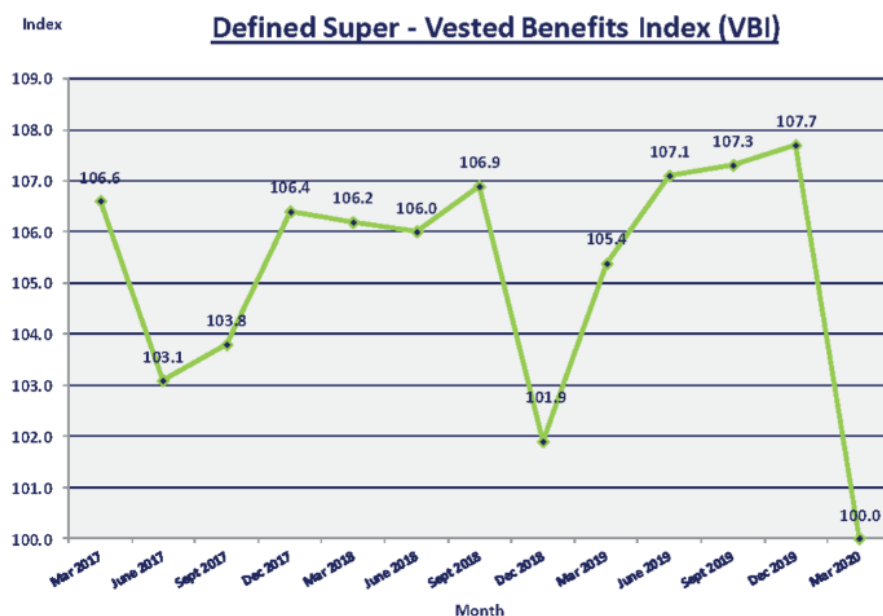
***Impact of COVID-19***

The impact of COVID-19 has continued to cause significant volatility in investment markets around the world.

Vision Super is continuing to monitor the sub-plan's financial position during this period of extreme volatility. They are also closely monitoring the investment markets to identify potential threats/opportunities that they may be able to avoid/take advantage of to improve the funding position of the sub-plan.

In the event the VBI falls below the nominated shortfall threshold (i.e. 97%), an interim investigation is required to be carried out by the Fund Actuary, unless the next scheduled investigation is due within six months. The next scheduled investigation is as at 30 June 2020.

Below is the estimated VBI updated to 31 March 2020.



## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Forecast adjustments for March 2020**

The March year end forecast has been adjusted to reflect the expected changes to income and expenditure as a result of COVID-19.

It is forecast that Council's revenues could be reduced by up to \$10m in the period from mid-March through to 30 June mainly due to the loss of income from:

- Glen Eira Leisure \$3.8m
- Open space contributions \$1.9m
- Parking fees and fines \$1.56m
- Residential Aged Care Facilities income \$700k
- Early Learning Centres and Family Day Care \$550k
- Capital grants \$400k
- Interest income \$100k
- Animal registrations \$200k
- Recreation income \$200k
- Facilities income \$140k
- Statutory planning and building permits \$40k.

Offsetting the reduction in income, Council's expenditure has forecast changes of approximately \$1.84m in the period from mid-March through to June as follows:

- Glen Eira Leisure - \$1.6m
- Libraries and Learning Centres - \$700k
- Additional support for community grants (\$200k)
- Other expenditure changes – (\$250k)

## ORDINARY COUNCIL MEETING

28 APRIL 2020

## Income Statement

for the period ending 31 March 2020

	2019-20 Year to Date Actual	2019-20 Year to Date Budget	2019-20 Year to Date Variance	2019-20 Year to Date Variance	2019-20 Last Month Forecast	2019-20 Current Month Forecast	2019-20 Current Month Forecast Movement	2019-20 Annual Budget	2019-20 Budget Forecast Variance	2019-20 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's	(%)
<b>Income</b>										
<b>Income from Ordinary Activities</b>										
General Rates	95,626	95,731	(105)	(0.1%)	96,041	95,792	(249)	95,829	(37)	(0.0%)
Supplementary Rates	337	405	(68)	(16.7%)	951	953	2	850	103	12.1%
Waste and Recycling Charges	17,484	17,484	(0)	(0.0%)	17,490	17,488	(2)	17,489	(1)	(0.0%)
Grants (Operating and Capital)	17,440	17,549	(109)	(0.6%)	24,577	23,925	(652)	24,357	(431)	(1.8%)
Interest Received	1,141	1,500	(359)	(23.9%)	1,837	1,501	(335)	2,000	(499)	(24.9%)
User Fees	18,871	19,511	(641)	(3.3%)	26,522	20,760	(5,762)	26,488	(5,727)	(21.6%)
Statutory Fees and Fines	9,276	7,801	1,475	18.9%	11,254	9,674	(1,580)	10,265	(591)	(5.8%)
Contributions (Monetary)	6,551	7,150	(599)	(8.4%)	9,171	7,497	(1,674)	9,000	(1,503)	(16.7%)
Other Income	1,326	1,179	146	12.4%	1,821	1,694	(127)	1,557	137	8.8%
<b>Total Income from Ordinary Activities</b>	<b>168,052</b>	<b>168,312</b>	<b>(261)</b>	<b>(0.16%)</b>	<b>189,663</b>	<b>179,283</b>	<b>(10,380)</b>	<b>187,834</b>	<b>(8,550)</b>	<b>(4.6%)</b>
<b>Expenses</b>										
<b>Expenses from Ordinary Activities</b>										
Employee Costs	61,407	62,186	779	1.3%	81,265	78,507	2,758	81,703	3,196	3.9%
Materials and Consumables	3,556	4,308	752	17.4%	5,403	5,130	273	5,918	788	13.3%
Contractor Payments	26,533	26,613	80	0.3%	36,894	37,385	(490)	36,021	(1,364)	(3.8%)
Maintenance	5,739	5,830	91	1.6%	7,795	7,880	(85)	7,632	(248)	(3.2%)
Utility Services	3,863	3,733	(130)	(3.5%)	5,211	5,125	87	4,987	(137)	(2.8%)
Insurances	957	1,214	257	21.1%	1,247	1,235	11	1,310	75	5.7%
Other Expenses	6,841	4,515	(2,326)	(51.5%)	7,981	8,589	(608)	5,933	(2,656)	(44.8%)
Grants and Subsidies	1,079	1,229	150	12.2%	1,329	1,438	(109)	1,304	(134)	(10.3%)
Borrowing Costs	344	329	(15)	(4.6%)	439	439	1	439	0	0.1%
<b>Total Expenses from Ordinary Activities</b>	<b>110,319</b>	<b>109,957</b>	<b>(362)</b>	<b>(0.3%)</b>	<b>147,564</b>	<b>145,726</b>	<b>1,837</b>	<b>145,246</b>	<b>(480)</b>	<b>(0.3%)</b>
<b>Surplus before non operational activities</b>	<b>57,733</b>	<b>58,355</b>	<b>(623)</b>	<b>(1.1%)</b>	<b>42,100</b>	<b>33,557</b>	<b>(8,543)</b>	<b>42,587</b>	<b>(9,030)</b>	<b>(21.2%)</b>
<b>Non-operational Activities</b>										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	407	345	62	17.8%	488	526	38	460	66	14.3%
Written Down Value of Assets Sold/Disposed	860	771	(88)	(11.4%)	1,786	1,829	(42)	1,718	(111)	(6.5%)
Depreciation and Amortisation	18,312	17,264	(1,048)	(6.1%)	24,039	24,228	(189)	23,019	(1,209)	(5.3%)
<b>Surplus for the period</b>	<b>38,968</b>	<b>40,665</b>	<b>(1,698)</b>	<b>(4.2%)</b>	<b>16,763</b>	<b>8,026</b>	<b>(8,737)</b>	<b>18,310</b>	<b>(10,284)</b>	<b>(56.2%)</b>

Key to Variance - Positive figures relate to an increase in revenue and a decrease in expenditure. Negative figures relate to a decrease in revenue and increase in expenditure.

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Balance Sheet***for the period ending 31 March 2020*

	Actuals 2018-19	Annual Budget 2019-20	Annual Forecast 2019-20	Year to Date Actual 2019-20	Previous Month's Actuals
	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's
<b>Assets</b>					
<b>Current Assets</b>					
Cash and Cash Equivalents	86,484	76,125	73,559	85,988	92,117
Trade and Other Receivables	14,088	13,815	14,905	39,871	50,499
Other Assets	1,878	1,625	1,878	494	478
<b>Total Current Assets</b>	<b>102,450</b>	<b>91,565</b>	<b>90,342</b>	<b>126,353</b>	<b>143,094</b>
<b>Non-Current Assets</b>					
Property, Infrastructure, Plant and Equipment	2,202,904	2,577,169	2,222,551	2,364,232	2,362,388
Intangible Assets	1,845	563	1,729	1,693	1,775
Investments in Joint Operations	1,045	1,457	1,045	1,045	1,045
Other Financial Assets	5	5	5	5	5
<b>Total Non-Current Assets</b>	<b>2,205,799</b>	<b>2,579,194</b>	<b>2,225,330</b>	<b>2,366,974</b>	<b>2,365,213</b>
<b>TOTAL ASSETS</b>	<b>2,308,249</b>	<b>2,670,759</b>	<b>2,315,672</b>	<b>2,493,327</b>	<b>2,508,307</b>
<b>Liabilities</b>					
<b>Current Liabilities</b>					
Trade and Other Payables	18,431	13,925	10,405	7,327	9,559
Trust Funds and Deposits	36,934	32,353	36,934	38,971	41,903
Provisions	14,283	13,468	14,283	14,218	14,124
Interest-Bearing Liabilities	3,553	3,685	3,685	3,635	3,608
<b>Total Current Liabilities</b>	<b>73,201</b>	<b>63,431</b>	<b>65,307</b>	<b>64,151</b>	<b>69,195</b>
<b>Non-Current Liabilities</b>					
Provisions	1,351	1,360	1,351	1,357	1,357
Interest-Bearing Liabilities	11,304	7,592	7,592	8,548	8,888
Other Liabilities - Joint Operations	2,590	2,820	2,590	2,590	2,590
<b>Total Non-Current Liabilities</b>	<b>15,245</b>	<b>11,772</b>	<b>11,533</b>	<b>12,495</b>	<b>12,835</b>
<b>Total Liabilities</b>	<b>88,446</b>	<b>75,203</b>	<b>76,840</b>	<b>76,646</b>	<b>82,030</b>
<b>Net Assets</b>	<b>2,219,803</b>	<b>2,595,556</b>	<b>2,238,832</b>	<b>2,416,682</b>	<b>2,426,277</b>
<b>Equity</b>					
Accumulated Surplus	962,267	999,560	984,086	996,840	1,007,890
Asset Revaluation Reserve	1,238,952	1,595,996	1,238,952	1,396,862	1,396,033
Public Open Space Reserve	18,584	-	15,794	22,979	22,355
<b>Total Equity</b>	<b>2,219,803</b>	<b>2,595,556</b>	<b>2,238,832</b>	<b>2,416,682</b>	<b>2,426,277</b>

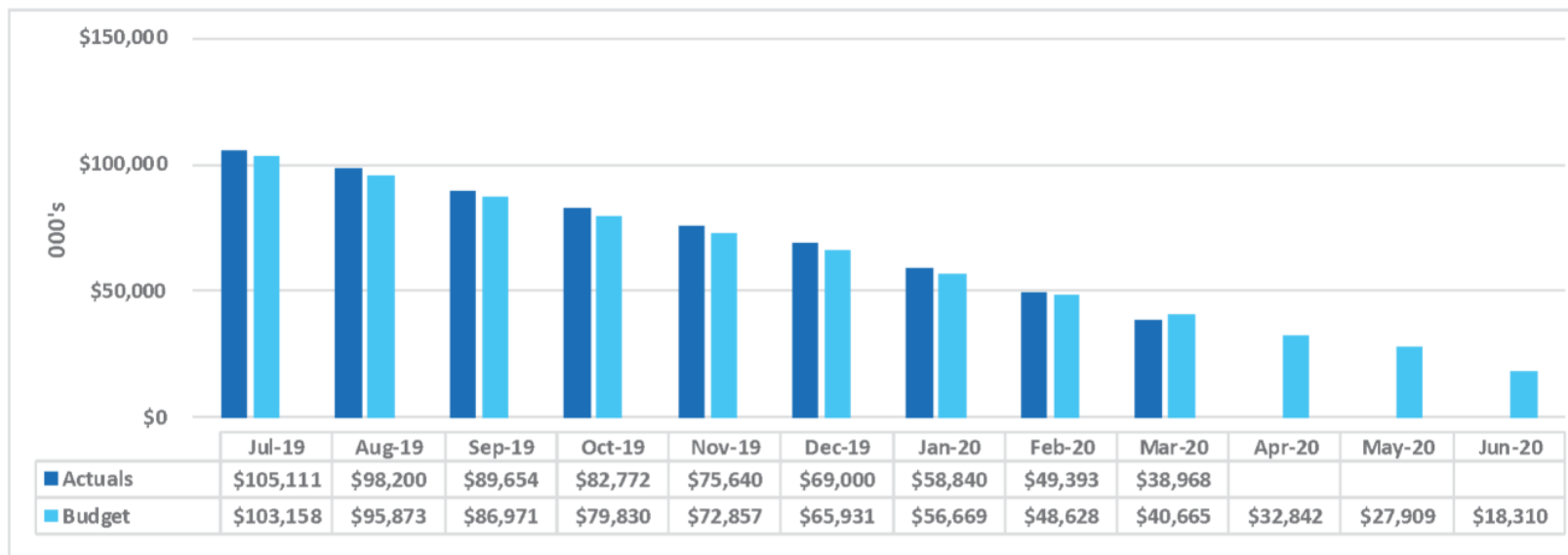


## ORDINARY COUNCIL MEETING

28 APRIL 2020

## Performance Graphs

**Financial Performance**  
*for the period ending 31 March 2020*

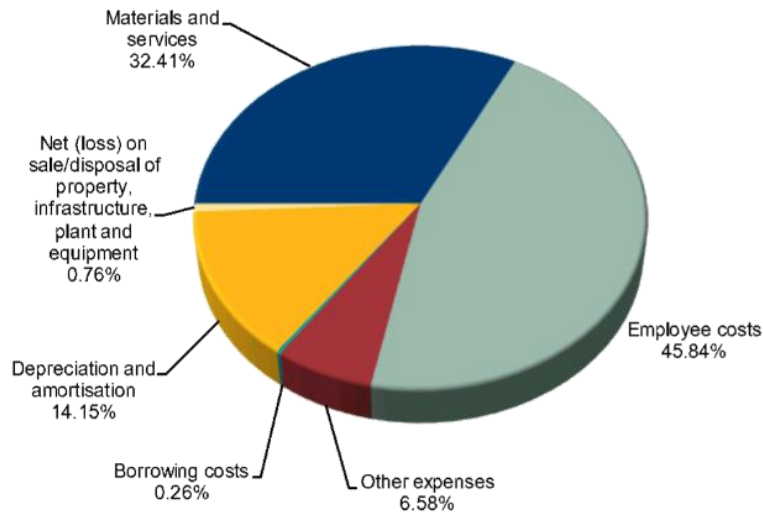


The March 2020 year to date financial performance was \$1.7m lower than the year to date budget mainly due to:

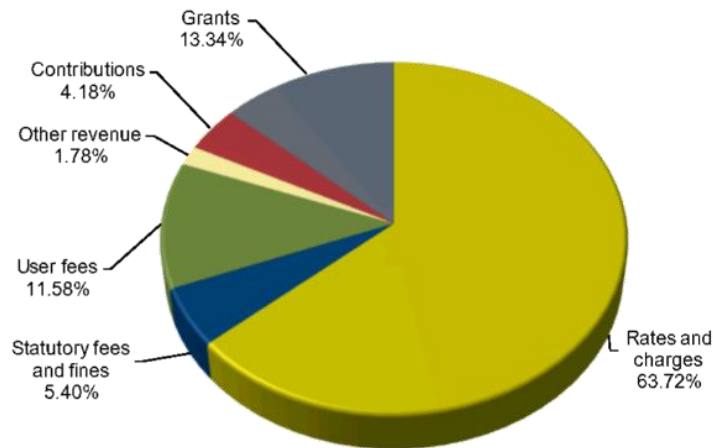
- Better than anticipated income received for Statutory Fees and Fines \$1.48m and Other Income \$146k. These are offset by a decrease in User Fees \$641k, Contributions (Monetary) \$599k, Interest Received \$359k and Grants \$109k.
- Favourable variances in expenditure items including: Employee Costs \$779k, Materials and Consumables \$752k, Insurances \$257k, Grants and Subsidies \$150k, Maintenance \$91k and Contractors \$80k. These are offset by increases in Other Expenses \$2.33m and Utility Services \$130k.

**Financial Performance**  
*for the period ending 31 March 2020*

**2019-20 Forecast categories of expenditure**



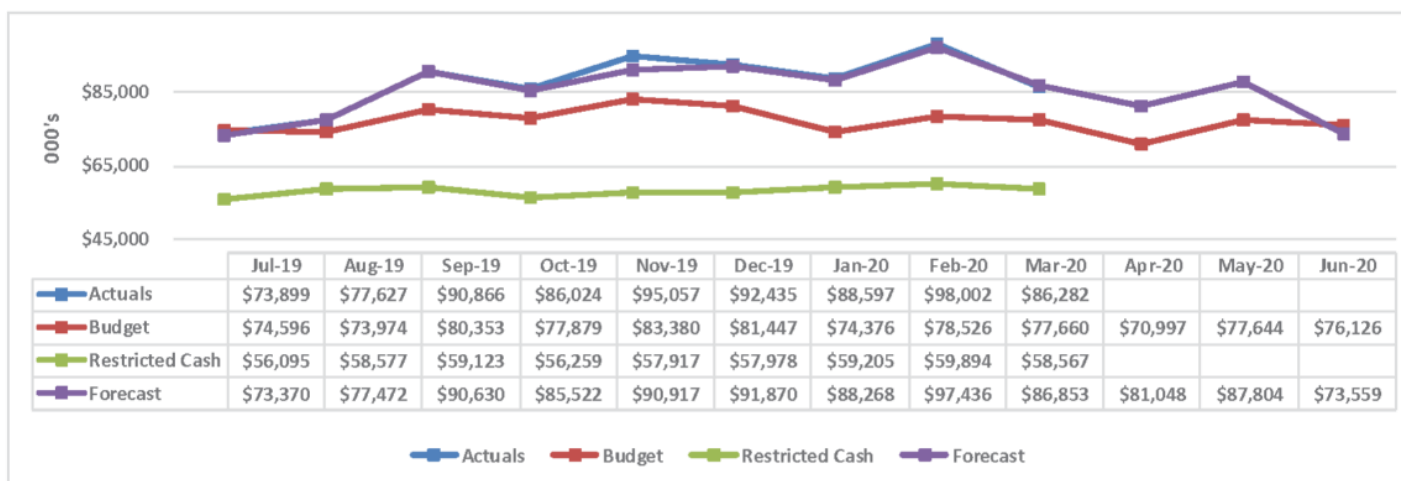
**2019-20 Forecast sources of income**



## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Cash and Investments**  
for the period ending 31 March 2020



- Council's year to date cash balance of \$86.28m is higher than budget for the current month. Council's forecast position to June 2020 of \$73.56m has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments. In addition, the revised cash flow takes into consideration the impact of COVID-19 for the remainder of the 2019-20 financial year.
- Council has cash assets that are subject to restrictions. Restricted funds as at 31 March 2020 include: residential aged care deposits of \$30.03m, trust funds and deposits of \$5.28m (including asset protection permits), open space reserve of \$22.98m and fire services property levy of \$281k.

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Rates Income and Debtors**  
**for the period ending 31 March 2020**

**Rate and Charges Income** – is an important source of revenue, accounting for approximately 60 per cent of the total revenue received by Council annually. Glen Eira continues to have the second-lowest average rates and charges in metro Melbourne.

**Rate Capping** - The Victorian Government's *Fair Go Rates System* (FGRS) limits the maximum increase in Councils' average rates. The amount is calculated by dividing total revenue from general rates by the total number of rateable properties in the municipality.

Each year the Minister for Local Government sets the average rate cap increase for Councils.

The cap for 2019-20 was set at forecast CPI of 2.5% (2.25% for 2018-19).

The Minister has announced in December 2019, that the Average Rate Cap for the 2020-21 financial year will be 2.00 per cent.

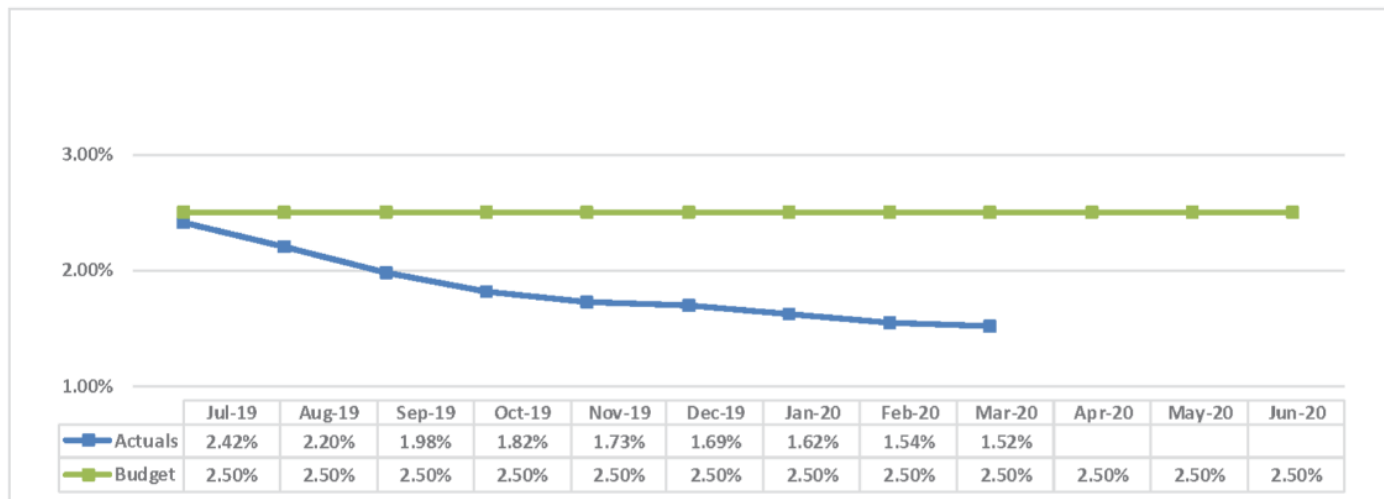
**Rate Payments** - Rates are paid in four instalments during the year: February, May, September and November. Council's cash flow is impacted by the timing of rate payments. The following table reflects the rate debtors balance as at 31 March 2020.

Rate Debtors	2019-2020 Year to date
	\$'000
Arrears Brought Forward	6,557
2018-19 Rates & Garbage Generated	112,935
2018-19 Fire Services Property Levy	13,385
<b>Total Rates &amp; Charges</b>	<b>132,878</b>
<b>Payments/Adjustments:</b>	
Glen Eira Pension Rebate	(244)
State Government Rebate	(1,642)
Fire Services Property Levy Rebate	(349)
Receipts	(96,592)
Interest	353
Supplementary Valuations	570
Adjustments	(53)
<b>Total Payments/Adjustments</b>	<b>(97,957)</b>
<b>Rates &amp; Charges Balance at Month End</b>	<b>34,921</b>

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Investment Interest Rates**  
*for the period ending 31 March 2020*



Council achieved a return of 1.52% against the budget of 2.50%. Council's interest received on investments will be reduced during 2019-20 due to the impact of COVID-19.



## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Capital Works Expenditure Program**

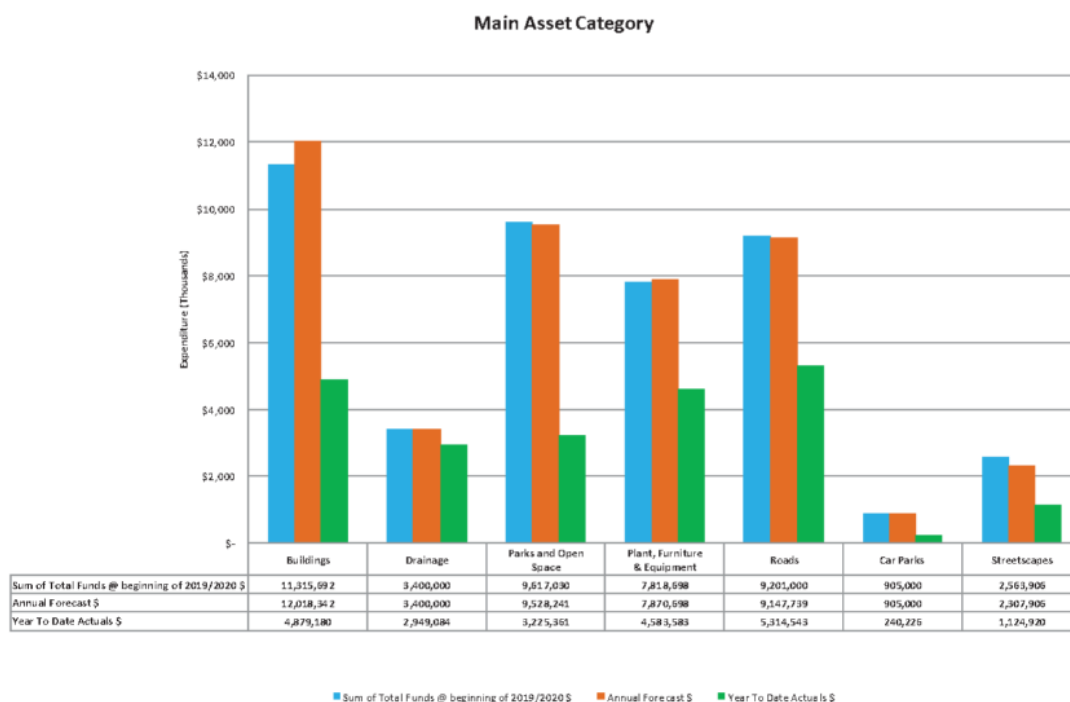
As at the end of March 2020, total capital works expenditure forecast for 2019-20 is expected to be \$45.17m, represented by:

- New capital works projects as per the adopted 2019-20 Annual Budget \$37.25m
- External funding sources \$2.80m
- Carry forward projects from 2018-19 \$4.77m
- Capital expenditure forecast adjustments \$356k.

There are no forecast adjustments for the month of March 2020, however a review is currently underway of the impact of the COVID-19 pandemic on Council's 2019-20 capital works program.

**(b) Capital Works Performance Graphs**

The below graphs reflect the 2019-20 budget allocations for the main asset category and performance against budget and forecast.

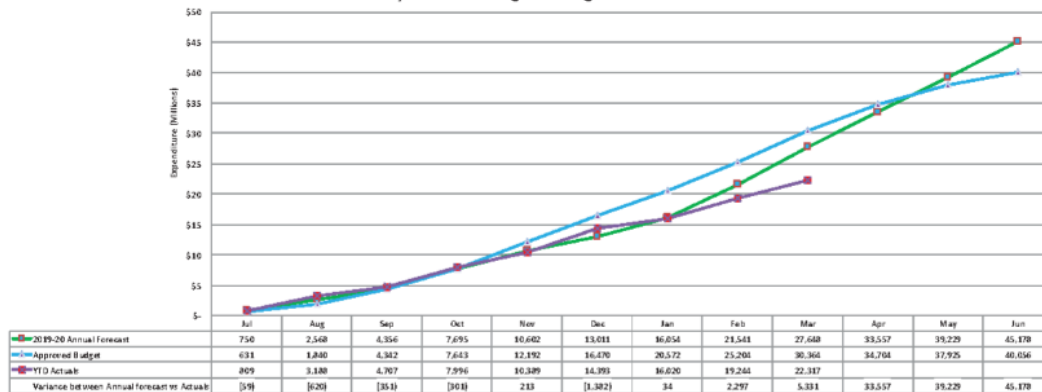


## ORDINARY COUNCIL MEETING

28 APRIL 2020

## Capital Works Program Expenditure

Monthly Performance against Budget and Forecast



Council's capital expenditure is behind forecast by \$5.3m mainly due to Sports Ground Lighting EE Gunn, Packer Park and Centenary Park \$871k, Road Reconstruction Program \$708k, Murrumbena Park Community Hub \$600k, Major Play space Upgrade at McKinnon and Bentleigh Hodgson \$435k, Glen Eira Leisure Capital Works \$316k, Narrow Naturestrip \$322k, Victory Park Pavilion Upgrade \$300k and Neerim Road Warehouse Activation \$205k.

These are offset by projects that are above forecast such as Local Road resurfacing \$362k and Infrastructure and Hardware Renewals \$439k.

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Capital Works Program Expenditure**  
*for period ending 31 March 2020*

Description	2019-20 Carry Forwards from 2018-19	2019-20 Capital Grant Funding	2019-20 Adopted Annual Capital Budget	2019-20 Budget Plus 2018-19 Carry Forward	2019-20 YTD Work In Progress	2019-20 YTD Forecast	2019-20 YTD Variance	2019-20 Annual Forecast Projected end of June 2020 expenditure	2019-20 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b>CAPITAL WORKS: STRATEGIC PROJECTS</b>									
Memorial Holocaust	100,000	-	-	100,000	-	10,000	10,000	100,000	-
Activity Centre Streetscape works	157,000	60,906	721,000	938,906	412,372	540,000	127,628	938,906	-
Bentleigh Structure Plans	-	-	750,000	750,000	430,193	470,000	39,807	750,000	-
Carnegie Structure Plan	196,000	-	510,000	706,000	237,805	426,000	188,195	706,000	-
Elsternwick Structure Plan	-	-	750,000	750,000	233,266	340,000	106,734	750,000	-
Integrated Transport Strategy Implementation	-	-	800,000	800,000	154,022	241,000	86,978	544,000	(256,000)
Carnegie Swim Centre Redevelopment	-	-	750,000	750,000	296,037	280,000	(16,037)	750,000	-
<b>TOTAL CAPITAL WORKS: STRATEGIC PROJECTS</b>	<b>453,000</b>	<b>60,906</b>	<b>4,281,000</b>	<b>4,784,906</b>	<b>1,763,895</b>	<b>2,307,000</b>	<b>543,305</b>	<b>4,538,906</b>	<b>(256,000)</b>
<b>CAPITAL WORKS: GREAT AT GLEN EIRA</b>									
Continuous Improvement & Innovation	206,000	-	275,000	481,000	218,411	361,800	143,389	554,000	73,000
Information Technology-Office 365 & Application Integration	174,000	-	765,318	939,318	528,181	617,018	88,838	939,318	-
Parking Permit Digital Solution	-	-	70,000	70,000	-	-	-	-	(70,000)
<b>TOTAL CAPITAL WORKS: PORTFOLIOS- GREAT AT GLEN EIRA</b>	<b>380,000</b>	<b>-</b>	<b>1,110,318</b>	<b>1,490,318</b>	<b>746,592</b>	<b>978,818</b>	<b>232,226</b>	<b>1,493,318</b>	<b>3,000</b>
<b>CAPITAL WORKS: RECREATION AND OPENSACE</b>									
Pavilion Upgrades- King George and Victory Pavilions	-	22,137	1,028,863	1,051,000	545,746	901,000	355,254	1,051,000	-
Pavilion Upgrades- Koomang/ Packer/ Lord Pavilions/EE Gunn	-	-	430,000	430,000	145,504	210,000	64,496	630,000	200,000
Murrumbidgee Park, Kangaroo Road, Murrumbidgee	-	1,000,000	250,000	1,250,000	200,279	800,000	599,721	1,050,000	(200,000)
Major Playground Upgrades	60,000	483,260	1,196,740	1,740,000	457,168	867,645	410,477	1,610,000	(130,000)
Caulfield Park Master Plan Implementation	-	-	50,000	50,000	5,006	-	(5,006)	50,000	-
Open Space Strategy Implementation - Foch Street - Master Plan Construction	430,000	-	-	430,000	398,272	430,000	31,728	430,000	-
Turf Cricket Wicket Cover Enclosures	-	-	100,000	100,000	74,623	83,000	8,377	83,000	(17,000)
Goal post replacement	-	-	125,000	125,000	-	40,000	40,000	125,000	-
Lord Reserve and Koomang Park Masterplan Implementation	-	-	200,000	200,000	29,153	104,000	74,847	200,000	-
Caulfield Park wedge	-	-	-	-	48,658	-	(48,658)	-	-
New Open Space - Aileen Avenue	-	-	150,000	150,000	63,701	120,000	56,299	150,000	-
Playground Enhancements and Landscape works	-	-	1,195,380	1,195,380	321,951	583,000	261,049	1,280,380	85,000
Bicycle Strategy Implementation	-	-	200,000	200,000	18,413	60,000	41,587	200,000	-
Sports Ground Drainage Upgrade - Bailey Reserve (Softball Diamond 1)	-	-	50,000	50,000	2,027	50,000	47,973	50,000	-
Moorleigh Community Village Multi Sports Facility Lighting Upgrade	-	-	250,000	250,000	22,084	187,500	165,416	200,000	(50,000)
Minor Park Improvements	-	-	493,000	493,000	130,578	470,000	339,422	493,000	-
Public Toilet Upgrades	-	-	650,000	650,000	114,518	258,310	143,792	650,000	-
Sportsground Lighting Upgrade-Bailey Reserve ( The World Game Facilities funding)	230,300	-	-	230,300	9,177	172,800	163,623	230,300	-
Sportsground Lighting Upgrade	-	481,085	945,765	1,426,850	29,880	901,699	871,819	1,134,061	(292,789)
Landscape enhancement works	-	-	30,000	30,000	13,341	10,000	(3,341)	30,000	-
Landscape Duncan Mackinnon Reserve	610,500	-	-	610,500	661,891	610,500	(51,491)	610,500	-
Caulfield-Dandenong rail corridor	-	-	-	-	(70,868)	-	70,868	-	-
<b>TOTAL CAPITAL WORKS: PORTFOLIOS-RECREATION AND OPENSACE</b>	<b>1,330,800</b>	<b>1,985,492</b>	<b>7,344,748</b>	<b>10,662,030</b>	<b>3,222,201</b>	<b>8,859,454</b>	<b>3,637,253</b>	<b>10,257,241</b>	<b>(404,799)</b>
<b>CAPITAL WORKS: COMMUNITY FACILITIES</b>									
Female Friendly Pavilion upgrade Program	222,600	-	-	222,600	220,363	222,600	2,237	222,600	-
Caulfield Early Learning Centre (ELC) & Maternal Child Health (MCH) pram shed	-	-	15,000	15,000	10,979	9,020	(1,959)	15,000	-
Parks Depot Upgrade	-	-	250,000	250,000	70,050	140,000	69,950	215,000	(35,000)
Future Spaces Project	753,000	-	500,000	1,253,000	460,185	-	(460,185)	1,253,000	-
Floor Coverings GESAC Gym	-	-	-	-	48,376	-	(48,376)	-	-
DDA Works	-	-	-	-	4,061	74,919	70,858	82,411	82,411
Mobile Shelving for Elsternwick Library	-	-	50,000	50,000	44,636	50,000	5,364	50,000	-
Caulfield Recreation Centre Change room upgrade	-	-	50,000	50,000	-	-	-	50,000	-
Bentleigh East Kindergarten Upgrade	-	350,000	220,000	570,000	639,233	781,650	142,417	781,650	211,650
Moorleigh Village Community Shed	-	-	1,200,000	1,200,000	625,866	673,000	47,134	1,606,000	406,000
GESAC Civil works	-	-	680,000	680,000	165,970	385,000	219,030	720,000	40,000
Carnegie Children's Multipurpose Room outdoor space upgrade	-	-	30,000	30,000	32,139	30,000	(2,139)	30,000	-
Kindergartens and MCH refurbishments	-	-	145,000	145,000	96,939	83,665	(13,274)	145,000	-
Kindergartens and MCH refurbishments	-	-	-	-	(134)	-	134	-	-
<b>TOTAL CAPITAL WORKS: PORTFOLIOS-COMMUNITY FACILITIES</b>	<b>975,600</b>	<b>350,000</b>	<b>3,140,000</b>	<b>4,465,600</b>	<b>2,418,653</b>	<b>2,449,854</b>	<b>31,191</b>	<b>5,170,661</b>	<b>705,061</b>

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Capital Works Program Expenditure  
for period ending 31 March 2020 (continued)**

Description	2019-20 Carry Forwards from 2017-18	2019-20 Capital Grant Funding	2019-20 Adopted Annual Capital Budget	2019-20 Budget Plus 2018-17 Carry Forward	2019-20 YTD Work In Progress	2019-20 YTD Forecast	2019-20 YTD Variance	2019-20 Annual Forecast Projected end of June 2019 expenditure	2019-20 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b><u>CAPITAL WORKS: SUSTAINABILITY</u></b>									
Sustainability Initiative Initiatives	132,000	-	50,000	182,000	144,378	163,971	18,593	182,000	-
Sustainability Initiatives - Solar Projects			380,000	380,000	90,963	132,685	41,722	380,000	-
Street Lighting Conversion & Building Management System	75,000	-	80,000	155,000	82,597	30,000	(52,597)	155,000	-
Bin Enclosures			60,000	60,000	70,150	40,000	(30,150)	60,000	-
<b>TOTAL CAPITAL WORKS: PORTFOLIOS-SUSTAINABILITY</b>	<b>207,000</b>	<b>-</b>	<b>570,000</b>	<b>777,000</b>	<b>388,038</b>	<b>366,656</b>	<b>(21,432)</b>	<b>777,000</b>	<b>-</b>
<b><u>CAPITAL WORKS: COMMUNITY SAFETY</u></b>									
Elsternwick Library Staircase			160,000	160,000	37,224	160,000	122,777	160,000	-
Black Spot Safety Program			358,000	358,000	299,021	281,000	(18,021)	358,000	-
Transport Planning			488,000	488,000	148,393	260,000	111,607	350,000	(138,000)
Footpath Program - New			255,000	255,000	173,912	140,000	(33,912)	255,000	-
<b>TOTAL CAPITAL WORKS: PORTFOLIOS-COMMUNITY SAFETY</b>	<b>-</b>	<b>-</b>	<b>1,261,000</b>	<b>1,261,000</b>	<b>657,649</b>	<b>641,000</b>	<b>183,351</b>	<b>1,123,000</b>	<b>(138,000)</b>
<b><u>CAPITAL WORKS: RENEWALS</u></b>									
Furniture and Equipment			100,000	100,000	33,709	-	(33,709)	100,000	-
Information Services - Infrastructure and Hardware Renewals			875,300	875,300	841,276	472,648	(368,628)	875,300	-
Superstructure Component Renewal			169,453	169,453	9,203	84,727	75,524	169,453	-
Fleet and Plant Replacement Program	950,000	-	1,883,483	2,833,483	1,626,734	1,498,997	(127,737)	2,833,483	-
Upgrade library self-service kiosks			50,000	50,000	44,940	50,000	5,060	50,000	-
Building Renewals-Electrical/ Mechanical/ External-Hydraulic			112,662	112,662	88,050	85,604	(2,446)	112,662	-
Substructure Component Renewal			122,068	122,068	13,436	61,000	47,564	122,068	-
Floor Finishes Component Renewal			242,873	242,873	101,178	14,383	(86,795)	242,873	-
Roof Renewals			267,572	267,572	63,939	106,478	42,539	267,572	-
Security Component Renewal			27,500	27,500	68,816	27,500	(41,316)	27,500	-
Ormond Kinder Upgrade	207,900		207,900	207,900	250,050	159,315	(90,735)	207,900	-
Senior Citizen Centres Renewal of Furniture and Equipment			80,000	80,000	31,555	40,000	8,445	80,000	-
Purchase of library collections	-	65,617	844,502	910,119	657,412	682,527	35,115	910,119	-
Footpath Renewal Program			1,700,000	1,700,000	1,377,289	1,275,003	(102,286)	1,700,000	-
Kerb and Channel Replacement Program			170,000	170,000	130,580	127,503	(3,077)	170,000	-
Road Reconstruction Program	180,000	-	3,641,045	3,641,045	1,133,830	1,788,045	654,215	3,491,045	(150,000)
Drainage Renewal and Flood Mitigation Program	-	-	3,400,000	3,400,000	2,949,084	3,041,700	92,616	3,400,000	-
Local Road Periodic Resurfacing Program			1,500,000	1,500,000	1,412,481	1,050,000	(362,481)	1,500,000	-
Right-Of-Way Renewal Program			350,000	350,000	12,889	106,000	93,111	350,000	-
Local Area Traffic Management Renewal Program			400,000	400,000	264,106	276,000	11,894	400,000	-
Car Park Renewal Program	55,000	-	650,000	705,000	137,508	405,000	267,492	705,000	-
Roads to Recovery	-	338,955	-	338,955	362,942	416,955	54,013	573,694	234,739
Turf wicket replacement			100,000	100,000	9,641	75,000	65,359	100,000	-
Minor Playground Upgrades			305,000	305,000	167,630	190,000	22,370	220,000	(85,000)
GESAC Furniture & Equipment	26,000	-	1,212,478	1,238,478	477,028	573,978	96,950	1,287,478	49,000
Parks Minor Improvements			535,000	535,000	367,568	440,000	72,432	986,000	451,000
Sports Ground Lighting Renewal Program			230,000	230,000	108,751	150,000	41,249	180,000	(50,000)
Fittings/Finishes Component Renewal			466,264	466,264	61,386	383,853	322,467	383,853	(82,411)
Residential Services - Furniture and Equipment			180,000	180,000	100,016	135,000	34,984	180,000	-
Replacement of Child care Equipment			66,800	66,800	87,759	18,000	(69,759)	66,800	-
Child care centre refurbishments			45,000	45,000	60,085	20,000	(40,085)	45,000	-
Automated Security Gates Glen Works			-	-	55,177	80,000	24,823	80,000	80,000
Half cost fencing			-	-	13,961	-	(13,961)	-	-
<b>TOTAL CAPITAL WORKS: PORTFOLIOS-RENEWALS</b>	<b>1,418,900</b>	<b>484,572</b>	<b>19,547,008</b>	<b>21,370,472</b>	<b>13,120,010</b>	<b>13,945,216</b>	<b>725,206</b>	<b>21,817,800</b>	<b>447,328</b>
<b>TOTAL CAPITAL WORKS EXPENDITURE</b>	<b>4,785,300</b>	<b>2,801,960</b>	<b>37,254,068</b>	<b>44,821,326</b>	<b>22,316,898</b>	<b>27,847,998</b>	<b>5,331,100</b>	<b>45,177,928</b>	<b>366,600</b>

## ORDINARY COUNCIL MEETING

28 APRIL 2020

**Financial Strategy**

Each year, the Auditor-General of Victoria performs an audit of the Local Government sector and produces a report to Parliament of the results of those audits. As part of this process, the Auditor-General assesses the financial sustainability of Councils. In 2018-19 the Auditor-General assessed the financial sustainability risk at an individual Council level. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 19 provides indicators for Glen Eira City Council.

***(a) Financial sustainability risk indicator***

Indicator	Formula	Description
Net result margin (%)	Net result/Total revenue	<p>A positive result indicates a surplus, and the larger the percentage, the stronger the result.</p> <p>A negative result indicates a deficit. Operating deficits cannot be sustained in the long term.</p> <p>The net result and total revenue are obtained from the comprehensive operating statement.</p>
Adjusted underlying result (%)	Adjusted underlying surplus (or deficit)/ Adjusted underlying revenue	<p>This measures an entity's ability to generate surplus in the ordinary course of business—excluding non-recurrent capital grants, non-monetary asset contributions, and other contributions to fund capital expenditure from net result.</p> <p>A surplus or increasing surplus suggests an improvement in the operating position.</p>
Liquidity (ratio)	Current assets/ Current liabilities	<p>This measures the ability to pay existing liabilities in the next 12 months.</p> <p>A ratio of one or more means that there are more cash and liquid assets than short-term liabilities.</p>
Internal financing (%)	Net operating cashflow/Net capital expenditure	<p>This measures the ability of an entity to finance capital works from generated cashflow.</p> <p>The higher the percentage, the greater the ability for the entity to finance capital works from their own funds.</p> <p>Net operating cashflows and net capital expenditure are obtained from the cashflow statement.</p> <p>Note: The internal financing ratio cannot be less than zero. Where a calculation has produced a negative result, this has been rounded up to 0 per cent.</p>
Indebtedness (%)	Non-current liabilities/Own-sourced revenue	<p>This assesses an entity's ability to pay the principal and interest on borrowings, as and when they fall due, from the funds it generates.</p> <p>The lower the ratio, the less revenue the entity is required to use to repay its total debt.</p> <p>Own-sourced revenue is used, rather than total revenue, because it does not include grants or contributions.</p>
Capital replacement (ratio)	Cash outflows for the addition of new infrastructure, property, plant and equipment/ Depreciation	<p>Comparison of the rate of spending on new infrastructure, property, plant and equipment with its depreciation. Ratios higher than 1:1 indicate that spending is faster than the depreciating rate.</p> <p>This is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations and borrowing is not an option. Cash outflows for infrastructure are taken from the cashflow statement. Depreciation is taken from the comprehensive operating statement.</p>
Renewal gap (ratio)	Renewal and upgrade expenditure/Depreciation	<p>This compares the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation.</p> <p>Ratios higher than 1.0 indicate that spending on existing assets is faster than the depreciation rate.</p>



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

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

Risk	Net result	Adjusted underlying result	Liquidity	Internal financing	Indebtedness	Capital replacement	Renewal gap
High	Less than negative 10% Insufficient revenue is being generated to fund operations and asset renewal.	Less than 0% Insufficient surplus being generated to fund operations	Less than 0.75 Immediate sustainability issues with insufficient current assets to cover liabilities.	Less than 75% Limited cash generated from operations to fund new assets and asset renewal.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10%–0% A risk of long-term run down to cash reserves and inability to fund asset renewals.	0%–5% Surplus being generated to fund operations	0.75–1.0 Need for caution with cashflow, as issues could arise with meeting obligations as they fall due.	75–100% May not be generating sufficient cash from operations to fund new assets.	40–60% Some concern over the ability to repay debt from own-source revenue.	1.0–1.5 May indicate spending on asset renewal is insufficient.	0.5–1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than 0% Generating surpluses consistently.	More than 5% Generating strong surpluses to fund operations	More than 1.0 No immediate issues with repaying short-term liabilities as they fall due.	More than 100% Generating enough cash from operations to fund new assets.	40% or less No concern over the ability to repay debt from own-source revenue.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

Source: VAGO.

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

Financial Sustainability Risk Indicators	Objective	2018-2019 Actuals based on VAGO Parliamentary Report	2019-20 Annual Budget as at 30 June 2020	2019-2020 Annual Forecast as at 30 June 2020	2019-2020 Risk based on Annual Forecast as at 30 June 2020	Comment
(1) Net Result	To generate surpluses consistently greater than 0%.	13.38%	9.75%	4.48%	Low	Council is generating positive surpluses.
(2) Underlying Result (%)	Ability to generate surplus in the ordinary course of business, excluding non-recurrent capital grants and non-monetary asset contributions to fund capital expenditure from net result. Low risk indicator to be more than 5%.	12.00%	8.30%	4.46%	Medium	Council is generating positive surpluses to fund operations.
(3) Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. Low risk - indicator is to be greater than 1.0.	1.40	1.44	1.38	Low	Council's forecast to 30 June 2020 indicates a Liquidity Ratio of greater than 1.0.
(4) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	9.84%	7.62%	7.80%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
(5) Internal Financing	Generating enough cash from operations to fund new assets. Low risk indicator is to be greater than 100%.	140.77%	107.42%	84.63%	Medium	Council is restricted in generating cash due to our COVID-19 responses in the short term. Measures to correct this will be sought over the coming months.
(6) Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. Low risk indicator is to be more than 1.5.	1.79	2.00	1.86	Low	Council operates at a low level of risk with respect to capital replacement.
(7) Renewal Gap	To ensure there is sufficient spending on Council's asset base. Low risk indicator is to be greater than 1.0.	1.28	1.49	1.49	Low	Council spends sufficient funds on its asset base.

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## Assurance Map

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

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous and proposed IA activity 2016/17-2017/18, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
1. State Government decisions impacting our community	M							Food Safety (2011/12) Statutory Planning (2013/14) Infringement Management Audit (2018/19)
2. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014) Building Emergency Management Planning (2017/18) Implementation of Federal Government's Strategy for Protecting Crowded Places from Terrorism 2017 – use of the Crowded Places Security Audit, Self-Assessment Tool and guidelines.
3. Vulnerability to cyber attack	H							Cyber Security Review including mobile devices website management and penetration testing (2016/17) IT General Controls Audit (2018/19)
4. Contracts – contracting process by Council	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (annual) Contract Management Review (2016/17) Major Project Management (2017/18) Immunisation Audit (2018/19)
5. Vulnerability to litigious action	H							Risk Management Framework (2015/16) Fraud & Corruption Control (2016/17) Claims Management Review (2016/17) Statutory Planning Legislative Compliance Audit (2018/19)
6. Failure to keep pace with emerging technologies and digital environment	H							IT Strategy (management) (2013/14) Regular penetration testing on the internal and external network infrastructure and external websites IT Sensitive Information (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) Performance Audit – GECC Transformation Project (2017/18)
7. Vulnerability to significant fraud	H							Fraud Review (2013/14) Financial Controls (2014/15) Risk Management Framework (2015/16) Fraud & Corruption Control (2016/17) Financial Compliance transaction analysis (annual – 2018/19) Payroll (2017/18) Open Space Contributions (2017/18) Community Grant Management Audit (2018/19)
8. Not sufficiently agile to respond to change	H							Change Management Framework Promapp Performance Audit – GECC Transformation Project (2017/18)
9. Failure to effectively plan for the changing demographic of our workforce	M							SafetyMAP recertification (2013/14) OH&S Review (2015/16) Performance Audit – GECC Transformation Project (2017/18)
10. Transformation program fails to deliver anticipated benefits for the organisation and community	M							Performance Audit – GECC Transformation Project (2017/18) Performance Audit (2018/19)

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

Level of coverage: Extensive Partial None

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

**9. URGENT BUSINESS**

**10. ORDINARY BUSINESS**

**10.1 Requests for reports from a member of Council staff**

**10.2 Right of reply**

**10.3 Councillor questions**

**10.4 Written public questions to Council**

**11. CONFIDENTIAL ITEMS****RECOMMENDATION**

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

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

- 11.1 Tender 2020.48 - Provision for Internal Audit Services  
*Local Government Act 1989 - Section 89(2) (d)*



**12. CLOSURE OF MEETING**