



**GLEN EIRA CITY COUNCIL**  
**ORDINARY COUNCIL MEETING**  
**TUESDAY 9 JUNE 2020**

**MINUTES**

**Meeting was streamed live via Council's website  
at 7.30pm**

Present

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 Dan Sztrajt

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The Mayor welcomed Councillors, council officers, Glen Eira residents and other community members to the 9 June 2020 virtual Council Meeting. Cr Esakoff advised of the process that would be followed should Council encounter technical difficulties livestreaming the meeting.

The Mayor then confirmed that the Councillors could be recorded as present by ensuring they met the following three criteria:

- They can hear proceedings;
- They can see other members in attendance and can be seen by other members; and
- They can be heard (to speak).

## 1. **ACKNOWLEDGEMENT**

The Mayor read the 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**

**Moved: Cr Delahunty**

**Seconded: Cr Sztrajt**

That the apology from Cr Silver be received and noted.

**CARRIED UNANIMOUSLY**

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

The Mayor read the Reminder of Declaration by Members of any Direct and Indirect Conflict of Interest or Personal Interest in any items on the agenda.

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

**Procedural Motion****Moved: Cr Esakoff****Seconded: Cr Sztrajt**

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting;
2. adjourns the meeting to be reconvened on Wednesday 10 June at 7.30pm via livestreaming on Council's website, in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website.
3. notes that the Deputy Mayor, Cr Sztrajt will Chair the meeting in accordance with section 21(a) of the Local Government Act 2020 and clause 21(3)(a) of the Council Meeting Procedure Local Law if the Mayor is unable for any reason to attend the Council meeting or part of the Council meeting. The Mayor will resume as Chair of the meeting upon return, unless a vote is being taken at the time. The Mayor to resume as Chair after the Deputy Mayor declares the result of the vote.

**CARRIED UNANIMOUSLY****4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING OR MEETINGS****Moved: Cr Delahunty****Seconded: Cr Hyams**

That the minutes of the Ordinary Council Meeting held on 19 May 2020 be confirmed.

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

Nil

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

Nil

**7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY**

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**7.1 Advisory Committees**

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**7.1.1 ADVISORY COMMITTEE MINUTES****Moved: Cr Sztrajt****Seconded: Cr Delahunty**

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. Elsternwick Cultural Precinct Advisory Committee Minutes 6 April 2020
2. Sustainability Advisory Committee Meeting Minutes – 7 May 2020
3. Community Grants Advisory Committee Minutes – 26 May 2020
4. Audit & Risk Committee Minutes - 27 May 2020

**CARRIED UNANIMOUSLY**

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**7.2 Records of Assembly**

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**7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS****Moved: Cr Sztrajt****Seconded: Cr Athanasopoulos**

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

1. 12 May 2020
2. 19 May 2020 Pre-meeting

**CARRIED UNANIMOUSLY**

**Change Order of Business****Moved: Cr Esakoff****Seconded: Cr Sztrajt**

That Council changes the order of business to deal with item 10.4  
Written public questions to Council at this stage of the meeting.

**CARRIED UNANIMOUSLY****7.4 Written public questions to Council****1. Mark Wallace – St Kilda East**

Trees remove pollution and CO2 from the atmosphere as well as reducing ambient temperature and enhancing the urban environment. In Glen Eira trees are removed regularly by developers and others. The only protection is for trees in an area with “Neighbourhood Character”. There are just six “neighbourhood character overlays” for Glen Eira. Outside the scope of such an overlay, trees can be freely removed. Yarra Council’s plan is for a 25% increase in the tree canopy in the next 20 years. What is Glen Eira’s policy for our tree canopy?

**Response:**

Council is very aware of the issues that you raise. We are currently preparing an Urban Forest Strategy and a Classified Tree Policy and Local Law to list and protect significant trees on private land. The Urban Forest Strategy will set tree canopy targets over the next 20 years and lay out an implementation plan as to how those targets will be achieved. The Classified Tree Policy and Local Law will protect nominated vegetation on private land to ensure that significant trees are not removed or impacted by future development.

Council is also in the process of updating our Open Space Strategy which strives to increase the amount of ‘green space’ for our community into the future. A review of our Planning Scheme will also consider the open space needs to serve our rapidly growing population – along with housing, retail, employment and transport.

Glen Eira, like any other Council, is required to assess housing development against Victoria-wide planning provisions, commonly known as ResCode. ResCode contains several design and neighbourhood character objectives that must be met, including the need to consider existing significant vegetation on a proposed development site.

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**2. Warren Green – Bentleigh**

- (1) The Officer’s report for the 277 Centre Road Bentleigh permit extension states: “The scale and massing.....is acceptable given the emerging 4-8 floor storey built form at the western end of the Bentleigh Activity Centre....it is considered that the proposed building is well-designed and will make a positive contribution to the area which is generally consistent with the objectives of the Bentleigh Structure Plan”. This is totally inconsistent with previous reports about the same site which include: The proposal will present an unacceptable degree of bulk and mass to the residential streets including the lower scale dwellings in Oak Street to the rear and Wheatley Road to the north. The design fails to appropriately respond or contribute positively to its natural and built context or provide an appropriate scale in terms of the bulk and height.

Why does this development all of a sudden make a positive contribution to the area?

- (2) The Council Officer's Report on heritage proposes that any addition to a contributory dwelling should not be visible from the street (p 25). As a result, ground level only developments are proposed for contributory properties. Importantly, the set-back required for a first level development is too deep on a block making it impractical (p 30). Having been actively involved in the consultation on these Guidelines, I have put forward many points on why it is reasonable for first level development to be able to be viewed from the street including: 1) The exemplar Castlereigh heritage precinct in Hampton has a significant number of properties where the first level is visible from the street 2) More than 50% of contributory properties in my street have first level developments and they do not detract from the precinct.

Why is Council creating unfair and unreasonable barriers in the development of contributory properties?

**Response:**

- (1) Council officers are required to consider relevant material when forming positions on planning items. This includes an analysis of the context of the area and the planning history that includes decisions of the Victorian Civil and Administrative Tribunal (VCAT), amongst other things. This building was approved and subsequently the planning permit was extended through VCAT processes. These processes recognised the development as being an acceptable outcome within the Bentleigh Major Activity Centre. The authorised planning scheme policy context has not changed since these decisions and therefore the planning officer has recommended that the outcome is appropriate.
- (2) The heritage guidelines do not have any statutory weight when determining planning application in heritage overlay areas. They are a guide to help with the interpretation of the existing heritage policy contained in the Glen Eira Planning Scheme to help land owners understand the expectations of this policy.

As with all planning applications, an analysis of the surrounding context is required. A development within a Heritage Overlay would not be prohibited if it proposed a first-floor extension that was visible from a street, however, the heritage policy contained within the Glen Eira Planning Scheme would seek to ensure that it does not dominate the appearance of the existing heritage place.

The heritage guidelines therefore do not create any unfair or unreasonable barriers in the development of contributory properties. They act as a visual guide to the interpretation of the heritage policy contained in the Glen Eira Planning Scheme.

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**3. Geoff Langford – Bentleigh**

- (1) After 6 years of active involvement in the planning for Bentleigh's future, it is absolutely incomprehensible that the Officer's Report states that the 277 Centre Road Bentleigh development "will make a positive contribution to the area and is generally consistent with the Bentleigh Structure Plan". As background over 200 local residents objected the original development application and 200 residents objected to the development across the road at 324 Centre Road. Key objections for this type of development have included: scale compared to surrounding residential area, overlooking, traffic congestion in Oak Street, detracting from the Bentleigh heritage precinct, scale and mass, loss of neighbourhood character, inadequate open space, strain on infrastructure, etc.



In stating that the 277 Centre Road development will make a positive contribution to the area, does the Council Officer actually have any understanding of history, consultation and the updated policy associated with the direction for Bentleigh?

- (2) The Council Officers report states that the 7 storey development at 277 Centre Road Bentleigh will make a positive contribution to the precinct. This development is located directly at the end of a heritage precinct with Californian Bungalows. In this same Agenda Council is considering Heritage Guidelines which propose that any first floor developments for Californian Bungalows should not be visible from the street or detract from the precinct.

Why is a 7 storey development ok but not a first storey development that can be viewed from the street? Why is a 7 storey development ok but not a first storey development that can be viewed from the street?

**Response:**

- (1) The planning officer has a thorough understanding of the history surrounding the development of the draft planning controls associated with the Bentleigh Structure Plan. In relation to the report before Council to extend the time in which the development can commence at 227-279 Centre Road, the planning officer has considered the matters that are required to be considered for this type of request with consideration of the surrounding context and the planning history to date, including the decision of the Victorian Civil and Administrative Tribunal. Based on this professional analysis, the planning officer has presented a recommendation to approve an extension of time.
- (2) The heritage guidelines do not have any statutory weight when determining planning application in heritage overlay areas. They are a guide to help with the interpretation of the existing heritage policy contained in the Glen Eira Planning Scheme to help land owners understand the expectations of the heritage policy.

The existing planning policy framework within the Glen Eira Planning Scheme requires Council to consider the context of adjoining properties when assessing planning applications which includes the interface of commercial areas with heritage areas.

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**8. OFFICER REPORTS (AS LISTED)**

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**8.1 LOT S4 - 441-495 INKERMAN ROAD, ST KILDA EAST - P194/2020**

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

That Council supports the Application for Review number P194/2020 at S4, 441-495 Inkerman Road, St Kilda East to amend the permit and approved plans in accordance with the following changes to the existing conditions contained with Planning Permit GE/PP-29111/2016:

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 considered by VCAT (identified as Sheets 3-10, Revision F, prepared by Tecton Design Studio)~~ The plans must accord with the plans considered by VCAT and identified as Sheets 3-10, Revision G dated Nov '19, prepared by Tecton Design Studio along with Landscape Plans identified as Sheets 1-3 dated 2020 prepared by Kevin McCullagh & Associates and External Finishes Schedule identified as Drg 1 of 1 Revision G dated Nov '19 prepared by Tecton Design Studio, but modified to show:
  - (a) ~~The floor plans provided within the context of the title boundaries on a scale of 1:100. ...deleted...~~
  - (b) Clear distinction between private and communal open space areas.
  - (c) ~~A detailed schedule of construction materials, external finishes and colours (incorporating paint samples as appropriate). ...deleted...~~
  - (d) A tree management plan in accordance with Condition 3.
  - (e) An amended landscape plan in accordance with Condition 4.
  - (f) ~~A waste management plan in accordance with Condition 17. ...deleted...~~
  - (g) ~~Provision of a pedestrian sight triangle on the western side of the crossover measuring 2.5 metres into the property and 2.0 metres along the property frontage, at least 50 percent clear of visual obstructions, with no landscaping greater than 900mm in height, or an alternative traffic solution with equivalent functionality. ...deleted...~~
  - (h) ~~The curvilinear front setback at ground floor level associated with the 'entry' replicated at basement level. ...deleted...~~
  - (i) ~~Relocation of the front crossover and the vehicular passing area identified as 'Option 2' described at page 22 of the report of Ms Charmaine Dunstan of Traffix Group titled "441-495 Inkerman Street, St Kilda East Proposed Retirement Village Development" dated 20 March 2017. ...deleted...~~

- (j) Any attenuation measures or treatments identified in the acoustic report required by condition 19.
- (k) The existing street tree shown and the proposed vehicle crossover setback a minimum of 1.5m measured from the centre of the tree.
- (l) Minimum height clearance of 2.1m as per Figure 5.3 of AS2890.1:2004 must be provided at the entrance and within the basement;
- (m) The vehicle passing bay at the front of the site widened to 5.5m with 300mm wide by 150mm high kerbs either side, or swept path analysis demonstrating the proposed arrangement can cater for two vehicles passing, or a traffic control system provided, to the satisfaction of the Responsible Authority;
- (n) Support columns within the basement to be dimensioned in accordance with Clause 52.06-9;
- (o) The basement ramp to have 300mm wide by 150mm high kerbs on each side whilst maintaining the minimum 3.0m accessway width; and
- (p) Modify the basement ramp apex to ensure there is no vehicle scraping. A ground clearance diagram demonstrating compliance with AS2890.1:2004 must be provided.

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.
3. Provision of a tree management plan prepared by a suitably qualified arborist that outlines any tree protection measures required during construction (including demolition and excavation) for the Bunya Bunya Pines located within the front setback, noted as Tree 1 and Tree 2 on the Revision F plans considered by VCAT.
4. Before the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must be generally in accordance with the landscape plan identified as drawing numbers L01, L02 and L03, revision B, dated 25 January 2020 and prepared by Kevin McCullagh & Associates, but modified to include ~~incorporate:~~
  - (a) ~~A survey, including botanical names, of all existing vegetation to be retained... deleted...~~
  - (b) ~~Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the western property boundary and common property to the east. ... deleted...~~

- (c) ~~A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways. ...deleted...~~
- (d) ~~Landscaping and planting within all open space areas of the site. ...deleted...~~
- (e) A minimum of 8 additional trees on Common Property No. 1 on Plan of Subdivision 448063B each a minimum of 3.0 metres tall when planted. The trees must be planted within the existing landscape strip on the eastern boundary and the species of tree must grow to a height that appropriately screens any direct view of the approved development from the private open space of the dwellings adjoining that common property to the east, as demonstrated by a view line analysis to the satisfaction of the responsible authority.

Trees are not to be sited over easements. All species selected must be to the satisfaction of the Responsible Authority.

5. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
6. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
7. The proposed works must not cause any damage to the existing street tree. Root pruning of this tree must be carried out to the satisfaction of the Responsible Authority prior to the construction of the crossover/works.
8. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree along the back of the kerb and edge of the footpath and to a radius of at least 2.0 metres from the base of the trunk over the nature strip to define a 'tree protection zone'. Temporary fencing is to be used as per AS 4870-2009 section 4.3. This fence must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until the construction within the tree protection zone is required. The tree protection zone for that component of the development not required for construction must remain fenced until construction is complete. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone. No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.
9. The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority. Above ground canopy TPZ (Tree Protection Zone) to be adopted. No works, structures or machinery will come within 1m of the trees crown/canopy as per AS 4870-2009 section 3.3.6.

Tree Protection Zone (TPZ) fencing must be adopted to protect the street tree's trunk. Set at edge of TPZ on all sides (Finishing at paved surfaces). Temporary fencing to be used as per AS 4870-2009 section 4.3. Hand excavate any area within 1.5m of the Tree Protection Zone (TPZ). If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out. Ground protection is to be used if temporary access for machinery is required within the Tree Protection Zone (TPZ). Strapped rumble boards are to be used within TPZ to limit ground compaction as per AS 4870-2009 section 4.5.3.

10. No excavation is to come within 1.5 metres of the existing street tree without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out. Ground protection is to be used if temporary access for machinery is required within the TPZ (Tree Protection Zone). Strapped rumble boards are to be used within the tree protection zone to limit ground compaction as per AS 4870-2009 section 4.5.3.
11. Prior to the commencement of use approved by this Permit, the permit holder/owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The agreement must secure that the approved buildings must be used in accordance with the land use permitted by this permit.
12. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
  - (a) Constructed
  - (b) Properly formed to such levels that they can be used in accordance with the plans;
  - (c) Surfaced with an all weather sealcoat;
  - (d) Drained;
  - (e) Line-marked to indicate each car space and all access lanes;
  - (f) Clearly marked to show the direction of traffic along the access lanes and driveways;

to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

13. Following the commencement of the use, ~~three~~ five car parking spaces must be made available to the public, ~~in the basement~~, for the exclusive use of visitors to the retirement village permitted by this permit.
14. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible

Authority.

15. Prior to the completion of the basement floor construction, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement floor has been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
16. Prior to the completion of the ramp to the basement, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement ramp has been constructed in accordance with the endorsed plans.
17. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
  - (a) Delivery and unloading points and expected frequency;
  - (b) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (c) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (d) Any requirements outlined within this permit as required by the relevant referral authorities;
  - (e) Hours for construction activity in accordance with any other condition of this permit;
  - (f) Measures to control noise, dust, water and sediment laden runoff;
  - (g) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - (h) Any construction lighting to be baffled to minimise intrusion on adjoining lots;
  - (i) Measures to protect or facilitate alternative temporary parking for the four existing car parking spaces on lot S4 identified as "Reconstructed" on Sheet 4 of the Revision F plans considered by VCAT during construction.
18. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:

- (a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
  - (b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
  - (c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
  - (d) Details for best practice waste management once operating.
  - (e) Waste is to be collected during the following days and times:
    - Monday to Friday between 7am and 6pm; and
    - Saturday, Sunday and public holidays between 10am and 6pm.
  - (f) Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.
19. Prior to, or in conjunction with, the provision of plans for endorsement pursuant to condition 1, the permit holder must provide an acoustic report demonstrating that the building permitted by this permit can be constructed so as to reduce the noise levels from music emanating from the Kimberley Gardens Restaurant and Function Centre to below the noise limits specified in State Environment Protection Policy No. N-2 (SEPP N2). The acoustic report must be prepared by a suitably qualified acoustical consultant to the satisfaction of the responsible authority.
- (a) For the purposes of assessing and calculating whether the above noise standard is met, the noise measurement point may be assumed to be located inside a habitable room of the retirement village with windows and doors closed.
  - (b) The acoustic report is required to demonstrate that the above noise standard is met during the day and evening periods only for the purposes of SEPP N2.
  - (c) For the purposes of the assessment, the internal music noise level within the Kimberley Gardens Restaurant and Function Centre is to be assumed to be as set out at Table 7, page 8, of the report of Marshall Day Acoustics titled "Kimberley Gardens Restaurant and Function Centre SEPP N-2 Assessment" dated 16 November 2016.
  - (d) If any attenuation measures (for example, glazing of a particular specification) or any other treatments are required to achieve the above noise standard, these must all be set out clearly in the acoustic report.

20. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the Responsible Authority.
21. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.
22. All outdoor lighting must be baffled and/or located to prevent light from the site causing detriment to the locality to the satisfaction of the Responsible Authority.

### Melbourne Water Conditions

23. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

~~A minimum 7.1 metre setback measured from the northern (front) boundary and maintained at natural surface levels is required to allow for the conveyance of overland flow.~~ Minimum 7.0m setback shown from the northern boundary (front) must be maintained at natural surface levels for the conveyance of overland flow. Pedestrian ramp on plans submitted must be of open style foundations and not a solid construction; No solid walls/fences, retaining walls and raised landscaping will be permitted within this setback area other than VCAT approved front fence of design of a 50% balance of open and solid construction.

24. Finished floor levels of the building must be constructed no lower than 20.50 metres to ~~Australian Height Datum (AHD).~~ which is 300mm above the applicable flood level at the location of 20.20 metres to AHD.
25. ~~Finished floor levels of the basement carpark must incorporate a flood proof apex and associated bunding constructed no lower than 20.50 metres to AHD.~~ Entry apex to the basement must be constricted no lower than 20.50 metres to AHD which is 300mm above the applicable flood level at the location of 20.20 metres to AHD.
26. Any new internal or external fencing must be 50% open style ~~(50%) of construction~~ or timber paling construction ~~to allow for the conveyance of overland flow.~~
27. ~~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 ramp~~ No fill must be placed outside of the building footprint with the exception of minimal fill required for ramping to the basement. (Fill out of 7m front setback area).
28. ~~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~~ Open space areas within the property (outside of the building footprint) must be constructed at natural surface level and no fill or retaining walls must be used in the development of this land.



29. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team. [Council must be contacted for information on the legal point of discharge.](#)
30. 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.
31. [The basement must be tanked and banded to no lower than 20.50 metres to AHD which is 300mm above the applicable flood level of 20.3 metres to AHD.](#)

#### **End Melbourne Water Conditions**

32. [Before the development starts, the existing 'E-1' Carriageway easement must be realigned in accordance with basement ramp from Inkerman Road.](#)
33. This Permit will expire if:
  - (a) The development does not start within two (2) years from the date of this Permit;
  - Or
  - (b) The development is not completed within four (4) years of the date of this Permit.

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

**CARRIED UNANIMOUSLY**

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**8.2 277-279 CENTRE ROAD, BENTLEIGH  
PLANNING PERMIT EXTENSION OF TIME REQUEST**

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**Moved: Cr Hyams****Seconded: Cr Magee**

That Council refuses the extension of time for Planning Permit GE/PP-30084/2016 for the following reasons:

1. The proposed extension of time would allow the development of the land for a building that would significantly exceed the mandatory 4 storey height limit proposed in Planning Scheme Amendment C184glen; and
2. Planning Scheme Amendment C184glen should be given greater weight in the balance of considerations due to its authorisation for exhibition and because it will implement the Bentleigh Structure Plan adopted by Council on 27 February 2018.

*It is recorded that Cr Sztrajt vacated the virtual meeting at 8:07pm and re-entered at 8.11pm.*

The Motion was Put and **CARRIED**

The Motion was PUT and a **DIVISION** was called:

**FOR:** Crs Athanasopoulos, Davey, Delahunty, Esakoff, Hyams, Magee  
and Sztrajt (7)

**AGAINST:** Cr Cade (1)

**CARRIED**

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**8.3 1 FOSTER STREET, ELSTERNWICK**

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

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/DP-33337/2020 for the demolition of existing building and construction of six double-storey dwellings above a basement and front fencing on land affected by the Neighbourhood Character Overlay and Design and Development Overlay in accordance with the endorsed plans at 1 Foster Street, Elsternwick in accordance with the following conditions:

Amended plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as TP-3 to TP-7, Revision B, prepared by Rogers Architects & Planners and dated 25 April 2020, and Landscape Plan, prepared by Botanix Landscape Architecture) but modified to show:
  - (a) Provision of a STORM report to ensure the development meets the current best practice performance objectives for stormwater quality in accordance with Standard B9 of Clause 55.03-4.

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

Development not to be altered

2. The development as shown on the endorsed plans must not be altered or modified (unless the Glen Eira Planning Scheme specifies a permit is not required) without the prior written consent of the Responsible Authority.

Landscaping and tree protection

3. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority, including that any dead or diseased plants are replaced.
4. Before the development starts, including demolition and excavation, a tree protection fence (TPF) must be erected around the street trees identified as Tree 1 (furthest to the west) at a radius of 2.28m and Trees 2, 3 and 4 at a radius of 2.0m.

The TPF radius must be measured from the base of the trunk to the satisfaction of the Responsible Authority to define a Tree Protection Zone (TPZ). Temporary fencing is to be used as required by Australian Standard 4870-2009 section 4.3. This TPF must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority.

The TPF must remain in place until the construction within the TPZ is

completed. The TPZ for that component of the development not required for construction must remain fenced until construction is complete.

If any roots over 40mm are found within 1.5m of the TPZ, the area must be hand excavated to protect the roots and Park Services are to be notified and further inspections will be carried out.

The ground surface of the TPZ must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.

An above ground canopy TPZ is to be adopted and no works, structures or machinery should come within 1m of the trees crown/canopy as per Australia Standard 4870-2009 section 3.3.6.

No vehicular or pedestrian access, trenching, soil excavation, storage or dumping of tools, equipment or waste is to occur within the TPZ.

#### Construction Management Plan

5. 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 parking

6. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
  - (a) constructed;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all weather sealcoat; and
  - (d) drained.

to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

7. Vehicular crossings must be constructed to the road to suit the proposed driveway to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
8. Any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the applicant/developer to the satisfaction of the relevant authority. All costs associated with any such modifications must be borne by the applicant/developer.

#### Drainage and easements

9. No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority without the prior written consent of the relevant authority and the Responsible Authority.

#### On-site services

10. Provision must be made on the site for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
11. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the Responsible Authority

#### Walls on boundary:

12. Before the development is occupied, the wall on the boundary of the adjoining laneway must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.

Permit expiry

13. This Permit will expire if:

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

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

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

**Permit notes:**

- A. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- B. 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.
- C. 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.
- D. Consideration is required when installing domestic services (i.e. – air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.
- E. Where the driveway crosses a footpath, the driveway grade shall be 1 in 40 (2.5%) or less across the footpath over a lateral distance of at least 1.0m.
- F. Redundant vehicle crossings must be removed and nature strip, kerb&channel shall be reinstated to match with abutting conditions to the Council satisfaction.

- G. Existing footpath levels must not be changed. If applicant need to reconstruct the footpath, it must be constructed to Council standard drawing STD-402 - [https://www.gleneira.vic.gov.au/media/5147/std-402\\_path.pdf](https://www.gleneira.vic.gov.au/media/5147/std-402_path.pdf)
- H. The apex of the basement access ramp should provide at least 100mm above the back of the footpath/street building line to prevent entrance of any nuisance flows in to basement. A grated trench at the start of onsite ramp is also recommended.
- I. No net increase in peak stormwater runoff in Council drainage network. Post development peak storm water discharge to Council drainage network to be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations prepared by a registered consulting Civil Engineer should be submitted to Council for approval prior 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. Firefighting facility as required under Building Act/Regulation shall be within the subject land and not in Council Road Reserve.
- N. Asset Protection Permit must be obtained from Council Engineering Services Department prior commencement of any building works. Application can be lodged at <https://www.gleneira.vic.gov.au/services/planning-and-building/building/permits/asset-protection-permit>
- O. Vehicle crossing permit must be obtained by lodging application for vehicle crossing permit. Application can be lodged at: <https://www.gleneira.vic.gov.au/services/planning-and-building/building/permits/vehicle-crossing-permit>
- P. To connect storm water discharge to the Council drainage network and any work in the road reserve, Asset consent permit must be obtained by lodging application for Asset consent permit. Application from can be lodged at: <https://www.gleneira.vic.gov.au/services/planning-and-building/building/permits/asset-consent-permit>
- Q. Any modifications, amendments or changes that could impact Council's engineering assets to be discussed with Engineering for assessment, prior to issuing the planning permit.

**CARRIED**

**8.4 VCAT WATCH**

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**Moved: Cr Delahunty****Seconded: Cr Cade**

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

**CARRIED UNANIMOUSLY**

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**8.5 PLANNING SCHEME AMENDMENT C197GLEN FIELD STREET PRECINCT**

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**Moved: Cr Hyams****Seconded: Cr Cade**

That Council:

1. receives the submissions;
2. notes the summary of received submissions and the comments/recommendations provided by the planning officer and heritage consultant (Attachment 3);
3. revises Planning Scheme Amendment C197glen to retain the NCO and DDO for the properties at 26 Donaldson Street, Bentleigh, and 235 and 257 Jasper Road, Bentleigh;
4. requests the Minister for Planning to appoint a Planning Panel to consider Submissions received during the exhibition period for Amendment C197glen in accordance with Section 23 of the *Planning and Environment Act 1987*; and
5. refers all submissions to the Planning Panel for its consideration.

*It is recorded that Cr Athanasopoulos vacated the virtual meeting at 8:33pm re-entered at 8:34pm.*

**CARRIED UNANIMOUSLY**



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**8.6 GLEN HUNTLY STRUCTURE PLAN: DRAFT FOR PUBLIC CONSULTATION**

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**Moved: Cr Davey****Seconded: Cr Athanasopoulos**

That Council endorses the draft *Glen Huntly Structure Plan* for public consultation purposes.

*It is recorded that Cr Delahunty vacated the virtual meeting at 8:41pm and re-entered at 8:42pm.*

*It is recorded that Cr Delahunty vacated the virtual meeting at 8:50pm and re-entered at 8:51pm.*

The Motion was Put and **CARRIED**

The Motion was PUT and a **DIVISION** was called:

**FOR:** Crs Athanasopoulos, Davey, Delahunty, Magee and Cade (5)

**AGAINST:** Crs Esakoff, Hyams and Sztrajt (3)

**CARRIED**

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**8.7 GLEN EIRA HERITAGE DESIGN GUIDELINES 2020**

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

That Council adopts the *Heritage Design Guidelines* as a non-statutory document for the purpose of providing guidance on the implementation of planning scheme heritage provisions to alter an existing building or construct a new building within a heritage precinct.

*It is recorded that Cr Athanasopoulos vacated the virtual meeting at 9:07pm and re-entered at 9:12pm.*

**CARRIED UNANIMOUSLY**

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**8.8 COVID-19 - AMENDED STIMULUS PACKAGE TO SUPPORT BUSINESSES, RESIDENTS AND COMMUNITY GROUPS**

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**Moved: Cr Cade****Seconded: Cr Magee**

That Council:

1. notes that a review of the COVID-19 Response and Recovery initiatives approved by Council on 7 April 2020 has been undertaken and is updated as per Attachment 1;
2. authorises the roll-out of the support initiatives in the Response and Recovery Package as outlined in Attachment 1 to this report; and
3. notes the indicative value of initiatives outlined in the COVID-19 Response and Recovery Package is \$7.3m, comprising \$3.3m in 2019-20 financial year and \$4.0m in the 2020-21 financial year.

*It is recorded that Cr Delahunty vacated the virtual meeting at 9:13pm and re-entered at 9:14pm.*

*It is recorded that Cr Delahunty vacated the virtual meeting at 9:16pm and re-entered at 9:18pm.*

**CARRIED UNANIMOUSLY**

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**8.9 MANAGEMENT AND MAINTENANCE OF THE CAULFIELD TO DANDENONG  
LXRP LINEAR PARK OPEN SPACE**

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**Moved: Cr Athanasopoulos****Seconded: Cr Davey**

That Council :

1. notes the outcome of negotiations with the LXRP on revised terms for the maintenance and management of the Linear Park Open Space created by the Caulfield to Dandenong Level Crossing Removal Project; and
2. authorises the Chief Executive Officer to finalise negotiations and enter into an agreement with the LXRP consistent with the proposed terms.

**CARRIED UNANIMOUSLY**

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**8.10 OPEN SPACE STRATEGY REFRESH**

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

That Council:

1. notes the community feedback received and changes made; and
2. adopts the Glen Eira Open Space Strategy Refresh.

**CARRIED UNANIMOUSLY**

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**8.11 BLUESTONE LANEWAY AND KERB AND CHANNEL RECONSTRUCTION POLICY**

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**Moved: Cr Delahunty****Seconded: Cr Davey**

That Council:

1. notes the feedback received as part of the public consultation process and Council officer responses;
2. adopts the Bluestone Laneway and Kerb and Channel Reconstruction Policy as shown in Attachment 1; and
3. revokes the existing Street and Laneway Design and Construction Policy 2013 as shown in Attachment 2.

*It is recorded that Cr Cade vacated the virtual meeting at 9:43pm and did not return to the meeting.*

*It is recorded that Cr Athanasopoulos vacated the virtual meeting at 9:44pm.*

**CARRIED UNANIMOUSLY**

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**8.12 SALE OF DISCONTINUED ROAD – ABUTTING 448 HAWTHORN RD CAULFIELD SOUTH**

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**Moved: Cr Delahunty****Seconded: Cr Sztrajt**

That Council directs that:

1. having given public notice of a proposal to sell the land from the discontinued road adjoining 448 Hawthorn Road Caulfield South (shown as Lot 5 on the attached Title Plan TP15411) to the owner of 448 Hawthorn Road, Caulfield South, in accordance with section 189 of the *Local Government Act 1989* (the Act); and
2. having received no submissions in respect of the proposal under section 223 of the Act that the land be sold by private treaty to the owner of 448 Hawthorn Road Caulfield South, in accordance with section 189 of the Act and Council's Roads and Reserves Discontinuance and Sale Policy 2015; that
3. the Chief Executive Officer be authorised to execute all documentation associated with the sale of Lot 5 on TP15411.

**CARRIED UNANIMOUSLY**

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**8.13 SALE OF DISCONTINUED RESERVE - ABUTTING 19 SATURN STREET  
CAULFIELD SOUTH**

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**Moved: Cr Sztrajt****Seconded: Cr Delahunty**

That Council, directs that:

1. the statutory procedures be commenced pursuant to section 189 of the *Local Government Act 1989* ("the Act") to sell the Council land from the former drainage reserve adjoining 19 Saturn Street, Caulfield South, shown as Lot 6 on PS433599Q, attached, in Attachment 1; and
2. as part of the statutory procedures, place a public notice of the proposed sale in the Age newspaper and on Council's website and for the notice to state that Council proposes to sell the land to the adjoining property owner at 19 Saturn Street, Caulfield South by private treaty in accordance with *Council's Roads and Reserves Discontinuance and Sale Policy 2015*; and
3. following completion of the public notification process:
  - a) in the event that no submissions are received, a further report will be provided to Council to determine whether or not to sell the land; or
  - b) in the event that submissions are received, Council considers the submissions at a future Council meeting, including hearing any submitters who request to be heard as part of their submission and then determine whether or not to sell the land.

**CARRIED UNANIMOUSLY**

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**8.14 LEASE - PRINCES PARK, TELSTRA**

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**Moved: Cr Delahunty****Seconded: Cr Davey**

That Council:

1. finalise the terms of a new lease with Telstra Corporation Limited (ACN051775556) for their occupation of Council premises located at Princes Park, 41 Sussex Road Caulfield South; and
2. execute the lease in an appropriate manner including affixing the common seal.

*It is recorded that Cr Athanasopoulos entered the virtual meeting at 9:47pm.*

**CARRIED UNANIMOUSLY**

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**8.15 AUTHORISATIONS UNDER THE PLANNING AND ENVIRONMENT ACT**

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**Moved: Cr Hyams****Seconded: Cr Davey**

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

1. the staff members referred to in the attached Instruments of Appointment and Authorisation (Attachment 1) be appointed and authorised as set out in the Instruments;
2. the Instruments described in part 1 be signed and sealed;
3. any reference to 'section 232 of the Local Government Act 1989' or 's 232 of the Local Government Act 1989' in current Instruments of Appointment and Authorisation be amended to read 'section 313 of the Local Government Act 2020'; and
4. any Instruments amended under part 3 come into force on the date of this resolution.

**CARRIED UNANIMOUSLY**

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**8.16 AUDIT AND RISK COMMITTEE MEMBERS' REMUNERATION**

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**Moved: Cr Delahunty****Seconded: Cr Magee**

That effective from 1 July 2020, Council adopt the following rates for the Audit and Risk Committee Members:

1. Chairperson - \$8,500 p.a. (exc. GST); and
2. Independent Member - \$7,270 p.a. (exc. GST).

*It is recorded that Cr Sztrajt vacated the virtual meeting at 9:50pm.*

**CARRIED UNANIMOUSLY**

**Procedural Motion****Moved: Cr Hyams****Seconded: Cr Magee**

That the meeting be extended to conclude at 11pm.

**CARRIED UNANIMOUSLY**

**9. URGENT BUSINESS - NIL****10. ORDINARY BUSINESS****10.1 Requests for reports from a member of Council staff****10.1.1 Advocacy on the Glen Huntly and Neerim Road Level Crossing Removals****Moved: Cr Davey****Seconded: Cr Athanasopoulos**

That officers prepare a report on a recommended approach to advocacy on the Glen Huntly and Neerim Road Level Crossing Removals. Noting the State Government's intention to deliver a 'rail under' construction solution, the report should outline how Council can work with the Government to ensure that a high quality urban realm outcome that connects rather than severs the Glen Huntly community can be achieved.

*It is recorded that Cr Sztrajt entered the virtual meeting at 9:53pm.*

**CARRIED UNANIMOUSLY**

**10.2 Right of reply - Nil****10.3 Councillor questions Nil****10.4 Written public questions to Council**

This was dealt with at an earlier stage of the meeting.

**11. CONFIDENTIAL ITEMS****Moved: Cr Hyams****Seconded: Cr Magee****RECOMMENDATION**

- A. That pursuant to subsection 77(2)(b) of the *Local Government Act 1989*, Council resolves that the information contained in Items 11.1, 11.2, 11.3, 11.4 and 11.5 are designated as confidential because they are discussing contractual matters pursuant to subsection 89(2)(d) of the *Local Government Act 1989* (Items 11.1-11.4) and 89(2)(h) of the *Local Government Act 1989* (Item 11.5).
- B. That pursuant to section 66(1) of the *Local Government Act 2020*, Council resolves to close the meeting to the public because a circumstance specified in subsection 66(2)(a) of the *Local Government Act 2020* applies namely that the meeting is to consider confidential information.
- C. That pursuant to subsection 66(5)(a) of the *Local Government Act 2020*, Council resolves to record in the minutes of the meeting that are available for public inspection that the grounds for determining to close the meeting to the public are that the meeting is to:
1. consider Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released; and
  2. consider information that is confidential information for the purposes of subsection 77(2)(b) of the *Local Government Act 1989* namely the information has been designated as confidential information by a resolution of Council which specifies the relevant ground or grounds applying under section 89(2) of the *Local Government Act 1989* and the Council has not passed a resolution that the information is not confidential.
- D. That pursuant to subsection 66(5)(b) of the *Local Government Act 2020*, Council resolves to record in the minutes of the meeting that are available for public inspection that the explanation of why the specified grounds of confidential information applies are that the meeting is discussing contractual matters and releasing the confidential information now may jeopardise effective negotiations in relation to this matter.
- 11.1 Tender 2020.72 Parking Enforcement Services Whole of the Municipality  
*Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.*
- 11.2 Tender 2020.73 Printing of Glen Eira News  
*Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.*
- 11.3 Tender 2020.62 Provision of Information Technology Products and Services  
*Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.*



- 11.4 Tender 2020.164 Supply and Delivery of Produce to Council's Aged Care Facilities.  
*Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.*
- 11.5 Property Acquisition Opportunity  
*Local Government Act 1989 - Section 77(2)(b) together with 89(2)(h); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.*

**CARRIED UNANIMOUSLY**

The Mayor advised that after consideration of the confidential items the meeting will be closed.

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**11.1 TENDER 2020.72 PARKING ENFORCEMENT SERVICES WHOLE OF THE MUNICIPALITY**

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

That Council:

1. appoints **Database Consultants Australia (DCA) Technologies Pty Ltd, ACN 075 154 755** as the contractor under Tender number **2020.72-05** for an amount of **\$3,316,547 per annum** exclusive of GST (or in accordance with the Schedule of Rates submitted.)
2. prepares the contract in accordance with the Conditions of Contract included in the tender
3. authorises the CEO to execute the contract/s on Council's behalf.
4. incorporates this resolution in the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

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**11.2 TENDER 2020.73 PRINTING OF GLEN EIRA NEWS**

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

That Council:

1. appoints **Newsprinters Pty Ltd, ACN 075 349 772** as the contractor under **Tender number 2020.73** in accordance with the Schedule of Rates submitted.
2. prepares the contract in accordance with the Conditions of Contract included in the tender.
3. authorises the CEO to execute the contract on Council's behalf; and
4. incorporates this resolution into the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

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**11.3 TENDER 2020.62 PROVISION OF INFORMATION TECHNOLOGY PRODUCTS AND SERVICES**


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

That Council:

1. appoints the panel of providers for Tender 2020.62 Provision of Information Technology Products and Services recommended by Procurement Australia. A full listing is provided in the Confidential Attachment No. 1 to the report.
2. authorises the Chief Executive Officer to advise Procurement Australia.
3. make the resolution available in the public meeting minutes of the Meeting.

**CARRIED UNANIMOUSLY**


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**11.4 TENDER 2020.164 SUPPLY AND DELIVERY OF PRODUCE TO COUNCIL'S AGED CARE FACILITIES.**


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**Moved: Cr Sztrajt****Seconded: Cr Athanasopoulos**

That Council:

1. appoints the following panel of providers to under Tender 2020.164 Supply and Delivery of Food Produce to Council's Aged Care Facilities in accordance with Schedule of Rates submitted.

<b>Tenderer</b>	<b>A.C.N.</b>	<b>A.B.N.</b>
AR Foodservice Pty Ltd	614 538 484	39 614 538 484
Bidfood Victoria Pty Ltd	053 695 855	69 053 695 855
C.W.B. Australia Pty Ltd	007 384 081	84 007 384 081
Glenroy Bakery Pty Ltd	007 168 998	54 007 168 998
In2Food Australia Pty Ltd t/a Yarra Valley Farms	609 288 360	17 609 288 360
The trustee for University Meat Trust	102 437 034 195	43 723 358 212

2. prepares the contracts in accordance with the Conditions of Contract included in the tender.
3. authorises the CEO to execute the contracts on Council's behalf; and
4. incorporates this resolution into the public minutes of this Meeting.

**CARRIED UNANIMOUSLY**

**12. CLOSURE OF MEETING**

The meeting closed at 10.10pm

Confirmed this 16 day of June 2020

**Chairperson**.....