



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

27 February 2018

7.30pm

Present

Cr Tony Athanasopoulos (Mayor)
Cr Clare Davey
Cr Mary Delahunty
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt
Cr Nina Taylor

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**Minutes of the Ordinary Meeting of Council
held in the Council Chamber, Glen Eira Council Offices,
Corner Hawthorn Road and Glen Eira Road, Caulfield
on Tuesday 27 February 2018 at 7.30pm**

The Mayor advised the gallery that all Council's Ordinary and Special Meetings will now be livestreamed to provide the community with greater access to Council debate and the decision making process.

1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement

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

2. APOLOGIES – There were no apologies submitted to the meeting.

3. OATH OF OFFICE AND DISCLOSURE OF INTEREST

Oath of Office

The Mayor read the Oath of Office.

Councillors are reminded that we remain bound by our Oath of Office to undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Glen Eira and to faithfully and impartially carry out the functions powers, authorities and discretions vested in us under the Local Government Act or any other Act to the best of our skill and judgement.

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

4. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETINGS

4.1 Confirmation of the Minutes

Moved: Cr Hyams

Seconded: Cr Esakoff

That the minutes of the Ordinary Meeting held on 6 February 2018.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITION AND JOINT LETTERS

There were no petitions or joint letters submitted to the meeting.

6. DOCUMENTS FOR SEALING

There were no documents for sealing submitted to the meeting.

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

There were no reports by delegates presented to the meeting.

Moved: Cr Athanasopoulos

Seconded: Cr Delahunty

That Council suspend standing orders at 7.35pm to provide the community members who were unable to be seated in the gallery, with a more suitable location to watch the livestreaming of the meeting.

CARRIED UNANIMOUSLY

Moved: Cr Athanasopoulos

Seconded: Cr Silver

That Council resumes standing orders at 7.56pm.

CARRIED UNANIMOUSLY

8. REPORTS FROM COMMITTEES

8.1 Advisory Committees

Moved: Cr Hyams

Seconded: Cr Delahunty

That the minutes of the Community Consultation Committee meeting held on 31 January 2018 be received and noted and that the recommendations of the Committee be adopted.

CARRIED UNANIMOUSLY

8.2 Records of Assembly

Moved: Cr Delahunty

Seconded: Cr Esakoff

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

- a. 23 January 2018
- b. 30 January 2018
- c. 6 February 2018 (pre-meeting)
- d. 11 February 2018 (workshop)

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Silver

Seconded: Cr Sztrajt

That Council changes the order of business to bring forward item 11.4 – Public Questions to Council to this stage of the meeting.

CARRIED UNANIMOUSLY

Public Questions Council Meeting 27 February 2018

1. Natalie Smith - Elsternwick

In Feb 2018 VCAT refused a development application for 9storeys at 1-3 Horne St, Elsternwick which is within the Urban Renewal Area (north). The building proposed would have fitted within the massing proposed in Section A-A of Scheme 3. GECC also refused this application.

Both VCAT and GECC refused this application because:

- it did not achieve appropriate graduation against future 4storeys
- the sharp contrast in height created an unacceptable interface to the adjoining sites that the [Ross St] properties would have to compensate for.
- inequitable development outcome [for the Ross St properties].

How do the Council planners and Councillors justify approving or recommending a structure plan that encourages future development that they and VCAT determined was unacceptable less than 4 weeks ago?

Response:

The Structure Plan has been prepared to provide a long-term vision for the busy central Elsternwick area and includes a framework for supporting the growth of business and housing, while setting out development expectations by identifying the types and heights of buildings that we can expect to see developed into the future. The Structure Plan works hand in hand with Quality Design Guidelines for commercial and mixed use areas. The Guidelines provide more detailed parameters for how development should respond to site interfaces.

In the recent decision regarding 1-3 Horne Street, the VCAT members considered the suitability of the development of the specifically proposed nine storey building and agreed that the proposal before VCAT was not the right outcome, which was consistent with Council's position. In refusing the proposal, VCAT had concerns with a number of matters, including the height and setbacks of the building, as well as the detailed design, amenity impacts and streetscape presentation. It was an accumulation of factors that led to the refusal of the proposal.

At the time that this planning application was determined in June 2017, the Structure Plan was not an approved Council policy and could not be given weight as part of the decision making process. This was reflected in the VCAT decision. Council considers that the direction provided in the proposed Structure Plan and Design Guidelines will facilitate a more appropriate outcome for sites in this location.

While one reason for refusal was that the height was not appropriate because it did not provide an appropriate scale transition and resulted in off-site amenity impacts, it is Council's position that this is not inconsistent with what is envisaged under the proposed Structure Plan and Design Guidelines.

Both the Structure Plan and the Guidelines encourage consolidation of sites, particularly in Urban Renewal areas. It is noted that to achieve the recommended height of between 8-12 storeys within the area identified as Urban Renewal Area (North) within the Structure Plan, that a development would require the consolidation of lots. This would allow for the impacts of height to be better managed, including how a building might transition to adjoining sites and any associated impacts to neighbouring amenity. The VCAT decision acknowledges that 1-3 Horne Street is a relatively small site, at 612 square metres, and that other significant developments in Elsternwick have occurred on larger development sites. This supports the approach taken by Council in the proposed Structure Plan and Design Guidelines.

If endorsed by Council, the Structure Plan and Guidelines will continue to place expectations on development regarding site-responsive design, appropriate setbacks, equitable development and amenity impacts. It is for this reason that development of the scale recently considered by VCAT would more favourably be considered on larger (or consolidated) sites. As such it is considered that the decision made by VCAT in relation to 1-3 Horne Street is not inconsistent with the direction of the proposed Structure Plan.

2. Jan Lovgren - Elsternwick

Ref: New Public open space in Carre Street. Question: How will under ground parking to Renown apartments be affected in this street to accommodate, this proposed Public open space.

Response:

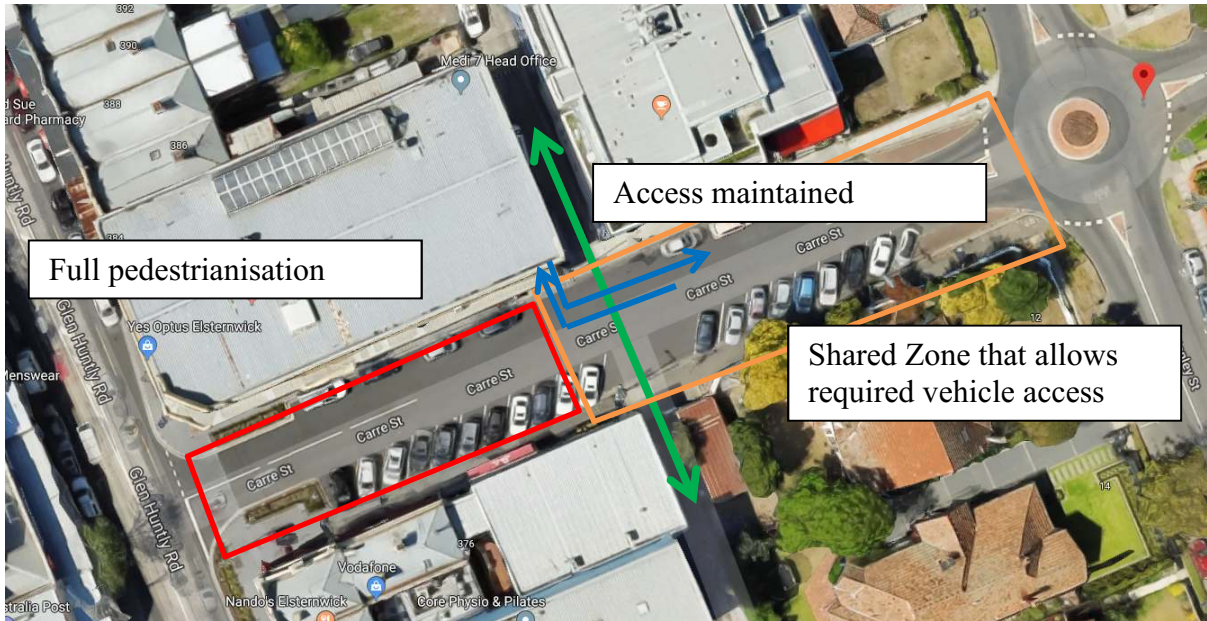
The Carre Street project seeks to create much needed public space in Elsternwick with new canopy trees and space for activity to spill out.

A key consideration of the project includes 'Ensuring that the concept design maintains vehicular access to commercial and residential properties.'

1A Carre Street (Renown Apartments) is the northern most vehicle access in Carre Street. The future design of Carre Street will maintain vehicle access to 1A Carre Street by:

- *Creation of a shared zone south of this vehicle access to Stanley Street*
- *Creation of a pedestrian plaza north of this vehicle access to Glenhuntly Road*

Residential and service vehicles will be permitted to travel within this shared zone at a low speed and have equal access rights as pedestrians and bicycles. Further the rear access service lane that runs parallel to Glenhuntly road will also be maintained.



3. Kathy Deacon - Elsternwick

- a) Why has the former ABC site now Woolworths been designated 6-8 storeys when residents clearly wanted only 3-4 - how does this impact Woolworths plans?
- b) How is the planned shared traffic/pedestrian precinct in Selwyn Street going to be policed when the used precedent of Hardware Lane is closed to vehicles between 11am-11pm?

Response:

a)
 One of the primary aims of the proposed Elsternwick Structure Plan is to preserve the heritage and character of the area. However, economic and housing growth still needs to be accommodated somewhere as Elsternwick is a Major Activity Centre for our city. A focus of the Elsternwick plan has therefore been to find a balance between growth and protected areas by:

- Limiting building heights along the Heritage listed Glenhuntly Road shopping strip (capped at 4-5 storeys depending on the site); and
- Limiting building heights in the heritage listed residential areas to the north and south of the strip (reducing from 4 storeys to 2 storeys).
- Identifying sites where taller buildings can be accommodated in strategic locations.

The former ABC site is located within a proposed new cultural precinct. This is a key strategic site identified as a cultural and economic anchor for not only Elsternwick, but the broader City of Glen Eira.

The cultural precinct has been nominated as one of a few strategic locations east of the railway line where taller buildings above 5 storeys can be accommodated. Council officers view 6-8 storeys as reasonable on the former ABC site given its proximity to the train station and the size of the property to manage transition to sensitive interfaces.

Council has recently received a planning permit application for the ABC site from Woolworths and is currently under consideration. This proposal consists of a ground floor Woolworth's supermarket with 180 dwellings above, with an overall height of 14 storeys.

Further, we note that building height is not the only consideration when it comes to planning for the site. The proposed Structure Plan seeks developments on Selwyn Street to contribute to realising the potential of the cultural precinct in a way that balances the impacts of taller developments with outcomes that provide a community benefit.

b)

The proposed Elsternwick Structure Plan outlines a key initiative to create a new cultural precinct by creating new civic buildings in Selwyn Street, connected by a upgraded pedestrian focused street.

The Structure Plan shows a future one-way street for the majority of Selwyn Street in order to allow for wider footpaths extensions, reduce the impact of traffic, and allow for temporary closure for hosting cultural events.

A shared zone is a Vic Roads approved road arrangement with a sign posted speed limit of 10kmph and equal priority between cars and pedestrians. An upgraded Selwyn Street would include traffic calming and speed mitigation treatments that aim to reduce and slow vehicle traffic.

4. Susan Carden - Bentleigh

Question 1

At the last consultation on 13 November 2017, many people were extremely concerned about the closure of Vickery St and the negative impact that would have on traffic and shopping. Vickery St, together with Bent St, are key streets, in an area where there is such a massive increase in buildings and flats. Closing Vickery St street seems ludicrous as it will have a detrimental effect on traffic.

Why has this been ignored and not been addressed properly?

Question 2

"Eat Street" was considered at the last consultation on 13 November 2017 to be ridiculous. The Council presenter compared it to Oakleigh – something that developed over years because, amongst other things, the Greek community started it. Bentleigh does not have that situation at all. The current cafes on Centre Rd are well attended because they are on a main road. This is similar to cafes in Brighton and Camberwell. "Eat Street" will be set back from the main road and likely to be a failure. At night it will attract youths and skateboarders, and graffiti.

Why ruin Bentleigh?

The loss of at-grade car parking will ruin Bentleigh. Why does Council want to do that? People will prefer to go to big malls such as Southland if they have to park in multistorey carparks – this will ruin Bentleigh.

Why does Council want to do that?

Response:

A key objective of the proposed Bentleigh Structure Plan is to enhance Bentleigh as a premier destination for shopping and socialising. It is recognised that in the future, as the retail environment changes with greater on-line retailing, our local shopping precincts will need to transition to provide a greater focus on ‘experience’ by strengthening the connection to the local community.

The proposed Bentleigh Structure Plan sets out a vision for a new grid of pedestrian focused shopping streets, which will be the catalyst to transition Bentleigh to a ‘community experience’ centre.

To do this the Bentleigh Structure Plan proposes a range of public realm improvements, including the Eat Street, Plaza and new Godfrey Street Park. These new projects create a unique opportunity to create a secondary street network in Bentleigh in the heart of the centre. Additionally the provision of the new green public park at Godfrey Street car park will provide much needed open space for the Bentleigh community.

To undertake these projects, the car parking on the site would need to be relocated to the new multi-deck car park at Horsley Street. Parking within the Bentleigh Activity Centre is an important resource that enables the centre to thrive economically and provides support to the local businesses. The structure plan proposes to increase the parking throughout the centre by 264 public spaces. To increase the parking numbers Council will need to construct two multi deck car parks.

It is understood that this proposal will be a significant change in Bentleigh and, as such, the implementation needs to be carefully planned and timed over the next 15 years, in order to ensure that a smooth transition is provided for. For example, the closure of Vickery Street would need to follow the relocation of car parking and a better understanding of the future of the significant retail operators in the area.

5. Max Deacon - Elsternwick

Plan shows one-way only Nthbound traffic in Gordon St to Sinclair St and Sth bound in Gordon being diverted into Sinclair St. Shows no traffic management in Sinclair which has a Primary school With traffic lights being moved to Selwyn/Glenhuntly this will create a diversion for traffic into Gordon and thus Sinclair.

Should we not keep traffic out of residential streets.

Response:

Sinclair Street is an important street within the Elsternwick Activity Centre, as it currently provides connection to a variety of destinations including the school, the cultural precinct and residential premises. Sinclair Street will continue to play an important role within the centre and it is expected that the street will be able to easily absorb any additional traffic volumes created by the new traffic signals at Selwyn Street and Glenhuntly Road.

Council will implement typical traffic mitigation treatments as required to ensure that Sinclair Street remains a safe and slow vehicle environment, typical treatments that could be considered are:

- *Kerb outstands/narrowing the road space*
 - *Pedestrian crossings*
 - *Speed humps*
 - *Splitter islands and pedestrian refuges*
-

6. Martin Lohan - Elsternwick

If Council adopts the Structure Plan how will this affect the assessment of applications that have already been lodged and are currently being assessed under the existing planning controls in the context of Council's stated intention to amend the planning controls, including seeking interim controls that may come into effect prior to a decision being made on applications currently in the system?

Response:

The Town Planning Department will have regard to any approved structure plan as part of its decision making process on planning applications. This includes applications that it is currently considering or that are lodged after the plans are approved.

Any decision will be considered against the relevant provisions within the Glen Eira Planning Scheme at the time in which a decision is made. When approved the structure plans will be a relevant consideration to take into account in forming a decision.

Should interim controls be put in place to implement aspects of the structure plans, then the department will ensure that its decisions are consistent with the requirements on the specific planning controls at the time it makes a decision.

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

Mover: Cr Delahunty

Seconded: Cr Sztrajt

That Council extends the speaking time for item 9.1 as follows:

- Mover of this item – up to 8 minutes; and
- Councillors wishing to speak to this item – up to 6 minutes.

CARRIED UNANIMOUSLY

Section 9 Presentation of Officers Reports

9.1 Structure Plan and Quality Design Guidelines

Moved: Cr Athanasopoulos

Seconded: Cr Hyams

That Council:

- notes and considers this report and background information when considering adoption the *Structure Plans* and *Quality Design Guidelines*;
- acknowledges the extensive community input in the development to the *Structure Plans* and *Quality Design Guidelines*, and thanks those who have contributed to the more than 4,400 submissions and 980 appearances at community forums; and
- notes that the *Structure Plans* and *Quality Design Guidelines* demonstrate that the aspirations of the community can be met while still achieving the objectives of State Government.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Delahunty

Seconded: Cr Sztrajt

That item 9.3 Elsternwick Structure Plan be brought forward and considered at this stage of the meeting.

CARRIED

9.3 Elsternwick Structure Plan

Moved: Cr Delahunty

Seconded: Cr Sztrajt

That Council:

1. adopts the Elsternwick Structure Plan 2018-2031 as Council policy;
2. requests Council officers to commence preparing the statutory documentation, and any further supporting documentation required, to implement the Elsternwick Structure Plan 2018-2031 into the Glen Eira Planning Scheme through a future Planning Scheme Amendment;
3. notes that Council officers will undertake a further traffic analysis and require that officers undertake further shadowing analysis for the Elsternwick urban renewal area (and surrounds) prior to proceeding with the development of the Planning Scheme Amendment. This will then be included as part of the Planning Scheme Amendment and will include a formal process for community input on the amendment, the traffic analysis, and shadowing analysis.
4. requests Council officers to seek interim planning controls that implement all relevant built form measures as outlined in the Elsternwick Structure Plan 2018-2031 and Quality Design Guidelines into the Glen Eira Planning Scheme through a Planning Scheme Amendment in accordance with Section 20(4) of the Planning and Environment Act 1987. The interim planning controls requested under Section 20(4) will only apply to:
 - a) Land in a Commercial Zone or Mixed Use Zone;
 - b) Land in a Residential Zone land where the interim control is more restrictive in height and/or building setbacks than the current control.
5. begins the development of a detailed implementation plan that will inform future Council capital budgets;
6. undertakes appropriate communications that:
 - a. acknowledges and thanks all submitters, stakeholders and members of the wider community for their significant contribution to the preparation of the Elsternwick Structure Plan 2018-2031;
 - b. outlines Council's resolution on the Elsternwick Structure Plan 2018-2031;
 - c. outlines how the adopted Elsternwick Structure Plan 2018-2031 addresses the key concerns raised in consultation; and
 - d. outlines the next steps, in particular the future Planning Scheme Amendment timeframes.

Procedural motion

Moved: Cr Athanasopoulos

Seconded: Cr Delahunty

That Cr Sztrajt be granted a one minute extension of speaking time.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Hyams

Seconded: Cr Athanasopoulos

That the meeting be extended to finish at 11pm.

CARRIED UNANIMOUSLY

The Motion moved by Cr Delahunty and Seconded by Cr Sztrajt was PUT and
CARRIED

9.2 Bentleigh Structure Plan

Moved: Cr Hyams

Seconded: Cr Magee

That Council:

1. adopts the *Bentleigh Structure Plan 2018-2031* as Council policy;
2. requests Council officers to commence preparing the statutory documentation, and any further supporting documentation required, to implement the *Bentleigh Structure Plan 2018-2031* into the *Glen Eira Planning Scheme* through a future Planning Scheme Amendment;
3. requests Council officers to seek interim planning controls that implement all relevant built form measures as outlined in the *Bentleigh Structure Plan 2018-2031* and Quality Design Guidelines into the *Glen Eira Planning Scheme* through a Planning Scheme Amendment in accordance with Section 20(4) of the Planning and Environment Act 1987. The interim planning controls requested under Section 20(4) will only apply to:
 - a) Land in a Commercial Zone or Mixed Use Zone;
 - b) Land in a Residential Zone where the interim control is more restrictive in height and/or building setbacks than the current control.
4. begins the development of a detailed implementation plan that will inform future Council capital budgets;
5. undertakes appropriate communications that:
 - a) acknowledges and thanks all submitters, stakeholders and members of the wider community for their significant contribution to the preparation of the *Bentleigh Structure Plan 2018-2031*;
 - b) outlines Council's resolution on the *Bentleigh Structure Plan 2018-2031*;
 - c) outlines how the adopted *Bentleigh Structure Plan 2018-2031* addresses the key concerns raised in consultation; and
 - d) outlines the next steps, in particular the future Planning Scheme Amendment timeframes.

CARRIED UNANIMOUSLY

9.3 Elsternwick Structure Plan

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

9.4 Carnegie Structure Plan

Moved: Cr Davey

Seconded: Cr Esakoff

It is recorded Cr Hyams vacated the Chamber at 10.30pm and re-entered at 10.32pm.

That Council:

1. adopts the *Carnegie Structure Plan 2018-2031* as Council policy;
2. requests Council officers to commence preparing the statutory documentation, and any further supporting documentation required, to implement the *Carnegie Structure Plan 2018-2031* into the *Glen Eira Planning Scheme* via a future Planning Scheme Amendment;
3. requests Council officers to seek interim planning controls that implement all relevant built form measures as outlined in the *Carnegie Structure Plan 2018-2031* and Quality Design Guidelines into the *Glen Eira Planning Scheme* through a Planning Scheme Amendment in accordance with Section 20(4) of the Planning and Environment Act 1987. The interim planning controls requested under Section 20(4) will only apply to:
 - a. Land in a Commercial Zone or Mixed Use Zone;
 - b. Land in a Residential Zone where the interim control is more restrictive in height and/or building setbacks than the current control.
4. begins the development of a detailed implementation plan that will inform future Council capital budgets;
5. undertakes appropriate communications that:
 - a. acknowledges and thanks all submitters, stakeholders and members of the wider community for their significant contribution to the preparation of the *Carnegie Structure Plan 2018-2031*;
 - b. outlines Council's resolution on the *Carnegie Structure Plan 2018-2031*;
 - c. outlines how the adopted *Carnegie Structure Plan 2018-2031* addresses the key concerns raised in consultation; and
 - d. outlines the next steps, in particular the future Planning Scheme Amendment timeframes.

CARRIED UNANIMOUSLY