



**GLEN EIRA CITY COUNCIL**  
**ORDINARY COUNCIL MEETING**  
**TUESDAY 11 AUGUST 2020**

**MINUTES**

**Meeting was held remotely and 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 Joel Silver  
Councillor Dan Sztrajt

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The Mayor welcomed Councillors, council officers, Glen Eira residents and other community members to the 11 August 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 - NIL**

#### **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 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 Sztrajt****Seconded: Cr Silver**

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 12 August 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, if the Mayor is unable for any reason to attend the Council meeting or part of the Council meeting, the meeting will be chaired in accordance with clause 21(3)(a) of the Council Meeting Procedure Local Law 2019. The Mayor will resume as Chair of the meeting upon return. If a vote is being taken at the time the Mayor will resume as Chair after the result of the vote has been declared.

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

That the minutes of the Ordinary Council Meeting held on 21 July 2020 be confirmed.

**CARRIED UNANIMOUSLY**

**5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS****5.1 PETITION: HILLSIDE AVENUE AND TOVAN AKAS AVENUE BENTLEIGH, TRAFFIC CONCERNS**

A petition containing 27 signatures was submitted to the Council Meeting.

The petition read as follows:

This petition draws to the attention of the Council to the dangerous 'T' intersection at Hillside Ave and Tovan Akas Ave, Bentleigh, including high speed driving in the area, deteriorating road surface and hazardous pot holes.

'We the undersigned residents request that Council: Address the above issues and read the attached letters from Residents of Hillside Avenue, Bentleigh.'

**Moved: Cr Hyams**

**Seconded: Cr Silver**

That Council:

1. receives and notes the petition; and
2. writes to the lead petitioners following an investigation of the petitioner's concerns raised in the letters provided with the petition.

**CARRIED UNANIMOUSLY**

**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 Cade**

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 Grants Advisory Committee Meeting Minutes – 23 June 2020
2. Community Grants Advisory Committee Meeting Minutes – 29 June 2020
3. Community Grants Advisory Committee Meeting Minutes – 7 July 2020
4. Arts and Culture Advisory Committee Meeting Minutes – 21 July 2020
5. Community Engagement Advisory Committee Meeting Minutes – 22 July 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 Silver****Seconded: Cr Athanasopoulos**

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

1. 7 July 2020 Pre-meeting
2. 7 July 2020
3. 14 July 2020
4. 21 July 2020 Pre-meeting

**CARRIED UNANIMOUSLY**

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

That Council changes the order of business to bring forward Item 10.4 Written public questions to Council to be dealt with at this stage of the meeting.

**CARRIED UNANIMOUSLY**

## 10.4 Written public questions to Council

### 1. Warren Green – Bentleigh

- a) Glen Eira has the lowest provision of open space in Victoria, the highest population density of all middle ring local government areas and an abundant amount of future new dwelling opportunities. Why then is it necessary and appropriate to repurpose large amounts of scarce Council owned land (i.e. car parks) in the Bentleigh and Carnegie Structure Plans to allow for more high rise development?
- b) Based on verbal advice from Council Officers, it is understood that Council is currently undertaking a feasibility study on a 3 or 4 level car park behind Aldi, off Oak Street. While residents have not yet been formally advised of this Council analysis, as a planning principle, why isn't Council considering the under-grounding of car parking in the Bentleigh Activity Centre?

#### Response:

- a) Through Plan Melbourne, the State Government sets the strategic planning direction for greater Melbourne, supporting jobs, housing and transport, while ensuring it stays a liveable place for all residents. Council's role is at the local level, having to balance these broader goals whilst ensuring the local community's needs are also considered.

Under Plan Melbourne, Carnegie and Bentleigh are Major Activity Centres that are expected to accommodate housing and employment growth. Accordingly, Council's structure plans have envisaged some taller development on some (but not all) council-owned car parks.

The structure plans also consider opportunities for increasing car parking capacity on some sites to provide more parking to support local businesses and shoppers, make it easier for people to access public transport, and reduce parking pressure on surrounding streets. Consolidating parking at some sites also means we can free up other land to create public open spaces and community spaces such as the Bentleigh Plaza.

You will also be familiar with Council's Open Space Strategy refresh which seeks to identify opportunities throughout the municipality where additional 'green' open space can be provided.

- b) Council is currently exploring car park options as part of the funding made available through Federal Government grants for commuter car parks. We expect to start engaging with the local community on these projects shortly. The car park site for Bentleigh is located in Bleazby Street/Oak Streets, entirely within a 'Special Building Overlay' which means it is prone to flooding. Because of this, a large scale underground car park solution would unlikely be supported by Melbourne Water. Building an underground car park would also be cost-prohibitive, especially as this project is being undertaken through a contribution from the Australian Government's Urban Congestion Fund.
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## 2. Sue Nolle – Caulfield

- a) TO ALL PUBLICLY ELECTED COUNCILLORS WHO RECEIVE THEIR ALLOWANCE FROM THE RATEPAYERS' PURSE:

Please explain, in detail, how each councillor, including – and especially the councillors, elected by fellow councillors, to the position of mayor and deputy mayor - is using his or her allowance, including travel remuneration and access to Council vehicles, plus phone and other electronic expenses, during this period of Government imposed limitations on public work and public contact, performed on behalf of those people whom they represent.

- b) Why are councillors continuing to accept remuneration of a comparatively and extremely generous rate, afforded them by the Municipal Association of Victoria and provided by the ratepayers of Glen Eira, at a time when the Glen Eira Council and the majority of its residents are suffering financial hardship?

### **Response:**

- a) Councillors are entitled to be reimbursed for any necessary out-of-pocket expenses they incur while performing their duties as a councillor. Councillors are also entitled to have access to certain tools of trade such as technology to enable them to perform their functions. The entitlements of Councillors are outlined in the Councillor Civic Support and Expenses Policy which is available on our website. A breakdown of each Councillor's payments for the financial year made in accordance with the Policy will be detailed in Council's Annual Report.
- b) Mayors and councillors are entitled to receive an allowance while performing their duty as an elected official that has been determined by the Minister for Local Government in accordance with section 73B of the Local Government Act 1989. The Victorian Government sets the upper and lower levels for allowances paid to councillors and the Minister for Local Government determines any annual adjustment that should apply.

On average, a Councillor spends 25-30 hours a week on Council related activities. Councillors have continued to perform their duties, largely uninterrupted during the pandemic. This has included attendance at scheduled Council and Assembly meetings, reading papers and preparing for meetings, liaising with constituents and responding to their issues, attending community events via Zoom and similar technologies.

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## 3. Mary Neighbour – Caulfield South

The Victorian state government has stated its requirement for 18,000 new dwellings to be built in Glen Eira from 2016 to 2036 – an average of 900 new dwellings per year. How many new dwellings (houses, units or apartments) have been completed in Glen Eira in the past four years?

### **Response:**

Victoria in Future is the official state government projection of population and households. They have recently released Victoria in Future 2019 covering the period 2016 to 2056. You can find all of the information at their website: <https://www.planning.vic.gov.au/land-use-and-population-research/victoria-in-future>

This includes projections for the total number of dwellings including the total number of dwellings at 2016 as the baseline and then projections for 2021, 2026, 2031 and 2036.

The following sets out the total number of dwellings in Glen Eira over the last four full calendar years:

2016: 60,220 dwellings

2017: 60,717 dwellings (an increase of 497 dwellings from 2016)

2018: 62,053 dwellings (an increase of 1336 dwellings from 2017)

2019: 63,237 dwellings (an increase of 1184 dwellings from 2018)

The total number of dwellings projected for 2021 in Victoria in Future 2019 is 65,390 and Glen Eira is tracking well against this target.

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#### **4. Peter Vadiveloo – Carnegie**

Dear Councillors, I again congratulate and commend you for your 5th May 2020 decisions to declare a climate emergency and to achieve zero net community CO2 emissions by 2030. I was surprised the recent the budget did not mention zero net community emissions by 2030. Indeed, very little about carbon emissions or climate change was mentioned in the budget at all. I would think the addressing CO2 emissions will require significant budgetary considerations. So, I am concerned that while the council made the wonderful declarations on 5th May, there is not much to show for it in the subsequent budget. I think the only way community emissions can be reduced is if they become 'front and centre' in all council decisions. My question is, can the council assure residents that reducing community emissions will indeed be made a 'front and centre' issue in all future council decisions, including those made tonight? Yours sincerely, Dr. Peter Vadiveloo

#### **Response:**

Our current Environmental Sustainability Strategy concludes in June 2021. A more ambitious strategy will be developed in 2020-21 with extensive community engagement.

There is funding to develop the new strategy in Council's overall operating budget for this year. The Environmental Strategy & Services function is highlighted on page 30 of the budget document in the Functions/Activities Statement.

The funding to implement the new strategy will be allocated as part of the 2021/22 budget and in budget cycles thereafter.

The 2020-21 Annual Budget contains many sustainability initiatives and programs. These include the installation of solar photovoltaics at eight Council buildings, Environmentally Sustainable Design at several new buildings and car parks, an LED lighting upgrade at GESAC and other energy efficiency upgrades and using recycled concrete in road and pavement bases and backfill in drainage trenches. A further \$150,000 was also added to the operating budget for climate emergency initiatives. You can read more about what we're doing to reduce Council's carbon emissions at [www.gleneira.vic.gov.au/climate-change](http://www.gleneira.vic.gov.au/climate-change).

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

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**8.1 TREE PROTECTION - PROPOSED CLASSIFIED TREE LOCAL LAW - OUTCOMES OF THE STATUTORY PUBLIC NOTICE AND SUBMISSION PROCESS**

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The Mayor invited the submitters who requested to speak in support of their submission to address Council.

*It is recorded that Cr Magee vacated the virtual meeting at 7:54pm and re-entered at 7:56pm.*

The following submitters presented to Council

Mark Wallace, Jack Garivaldis, Bridget Cramphorn, Vivienne Elder-Smith, Kathleen James, Rosemarie Read, Ian Jones, Michaela Hill, Denise Honan and Felicity Childs

*It is recorded that Cr Magee vacated the virtual meeting at 8:30pm and re-entered at 8:36pm.*

The Mayor thanked the submitters who presented to Council and to everyone who took the time to prepare a submission.

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**Moved: Cr Delahunty**

**Seconded: Cr Silver**

That Council:

1. notes that under Council's resolution made at the Council meeting on 30 June 2020, the proposed Classified Tree Local Law (**proposed Local Law**) (*Attachment 1*) has been on public exhibition for written submissions as per the requirements of sections 119 and 223 of the *Local Government Act 1989* for at least 28 days and the proposed Classified Tree Policy (**Policy**) (*Attachment 2*) and the proposed Classified Tree Assessment Guidelines (**Guidelines**) (*Attachment 3*) have also been on public exhibition for written submissions for at least 28 days;
2. receives, hears and considers the public submissions made regarding the proposed Local Law, Policy and Guidelines; and
3. notes that a further report on the proposed Local Law, Policy and Guidelines will be presented at the Council meeting on 1 September 2020.

**CARRIED UNANIMOUSLY**

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**8.2 1A WALWORTH AVENUE AND 202-212 HAWTHORN ROAD, CAULFIELD NORTH**

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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-32834/2019 allowing construction of a three storey dwelling at 1A Walworth Avenue, and the construction of a three storey residential building containing up to 18 apartments at 202-212 Hawthorn Road, Caulfield North and to create and alter access to a road in a Road Zone Category 1, 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 TP03-TP22A prepared by ADDARC (dated 29/05/2020, Rev 03)), but further modified to show:

*Screening*

- (a) The provision of 1.7m high screening (by a method specified in Standard B22 of Clause 55.04-6 of the Glen Eira Planning Scheme) to the first floor west facing balconies and habitable room windows of apartments 1.04 and 1.05;

*Detailed design*

- (b) Location of site services and the electrical substation;
- (c) The location of any individual heating/cooling units to be shown on the plans. If any are proposed on the balconies, the minimum areas in Standard B43 of Clause 55.07-9 of the Glen Eira Planning Scheme must be met;
- (d) All floor plans and elevations to clearly delineate the title boundary of 1A Walworth Avenue (Lot 1 on Title Plan 365891J);
- (e) A notation stating that the car spaces (and any associated services in the basement) within the title boundaries of 1A Walworth Avenue (Lot 1 on Title Plan 365891J) are to be for the dwelling within this title boundary only;
- (f) A secure or controlled access gate provided within the basement area to prevent any access to the land within the title boundaries of 1A Walworth Avenue (Lot 1 on Title Plan 365891J) other than for the use of the dwelling on that lot;
- (g) Notes to demonstrate the achievement of the required cooling load as prescribed in Standard B35 of Apartment Developments (Clause 55.07-1 of the Glen Eira Planning Scheme);
- (h) Notes to demonstrate the achievement of a stormwater management system as prescribed in Standard B39 of Apartment Developments (Clause 55.07-5 of the Glen Eira Planning Scheme);

*Car Parking and Traffic*

- (i) The provision of convex mirrors in the basement level to ensure adequate sightlines are provided between cars on the ramp and a car in the basement.

*Landscaping*

- (j) A landscape plan in accordance with Condition 4;
- (k) A tree protection management plan in accordance with Condition 6;
- (l) The tree protection zone to street tree #11 increased to 3m;

*Sustainability*

- (m) A Sustainability Management Plan that addresses the Environmentally Sustainable Development principles for the site including, but not limited to, energy efficiency, stormwater collection (including the provision of water tanks) for garden irrigation, how stormwater management satisfies the requirements of Clause 55.07-5 of the Glen Eira Planning Scheme) and waste management and building materials. Any recommended changes to the building must be incorporated into the plans.

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

General requirements

- 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.
- 3. The car spaces and portion of the basement within the lot boundaries of 1A Walworth Avenue are to be used for this dwelling only.

Landscaping and tree protection plan

- 4. Before the development starts, a landscape plan to the satisfaction of the responsible authority and generally in accordance with the plan prepared by Jack Merlo Design and Landscape dated 18/4/2019 (but amended to reflect the amendments sought in the S57A application) 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 show:
  - (a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - (b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
  - (c) Details of surface finishes of pathways and driveways.
  - (d) Details of soil amelioration to mitigate the impacts of construction works to provide suitable planting environments for all plants selected.
  - (e) Pruning schedule for all hedges, trees and other plants as required adjacent to access ways, paths and buildings to ensure clearances and access is maintained for the life of the building.
  - (f) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity,

- and quantities of each plant.
- (g) Correct planting techniques for all stock used within the landscape plan.
  - (h) Landscaping and planting within all open areas of the site.
  - (i) All species selected must be to the satisfaction of the responsible authority
  - (j) All advanced tree stock to be in accordance with AS2303-2015 *Tree Stock for Landscape Use*.
  - (k) A notation that all mulch used is in accordance with AS4454-2012 *Composts, soil conditioners and mulches*
  - (l) The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas
5. The landscaping as shown the endorsed Landscape Plan must be carried out, completed and maintained including that any dead, diseased or damaged plant are replaced in accordance with the Landscape Plan to the satisfaction of the Responsible Authority.
6. Before the development starts including and demolition or excavation, a Tree Protection Management Plan (TPMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When the TPMP is approved, it will become an endorsed plan forming part of the permit and must not be varied except with the written approval of the Responsible Authority. The TPMP must be prepared by a suitably qualified arborist and be generally in accordance with *AS4970:2009: Protection of Trees on Development Sites*. The TPMP must be prepared in relation to the management and maintenance of trees #10, #11, #12, #13, #14, #15, #16, #17, #24, and #28 and include the following:
- (a) A site plan showing tree protection zones (TPZ) and structural root zones (SRZ), tree protection fence locations and any relocations required and any areas where ground protection systems will be used;
  - (b) A clear photograph of each tree;
  - (c) Any specific damage/faults evident within each tree prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary dilapidation report.
  - (d) Restricted activities in the TPZ;
  - (e) Key supervision and monitoring stages of the development including pre-demolition, pre-construction, and post construction stages;
  - (f) Annotations that no works, structures or machinery must come within 1m of the trees crown/canopy as per Section 3.3.6 of *AS 4970-2009: Protection of Trees on Development Sites*.
  - (g) The Tree Protection Zone on the nature strip area 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 Tree Protection Zone fencing erected across the nature strip shall be 2m to the west and to the east of Tree 2 and 3m to the west and to the east for Tree3.
  - (h) Details of any TPZ encroachments including:
    - i. Details of exploratory root investigation
    - ii. Alternative construction techniques
    - iii. Root pruning
    - iv. Supervision
    - v. Methods for installation of services e.g.; sewerage, storm water, telecommunications, electricity etc;

- vi. Remedial works as required including a detailed photographic diagram specifying what pruning will occur;
- (i) Any other details that ensure the trees remain healthy and viable during and following construction;
- (j) Final Certification of Tree protection template. The Final Certification Report Template as required in the Tree Protection Management Plan must be completed and submitted to the satisfaction of the Responsible Authority before the dwellings are occupied.

#### Management plans

- 7. The provisions, recommendations and requirements within the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.
- 8. Before the development is occupied, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When the WMP is approved, it will become an endorsed plan forming part of the permit and must not be varied except with the written approval of the Responsible Authority. The WMP must outline the collection and disposal of waste and recyclables associated with the proposed uses on the site and include 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.
  - (b) Designation of methods of collection to be by private collection (for the apartments) unless otherwise agreed in writing by the Responsible Authority. The private collection must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
  - (c) Collection is to be undertaken from within the site with a maximum size 6.4m length waste wise mini truck, unless otherwise agreed in writing by the Responsible Authority.
  - (d) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
  - (e) Details for best practice waste management once operating. Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

The endorsed WMP must be complied with at all times to the satisfaction of the Responsible Authority.

- 9. Before the development starts (including excavation or demolition), a Construction Management Plan (CMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When the CMP is approved, it will become an endorsed plan forming part of the permit and must not be varied except with the written approval of the Responsible Authority. The CMP 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.

The endorsed CMP must be complied with at all times to the satisfaction of the Responsible Authority.

#### Carparking and accessways

10. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans 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.

11. Before the dwellings are occupied, a report containing details of the installation and continued operation of the warning light system within the basement and ground floor areas must be provided to and approved by the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and will be endorsed and form part of the permit.
12. The vehicular crossing 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, nature strip and kerb and channel to the satisfaction of the Responsible Authority.



VicRoads Condition

13. Prior to the commencement of the works hereby approved, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the advertised plans but modified to show:
  - (a) Access crossover as at least 6.1 metres wide at the property boundary with the edges of the crossover angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road with 3.0 meter radial turnouts.
  - (b) Associated removal of on-street parking spaces to the satisfaction of the Responsible Authority such that it provides ease of turning movements into and out of the site.
14. Prior to the 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 Head, Transport for Victoria.
15. Prior to the occupation of the development, the access crossover and associated works must be provided and available for use.
16. Vehicles must enter and exit the land in a forward direction at all times.
17. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.

Expiry Conditions

18. This permit will expire if one of the following circumstances applies:
  - (a) the development is not started within three years of the date of this permit.
  - (b) the development is not completed within five years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing in accordance with section 69 of *Planning and Environment Act 1987*.

**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. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a "title boundary" enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 200mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.
- D. 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.
- E. 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.
- F. The replacement street tree species 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 cost to the Council.
- G. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.
- H. Prior to the commencement of works, the developer must expose the Council drain on site and call Engineering Services to arrange an inspection to confirm the exact location of this drain. No structures are to be constructed within 1m laterally from edge of the existing Council drain or the drain relocated without Council approval.
- I. On any future subdivision the applicant shall create a drainage easement on top of the existing Council drain in favour of Glen Eira City Council along the northern boundary of the allotment.
- J. No net increase in the peak stormwater runoff to Council's drainage network. Post development peak storm water discharged to Council's drainage network must be maintained to the predevelopment level for 10 year ARI.
- K. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).

- L. 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 1986*, and any other relevant acts or regulations created under those Acts, (VicRoads footnote).

*It is recorded that Cr Davey left the virtual meeting at 8:58pm and re-entered at 9pm.*

**CARRIED**

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**8.3 VCAT WATCH**

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

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

*It is recorded that Cr Athanasopoulos vacated the virtual meeting at 9:19pm.*

**CARRIED UNANIMOUSLY**

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**8.4 POST-WAR AND HIDDEN GEMS HERITAGE AMENDMENT AND GLEN EIRA THEMATIC ENVIRONMENTAL HISTORY (REFRESH)**

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

*It is recorded that Cr Athanasopoulos entered the virtual meeting at 9:21pm.*

That Council:

1. notes the pre-amendment consultation submissions received in relation to the draft *Post-War and Hidden Gems Heritage Review Citations*.
2. adopts the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations Report* in accordance with the attached document which includes changes noted in Attachment 3 and the removal of the following places from the adopted document and future amendment documentation for C214glen:
  - i) PW03 27 Aroona Road, Caulfield North
  - ii) PW08 Lido Chambers, 119-229 Balaclava Road, Caulfield North
  - iii) PW11 780 Centre Road, Bentleigh East
  - iv) PW18 Caulfield Synagogue, 572-4 Inkerman Road, Caulfield North
  - v) PW22 30 Loch Avenue, St Kilda East
  - vi) PW24 58 Lumeah Road, Caulfield North
  - vii) PW29 Kadimah Cultural Centre, 7 Selwyn Street, Elsternwick
3. adopts the *City of Glen Eira Thematic Environmental History (refresh) 2020* as Council's revised thematic environmental history (replacing the Heritage Management Plan 1996 Volume 1).
4. seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C214glen to implement the adopted recommendations of the *City of Glen Eira Post-War and Hidden Gems Heritage Review 2020, Stage 2: Citations*, to include the *City of Glen Eira Thematic Environmental History (refresh) 2020* as a Background Document and to remove the *Heritage Management Plan 1996 Volume 1* from the Glen Eira Planning Scheme.
5. authorises the Manager City Futures to undertake minor changes to the

Amendment, including changes requested by the Minister for Planning or the Department of Environment, Land, Water and Planning to receive authorisation, where the changes do not affect the purpose or intent of the Amendment.

6. subject to receiving authorisation from the Minister for Planning, places the Amendment on public exhibition for a period of at least one month.

**CARRIED UNANIMOUSLY**

### **Procedural Motion**

**Moved: Cr Silver**

**Seconded: Cr Magee**

That the meeting be extended to finish at 11pm.

**CARRIED UNANIMOUSLY**

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## **8.5 DRAFT URBAN FOREST STRATEGY**

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**Moved: Cr Davey**

**Seconded: Cr Athanasopoulos**

That Council:

1. endorse the draft Urban Forest Strategy for community consultation between 14 August and 27 September 2020.
2. receive a future report outlining community feedback and presenting a final strategy for adoption.

**CARRIED UNANIMOUSLY**

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## **8.6 ADVOCACY ON THE GLENHUNTLY AND NEERIM ROADS LEVEL CROSSING REMOVALS**

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**Moved: Cr Davey**

**Seconded: Cr Athanasopoulos**

That Council note the report and the key themes of Council's advocacy to the Level Crossing Removal Project and State Government for improved public realm outcomes associated with the two level crossing removals in Glen Huntly.

**CARRIED UNANIMOUSLY**

The Mayor split Item 8.7 to be considered in two parts.

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**8.7 COMMUNITY GRANTS RECOMMENDATIONS 2020-2021**

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**Moved: Cr Sztrajt**

**Seconded: Cr Davey**

That Council endorses:

1. the Community Strengthening Grants as detailed in Attachment One; and
2. the Partnership and Events Grants as detailed in Attachment Two.

**CARRIED UNANIMOUSLY**

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*It is recorded that Cr Jamie Hyams declared an indirect conflict of interest because of conflicting duties in part 3 of Item 8.7 given he is on the Committee of Management of the Glen Eira Adult Learning Centre.*

*It is recorded Cr Hyams left the virtual meeting at 10.22pm prior to consideration of part 3 of Item 8.7.*

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**Moved: Cr Sztrajt**

**Seconded: Cr Cade**

That Council endorses:

3. Community grants for Glen Eira Adult Learning Centre (GEALC) as detailed in Attachment Three.

**CARRIED UNANIMOUSLY**

*It is recorded Cr Jamie Hyams entered the virtual meeting at 10.23pm and was not present when part 3 of item 8.7 was considered.*

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**8.8 MUNICIPAL EMERGENCY MANAGEMENT PLAN**

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

That Council:

1. notes changes to the Glen Eira Municipal Emergency Management Plan (MEMP) since 2017, with further identified updates and changes to the contact list and facility locations included for amendment by the MEMPC at its next meeting
2. notes the Municipal Emergency Planning Committee has endorsed the current version of the plan and will continue to update the MEMP to ensure currency; and
3. deems the attachment as confidential for the purposes of section 3(1)(f) of the *Local Government Act 2020* as it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

**CARRIED UNANIMOUSLY**

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**8.9 COMMUNITY SATISFACTION SURVEY 2020**

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

That Council:

1. notes the results of the 2020 Community Satisfaction Survey; and
2. notes that in the interests of transparency, a copy of the full report will be placed on Council's website.

**CARRIED UNANIMOUSLY**

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**8.10 ESTABLISH THE AUDIT & RISK COMMITTEE IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 2020**

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**Moved: Cr Delahunty****Seconded: Cr Magee****PART A**

That Council revokes:

- a) the Audit & Risk Committee's Terms of Reference approved by Council on 26 November 2019 shown as Attachment 1 to the agenda report;
- b) the Audit & Risk Committee's Charter adopted by Council on 18 December 2018 as shown in Attachment 2 to the agenda report; and
- c) the Audit Committee established by Council under subsection 120(1) of the *Local Government Act 1989*.

**PART B**

That Council:

- a) establishes an Audit and Risk Committee under subsection 53(1) of the *Local Government Act 2020*;
- b) approves the Audit and Risk Committee's Charter under subsection 54(1) of the *Local Government Act 2020* shown as Attachment 3 to the agenda report.
- c) appoints to the Audit and Risk Committee the following Independent Members:
  - Ms Lisa Woolmer until 1 January 2022, and further, appoints Ms Lisa Woolmer to the role of Chairperson of Council's Audit and Risk Committee;
  - Craig Geddes until 1 January 2024; and
  - Menchi Schneier until 1 January 2023.
- d) adopts the following remuneration rates for the Audit and Risk Committee Independent Members:
  - Chairperson - \$8,500 p.a. (exc. GST); and
  - Independent Member - \$7,270 p.a. (exc. GST).

**CARRIED UNANIMOUSLY**



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**8.11 GOVERNANCE RULES AND PUBLIC TRANSPARENCY POLICY**

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**Moved: Cr Hyams****Seconded: Cr Silver**

That Council:

1. approves the following documents (copies of which are attached to this report):
  - (a) Public Transparency Policy;
  - (b) Draft Governance Rules;
  - (c) Election Period Policy;
  - (d) State and Federal Elections (Councillor Candidature) Policy;
  - (e) Councillor Questions Guidelines;
  - (f) Public Participation at Ordinary Council Meetings Guidelines; and
  - (g) Written Public Questions to Council Guidelines;
2. authorises Council officers to publish approved versions of the documents on the Council website; and
3. notes that, following the approval of the Public Transparency Policy, Council officers will review and update policies, with a view to ensuring that current policies are made available to the public, and will provide Council with an update on progress within 18 months of this Council report.

**CARRIED UNANIMOUSLY**

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**8.12 QUARTERLY SERVICE PERFORMANCE REPORT**

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

That Council notes the Quarterly Service Performance Report for the period ending June 2020.

**CARRIED UNANIMOUSLY**

**9. URGENT BUSINESS - NIL****10. ORDINARY BUSINESS****10.1 Requests for reports from a member of Council staff****10.1.1 PROCUREMENT POLICY****Moved: Cr Hyams****Seconded: Cr Silver**

That officers prepare a report on how Council's Procurement Policy can be amended to provide that, when officers incorporate social value principles into the purchase of goods and services, appropriate priority is given to ensuring compliance with the principles set out in subclauses (a) to (h) of clause 3. This report is to come to Council no later than the September 22 Ordinary Council Meeting.

*It is recorded that Cr Delahunty left the virtual meeting at 10.38pm and did not return.*

*It is recorded that Cr Davey left the virtual meeting at 10.39pm.*

**CARRIED UNANIMOUSLY**

**10.2 Right of reply – Nil****10.3 Councillor questions – Nil**

*It is recorded that Cr Davey entered the virtual meeting at 10.41pm.*

**10.4 Written public questions to Council**

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

**11. CONFIDENTIAL ITEM****Moved: Cr Silver****Seconded: Cr Magee**

That, in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting be closed to members of the public for the consideration of the following confidential item:

**11.1 Property Acquisition Opportunity**

*This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:*

- *because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and*
- *this ground applies because the agenda item concerns a property acquisition opportunity that would, if prematurely released, diminish the strength of Council's position in commercial negotiations.*

**CARRIED UNANIMOUSLY**

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

**12. CLOSURE OF MEETING**

The meeting closed at 10.44pm.

Confirmed this 1 day of September 2020

**Chairperson**.....