



GLEN EIRA CITY COUNCIL
ORDINARY COUNCIL MEETING
TUESDAY 6 APRIL 2021
MINUTES

**Meeting was held in the Council Chambers,
Corner Hawthorn & Glen Eira Roads, Caulfield
at 7:30pm**

Present

The Mayor, Councillor Margaret Esakoff
Councillor Anne-Marie Cade
Councillor Jim Magee
Councillor Sam Parasol
Councillor Li Zhang
Councillor Simone Zmood
Councillor David Zyngier

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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 an responsibility for this land.

2. APOLOGIES

An apology was received from Cr Athanasopoulos and Cr Pilling.

Moved: Cr Magee

Seconded: Cr Zmood

That apologies from Cr Athanasopoulos and Cr Pilling be received and noted.

CARRIED UNANIMOUSLY

3. REMINDER TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA

Councillors were reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or any item that was considered at this meeting, in accordance with Section 130(2) of the *Local Government Act 2020* and Rule 60(3) of the Glen Eira City Council Governance Rules. Councillors were then invited to indicate any such conflict of interest.

- Cr Esakoff - Item Number 8.12 – Sale of discontinued Road abutting 2 Almond Street, Caulfield South

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

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; and
2. adjourns the meeting to be reconvened on Wednesday 7 April 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.

CARRIED UNANIMOUSLY**4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS****Moved: Cr Parasol****Seconded: Cr Zhang**

That the minutes of the Ordinary Council Meeting held on 16 March 2021 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

7.1 Advisory Committees

7.1.1 ADVISORY COMMITTEE MINUTES**Moved: Cr Zmood****Seconded: Cr Parasol**

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. Open Space, Sport and Recreation Advisory Committee Meeting Minutes – 10 February 2021
2. Sustainability Advisory Committee Meeting Minutes – 11 February 2021
3. Community Grants Advisory Committee Meeting Minutes – 9 March 2021
4. Community Engagement Advisory Committee Meeting Minutes – 24 March 2021

CARRIED UNANIMOUSLY

7.2 Records of Assembly

7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS**Moved: Cr Magee****Seconded: Cr Cade**

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

1. 3 March 2021
2. 9 March 2021
3. 10 March 2021
4. 16 March 2021 pre-meeting

CARRIED UNANIMOUSLY

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

That Council changes the order of business to deal with Item 10.5 Written public questions to Council at this stage of the meeting.

CARRIED UNANIMOUSLY

10.5 Written public questions to Council**1. Denny Mileikowski – South Caulfield**

Recently Glen Eira city council rangers fined a lady for walking her greyhound off leash in off leash areas \$249.00. Her greyhound is 14 years old, arthritic and can barely walk, let alone run. Does the council believe this fine is justified, given the fact that this greyhound poses no threat whatsoever, irrespective of what the law states. Surely some discretion could be applied or is there some sought of taskforce been set up targeting greyhound owners.

Response:

If the offending person that you refer to wishes to appeal their infringement notice, they are advised to do so via Council's website <https://www.gleneira.vic.gov.au/contact-us/infringements/appeal-an-animal-infringement>.

Alternatively they can apply in writing by stating the grounds on which the decision should be reviewed via our postal address at, PO Box 42, Caulfield South, Vic 3162. Council will then notify them of the response by mail.

2. Paul Caine – Glen Huntly

Where is Glen Eira's Urban Forest Strategy at this point in time. When can I expect to see the Strategy finalised and its recommendations put into action.

Response:

It is planned to bring the Urban Forest Strategy to Council in June for adoption. Officers are currently finalising the Strategy and Implementation Plan which will inform our long-term requirements. Successful implementation of the Urban Forest Strategy will require consistent and purposeful long-term planning and investment across a range of Council areas.

While the UFS has not yet been formally endorsed, there are a range of related actions already being undertaken within our current resources. In addition, there are two specific projects that will be listed for consideration in the draft 2021/22 budget including:

- Narrow street tree planting program; and
- Urban Forest Strategy Implementation; which will include projects in our streets and parks and provide forward planning for coming years.

We expect that the number of trees nominated for inclusion on the Classified Tree Register will continue to increase and its ongoing promotion and assessment will ensure protection of the most significant trees in the municipality.

Our current planning scheme review will achieve better alignment with Department of Environment, Land, Water and Planning policies, and the direction for the new Urban Forest Strategy, along with other important new and existing strategies. Notably this includes Environmentally Sustainable Design principles, a landscape policy and biodiversity protection.

3. Warren Green – Bentleigh

a) It is now 2021 and Council has yet to adopt a municipal Housing Strategy. This is despite: 1) A Ministerial Direction in 2015 to undertake a Planning Scheme Review including a review of the strategic planning framework, 2) Officer's previously highlighting the requirement of a Housing Strategy to underpin structure plans, 3) Relevant Practice Notes outlining Council's statutory obligations, 4) Extensive lobbying from residents over a 5 year period, and 5) The fact that all surrounding municipalities have adopted a Housing Strategy. The absence of a Glen Eira Housing Strategy has polluted and undermined 5 years of extensive resident input into the Structure Plan development process ultimately contributing to it being abandoned.

Given this background, can the CEO please outline how residents can have trust and confidence in the development of a Housing Strategy and Structure Plans that are balanced, evidence-based and consider community feedback?

b) The Victorian Parliament is conducting an Inquiry into Environmental Infrastructure, including open space, for Growing Populations. This is a very important issue as compared to Greater Melbourne GE has: 1) Lowest Open Space per area at 4.4% against a 9.3% average. 2) Lowest Open Space per person at 11.7sqm against a 57.7sqm average. 3) Lowest percentage of population within a 400m walking distance of Open Space at 58.6% against an 81% average. GE also has the fourth highest population density in Victoria and a Planning Scheme that allows for growth way beyond Plan Melbourne targets.

It is very disappointing that the GE Inquiry submission is very high-level, unsigned and the briefest at two pages while the average of other submissions is 11 pages including detailed issues and opportunities.

Why is there an ongoing lack of strong advocacy, responsiveness and action on this critical liveability topic?

Response:

a) The recent decision made by Council to progress the development of a Housing Strategy will ensure that both the Strategy and any future amendments are evidence based and do consider community feedback. This decision was made following consideration of all submissions and the challenges and some of the key issues that were highlighted by the community during the recent Amendment C184 exhibition.

The housing strategy will build on the extensive strategic work undertaken to date and include demographic work that demonstrates how Council will meet its projected population forecast over at least a 15-year period and will also outline the mix of housing required in the right areas to meet future community need. It will also include a neighbourhood character analysis that will identify key characteristics to consider in proposing any changes to residential areas.

Officers are currently developing a thorough engagement plan for the Housing Strategy project and are exploring suitable consultation activities. This will provide transparency through the process in developing the strategy and ensure that the community can be involved.

- b) Council prepared its submission to the Inquiry into Environmental Infrastructure for Growing Populations in September 2020. This submission was further supported by an officer presentation at the public hearing on 25 March 2021. The final report from the Inquiry is due 30 June 2021. Council will then consider its next steps pending receipt of this final report. It's important to note that this is only one very small component of the advocacy undertaken by Council in seeking new and improved open space and environmental infrastructure for the community.

In December 2020, Council resolved to seek authorisation to place on exhibition an increased open space contributions rate, to assist in the provision of additional open space. Furthermore, Council has progressed the development of its Urban Forest Strategy and Environmental Sustainability Strategy.

Some examples of where Council advocacy has led to strong open space outcomes include:

- Council's Every Bit Counts advocacy leading up to the last State election resulted in the protection of open space in the Carnegie Activity Centre that would have otherwise been a housing development site.
- The attraction of \$2.6m in State Government funding to support the creation of two new open spaces (one in Bentleigh and one in South Caulfield) under the Suburban Parks Program.

Council advocates through the Inner South East Metropolitan Partnership, the Inner South East Metropolitan Mayors Forum, and the Municipal Association Victoria on matters including open space, the environment and sustainability. Council has been represented on the Resilient Melbourne Steering Committee which led the development of the Metropolitan Urban Forest Strategy and is represented on the Suburban Parks Program Board, overseeing the development of the Metropolitan Open Space Strategy, and the deployment of the State Government's \$154m suburban parks program commitment.

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

That Council changes the order of business to bring forward Item 10.4 - Councillor Questions to be dealt with at this stage of the meeting.

CARRIED UNANIMOUSLY

10.4 Councillor questions

Cr Zmood asked the following question of Cr Zyngier

At the last Ordinary Council Meeting you mentioned that 60% of our residents carbon emissions are due to the use of transport. Is this correct?

Cr Zyngier responded

I thank Cr Zmood for the question and the opportunity to correct the record. In fact I was in error at that time. As part of my summing up of the Strategic Transport Advisory Committee report, I inadvertently stated that 60% of carbon emissions in Glen Eira are derived from residents use of their own transport, whereas in fact the correct figure is 35% which is a very big figure in itself and that the 60% of residents carbon oxide emissions are actually derived from their use of energy including electricity and gas. I apologise for the error and seek to do better next time.

8. OFFICER REPORTS (AS LISTED)

8.1 380 DANDENONG ROAD, CAULFIELD NORTH

Moved: Cr Zmood**Seconded: Cr Zyngier**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/DP-33271/2019 for demolition of the existing dwelling and construction of a three storey building above a basement car park comprising 16 dwellings on land affected by a Heritage Overlay and alteration of access to a road in a Road Zone Category 1, at 380 Dandenong Road, Caulfield North, subject to 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. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the the application identified as TP02-1 (rev. A, dated June 2020) and TP03, TP04, TP05, TP05.1, TP06, TP06.1, TP-7, TP08, TP09, TP10, TP11, TP12, TP19, TP20 and TP21, Rev. B (dated October 2020) and prepared by DO Architects), but further modified to show:
 - (a) South facing habitable room windows for apartment 1.05 to include a screening device to limit downward views into the open space areas of 13-17 Norwood Road;
 - (b) West facing habitable room windows at first and second floor level that don't include external screens to include either fixed obscure glazing in any part of the window below 1.7 metre above floor level or a permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent, or otherwise to demonstrated how windows are screened in accordance with Standard B22 at Clause 55.04-6 of the Glen Eira Planning Scheme;
 - (c) Where balcony balustrades/external window screens are shown on the east, west and south elevations, a note provided that they are to be fixed and no more than 25 per cent transparent;
 - (d) Removal of pedestrian gates providing access from the secluded private open space areas of G.04 and G.05 to the laneway at the rear;
 - (e) Six cubic metres of external accessible storage area for each apartment (either in the basement or on ground floor courtyards);
 - (f) The adaptable bathrooms designed in accordance with design option A or B of Standard B41 at Clause 55.07-7 of the Glen Eira Planning Scheme;
 - (g) Living room and bedrooms of apartment 2.02 annotated to show compliance with Standard B46 at Clause 55.07-12 of the Glen Eira Planning Scheme;
 - (h) An area of deep soil planting as required by Standard B38 at Clause 55.07-4 of the Glen Eira Planning Scheme on the ground and basement plans, including in the secluded private open space area of apartments G05 and G04 and one along the Dandenong Road frontage;
 - (i) Details of the proposed stormwater management systems that meet best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), with

- required provisions shown on the plans (including the capacity of the water tanks provided);
- (j) Changes required by the Department of Transport in accordance with Condition 19;
 - (k) A convex mirror shown on the outside corner of the ramp to as recommended on page 13 of the Traffic Report prepared by One Mile Grid;
 - (l) Pedestrian site visibility triangles in accordance with Clause 52.06 of the Glen Eira Planning Scheme on the ground floor plan;
 - (m) Ramp dimensions on the basement plan to demonstrate compliance with Australian Standard AS2890.1:2004;
 - (n) The maximum height of the kerbs on either side of the basement ramp noted to be 150mm;
 - (o) An updated Waste Management Plan to reflect private collection of waste with access to the development from Dandenong Road and including the following requirements:
 - i. Incorporation of a Food Organic recycling stream provided through the private collection service;
 - ii. Scaled drawings including the access ramp height clearance, bin storage area and swept path drawings for truck access;
 - iii. A demonstration that the bin storage room can accommodate waste requirements for the development;
 - iv. Consideration of additional space requirement for a future forth glass recycling stream.
 - (p) A Landscape Plan in accordance with Condition 3; and
 - (q) A Sustainability Management Plan in accordance with Condition 14.

Development not to be altered

2. The development and layout and description of the uses as shown on the endorsed plans must not be altered or modified (unless the Glen Eira Planning Scheme specifies a permit is not required) except with the prior written consent of the Responsible Authority.

Landscaping and tree protection

3. Before the development starts, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions. All species selected must be to the satisfaction of the Responsible Authority. The landscape plan must show:
 - (a) All existing retained vegetation to be identified;
 - (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary;
 - (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;
 - (d) Landscaping and planting within all open space areas of the site;
 - (e) Canopy trees (minimum 3m tall when planted) in the deep soil planting areas of apartments G05 and G04 and the Dandenong Road frontage.

- Trees are not to be sited over easements;
- (f) A replacement street tree for the small tree to be removed to allow for the vehicle crossing construction at no cost to Council; and
 - (g) All species selected must be to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority.
 5. The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority including by replacing any dead, diseased, dying or damaged plants.
 6. Before the development starts, including any demolition and excavation, a Tree Protection Management Plan (TPMP) in respect of all trees on adjoining properties within 3m of the subject land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The TPMP must show.
 - (a) The specification of tree protection zone (TPZ);
 - (b) The type, installation and maintenance of tree protection fencing;
 - (c) Vehicular or pedestrian access within a tree protection zone
 - (d) The protection of the canopies and trunks of the specified tree;
 - (e) Specific details of any works proposed in any TPZ and how impacts will be mitigated;
 - (f) How canopies will be managed, including pruning;
 - (g) Excavation within or near a tree protection zone;
 - (h) Maintenance, including mulching and watering, of tree protection zone; and
 - (i) Schedule of Project Arborist inspections.
 7. The Tree Protection Management Plan (TPMP) must include a program to implement the proposed measures before, during and on completing construction (including demolition). The tree protection measures set out in the TPMP must be implemented to the satisfaction of the Responsible Authority, except with the prior written consent of the Responsible Authority.
 8. In addition to the Tree Protection Management Plan required by condition 6, before the development starts (including any demolition, excavation or construction), tree protection measures must be established around the *Platanus x acerifolia* (London Plane Tree) on the Dandenong Road frontage in accordance with the standard and guidance prescribed in *AS 4970 –2009: Protection of Tree on Development Sites*. The tree protection measures must identify and isolate a tree protection zone (TPZ) and include the restriction of activities within the TPZ; provide for protective fencing; and signs identifying the TPZ. The area within the TPZ should be mulched, watered and be maintained free of weeds.

The TPZ on the nature strip area should form a rectangle along the back of the kerb, across the entire nature strip to the west of the base of the tree and 8m to the east of the base of the tree along the edge of the footpath. The footpath must remain open for public access. The TPZ fencing erected across the nature strip should extend 2m to the north and 2m to the west of the tree.

One metre clearance must always be maintained from the tree's crown/canopy.

The tree protection measures must remain in place until the development is complete and no alteration to the TPZ or works inside the TPZ may be undertaken except with the prior written consent of the Responsible Authority.

Any excavation works within the nature strip occurring inside the Tree Protection Zone (TPZ) must be supervised by a qualified and experienced arborist, including the removal of the existing crossover. The written consent from Council's Park Services Department must be obtained before any works start within the TPZ including providing details of the supervising arborist.

Car parking and access

9. Before the building is occupied, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) fully constructed;
 - (b) properly formed to such levels that may be used in accordance with the plans;
 - (c) surfaced with an all weather surface or seal coat (as appropriate);
 - (d) drained and maintained in a continuously usable condition;
 - (e) line marked to indicate each car space, loading bay and/or access lane; and
 - (f) clearly marked to show the direction of traffic along access lanes and driveways.All to the satisfaction of the Responsible Authority.
10. Before the *building is occupied*, all disused or redundant vehicle crossings must be removed and the area reinstated with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
11. No fewer than one car parking space for each one or two bedroom dwelling must be provided on the land to the satisfaction of the Responsible Authority.

Management plan requirements

12. Before the development starts, including any demolition and excavation, a Construction Management Plan (CMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The CMP must show:
 - (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) Construction activity must only occur between the hours of 7.00am and 6.00pm, Monday to Friday, 7.00am to 1.00pm on Saturday and no construction on Sunday and Public Holidays;
 - (h) Measures to control noise, dust, water and sediment laden runoff;
 - (i) Measures to ensure that subcontractors or tradespersons operating on the site are aware of the requirements of the CMP; and
 - (j) Any construction lighting designed, baffled and located to prevent any adverse effect from light spill to the amenity of abutting and adjoining land.
13. All construction (including demolition and excavation) must be carried out and complied with in accordance with the approved Construction Management Plan to the satisfaction of the Responsible Authority and must not be varied except with the prior written consent of the Responsible Authority.
14. Before the development starts, an Environmentally Sustainable Design Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must outline how the development complies with Standards B35 and B39 of Clause 55 of the Glen Eira Planning Scheme. Any Environmentally Sustainable Design features within the report must be included and shown on the plans.
15. The provisions, recommendations and requirements of the endorsed Environmentally Sustainable Design Report 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.
16. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the prior written consent of the Responsible Authority.

General requirements

17. Before the building is occupied, all screening shown on the endorsed plans must be installed and permanently maintained in accordance with the endorsed plans. The screening measures as shown on the endorsed plans are not to be altered or removed except with the prior written consent of the Responsible Authority.
18. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted except with the prior written consent of the Responsible Authority

Department of Transport requirements (conditions 19-24)

19. Prior to the commencement of works, 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 must be provided. The plans must be generally in accordance with the plans TP08 Revision B dated October 2020 & but modified to show:
- (a) A passing area at the entrance, within the site, of at least 6.1m x 7.0m;

- (b) A sealed access crossover at least 6.1m wide at the property boundary with the edges of the crossover angled at 60 degrees to the edge of the road, at least for the first 3.0m, with 3.0m radial turnouts;
 - (c) Removal of disused redundant vehicle crossover and affected area to be reinstated.
20. Prior to the occupation of the development, the access crossover and associated works must be provided and available for use to the satisfaction of the Responsible authority and at no cost to the Head, Transport for Victoria.
21. Vehicles must enter and exit the land in a forward direction at all times.
22. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.
23. Any security boom, barrier, gate or similar device controlling vehicular access to the premises must be located a minimum of 7.0m inside the property to allow vehicles to store clear of the Dandenong Road pavement and footpath.

Permit expiry

24. 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

- Condition 1 of the planning permit sets out the changes that need to happen before the use or development can start. If any other changes are made to the plans that are not generally in accordance with the decision plans, then you will be required to apply for an amendment to the planning permit under Section 72 of the *Planning and Environment Act 1987*.
- 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. Other approvals may be required and may be assessed on different criteria from those that are considered as part of the planning permit process. You are required to ensure you comply with any obligation.

Asset Engineering notes

- No net increase in peak stormwater runoff in Council drainage network. Post development peak storm water discharge to Council drainage network must be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations should be submitted to Council for approval prior any construction works.
- All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from the proposed driveway/laneway onto the existing laneway. Such a system may include either:

- A trench grate (150mm minimum internal width) located within the proposed laneway/driveway and/or;
- Shaping the laneway/driveway so that water is collected in a grated pit on the property and connect to internal drainage system.
- Any firefighting equipment for the building must be accommodated within title boundary. Council will not allow private fire equipment in the Road Reserve.
- The existing footpath levels must not be altered or modified to accommodate any DDA compliance.
- An Asset Protection Permit must be obtained from Council Engineering Services Department before the development starts.
- All relevant Engineering Permits must be obtained before any development starts within the Road Reserve and or stormwater connection to Council drainage network.

Department of Transport Notes

- The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.

For: Crs Cade, Parasol, Zhang, Zmood, Zyngier and Esakoff (6)
Against: Cr Magee (1)

CARRIED

8.2 233-247 GLEN HUNTLY ROAD AND 14 RIPON GROVE, ELSTERNWICK

Moved: Cr Zmood**Seconded: Cr Magee**

That Council approves an extension of time for planning permit GE/PP-30917/2017/A at 233-247 Glen Huntly Road and 14 Ripon Grove, Elsternwick, allowing the development to be commenced no later than 21 May 2022 and to be completed by 21 May 2024.

CARRIED UNANIMOUSLY

8.3 VCAT WATCH

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

That Council notes the update on VCAT matters.

CARRIED UNANIMOUSLY

8.4 DRAFT BUILT FORM FRAMEWORKS FOR PUBLIC CONSULTATION - CAULFIELD PARK, CAULFIELD SOUTH AND BENTLEIGH EAST NEIGHBOURHOOD ACTIVITY CENTRES

Moved: Cr Zmood**Seconded: Cr Zhang**

That Council defers Item 8.4 - Draft Built Form Frameworks for Public Consultation – Caulfield Park, Caulfield South and Bentleigh East Neighbourhood Activity Centres to the 27 April 2021 Ordinary Council Meeting to allow Councillors more time to seek further clarification ahead of community consultation.

CARRIED UNANIMOUSLY

8.5 OUR CLIMATE EMERGENCY STRATEGY 2021-2025 (COMMUNITY CONSULTATION DRAFT)

Moved: Cr Zyngier**Seconded: Cr Zmood**

That Council:

1. endorses the draft *Our Climate Emergency Strategy 2021-2025* for community consultation between 7 April and 2 May; and
2. receives a future report outlining the community feedback and present a final strategy for adoption.

CARRIED UNANIMOUSLY

8.6 ESTABLISHMENT OF GLEN EIRA YOUTH ADVISORY COMMITTEE

Moved: Cr Zyngier**Seconded: Cr Zhang**

That Council:

1. endorses the establishment of a Glen Eira Youth Advisory Committee;
2. endorses the Glen Eira Youth Advisory Committee Terms of Reference shown as Attachment 1 to the report with the following change:
 - Part 8 Voting Rights to read 'Councillors only have voting rights with the Chairperson having the casting vote'; and
3. appoints Cr David Zyngier, Cr Li Zhang, and Cr Tony Athanasopoulos to the Committee.

CARRIED UNANIMOUSLY

**8.7 CAULFIELD RACECOURSE RESERVE TRUST - LAND MANAGEMENT PLAN:
REQUEST FOR COUNCIL SUPPORT**

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

That Council:

1. supports a funding contribution of \$150,000 towards the development of the Caulfield Racecourse Reserve Trust - Land Management Plan Business Case;
2. provides the funding contribution of \$150,000 to the Caulfield Racecourse Reserve Trust and makes a forecast adjustment to the 2020/21 operating statement;
3. supports the nomination of Niall McDonagh – Director Infrastructure and Open Space as Council’s representative on the Project Working Group for the business case development; and
4. be provided with updates at key milestones of the Business Case development.

FOR: Crs Esakoff, Magee, Cade, Parasol, Zhang and Zmood (6)**AGAINST:** Cr Zyngier (1)**CARRIED**

**8.8 COMMUNITY ENGAGEMENT ADVISORY COMMITTEE - ENDORSE
COMMUNITY REPRESENTATIVES**

Moved: Cr Zmood**Seconded: Cr Cade**

That Council:

1. endorses the updated Community Engagement Advisory Committee Terms of Reference (Attachment 1 to the report);
2. appoints the following as community representatives to Council's Community Engagement Advisory Committee for a two-year period:
 - Jacinta Smith
 - Noe Harsel
 - Ethan Mileikowski
 - Brad van Delft
 - Karyn Seigmann
 - Brenna Dempsey; and
3. writes to the successful applicants congratulating them on their appointment, and to the unsuccessful applicants thanking them for their applications.

CARRIED UNANIMOUSLY

8.9 WASTE MANAGEMENT PRICING POLICY

Moved: Cr Magee**Seconded: Cr Zmood**

That Council:

1. adopts the *Waste Management Pricing Policy*, shown as Attachment 1 to the report, effective from 1 July 2021 with the following text added that is obscured in the attachment:
 - a) in the table at 4.6 of the Policy, add to the Medical 240L Waste Charge the following Service Description; 1x120L or 240L yellow bin;
 - b) in the table at 4.8 of the Policy, add a Commercial Waste Charge Name of "Bentleigh L2" and a Service Description of "Medium Real Estate, large offices etc"; and
2. notes that amendments to the waste charge categories will be included in the draft 2021-22 annual budget.

CARRIED UNANIMOUSLY

8.10 MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL MOTIONS

Moved: Cr Magee**Seconded: Cr Zmood**

That Council notes the following two motions and submits them to the 21 May 2021 Municipal Association of Victoria State Council Meeting:

1. That the Municipal Association of Victoria advocates to the State Government to amend the *Domestic Animals Act 1994* to allow councils to establish designated public areas on Council land where greyhounds can be exercised off leash.
2. That the Municipal Association of Victoria advocates to the State Government to:
 - a) ensure that any reform of the transport system and road usage in Victoria supports rather than threatens the nascent electric vehicles industry; and
 - b) consults with key stakeholders about wider reform before committing to a new standalone road usage tax on electric vehicles.

CARRIED UNANIMOUSLY

8.11 INVESTMENT POLICY

Moved: Cr Cade**Seconded: Cr Zmood**

That Council reviews and approves the amended Investment Policy shown in Attachment 1 of this report.

CARRIED UNANIMOUSLY

It is recorded that Cr Esakoff declared a Material Conflict of Interest in Item 8.12 – Sale of Discontinued Road Abutting 2 Almond Street Caulfield South and vacated the Chamber at 9.34pm prior to consideration of this item.

The Deputy Mayor Cr Jim Magee took the Chair for consideration of Item 8.12.

8.12 SALE OF DISCONTINUED ROAD - ABUTTING 2 ALMOND STREET CAULFIELD SOUTH

Moved: Cr Cade

Seconded: Cr Zmood

That Council:

1. having given public notice of a proposal to sell the land from the discontinued road adjoining 2 Almond Street, Caulfield South shown as lot 1 on TP959877R shown as attachment 1 to the report (known as part of the land contained in certificate of title volume 4506 folio 138) to the owner of 2 Almond Street, Caulfield South, in accordance with section 189 of the *Local Government Act 1989* (the Act);
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 2 Almond Street Caulfield South, in accordance with section 189 of the Act and Council's Roads and Reserves Discontinuance and Sale Policy 2015; and
3. approves that the Chief Executive Officer be authorised to execute all documentation associated with the sale of Lot 1 on TP959877R.

CARRIED UNANIMOUSLY

It is recorded that Cr Esakoff vacated the Meeting room prior to Item 8.12 and was not present when this item was considered.

Cr Esakoff entered the Meeting at 9.36pm and resumed as Chair of the meeting.

8.13 FINANCIAL MANAGEMENT REPORT (FEBRUARY 2021)

Moved: Cr Zmood

Seconded: Cr Magee

That Council notes the Financial Management Report for the period ending 28 February 2021.

CARRIED UNANIMOUSLY

8.14 COUNCILLOR GIFT POLICY

Moved: Cr Magee**Seconded: Cr Zhang**

That Council adopts the Councillor Gift Policy shown as Attachment 1 to the report with the following change:

- clause 4.17 (a) – delete the words ‘meals or’.

CARRIED UNANIMOUSLY

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

That the meeting be extended to conclude at 11pm.

CARRIED UNANIMOUSLY

8.15 REVIEW OF COUNCILLOR AND MAYORAL ALLOWANCES

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

That Council:

1. commences the statutory process pursuant to section 74(1) of the *Local Government Act 1989* to review and determine the Councillor and Mayoral allowances for the period 2021 to 2024 or until such time as there is a determination by the Victorian Independent Remuneration Tribunal under section 39 of the *Local Government Act 2020*, and
 - (a) gives public notice of such review in accordance with section 74(4) and section 223 of the *Local Government Act 1989* based on the following proposed allowances:
 - i. Mayoral allowance of \$100,434 per annum, being the maximum allowed for category 3 councils.
 - ii. Councillor allowance of \$31,444 per annum, being the maximum allowed for category 3 councils.
2. provides the submitters with an opportunity to speak to their submission under section 223(1)(b) of the *Local Government Act 1989* in relation to the determining of Councillor and Mayoral allowances at the Ordinary Council Meeting scheduled for 7.30pm on Tuesday 8 June 2021; and
3. receives a report at a future Council meeting.

CARRIED UNANIMOUSLY

8.16 SUBURBAN RAIL LOOP PROJECT - CITY OF KINGSTON CHAIN OF PARKS

Moved: Cr Zmood**Seconded: Cr Cade**

That Council:

1. writes to the Acting Premier, the Hon James Merlino MP, in support for the City of Kingston's recent request for further consultative strategic work to be undertaken to identify a more suitable site for the Suburban Rail Loop stabling yard (under consideration at the Delta Site in the Kingston Green Wedge), and the proposed station site at Sir William Fry Reserve, Cheltenham (Attachment 1 to the report) and;
2. writes to local members Steve Dimopoulos MP Member for Oakleigh, Meng Heang Tak MP, Member for Clarinda and Nick Staikos MP, Member for Bentleigh also seeking their support for the City of Kingston's request.

CARRIED UNANIMOUSLY

9. URGENT BUSINESS**Moved: Cr Zmood****Seconded: Cr Zyngier**

That Council considers the matter of writing to the Minister for Planning in relation to creating a Jewish Cultural Arts Precinct as an item of urgent business.

CARRIED UNANIMOUSLY

Moved: Cr Zmood**Seconded: Cr Zyngier**

That Council write to The Minister for Planning indicating that:

1. Council recognises the importance of the vision to create a Jewish Cultural Arts Precinct and the desire to stimulate the economy via development.
2. Council also recognises that local residents are in support of the Jewish Cultural Arts Precinct, but have concerns about various aspects of the development which are not shared by Council.
3. Council, however, also recognises that Glen Eira residents expect proper, consistent and thorough planning decisions. Inherent within this is the democratic right of residents to appeal planning decisions through the Victorian Civil and Administrative Tribunal (VCAT) and have their concerns heard and addressed where appropriate and Council supports these rights of its residents.
4. Council requests that The Minister for Planning returns this planning application to VCAT to allow proper consideration of any objections through the established independent body tasked to handle planning issues to ensure confidence, transparency, and fairness in planning decisions.

For: Crs Parasol, Zmood, Zyngier (3)

Against: Crs Cade, Magee, Zhang, Esakoff (4)

The Motion was **LOST**

Moved: Cr Parasol**Seconded: Cr Magee**

That Council considers the matter of writing to the Minister for Planning in relation to creating a Jewish Cultural Arts Precinct as an item of urgent business.

CARRIED UNANIMOUSLY

9.1**Moved: Cr Parasol****Seconded: Cr Magee**

That Council write to Hon Richard Wynne, Minister for Planning indicating that:

1. Council recognises the importance of the vision to create a Jewish Cultural Arts Precinct and the desire to stimulate the economy via development.
2. Council recognises that local residents are in support of the Jewish Cultural Arts Precinct, but have concerns about various aspects of the development which are not shared by Council.
3. Council, however, also recognises that Glen Eira residents have a reasonable expectation that they will be able to have their voice heard and their concerns fairly and transparently addressed in the consideration of decisions regarding planning matters that impact them and their local area.

- 4. Council requests that the Minister for Planning ensures that the process deployed by the Priority Projects Standing Advisory Committee provides Glen Eira residents with the opportunity to actively participate and have their voice heard, ensuring confidence, transparency, and fairness in the planning decision relating to 7 Selwyn Street, Elsternwick.

CARRIED UNANIMOUSLY

10. ORDINARY BUSINESS

10.1 Requests for reports from a member of Council staff - Nil

10.2 Right of reply - Nil

10.3 Notice of Motion - Nil

10.4 Councillor questions

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

10.5 Written public questions to Council

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

11. CONFIDENTIAL ITEMS

Nil

12. CLOSURE OF MEETING

The meeting closed at 10.24pm.

Confirmed this 27 day of April 2021

Chairperson.....