



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 10 AUGUST 2021

MINUTES

**Meeting was held remotely and streamed live
via Council's website at 7:30pm**

Present

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

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The Mayor welcomed Councillors, Council officers, Glen Eira residents and other community members to the 10 August 2021 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 Acknowledges the peoples of the Kulin Nation as Traditional Owners and Custodians, and pay our respect to their Elders past, present and emerging. We Acknowledge and uphold their continuing relationship to land and waterways. Council extends its respect to all Aboriginal and Torres Strait Islander peoples.

2. APOLOGIES NIL

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 Parasol - Item 8.3 – 271 Kooyong Road, Elsternwick
- Cr Zmood - Item 8.7 – Community Grants Recommendations 2021-2022
- Cr Esakoff - Item 8.2 – 380 Hawthorn Road, Caulfield South

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

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 in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website with the meeting to be reconvened on Wednesday 11 August 2021 at 7.30pm via livestreaming; and
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 Rule 13 of the Governance Rules. 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 MEETINGS****Moved: Cr Parasol****Seconded: Cr Zyngier**

That the minutes of the Ordinary Council Meeting held on 20 July 2021 be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**5.1 PETITION: AFTERNOON OFF LEASH TIME FOR DOGS AT HARLESTON PARK**

A petition containing 45 signatures was submitted to the Council Meeting.

The petition read as follows:

“This petition draws to the attention of the Council a request for dogs to be allowed off leash time Harleston Park during the afternoons between 4.30pm and 7.30pm.”

Moved: Cr Zmood

Seconded: Cr Parasol

That Council receives and notes the petition.

CARRIED UNANIMOUSLY

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 Zyngier

Seconded: Cr Pilling

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. Local Laws Advisory Committee Meeting Minutes – 3 May 2021;
2. Community Grants Advisory Committee Meeting Minutes – 16 June 2021;
3. Community Grants Advisory Committee Meeting Minutes – 29 June 2021;
4. Strategic Transport Advisory Committee Meeting Minutes – 30 June 2021;
and
5. Local Laws Advisory Committee Meeting Minutes – 19 July 2021.

It is recorded that Cr Tony Athanasopoulos entered the virtual meeting at 7.39pm.

CARRIED UNANIMOUSLY

7.2 Records of Assembly

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

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

1. 6 July 2021 Assembly
2. 13 July 2021 Assembly
3. 20 July 2021 Pre-meeting

CARRIED UNANIMOUSLY

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

That Council changes the order of business to bring forward Item 10.5 Written public questions to Council to be considered before Item 8.1 at this stage of the meeting.

CARRIED UNANIMOUSLY

10.5 Written public questions to Council**1. Zorana Zanoskar**

Given that at least one half of the residents have not yet received the new waste toolkit, and the caddy, is the Council considering to postpone the starting date of the implementation?

Given there is significant public opposition to the new waste strategy, and given that Hobsons Bay Council has reverted to weekly collection of general garbage based on the data collected during more than a year that the system was in place, has the Council duly considered both the public views and the experience in other councils.

Response:

Thank you for your question. As you may be aware, implementation of the weekly green bin, fortnightly red and yellow bin service commenced on Monday 26 July as scheduled. Over the 10 days it took for the new schedule to come into effect we found that approximately 85% of households were aware of the change and put out their green food and garden waste bins, and their yellow recycling bins together for the first time. The number of red general waste bins out on their first red bin 'off-week' varied day to day in each area, however overall, we found there was a high number of green bins out across the board. This gives us confidence that the majority of households were aware of the change that was coming, although a transitional period with some confusion was to be expected.

In the lead up to implementing the waste changes, information was communicated in three separate mailbox deliveries as well as social media, the Glen Eira News, Council's website, and street signage. We did experience some unfortunate and unforeseen difficulties with our mailbox delivery services and apologise for any confusion or inconvenience that resulted.

We had also planned face to face pop ups and engagements which were disrupted by COVID-19 restrictions.

We do understand your concern that some households that may not have received their annual waste calendars and handbooks in preparation for the switch to a weekly green bin, fortnightly red and yellow bin service. It is very important to us that every household receives every letter, information pack and reminder and we acknowledge that this did not occur for all households on this occasion. While all of the information is available on our website, residents can also contact our Customer Service Centre on 95243333 and request a further copy. An annual waste calendar will also be included as an insert with the September issue of the Glen Eira News.

2. Paul Caine – Glen Huntly

Glen Eira has the lowest amount of publicly accessible open space in the Greater Melbourne Region, with approximately 172.9 hectares; in total 12 square metres per resident. That last figure is decreasing as we add more residents in Glen Eira. My question is what percentage of our total open space is dedicated to access roads and car parking areas?

Response:

Thank you for your question seeking a percentage breakdown of open space into car parks and access roads.

Unfortunately, we do not have data that would provide the answer to the question that you are asking.

Planning for open space requires an understanding of the current and future needs of our community, and additionally considers how existing open space could be managed more effectively. Council's Open Space Strategy Refresh is focused towards the distribution, accessibility and capacity of our open space network to meet the needs of our existing community and forecast population. The methodology is consistent with best practice open space planning principles.

Car parking is an important aspect of our spaces and while efforts are made to reduce the impact – it is a necessity for larger municipal and neighbourhood parks, sporting facilities and destination spaces. The leisure, sporting or recreational benefit derived from open space is directly linked with a person's ability to access the space. There is a historical provision of car parking in open space; and all developments in open space make assessment of the existing parking provision, future needs and impact on the broader reserve function and amenity. No two parks are the same.

It is also worth highlighting that a goal of Council's recently adopted Urban Forest Strategy is to increase tree canopy cover in all Council car parks to 25% by 2040. Additionally, the design of future car parks will be considerate of green/blue infrastructure and opportunities to incorporate into wider landscaping opportunities.

While I appreciate that this information does not provide a direct response, I hope it clarifies our approach to open space planning and provision.

3. Don Foulds on behalf of Woolworths – Mulgrave

I would like to make a statement regarding the Woolworths application at 10-16 Selwyn Street Elsternwick

We have revised our scheme based on the comments provided by VCAT and through further engagement with Council Officers. As the site represents 50% of the proposed

Cultural Precinct in Selwyn Street the development, if approved, will deliver a key cornerstone to Council's Vision for a Cultural Precinct in Selwyn Street that will create a vibrant centre for the contemporary celebration of a Jewish Quarter. It's a development that is strongly supported by the Jewish Arts Quarter (JAQ), Sholem Aleichem College and the Jewish Holocaust Centre and enables the relocation of the Jewish Museum into Selwyn Street to strengthen the cultural precinct. Woolworths as an activator to the precinct will deliver economic activity and jobs along with community use of over 220 car spaces. There are no other projects that can deliver these benefits. We welcome the opportunity to continue to work with Council on the Urban Design of Selwyn Street to ensure the delivery of its vision for a Cultural Precinct in Selwyn Street that will be something that future generations will be thankful for.

Response:

Council acknowledges the written statement of Don Foulds on behalf of the Woolworths Group.

4. Joe Tigel – Elsternwick

On behalf of the Jewish Arts Quarter, we wish to acknowledge the efforts of Glen Eira councillors and planning team in considering the development proposal at 10-16 Selwyn Street. We understand that any project of this size and impact will be of deep concern to local residents, however we note that this application reflects the recommendations of VCAT and will also deliver an all-important civic space and tangible community benefit through a new place of assembly as well as a sympathetic retail/food offering to the Elsternwick Cultural precinct and the now approved pedestrianisation of Selwyn Street.

Response:

Council acknowledges the written statement of Joe Tigel on behalf of the Jewish Arts Quarter.

5. Max Deacon – Elsternwick

In relation to the Officers report on the Woolworths application. On page 68 is a quote from the Council's Heritage advisor as follows: "Council's Heritage Advisor considers that the design has been improved from the original proposal, however still does not support the proposal, including the aspects that were considered acceptable by VCAT". It would be very helpful to the residents if the Heritage advisor could explain in detail why they do not support the proposal.

Response:

The Heritage Advisor does not support the height, form or setbacks of the proposed tower elements and does not consider that the development as a whole is appropriate within the heritage precinct.

They say this based on their own independent evaluation of the proposal as a heritage expert.

It is common for specialist affiliates within the planning process to have contrasting positions on an application. The role of the planning officer in making their recommendation to Council is to balance contrasting views alongside all other planning considerations which includes a previous decision of the Victorian Civil and Administrative Tribunal.

6. Warren Green – Bentleigh

- a) In a response to me from the CEO regarding the development of the Housing Strategy it is noted that: 1) The Issues and Opportunities Paper would not be updated to reflect critical data and evidence that provides important balance and context to the development of a Housing Strategy. 2) There has been no acknowledgment of the current GE situation relating to low open space, a very high level of new dwelling opportunities and the fourth-highest housing density in the state. 3) The exceptionally low level of open space will not be considered as part of the development of a Housing Strategy. As the response provided did not detail how Council will be Involving and Collaborating with residents as per the conventions outlined in the IAP2 Spectrum of Public Participation and Council's own Community Engagement Policy and Strategy, can the CEO please clarify this?
- b) Is the CEO happy to meet with residents to present and discuss Council's Housing Strategy research findings on new housing opportunities, demographics, etc. prior to the development of a draft Housing Strategy?

Response:

- a) The housing strategy project is informed by a range of considerations and inputs and it must have strategic justification to support sustainable provision of housing types for the benefit of current and future communities. Council is currently seeking input from the existing community on housing experiences, preferences, options and character considerations. As we cannot consult with future communities and the work must be based on sound demographic and capacity data, officers are currently working with demographic and planning consultants in relation to this component. This is a complex process and summaries of the analyses will be made available in early 2022 for community review and feedback, along with recommendations for how to address the housing needs in a draft housing framework, in a way that will enable policy to be successfully introduced.

With regards to your question about engagement, at this stage in the Housing Strategy process Council is engaging through an online survey, phone calls and emails with residents and discussions with key stakeholders, including Council's Youth Advisory Committee. Planned drop-in sessions open to all interested members of the community have had to be postponed due to the Victorian lockdown. Officers are recalibrating the format considering current restrictions and will provide more information when available. The current stage of engagement focuses on seeking to understand community housing experiences and inviting feedback on broad housing themes. The Housing Strategy will go through two stages of consultation and further activities involving residents and the wider community will be available in future when the Strategy is in draft stage. Given there is a policy position from State Government, through Plan Melbourne for housing growth in metropolitan areas, Council believes the "Involve" level on the IAP2 spectrum is appropriate.

- b) Yes, at an appropriate time. While at the moment it would be premature, officers and the CEO are looking forward to communicating the research outcomes and discussing them with the community once the information has been more thoroughly considered and realistic options on how to provide a strong policy position within the planning system have been identified. Engaging with the community is certainly a priority and will most definitely continue throughout the process to produce and adopt the new housing strategy.
-

7. Bev Dillon – Elsternwick

I would like to ask the Councillors, When making their final decision on this application, if they would consider what is correct for the Heritage area, the Cultural Precinct, the residents and the Children of Sholem Aleichem School.

The children of Sholem Aleichem school could be seriously and potentially tragically affected by the loading dock with all the trucks circling and the additional 5,000 cars per day, with 2 exit routes entering onto Sinclair Street. These vehicles will create a dangerous situation where accidents would be likely to occur and the sheer volume of the toxic fumes could affect the children's future health status forever.

We need to make a responsible decision for their future lives. Currently, the children of Sholem Aleichem are not being considered by Woolworths or the School.

Their safety needs to be paramount. These children have no say!

CHILDREN'S LIVES MATTER.

Response:

Council acknowledges the written statement of Bev Dillon and will consider the proximity of a loading bay facility in relation Sholem Aleichem College when making its decision.

8. Anthony Del Monaco – Elsternwick

VCAT rejected the first Woolworths proposal mainly on heritage grounds regards the historical shopping strip. According to the officer report to be considered tonight, the heritage consultant did not approve the second and current proposal, and the entire heritage evidence offered in support of the planning recommendation to approve is a single statement that "the heritage expert in the previous appeal anticipated this level of change being an acceptable outcome", which is not even reported in the VCAT findings.

Given the critical heritage sensitivity of the area, how can planning officers make a recommendation entirely based on a hypothetical opinion previously given by someone who has not even seen the plans now being considered?

Why was more complete heritage opinion on the actual plans being considered not sought?

Response:

The evaluation that has been undertaken as part of the recommendation has the benefit of different views including those of Council's Heritage Advisor, the permit applicant's Heritage Advisor, the commentary within the previous decision of the Victorian Civil and Administrative Tribunal, the expert heritage reports that were prepared as part of the previous appeal, the planners' professional understanding of heritage principles and the heritage related provisions within the Glen Eira Planning Scheme. Officers are satisfied that the information from all of these sources was sufficiently comprehensive in order to inform their recommendation.

9. Jacinta Smith – Elsternwick

My question relates to item 8.1, 10-16 Selwyn St, Elsternwick, page 101 of this week's council Agenda, where it refers to May St 'This section of May Street will be developed as part of the proposal'.

What does this phrase mean?

Response:

An application for a planning permit can be made on any land, regardless of ownership or status. The statement in the report merely refers to the application that has been made including land identified as May Street, being a section of road that is included within the area known as 10-16 Selwyn Street, Elsternwick.

Should a planning permit be granted, the landowner would need to seek separate approval to discontinue the road in order to be able to act on the planning permit.

10. John Denmead – Elsternwick

Could you please explain what is the officer's recommendation in the Woolworths development in relation to the southern exit from Selwyn Street. In the officer's report under Engineering Requirements, it states on page 40 at Clause 40: "Include the signalisation of Selwyn Street and Glen Huntly Road with any associated widening of the Selwyn Street carriageway to facilitate separate left and right turn lanes on the south approach" And at page 66 under the City Futures it states: "Agree the appropriateness of the signalisation of Glen Huntly Road and Selwyn Street intersection at the permit holders' expense, however recommends only one south bound traffic lane in Selwyn Street. "

What is the Council's true position?

Is the Cultural Precinct Plan for Selwyn Street changing?

Response:

The officer recommendation includes a requirement to have three lanes at the intersection of Selwyn Street and Glen Huntly Road. This would include separate left and right turn lanes from Selwyn Street into Glen Huntly Road, one access lane for vehicles to enter into Selwyn Street and for the intersection to be signalised.

The City Futures referral comments set out a preference for one exit lane rather than two. The officer recommendation has considered and balanced the views of the City Futures department, traffic engineers and urban designers within their broad range of considerations. The recommendation considers that the intersection would best operate with the two exit lanes and considers that this is a necessary requirement to be included as part of the decision.

The officer recommendation considers that this requirement would not compromise the successful delivery of a cultural precinct. It would however necessitate changes to the road design as shown on the functional layout plan.

11. Therese Green – Bentleigh

Item 8.5 of the Council Meeting Agenda outlines the consideration of an alternate site for a multi-deck car park in Bentleigh. With consideration to this potential change in direction, can Council confirm that it would still be the intention to commit to new open space on Godfrey Street as per the endorsed Bentleigh Structure Plan?

Response:

Yes, I can confirm that there it is still Council's intention to commit to new open space on Godfrey Street as outlined in the adopted Bentleigh Structure Plan.

12. Anne Kilpatrick on behalf of the Glen Eira Historical Society – Caulfield

- a) PLEASE ADVISE how and when Glen Eira Planning Scheme's mapping for HO59 Glenmoore (1 St Georges Road Elsternwick) will be urgently corrected to accurately reflect the current Significance Statement and associated map authored by Andrew Ward. His map shows these grounds extending to the wall, rear of the tennis court, but has translated to the Glen Eira Planning Scheme's map so that the part of the grounds covering the tennis court to the rear wall is incorrectly excluded. Councillors voted unanimously to amend this and other matters in the Heritage Review of Elsternwick Structure Plan Area 2019 at Council's meeting of 17/12/2019. Urgency relates to the current Planning Application for 10-16 Selwyn Street Elsternwick.
- b) WE ALSO ASK why this issue is not included in the report for item 8.1 asking Councillors to decide on Planning Application GE/DP34187/2021 at 10-16 Selwyn Street given setbacks from HO59 are an issue?

Response:

- a) The Minister for Planning is required to authorise planning scheme amendments, including ones that correct errors. The Department of Environment, Land, Water and Planning has informed Council staff the Minister is unlikely to authorise this request until a planning scheme amendment to implement the Elsternwick Structure Plan is commenced. Based on Council's work plan, this is likely to occur in approximately two years.
- b) The officer recommendation for Item 8.1 considers the proposal to have an acceptable relationship to the Glenmoore property inclusive of the tennis court and considers that the proposal would not unreasonably impact upon the significance of the heritage place.
-

8. OFFICER REPORTS (AS LISTED)

8.1 10-16 SELWYN STREET, ELSTERNWICK

Moved: Cr Zmood**Seconded: Cr Parasol**

That Council issues a Notice of Decision to Refuse to Grant a Permit for Application No. GE/DP-34187/2021 at 10-16 Selwyn Street, Elsternwick, for:

- The partial demolition and removal of a building under Clause 43.0-1 of the Heritage Overlay;
- The construction of a building or the construction or carrying out works under Clause 43.0-1 of the Heritage Overlay and under Clause 43.02-2 of the Design and Development Overlay;
- The construction of two or more dwellings on a lot under Clause 32.04-9 of the Mixed Use Zone;
- The construction and display of a sign under Clause 43.01-1 of the Heritage Overlay and Clause 52.05 of Signs;
- The use of the land for a supermarket and place of assembly under Clause 32.04-6 of the Mixed Use Zone; and
- The use of the land for the sale of packaged liquor under Clause 52.27 of Licensed premises.

on the following grounds:

Reasons for refusal

1. The scale and setbacks of the southern tower will appear overly dominant from Glen Huntly Road and will not adequately respect the low scale character and heritage character of the commercial premises along Glen Huntly Road. The proposal is contrary to Schedule 10 to the Design and Development Overlay at Clause 43.02, Clause 15.01-1S (Urban design), Clause 15.01-1R (Urban design – Metropolitan Melbourne), Clause 15.01-1S (Building design), Clause 15.01-5S (Neighbourhood character), Clause 22.05 (Urban Villages Policy) and Clause 58.02-1 (Urban Context) of the Glen Eira Planning Scheme.
2. The southern tower does not appropriately respond to the design objectives, design criteria or decision guidelines of Schedule 10 to the Design and Development Overlay at Clause 43.02 of the Glen Eira Planning Scheme.
3. The scale and design of the southern tower fails to conserve or enhance the significance of the Elsternwick Estate and environs heritage precinct and will adversely affect the significance of the heritage place contrary to Clause 43.01 (Heritage Overlay), Clause 15.01-1S (Heritage conservation), Clause 21.10-2 (Heritage), and Clause 22.01 (Heritage Policy) of the Glen Eira Planning Scheme.
4. The design of the vehicle egress from the basement car park will enable significant traffic movements along Selwyn Street and through the cultural precinct. This will compromise the role of Selwyn Street as a cultural precinct and its pedestrian amenity. It will also result in increased traffic distribution within local streets to the north of the subject land to the detriment of residential amenity.

CARRIED UNANIMOUSLY

It is recorded that Cr Esakoff declared a General Conflict of Interest under section 129 of the Local Government Act 2020, given there is a person known to her who is involved with this application.

It is recorded that Cr Esakoff left the virtual meeting at 8.41pm prior to any discussion on this matter.

The Deputy Mayor, Cr Magee took the Chair for consideration of this item.

8.2 380 HAWTHORN ROAD, CAULFIELD SOUTH

Moved: Cr Zmood

Seconded: Cr Zyngier

1. That Council resolves to support the amended plans and changes to the planning permit conditions that are the subject of Application for Review P594/2021 at the Victorian Civil and Administrative Tribunal (VCAT) in relation to Planning Permit GE/DP-33027/2019 for the land at 380 Hawthorn Road, Caulfield South, subject to the changes to conditions set out below.
2. That Council resolves to authorise officers to agree minor variations to the permit and plans that do not change the intent of the resolved position, so as to enable a settlement to be reached at the VCAT Compulsory Conference scheduled for 17 August 2021.
3. That the conditions of the Planning Permit be amended and deleted as follows:

Condition 1 of the Permit deleted in its entirety and replaced with a new Condition 1 as follows:

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 Drawing No's. TP02-TP03, TP103-TP112, TP201-TP204 and TP301-TP304, all Revision E and dated 1 March 2021; and TP205 and TP206, Revision B, dated 1 March 2021 and all prepared by Armsby Architects but modified to show:

- (a) The internal storage areas for Apartment L101 included in the storage schedule on TP03; and
- (b) Overlooking measures for the balconies of Apartment's L201 and L202 to limit overlooking impacts to the secluded private open space area of Apartment L101.

Condition 7 of the Permit reworded as follows:

Concurrent with the endorsement of any plans pursuant to Condition 1, a Sustainability Management Plan (SMP), generally in accordance with the Sustainable Management Plan prepped by GIW Environmental Solutions Pty Ltd and dated ~~14 August 2019~~ **16 September 2020**, must be submitted to the Responsible Authority for approval.

The report must address Environmentally Sustainable Development (ESD) principles proposed for the site including, but not limited to, energy efficiency, stormwater collection (including the provision of water tanks) and reuse on the site for toilet flushing within the commercial toilets and for garden irrigation (note that Stormwater management must satisfy the requirements of Clause 53.18 of the Glen Eira Planning Scheme), and waste management and building materials. Any recommended changes to the building must be incorporated into the plans required by Condition 1.

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

Remaining conditions to remain unaltered.

CARRIED UNANIMOUSLY

It is recorded that Cr Esakoff left the virtual meeting prior to item 8.2 and was not present when this item was considered. It is further recorded that Cr Esakoff re-entered the virtual meeting at 8.44pm and resumed as Chair of the meeting.

It is recorded that Cr Parasol declared a Material Conflict of Interest given he is a part owner of this property.

It is recorded that Cr Parasol left the virtual meeting at 8.45pm prior to any discussion on this matter.

8.3 271 KOOYONG ROAD, ELSTERNWICK

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

That Council approves an extension to Planning Permit GE/DP-32718/2019 at 271 Kooyong Road, Elsternwick. The development must now be commenced by 21 October 2023, and the development completed by 21 October 2025.

CARRIED UNANIMOUSLY

It is recorded that Cr Parasol left the virtual meeting prior to item 8.3 and was not present when this item was considered. It is further recorded that Cr Parasol re-entered the virtual meeting at 8.47pm.

8.4 VCAT WATCH

Moved: Cr Cade**Seconded: Cr Parasol**

That Council notes the update on VCAT matters.

CARRIED UNANIMOUSLY

8.5 MULTI DECK CAR PARK UPDATE

Moved: Cr Athanasopoulos**Seconded: Cr Zyngier**

That Council initiates a process of community engagement regarding whether Council should participate in delivering projects under the Federal Government's Urban Congestion Fund. The consultation is to, as a minimum:

1. Close the loop on the 2019 consultation regarding proposed multi-deck commuter car park sites in Elsternwick and Bentleigh;
2. Outline what Council is now considering with regard to potential multi-deck commuter car park sites in Elsternwick and Bentleigh and seek community views and input;
3. Provide clarity regarding the source of the funding and why Council thinks it is important to test the community's appetite regarding whether the funding should be accepted or not;
4. Seek community feedback / views on the relative priority of other congestion busting initiatives such as protected bike pathways, safe cycling zones around schools, on-call shuttle buses to take commuters to train stations, and repair of footpaths to inform a further application to the Federal Government for funding under the Urban Congestion Fund.

The detailed design of the consultation, including questions to be asked, must be presented to Councillors at an Assembly meeting before consultation commences.

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

That Council grants a 5 minute extension of speaking time to Cr Athanasopoulos.

For the Motion: Crs Athanasopoulos, Esakoff, Magee, Cade, Pilling, Zhang and Zyngier (7)

Against the Motion: Crs Parasol and Zmood (2)

CARRIED

The Motion Moved by Cr Athanasopoulos and Seconded by Cr Zyngier was

CARRIED UNANIMOUSLY

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

That Council extends the meeting to conclude at 11pm.

CARRIED UNANIMOUSLY

It is recorded that Cr Athanasopoulos left the virtual meeting at 9.38pm and did not return to the meeting.

8.6 CAULFIELD RACECOURSE RESERVE - HERITAGE REVIEW AND AMENDMENT

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

That Council:

1. endorses the *Lovell Chen Conservation Management Plan 2019 and Incorporated Plan - Caulfield Racecourse Reserve: Conservation Policy and Permit Exemptions July 2021*;
2. endorses the amendment documentation prepared for Amendment C227glen for the purpose of seeking authorisation and public exhibition;
3. seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C227glen to apply a permanent Heritage Overlay to Caulfield Racecourse;
4. authorises the Manager of City Futures to apply to the Minister for Planning for interim heritage protection;
5. authorises the Manager of City Futures to undertake minor changes to the Amendment for permanent and interim controls, 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; and
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

8.7 COMMUNITY GRANTS RECOMMENDATIONS 2021-2022

Moved: Cr Cade**Seconded: Cr Parasol**

That Council endorses:

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

CARRIED UNANIMOUSLY

It is recorded that Cr Zmood declared a General Conflict of Interest in part 3 of item 8.7 given a family member is on the committee of one of the recommended grant recipients.

It is recorded that Cr Zmood left the virtual meeting at 9.46pm prior to any discussion on this matter.

Moved: Cr Cade**Seconded: Cr Parasol**

That Council:

3. endorses the community grants for B'nai B'rith as detailed in Attachment Three to this report.

CARRIED UNANIMOUSLY

It is recorded that Cr Zmood left the virtual meeting prior to Part 3 of Item 8.7 and was not present when this item was considered.

It is further recorded that Cr Zmood re-entered the virtual meeting at 9.47pm.

8.8 INCLUSION OF 18 TREES IN THE CLASSIFIED TREE REGISTER

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

That Council:

1. includes the following trees in the Classified Tree Register:
 - a) Sydney Blue Gum (*Eucalyptus saligna*) located at 1 Lorne St, Caulfield East – 14/CTR/2020;
 - b) Spotted Gum (*Corymbia maculata*) located at 7 Blair St, Bentleigh – 29/CTR/2020;
 - c) Red Flowering Gum (*Corymbia ficifolia*) located at 9 Denver Cr, Elsternwick 20/CTR/2020;
 - d) Narrow-leaved Black Peppermint (*Eucalyptus nicholii*) located at 3 Bertram St Elsternwick – 51/CTR/2020;
 - e) Southern Mahogany (*Eucalyptus botryooides*) located at 10 Graceburn Av, Carnegie – 116/CTR/2021;
 - f) Rose Gum (*Eucalyptus grandis*) located at 10 Graceburn Av, Carnegie – 21/CTR/2020;
 - g) Candlebark (*Eucalyptus rubida*) located at 10 Graceburn Av, Carnegie – 132/CTR/2021;
 - h) River Red Gum 1 of 12 (*Eucalyptus camaldulensis*) located at Carnegie Railway Precinct; alongside 75 Blackwood St, Carnegie – 46/CTR/2020;
 - i) River Red Gums 2-4 of 12 (*Eucalyptus camaldulensis*) located at Carnegie Railway Station Carpark, Carnegie – 46/CTR/2020;
 - j) River Red Gums 5-12 of 12 (*Eucalyptus camaldulensis*) located at Carnegie Railway Precinct; Woorayl Street Reserve, Carnegie – 46/CTR/2020
2. notifies each person who nominated a tree detailed in this report;
3. notifies all relevant landholders of the trees detailed in this report; and
4. authorises a notice to be published in the Victorian Government Gazette of the decision to include the trees outlined in his report in the Classified Tree Register.

CARRIED UNANIMOUSLY

8.9 PROPERTY STRATEGY

Moved: Cr Zyngier**Seconded: Cr Magee**

That Council:

1. adopts the Glen Eira Property Strategy (Attachment 1 to this report) with the inclusion of the following change;

Section 3. Guiding Principles to include the following dot point:

- **External consultation**, when applicable will be in line with Council's Community Engagement Policy to ensure the best possible outcome for the community; and
2. notes that officers will report back to Council after 12 months to provide an update on the Year 1 actions outlined in the 5 Year Action Plan to implement the Property Strategy.

CARRIED UNANIMOUSLY

8.10 COUNCIL PLAN 2021-2025 - DRAFT FOR COMMUNITY CONSULTATION

Moved: Cr Esakoff**Seconded: Cr Zmood**

That Council endorses the draft Council Plan 2021-2025 for the purposes of community engagement between 11 August 2021 and 30 September 2021.

CARRIED UNANIMOUSLY

It is recorded Cr Zyngier left the virtual meeting at 10.02pm.

8.11 DRAFT COMMUNITY WELLBEING PLAN 2021-2025

Moved: Cr Esakoff**Seconded: Cr Cade**

That Council approves the release of the draft *Community Wellbeing Plan 2021-2025* for a final period of community engagement commencing 11 August 2021.

It is recorded Cr Zhang left the virtual meeting at 10.03pm and re-entered at 10.04pm.

It is further recorded that Cr Zyngier re-entered the virtual meeting at 10.05pm.

CARRIED UNANIMOUSLY

8.12 TENDER 2021.94 HIRE AND INSTALLATION OF EVENT INFRASTRUCTURE AND EQUIPMENT

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

That Council:

1. appoints Harry the Hirer Pty Ltd, A.C.N. 638 036 423 as panel contractor under Tender number 2021.94 in accordance with the Schedule of Rates submitted;
2. appoints No Fuss Events Pty Ltd, A.C.N. 006 077 649 as panel contractor under Tender number 2021.94 in accordance with the Schedule of Rates submitted;
3. prepares the contracts in accordance with the Conditions of Contract included in the tender;
4. authorises the CEO to execute the contracts on Council's behalf;
5. notes the attachments to the report remain confidential in accordance with section 3(1)(g) and section 66(5) of the *Local Government Act 2020* or until Council resolves otherwise; and
6. authorises Council officers to disclose any confidential information in relation to this item, but only to the extent necessary to give effect to the resolution.

CARRIED UNANIMOUSLY

**8.13 DISCONTINUANCE AND SALE OF ROAD ADJOINING 7 PORTER ROAD
CARNEGIE**

Moved: Cr Cade**Seconded: Cr Zhang**

That Council:

1. resolves that statutory procedures be commenced pursuant to section 206 clause 3 of Schedule 10 to the *Local Government Act 1989* to discontinue and sell the 4.61m to 4.63m wide section of road adjoining the front of 7 Porter Street, Carnegie, shown hatched in Attachment 1, and pursuant to section 114 of the *Local Government Act 2020* to sell the land from the road;
2. gives public notice under section 223 of the *Local Government Act 1989* and section 114 of the *Local Government Act 2020* in both the Age newspaper and Council's website of the intention to discontinue the road and sell the land to the adjoining property owner at 7 Porter Road, Carnegie, by private treaty in accordance with Council policy;
3. writes to all adjoining property owners and occupiers informing them of the proposal and providing a copy of the public notice.
4. resolves that, in the event that no submissions are received, a further report be presented to the Council for a decision whether to discontinue and sell the road, part of the road or not to discontinue and sell the road.
5. resolves that in the event that submissions are received, that Council considers the submissions at an Ordinary meeting of Council, including hearing of any submitters who requested to be heard as part of their submission and then determine whether to discontinue and sell the road, part of the road or not to discontinue and sell the road.

CARRIED UNANIMOUSLY

8.14 DELEGATION REPORT - JANUARY 2021 TO JUNE 2021

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

That Council notes the summary of Contracts entered into in accordance with the Instrument of Sub- Delegation to the CEO.

CARRIED UNANIMOUSLY

9. URGENT BUSINESS - NIL**10. ORDINARY BUSINESS****10.1 Requests for reports from a member of Council staff****10.1.1 Commuter Car Parks****Moved: Cr Zyngier****Seconded: Cr Pilling**

That Council receives a report as follows:

What does the research evidence indicate about the efficacy of commuter car parks reducing road congestion in general but in particular in the City of Glen Eira?

For the Motion: Crs Magee, Pilling and Zyngier (3)

Against the Motion: Crs Esakoff, Cade, Parasol, Zhang and Zmood (5)

LOST

10.2 Right of reply - Nil**10.3 Notice of Motion - Nil****10.4 Councillor questions - Nil****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 10.21pm.

Confirmed this 31st day of August 2021

Chairperson.....