MINUTES

of the ORDINARY MEETING of the STONNINGTON CITY COUNCIL
held in the COUNCIL CHAMBER, MALVERN TOWN HALL
(CORNER GLENFERRIE ROAD & HIGH STREET, MALVERN)
on
25 June 2018
A. READING OF THE RECONCILIATION STATEMENT AND PRAYER

B. APOLOGIES

C. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S) IN ACCORDANCE WITH SECTION 63 OF THE ACT AND CLAUSE 423 OF GENERAL LOCAL LAW 2008 (No 1)

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D. DISCLOSURE BY COUNCILLORS OF ANY CONFLICTS OF INTEREST IN ACCORDANCE WITH SECTION 79 OF THE ACT

E. QUESTIONS TO COUNCIL FROM MEMBERS OF THE PUBLIC

F. CORRESPONDENCE – (ONLY IF RELATED TO COUNCIL BUSINESS)

G. QUESTIONS TO COUNCIL OFFICERS FROM COUNCILLORS

H. TABLING OF PETITIONS AND JOINT LETTERS

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J. REPORTS OF SPECIAL AND OTHER COMMITTEES

K. REPORTS BY DELEGATES

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O. CONFIDENTIAL BUSINESS
PRESENT : CR STEVEN STEFANOPoulos, MAYOR
: CR GLEN ATWELL
: CR MARCIA GRIFFIN
: CR JOHN CHANDLER
: CR JUDY HINDLE
: CR MELINA SEHR
: CR JAMI KLISARIS

COUNCIL OFFICERS PRESENT
: WARREN ROBERTS, CEO
: GEOFF COCKRAM
: SIMON THOMAS
: STUART DRAFFIN
: CATH HARROD
: ALEXANDRA KASTANIOTIS
: FABIENNE THEWLIS
A. Reading Of The Reconciliation Statement And Prayer

Fabienne Thewlis, Manager Governance & Corporate Support, read the following reconciliation statement:

We acknowledge that we are meeting on the traditional land of the Boonwurrung and Wurundjeri people and offer our respects to the elders past and present. We recognise and respect the cultural heritage of this land.

The meeting began with a prayer at 7.01pm.

The Mayor Cr Stefanopoulos read the following Affirmation Statement:

We are reminded that as Councillors, we are bound by our Oath of Office to undertake the duties of Councillor in the best interests of the people of the City of Stonnington and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act and any other relevant Act.

The Mayor Cr Stefanopoulos introduced the Councillors and Chief Executive Officer Warren Roberts. Mr Roberts then introduced the Council Officers.

B. Apologies

The Mayor Cr Stefanopoulos noted that Crs Davis and Koce had already submitted apologies and been granted leave of absence for this meeting.

PROCEDURAL MOTION: MOVED CR MELINA SEHR SECONDED CR MARCIA GRIFFIN

That the apology received from Cr Chandler for non-attendance at the Council Meeting of 9 July 2018 be accepted and leave of absence granted.

Carried

C. Adoption And Confirmation Of Minutes Of Previous Meeting(S) In Accordance With Section 63 Of The Act And Clause 423 Of General Local Law 2008 (No 1)

1. Council Meeting - 4 June 2018

PROCEDURAL MOTION: MOVED CR MARCIA GRIFFIN SECONDED CR MELINA SEHR

That the Council confirms the Minutes of the Council Meeting of the Stonnington City Council held on 4 June 2018 and the Confidential Minutes of the Council Meeting of the Stonnington City Council held on 4 June 2018 as an accurate record of the proceedings.

Carried

D. Disclosure by Councillors of any conflicts of interest in accordance with Section 79 of the Act

Nil
E. Questions to Council from Members of the Public

During Council’s previous Ordinary Meeting two (2) set of Questions of Council were submitted.

The first set of questions relate to why is the multipurpose sport and recreation facility: appointment of principal design consultant and multipurpose sport and recreation facility Percy Treyvaud Park stakeholder group being considered under confidential business at tonight’s Council meeting. Please reference the specific sections of the Local Government Act that apply and can residents have any confidence in the transparency of Council in this regard.

The second set of questions relate to a request to place a heritage protection order on the property at 364B Toorak Road, South Yarra to protect it from demolition.

At the time, I used my discretion available to me under Council’s General Local Law to answer the question at the meeting. As required under the Local Law, written answers were subsequently provided to the submitter. A copy of the response is now tabled for inclusion in the minutes of this meeting.

For tonight’s Ordinary Meeting of Council one (1) set of Questions to Council have been received for response. In accordance with current Clause 424 (new clause 50(3)(b) from 20/7/18) of Council’s General Local Law a summary of the questions are as follows:

Five questions (5) from Ms Miller
The questions relate to concern regarding Council’s recent revised decision to install 2 hour parking restrictions at the Wattletree Road end of Sutherland Road.

Council will answer the questions, but I use my discretion under current Clause 424 (3) (b) (new Clause 50 (3) (b) from 20/7/18) of the Local Law to not provide the responses this evening but to provide written responses to the submitters within 14 working days and the responses will be put into the minutes of the following meeting.

F. Correspondence – (only if related to council business)

Cr Griffin tabled the following correspondence:

- Email chain to/from Council from a number of residents of Monaro Road Kooyong regarding dangerous gum trees and potential liability to Council from them and asking that tree be removed due to constant danger from falling tree branches.
- Email from resident of Albany Road regarding speed of traffic in Albany Road Toorak, requesting traffic lights for intersection at end of street (Malvern Road) and also asking for a clearway on Glenferrie Rd from Toorak Road to Kooyong railway station for morning peak.
- Email from local resident and user regarding the condition of the oval ‘sunken area’ at Victoria Gardens that it is in poor condition and asking that this be looked at.
- Email from long term resident of Fawkner Street South Yarra regarding the poor pedestrian access to Prahran Market in a number of points and suggesting options for improvement.
- Email from Toorak Road traders Association regarding the Toorak Road South Yarra Sculpture locations and overview asking that Council approve installations as outlined.
- Email from local resident suggesting that Council employ officers to patrol and check ordinary household rubbish bins when out for collection to ensure that they are recycling etc properly and if not, tape bin lids and not collect plus add fines to correct actions.
• Email from resident advising that there is no street rubbish bins in Chapel Street from Como at Toorak Rd to Malcolm Street with resulting street litter so can Council please install such bins.
• Email from resident of area regarding safety issues and parking around Toorak Station and asking for further parking restrictions.
• Email from property owner outlining the cost of parking fines on the Gold Coast which far exceed those at Stonnington and suggesting that they be increased at Stonnington and funds put to street beautification

Cr Chandler tabled the following correspondence:
• Letter from Chapel Street Precinct Traders Association Board regarding the Cato Square development and making suggestions on how to entice people back to the area and the carpark promotion and long term parking fees.
• Twelve emails supporting the trial closure of Victoria Terrace South Yarra
• Nine emails or letters of objection to planning application at 41 Mathoura Road Toorak.

Cr Atwell tabled the following correspondence:
• Email from resident of Beaver Street Malvern noting that there are now more dogs off leads on paths and lawns at Central Park and surrounding footpaths, with signage too small and more dog fouling not being cleaned up –advises that this needs attention and patrols.

Cr Hindle tabled the following correspondence:
• Email from interested resident looking for opportunity to be a reading volunteer at the Libraries and providing copy of Literacy Inc Annual Report. Cr Hindle noted she would ask a Question of Officers shortly.
• Two emails objecting to planning application for 1 Maddock Street Windsor
• An email objecting to planning application for 45 Washington Avenue Malvern East

G. Questions to Council Officers from Councillors

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<th>1. Volunteer Register</th>
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<td>Cr Hindle spoke to her tabled email about person keen to be a volunteer such as for library reading and asked how the community register is proceeding. The Acting General Manager Community and Culture Cath Harrod advised that report is progressing and Officers are looking at what other Councils are doing, with a report to come to Council end of July. She further noted that the MCH service does have connection with the Library through their Mother Goose reading program that has volunteers assisting.</td>
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<th>2. Through Traffic Minimisation</th>
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<td>Cr Griffin asked how the report she has requested on through traffic minimisation was proceeding?</td>
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The General Manager Assets and Services Simon Thomas advised that this is a big body of work with the first stage completed and now looking at various points raised from this work with report coming to Council later in the year.

3. **Up-Lighting of Trees**

Cr Griffin asked how the report that she has requested on the up-lighting of trees was proceeding?

The General Manager Assets and Services Simon Thomas advised that the audit is well under way and is expected to be completed by the end of July with a report to come to Council in August. He noted that $50K has been provided in the 2018/19 budget for this program.

H. **Tabling of Petitions and Joint Letters**

Nil

I. **Notices of Motion**

Nil

J. **Reports of Special and Other Committees**

The CEO Warren Roberts tabled the following Assembly of Councillors Records:

- Multipurpose Sport and Recreation Facility – Percy Treyvaud Memorial Park – Stakeholder Meeting No 1 held on 6 June 2018
- Strategic Communication and Engagement Committee meeting held on 12 June 2018
- Section 223 Hearing and Councillor Briefing held on 12 June 2018

K. **Reports of Delegates**

Cr Griffin reported on her attendance at the recent Australian Local Government Conference in Canberra together with the Mayor Cr Stefanopoulos and the CEO Warren Roberts. Cr Griffin noted a number of points that were discussed:

- Increasing female Councillor numbers
- Drones and how to regulate them
- Bernard Salt spoke on the positive of the increasing populations from migration and absorbing into communities and also the need to support this with economic growth, and Councils need to do more
- New ATO Explorer to help locate new businesses in own municipality
- Recycling and waste concerns
- New technology
- Safety and lighting – new solar lights were demonstrated
- Resilient communities
Volunteers and working to stop isolation
Decrease of 0.5% in Federal grants to Local Government now down to 0.5%

L. General Business

1. **PLANNING APPLICATION - 1132/17 - 364B TOORAK ROAD SOUTH YARRA VIC 3141 - CONSTRUCTION OF A MULTI DWELLING DEVELOPMENT IN A RESIDENTIAL GROWTH ZONE**

   **MOTION:** MOVED CR MARCIA GRIFFIN SECONDED CR JOHN CHANDLER

   That a Notice of Refusal to Grant a Planning Permit No: 1132/17 for the land located at 364B Toorak Road South Yarra be issued under the Stonnington Planning Scheme for construction of a multi dwelling development in a Residential Growth Zone on the following grounds:

   1. The proposed development by virtue of excessive scale and continuous built form constitutes an overdevelopment of the land that fails to respond to the existing or preferred character of the area.

   2. The proposed street setback to Toorak and Hawksburn Roads do not comply with Standard B6 of Clause 55 (ResCode) and do not respect the existing neighbourhood character. In particular, the street setback to Hawksburn Road fails to provide an appropriate transition into the Neighbourhood Residential Zone and there is limited scope to increase this setback due to the car lift.

   3. The proposed design response fails to respect the neighbourhood character of the area and does not comply with the Neighbourhood Character objective (Clause 55.02-1) and the Design detail objective (Clause 55.06-1).

   4. The proposed development will unreasonably impact the amenity of adjoining properties through visual bulk.

   5. The proposed height of the staircase wall along the western boundary does not comply with Standard B18 of Clause 55 (ResCode).

   6. The development fails to provide adequate in ground landscaping along the sensitive southern interface as a result of the basement being built to the boundary.

   7. The proposed use of a car lift is not appropriate and will have a detrimental impact on the operation of Hawksburn Road. The subject site forms one of only two entrances to this residential precinct from a main road. The use of a car lift in this location will result in traffic issues and is not supported.

   Carried
2  **PLANNING APPLICATION 459/17 - 45 WASHINGTON AVENUE, MALVERN EAST - CONSTRUCTION OF TWO DWELLINGS ON A LOT IN THE NEIGHBOURHOOD RESIDENTIAL ZONE AND NEIGHBOURHOOD CHARACTER OVERLAY**

**MOTION:** **MOVED CR GLEN ATWELL  SECONDED CR JAMI KLIKARIS**

That consideration of Planning Application No: 459/17 for the land located at 45 Washington Avenue, Malvern East under the Stonnington Planning Scheme for demolition of the existing dwelling and construction of two dwellings on a lot in the Neighbourhood Residential Zone and Neighbourhood Character Overlay be deferred to the next meeting of Council.

*Carried*

3  **PLANNING APPLICATION 1122/17 - 1 MADDOCK STREET, WINDSOR VIC 3181- PARTIAL DEMOLITION, BUILDING AND WORKS IN AN ACTIVITY CENTRE ZONE, SPECIAL BUILDING OVERLAY AND HERITAGE OVERLAY, A RESTAURANT AND CAFÉ LIQUOR LICENCE AND CAR PARKING DISPENSATION ASSOCIATED WITH RESTAURANT AND OFFICE (AS OF RIGHT USES)**

**MOTION:** **MOVED CR MELINA SEHR  SECONDED CR JUDY HINDLE**

That a Notice of Decision to Grant a Permit be issued under the Stonnington Planning Scheme for Planning Application No: 1122/17 for the land located at 1 Maddock Street, Windsor for partial demolition, building and works in an Activity Centre Zone, Special Building Overlay and Heritage Overlay, a Restaurant and Café Liquor Licence and car parking dispensation associated with Restaurant and Office (as of right uses) subject to the following conditions:

1. Before the commencement of the use and development, one electronic copy of plans drawn to scale and fully dimensioned, must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the application plans known as Drawing No's A-01 to A-20 (Council date stamped 23 March 2018) but amended to show:
   a) At basement level, annotations to be included, stating that the commercial kitchen provides exclusive use associated with the ground floor restaurant
   b) The ground floor redline plan to be updated, encompassing all licensed areas, stating that the use of this level as a restaurant, depicting the seating arrangement (i.e. tables and chairs) and the number of patrons
   c) The ground floor entry/exit door (between the outdoor dining and the internal seating) along the northern elevation must be an acoustically treated self-closing door
   d) On the north elevation, the access door between the public car park and the subject site to be deleted; and no access to be provided
   e) On the east elevation, the northermost door to be deleted
   f) A minimum of two bicycle facilities to be shown on the proposed basement floor plan
   g) Any amendments required by Condition 5 (a Waste Management Plan)
   h) Any amendments required by Condition 6 (a Noise and Amenity Action Plan)
i) Any amendments required by Condition 7 (a Sustainable Design Assessment Plan)

j) Any amendments required by Condition 18 and 19 with no subsequent increase in the overall building height

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

3. A maximum overall number of 150 patrons may be housed in the ground floor restaurant at any one time to the satisfaction of the Responsible Authority.

4. Liquor supply associated with the ground floor restaurant hereby permitted must operate only during the following hours:
   - Sunday to Thursday: 7.00am and 11.00pm
   - Friday and Saturday: 7.00am and 12.00am (the following day)

5. Concurrent with the endorsement of plans, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must include:
   a) Dimensions of waste areas.
   b) The location of bin storage on site.
   c) The number of bins to be provided.
   d) Method of waste and recyclables collection.
   e) Hours of waste and recyclables collection.
   f) Method of presentation of bins for waste collection.

When approved, the plan will be endorsed and will then form part of the permit. Waste collection from the development must be in accordance with the plan, to the satisfaction of the Responsible Authority.

6. Prior to the commencement of the use, a Noise and Amenity Action Plan must be submitted to and approved by the Responsible Authority containing the following information:
   a) The identification of all noise sources associated with the licensed premises (including, but not limited to, music noise, external areas allocated for smokers, queuing lines, entries and exits to the premises and courtyards).
   b) Hours of operation for all parts of the premises.
   c) The identification of noise sensitive areas including residential uses and accommodation in close proximity to the licensed premises.
   d) Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.
   e) Details of staffing arrangements including numbers and working hours of all security staff.
   f) Standard procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an authorised officer of the responsible authority or an officer of the liquor licensing authority.
   g) Location of lighting within the boundaries of the site, security lighting outside the licensed premises and any overspill of lighting.
   h) Details of waste management plan including storage and hours of collection for general rubbish and bottles, and delivery times associated with the licensed premises.
i) Details of any measures to work with neighbours or other residents in the immediate area to address complaints and general operational issues.

7. Concurrent with the endorsement of any plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SDA to the satisfaction of the Responsible Authority. The report must include, but not limited to, the following:
   a) Demonstrate how Best Practice measures from each of the 10 key Sustainable Design Categories of Stonnington Council’s Sustainable Design Assessment in the Planning Process (SDAPP) have been addressed
   b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards
   c) Document the means by which the appropriate target or performance is to be achieved
   d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.
   e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.

All works must be undertaken in accordance with the endorsed Sustainability Design Assessment to the satisfaction of the Responsible Authority. No alterations to the Sustainable Design Assessment may occur without written consent of the Responsible Authority.

8. The predominant activity carried out at all times on the licensed premises must be the preparation and serving of meals for consumption on the licensed premises to the satisfaction of the Responsible Authority.

9. Tables and chairs must be placed in position on the licensed premises so as to be available for at least 75% of the patrons attending the premises at any one time, to the satisfaction of the Responsible Authority.

10. Prior to the occupation of the development approved under this permit, a report from the author of the Sustainability Design Assessment, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainability Design Assessment have been implemented in accordance with the approved plan.

11. No live or amplified music may be provided within the food and drink premises (i.e. the ground floor restaurant) hereby approved to the satisfaction of the Responsible Authority.

12. The provision of music on the premises must be limited to background music unless with the written consent of the Responsible Authority.

13. Prior to the commencement of use / occupation of the building, the applicant must display a sign at the exit of the premises advising patrons to respect the
amenity of adjacent residential areas and to leave in a quiet and orderly manner, to the satisfaction of the Responsible Authority.

14. Bottles and rubbish must not be removed from within the premises between the hours of 10pm and 7am the following day.

15. Noise emanating from the subject land must comply with State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, to the satisfaction of the Responsible Authority. Any works required to ensure and maintain the noise levels from the food and drink premises (i.e. ground floor restaurant) are in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.

16. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

17. The collection of wastes and recyclables from the premises (other than normal Stonnington City Council collection) must be in accordance with Council’s General Local Laws.

18. The applicable flood level is 17.11m A.H.D. The floor level must not be lowered below the existing floor level of 17.39m.

19. The proposed basement must be fully protected from the ingress of groundwater and flooding to the existing ground floor level (17.39m A.H.D). No windows, doors, vents or openings shall be located below 17.39m A.H.D.

20. Any poles, service pits or other structures/features on the footpath required to be relocated to facilitate the development must be done so at the cost of the applicant and subject to the relevant authority’s consent.

21. A report for the legal point of discharge must be obtained from Council and a drainage design for the development must be prepared by a suitably qualified Engineer in accordance with that report prior to a building permit being issued. The drainage must be constructed in accordance with the Engineer’s design.

22. The level of the footpaths and/or laneways must not be lowered or altered in any way to facilitate access to the site.

23. Adequate provision must be made for the storage and collection of wastes and recyclables within the site prior to the commencement of use or occupation of the building. This area must be appropriately graded, drained and screened from public view to the satisfaction of the Responsible Authority.

24. All plant and equipment (including air-conditioning units) shall be located or screened so as not to be visible from any of the surrounding footpaths and adjoining properties (including from above) and shall be baffled so as to minimise the emission of unreasonable noise to the environment in accordance with Section 48A of the Environment Protection Act 1970 to the satisfaction of the Responsible Authority.
25. Prior to the occupation of the building/commencement of use, the walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

26. This permit will expire if one of the following circumstances applies:
   a) The development is not started within two years of the date of this permit.
   b) The development is not completed within four years of the date of this permit.
   c) The use is not commenced within five years of the date of this permit.
   d) The use is discontinued for a period of two years or more.

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

Notes
A. This permit is for the use of the land and buildings and works and does not constitute any authority to conduct a business requiring Health Act/Food Act registration without prior approval from the Council's Health Services.

B. This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.

C. Unless a permit is not required under the Stonnington Planning Scheme, signs must not be constructed or displayed without a further planning permit.

D. Background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial level.

E. This property is located in a Heritage Overlay and planning permission may be required to demolish or otherwise externally alter any existing structures. External alterations include paint removal and any other form of decoration and works, but does not include re-painting an already painted surface.

F. This permit does not give any authority to occupy the footpath for trading without prior approval from Council's Local Laws department. A permit must be obtained for footpath trading and it must accord with the relevant Footpath Trading Code.

Carried

4 PLANNING APPLICATION 1015/17- 41 MATHOURA ROAD, TOORAK VIC 3142- CONSTRUCTION OF A MULTI-DWELLING DEVELOPMENT IN A GENERAL RESIDENTIAL ZONE

MOTION: MOVED CR JOHN CHANDLER SECONDED CR MARCIA GRIFFIN

That a Notice of Refusal to Grant a Planning Permit No: 1015/17 for the land located at 41 Mathoura Road, Toorak be issued under the Stonnington Planning Scheme for
construction of a multi-dwelling development in a General Residential Zone on the following grounds:

1. The height and bulk of the building towards the rear of the site is excessive, does not comply with the existing or preferred character of this section of Mathoura Road and is too severe for an incremental change area.

2. The proposal fails to provide an appropriate landscape response as a result of the excessive size of the basement. In particular the development fails to provide an appropriate amount of space for the integration of satisfactory in-ground canopy-tree planting along the front and side setbacks.

3. The proposal will unreasonably impact on the amenity of neighbouring properties through visual bulk and impact on north facing habitable room windows. The proposal does not comply with Standard B17 of Clause 55.04-1 (Side and rear setbacks) and Standard B20 of Clause 55.04-4 (North facing windows) of Clause 55 ResCode.

4. The proposed screening is inadequate to protect adjoining private open space from unreasonable overlooking in an incremental change area.

Carried

5  

PLANNING APPLICATION 1007/16-19-21 TOORAK ROAD, SOUTH YARRA VIC 3141 – CONSTRUCTION OF A FIVE STOREY MIXED USE BUILDING COMPRISING A RESTAURANT, OFFICE/RETAIL AND ONE, THREE BEDROOM DWELLING WITH 11 CAR SPACES PROVIDED VIA STACKERS AT THE REAR OF THE SITE

MOTION: MOVED CR JOHN CHANDLER  SECONDED CR MARCIA GRIFFIN

That a Notice of Refusal be issued under the Stonnington Planning Scheme for Planning Application No: 1007/16 for the land located at 19-21 Toorak Road, South Yarra for the construction of a mixed use development in an Activity Centre Zone and Design and Development Overlay, variations to the design and development requirements of Schedule 1 to the Activity Centre Zone, reduction in the car parking and bicycle parking requirements, and alteration of access to a road in a Road Zone, Category 1, on the following grounds:

1. The proposed building articulation, including the proposed design elements and the finishes and colours, is inappropriate within the site context and does not display an appropriate design quality.

2. The proposed intensification of the laneway for vehicular traffic results in an unacceptable design outcome and will be detrimental to the amenity of the area.

3. The demolition of the existing building and the proposed scale, form and setbacks of the development results in a detrimental impact to the heritage character of Toorak Road.

Carried
6 Hawkesburn Railway Station Precinct - Heritage Investigation

MOTION: MOVED CR John Chandler SECONDED CR Marcia Griffin

That Council:

1. Note the findings of the heritage advice in relation to the boundary of Hawkesburn Railway Station Precinct (HO137) in Attachments 2 and 3.

2. Requests the Minister for Planning prepares and approves Amendment C277 to the Stonnington Planning Scheme in accordance with Section 8(1) (b) and 20(4) of the Planning and Environment Act 1987, to apply interim heritage controls to the properties in Attachment A.

3. Commissions Nigel Lewis Pty Ltd to prepare a revised citation for HO137 to include the additional areas identified in Attachment A.

4. Applies to the Minister for Planning for authorisation to prepare Amendment C278 to the Stonnington Planning Scheme in accordance with Section 9(3) of the Planning and Environment Act 1987 to the properties in Attachment A.

5. Applies to the Minister under section 20 (1) of the Planning and Environment Act 1987 for an exemption from the requirement to give full notice under Section 19 (2) of the Planning and Environment Act 1987 for Amendment C278.

6. Authorises Council Officers to prepare amendment documents for authorisation and exhibition for Amendment C278.

7. Once authorisation is received, notify all prescribed authorities, owners and occupiers of the properties affected of Amendment C277 and Amendment C278.

8. Provide advanced notice to the owners of the properties affected by proposed Amendments C277 and C278 of Council’s resolution.

9. Advises the head petitioner of the petition tabled at Council’s 5 February 2018 Meeting of Council’s decision.

Carried

7 Sustainable Environment Strategy

MOTION: MOVED CR Jami Klisaris SECONDED CR Glen Atwell

That Council:

1. Note the development of the draft Sustainable Environment Strategy 2018-2023.

2. Note the key priority areas and objectives of the draft Sustainable Environment Strategy 2018-2023.

3. Exhibit the draft Sustainable Environment Strategy 2018-2023 for public comment for a period of four (4) weeks, commencing in late June 2018.

Carried
4. Receive a report following the public exhibition period to facilitate the final adoption of the new strategy.

   Carried

8  GARDINER PARK DEVELOPMENT - PROPOSAL TO CONSULT ON PARKING RESTRICTIONS

   MOTION: MOVED CR JAMI KLISARIS SECONDED CR GLEN ATWELL

   That Council:
   1. Consult on installing 2-HOUR parking restrictions operating between 9am and 9pm, 7 days per week on the:
      • East and west side of Edgar Street North;
      • North side of Carroll Crescent between the western boundary of property 37 to the western boundary of property 73-75 abutting residential properties;
      • South and west side of Allaville Avenue.
   2. Consult on modifying the existing 2-HOUR restriction operation time in the west side of Clarke Street, the east side of St Edmonds Grove and the north section of Carroll Crescent (between the western boundary of property 73-75 to the eastern boundary of property 83) to 9am-9pm, 7 days per week.

   Carried

9  BURKE ROAD, GLEN IRIS - BETWEEN MALVERN ROAD AND THE RIGHT-OF-WAY BETWEEN NO’S 281 AND 285 - PARKING PROPOSAL

   MOTION: MOVED CR GLEN ATWELL SECONDED CR JAMI KLISARIS

   That Council:
   1. Install ¼-HOUR parking restrictions operating 9am to 9pm all days from the RoW located between No’s 281 and 285 Burke Road, for 5 marked parking bays to the south;
   2. Install ½-HOUR parking restrictions operating 9am to 9pm all days from the existing MAIL ZONE area for 2 marked parking spaces to the north of the RoW;
   3. Extend the existing ½-HOUR parking closest to Malvern Road to operate 9am to 9pm all days;
   4. Install ½-HOUR parking restrictions operating 9am to 6:30pm in the existing MAIL ZONE area; and
   5. Those previously consulted be notified of the decision.

   Carried

M. Other General Business
   Nil

N. Urgent Business
   Nil
O. Confidential Business

**PROCEDURAL MOTION: MOVED CR JUDY HINDLE SECONDED CR MELINA SEHR**

That the meeting be closed to the public to consider the following matters that are confidential in accordance with Section 89 (2) of the Local Government Act 1989 for the reasons specified:

(7.50pm)

<table>
<thead>
<tr>
<th>Confidential Matter</th>
<th>Reason for Confidentiality</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Citizen of the Year Awards 2018</td>
<td>89 (2)(h) a matter which the Council or special committee considers would prejudice the Council or any person</td>
</tr>
</tbody>
</table>

Carried

**PROCEDURAL MOTION: MOVED CR JOHN CHANDLER SECONDED CR MELINA SEHR**

That the meeting be re-opened to the public. (7.53pm)

Carried

There being no further business the meeting closed at 7.53pm.

Confirmed on Monday 9 July 2018

CR STEVEN STEFANOPOULOS, MAYOR
Memorandum of Heritage Advice
Hawthorn Railway Station Precinct

Consultant heritage advice regarding the potential for extensions to the Heritage Overlay

This memorandum of advice was prepared for the City of Stonnington. It comments on the potential for the Hawthorn Railway Station Precinct to be extended to include additional properties on Hawthorn Road and Toorak Road.

The analysis below draws on site inspections and a review of the relevant heritage studies and documents, including the current citation for the Hawthorn Railway Station Precinct (prepared by this office in 2009); the Prahran Conservation Study (Nigel Lewis, 1993); Prahran Character and Conservation Study (Nigel Lewis, 1992); City of Prahran Conservation Review (Contect Pty Ltd, 1993) and City of Stonnington Car Park Heritage Overlay Car Park Study – Heritage Overlay Projects Panel Report (Bryce Raworth Pty Ltd, March 2009). Reference is also made to the Stonnington Amendment C103 Panel report (March 2010).

We have been asked to comment on whether the Hawthorn Railway Station Precinct (HO137) should be extended to include properties at the northern end of Hawthorn Road. The area identified as a potential precinct extension encompasses 43-53 and 61-79 Hawthorn Road (west side) and 70-76 Hawthorn Road (east side), as well as adjacent properties at 362-370 Toorak Road. In addition to investigating this area, the broader environs of HO137 were inspected with a view to identifying where other extensions to the precinct might be warranted.

The statement of significance for the Hawthorn Railway Station Precinct reads as follows:

What is significant?
The Hawthorn Railway Station Precinct comprises an extensive and substantially intact residential area centred on the Hawthorn Station. Suburban development of the area began with the subdivision of large market gardening allotments from c.1860, gaining momentum with the construction of the Hawthorn Railway Station in 1879 and the subsequent additions of the buildings to Hawthorn House. A range of dwellings from modest cottages to substantial brick/stone service and service allotments were constructed through c.1880s. These largely survive and form significant elements within the context of the Heritage Overlay area. The station buildings were rebuilt to their current form in 1914 and retool and further residential development was undertaken c.1916s on sites left undeveloped through the recession of the 1890s. The rebuild
station. Elevation on retail and residential developments and some internal developments contribute substantially to the significance and the western 1920 diameter of the area. Elements which contribute to the significance of the area include:

- Road layout and allotment patterns reflecting the subdivision of local mansion status and the relationship between topography and status.
- The open landscaped character of the area brought about through broad streets and footpaths, undulating front setbacks and landscape elements both within individual properties and the public realm. Lawns and the general absence of parapery, particularly in areas to the south of the station, contributes to this quality.
- The station buildings and associated platforms and elevated walkways and the streets and forms of its landscaping arising from the 1914 redevelopment.
- Built form from two distinct periods with very little modern infill illustrating development during the boom of the 1880s and the resurgence of development after the economic recession.
- Intimacy of the area to its 1920 state arising from the low proportion of modern infill.
- Intimacy of individual buildings to their original states. Dwelling typology varies with their pre-1880 character which is publicly accessible and decorative detailing. The area is notable for the absence of prominent additions and alterations.
- The consistent, modest scale of the built form. The station, heron groves and substantial individual buildings such as those to the south end of Hawkesbury Road and elsewhere being notable and valued exceptions.
- The detached form of the early dwellings, other than the terrace, with generally uniform (within each streetscape) front setbacks and modest side setbacks.
- Fine brick and render detailing (occasionally overpainted) and verandahs with chimneys, pitched roofs in slate or other like.

How is it significant?
The Hawkesbury Railway Station Precinct is of local historical and aesthetic significance. The station is a significant element at a regional level.

Why is it significant?
The Hawkesbury Railway Station Precinct is of historical significance for its capacity to illustrate the development of early retail and residential areas around a transformation node (Historic Theme: 3.3.3 Speculations and land owners - suburbs from 1880 onwards, 7.1 Serving Local Communities). Local subdivision patterns reflect the development of large allotments and demonstrate the relationship between topography and social status with larger villas also occupying the higher ground near the station and modest cottages built on small, low-lying allotments near the creek (Historic Theme: 3.2.1 Mansion Estates and the Higher Council - Middle Class Estates in P巴拉姆). Buildings stock dates from two distinct periods with no transitional buildings and illustrates the bias in building through the recession to a degree not evident in less intact areas (Historic Theme: 3.5 Recovery and infill 1900-1940). The station, itself, shows the role of the railway in building and encouraging the development of suburbs (Historic Theme: 4.4.2 Developing state railway systems in the late nineteenth century). It is an element of high individual significance and, in combination with similar stations at Terrick and Armidale, also contributes to a historically significant group of stations along the line (Historic Theme: 4.4.3 Twentieth century improvements).

The station is of aesthetic significance for its recognizably typical but unusually intact and legible collection of intact buildings and streetscapes. The station building adapts a domestic expression departing from the polyformal appearances of nineteenth century stations. The character of the station is enhanced by retail groups to the north and south which are of more individual significance and combine to create a broader station precinct. Dwellings in redbrick streetscape around the station typically reflect public builders' domestic designs. While these largely comprise straightforward cottages and villas, a number of buildings of particular note provide additional interest. These include two-storey terraces and villas in Hawkesbury Road. Terraces built in Burren Park Road and Mulroy Street, grand residences such as 1 Hawkesbury Road, 31-33

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www.bryceraworth.com.au
Cromwell Road and 29 Malvern Street and ermite cottages at 55-59 Hawkesburn Road. These buildings adopt a more refined architectural character, beyond that of builders' speculative designs, and contribute to the high quality character of the area. A stronger retail development to the intersection of Lenton and Williams Road is not typical of built form in the area but is of some individual note.

The Hawksburn Railway Station Precinct was first identified as a heritage area in the 1983 City of Prahran Conservation Study. The heritage area at that time included the railway station and properties alongside the railway line generally between Cromwell Road and Williams Road, and was much smaller in extent than the current HO. The 1992 Prahran Character and Conservation Study recommended an addition to the heritage area extending north along Hawksburn Road in the vicinity of Castell Street. This was generally the form that the precinct took when the Heritage Overlay control was first implemented.

The area was re-examined in 2008/2009 as part of a municipal wide gap study of Heritage Overlay precincts undertaken by the office. Several extensions were recommended for the Hawksburn precinct to incorporate streetscapes that shared common patterns of historical development and which also displayed a comparable or higher level of ingenuity to early built form found in the existing HO.

The enlarged HO137 boundary was implemented in 2010 as part of Amendment C103 to the Stonnington Planning Scheme. The C103 Panel was supportive of the changes to the precinct and made the comment that the new boundaries were well defined. The Panel also made observations that are germane to the issue of whether the boundary should be further amended:

With respect to the definition of the boundaries of heritage precincts, we accept that this is an aspect of heritage assessment that cannot be reduced to a scientific or objective or purely quantitative process. It inevitably depends on professional judgment, taking into account the particularity of the grounds on which the precinct is assessed as having heritage significance. The nature of the process of development and re-development of Melbourne’s suburban areas has resulted, inevitably, in somewhat atypical streetscapes and buildings. It is generally reasonable that not all existing buildings in areas such as the City of Stonnington will include some non-heritage buildings and will exclude some that are equivalent to many buildings within it but located in more insulated situations. Of itself, this does not invalidate the proposed precinct boundaries.

On the basis of our recent inspections of the Hawksburn Railway Station precinct, we are satisfied that the current boundary at the northern end of Hawksburn Road remains appropriate. With reference to the C103 Panel comments above, the streetscape outside of the HO does include some buildings of equivalent standard to gabled buildings within the HO. A number of these buildings would nominally be contributory (ie 67, 69, 79, 74 Hawksburn Road & 364, 366-370 Toorak Road) but they are isolated from the more intact sections of Hawksburn Road by non-contributory places.

Furthermore, modern non-contributory buildings within the potential precinct extension exist in broadly equivalent numbers to houses that would be contributory. This can be taken as a measure of the diminished integrity of the streetscape at this point. We note also that the site at 74 Hawksburn Road has a permit for redevelopment (although a demolition request has not been made).

The visually prominent four storey apartments at 70 Hawksburn Road and modern developments on the west side of the street at the intersection of Norman Avenue create a logical endpoint to the precinct. The inclusion of this section of Hawksburn Road in HO137 would not bring about an appreciable improvement in the heritage character of the streetscape. There is likewise little benefit in including the cluster of modern houses at 43-53 Hawksburn Road.
In terms of the Toorak Road interface, this area has been subject to substantial development pressures in recent decades and does not warrant inclusion in a HO. The heritage character of the streetscape at the intersection of Toorak and Hawksburn Roads is likely to be further weakened, noting that the Council having already provided consent to demolish 36A Toorak Road (ie the late-Victorian house on the north-west corner of Hawksburn Road).

Our overall impression of the northern end of Hawksburn Road is of a mixed streetscape – as it reflects a fairly typical condition in this part of the municipality where remnants of Victorian, Edwardian and interwar residential development can be found interspersed among post-war buildings and modern infill.

Recommendations

Having regard for the above, we do not think that a strong enough or compelling enough case can be made to include the northern end of Hawksburn Road in HO137, regardless of whether the Victorian house at 74 Hawksburn Road was retained or demolished. We are satisfied that the boundary of HO137 remains appropriate for other parts of the precinct, aside from recommending a minor extension to take in the properties at 9-19 Hobson Street and 1-11 Howitt Street.

Rationale for precinct extension

The streetscapes comprising 9-19 Hobson Street and 1-11 Howitt Street is exclusively comprised of late-Victorian dwellings (other than the c1930s villa at 1 Howitt Street – which might retain Victorian fabric to its rear). As such, the area demonstrates one of the existing precinct’s key periods of developments. The dwellings in the recommended precinct extension also share many of the contributory attributes listed in the existing statement of significance for HO137, including a general absence of modern infill, the generally uniform front and side setbacks, the consistent modest scale of built form, pitched roofs and face brick or render materiality. Noting this, we do not believe it is necessary to amend the existing statement of significance. That is to say, statement of significance already explains why housing stock in Hobson and Howitt Streets is important and, moreover, a precinct statement of significance is general in nature and does not normally need describe all buildings or streetscapes in detail.

A number of the dwellings in the recommended precinct extension have been altered with original roof cladding and period detailing removed, and this is presumably the reason why these buildings were omitted from the precinct when the boundary was enlarged in 2010. That aside, the legibility of the streetscapes at 9-19 Hobson Street and 1-11 Howitt Street to their late-nineteenth century state has not been unduly compromised by changes to individual buildings. There is an absence of contemporary style infill and no prominent upper storey rear additions. It should be noted, however, that a planning scheme amendment seeking to extend the precinct boundary could be challenged having regard for the comments made by the Amendment C103 Panel that the current extent of HO137 is ‘well defined’.

A map of the recommended precinct extension and schedule of gradings are provided below. Most of the buildings are provisionally graded B as they are largely intact representative (as typical) examples of modest late-Victorian housing. The Victorian dwelling at 17 Hobson Street is less intact and is graded C on account of its façade having been unsympathetically altered with the original verandah and front windows removed. The dwelling at 1 Howitt Street has been graded C because it is typical of the prevailing Victorian character of the streetscape, although it is noted that the precinct’s intactness to a c1920 state is one of its significant attributes.
Recommended Schedule of Grading

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
<th>Grading</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Hobson St</td>
<td>Single-storey Victorian cottage</td>
<td>B</td>
</tr>
<tr>
<td>11 Hobson St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>13 Hobson St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>15 Hobson St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>17 Hobson St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>C</td>
</tr>
<tr>
<td>19 Hobson S</td>
<td>Single-storey Victorian cottage</td>
<td>B</td>
</tr>
<tr>
<td>1 Howitt St</td>
<td>Single-storey 1920s villa (possibly with a Victorian dwelling to the rear)</td>
<td>C</td>
</tr>
<tr>
<td>3 Howitt St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>5 Howitt St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>7 Howitt St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>9 Howitt St</td>
<td>Single-storey Victorian semi-detached cottage</td>
<td>B</td>
</tr>
<tr>
<td>11 Howitt St</td>
<td>Single-storey Victorian cottage</td>
<td>B</td>
</tr>
</tbody>
</table>

Map of recommended extension to the Hawksburn Railway Station Precinct.
MEMORANDUM

To: Kyle Everett City Strategy, City of Stonnington
From: Nigel Lewis

Subject: Hawksburn Railway Station Precinct HO137 extension to Heritage Overlay Precinct

Date: 9 May 2018

1.0 BRIEF

To investigate and provide preliminary advice on whether an extension to HO137 is warranted in relation to the area shown in Figure 1.

Figure 1 Existing HO area in red, areas to be investigated shown with a broken green line

Preliminary verbal advice was provided on 28 April to Council that supported this precinct extension.

This memorandum has been prepared to confirm this advice. The brief also requested the consideration as to whether the proposed demolition of 74 Hawksburn Road and/or 364A Toorak Road would impact on a proposed precinct extension. The brief included the Heritage OIation Report for Hawksburn Railway Station Precinct HO137 (included as Appendix One), a plan entitled 'Attachment 2, Hawksburn - Existing HO extensions (Amendments C102 and C103)', and the Panel Report for Stonnington Planning Scheme Amendments C91, C101, C103, dated March 2010.

The following report outlines the basis for this opinion, including further research.

Hawksburn Railway Station Precinct HO137 extension to Heritage Overlay Precinct
2.0 BACKGROUND

The request for this advice was triggered by residents who tabled a petition to a Council Meeting on the 6 February 2018. The petition requested action from Council to “Save Hawksburn Road from developers – stop 74 Hawksburn Road from demolition into multi-storey apartments there and Toorak Road boundary.”

At a consequence of this, Council has requested a review of the heritage extent in Hawksburn Road as shown on Figure 1, and to investigate whether the boundaries of the Hawksburn Railway Station Precinct HO137 were appropriate, specifically regarding the properties at the northern end of Hawksburn Road.

Previously two planning applications have been approved within the subject areas:
- 74 Hawksburn Road (see Figure 2) has already been issued with a planning permit for a multi-unit development as directed by VCAT in May 2016. Council is yet to receive a demolition request under the Building Act 1993.
- A request for demolition at 364A Toorak Road, South Yarra was received under the Building Act 1993. Council provided consent to the proposed demolition on 8 August 2017.

3.0 PREVIOUS ADDITIONS TO HO 137
(HAWKSURRN RAILWAY STATION PRECINCT)

This summary was provided in the brief for this memorandum.

Prahran Conservation Study
The Hawksburn Railway Station Precinct was first identified in the 1983 Prahran Conservation Study (Nigel Lewis and Associates) and included the railway station and properties alongside the railway line between Cromwell Road and Williams Road.

Prahran Character and Conservation Study
The 1992 Prahran Character and Conservation Study (Nigel Lewis, 1992) recommended an addition to the heritage area extending north along Hawksburn Road in the vicinity of Cassell Street, which was formerly the driveway between “Hawksburn House” and Williams Road.

City of Stonnington Precinct Gap Study
In 2007, Bryoe Raworth Pty Ltd was commissioned to investigate precinct gaps within the Heritage Overlay. The City of Stonnington Gap Study (Heritage Precincts) Interim Report (May 2008) identified potential extensions to a number of precincts, including HO137 the Hawksburn Railway Station Precinct.

Amendment G103
A detailed citation for HO137 was subsequently prepared which recommended extending the precinct (see Attachment 1) The HO137 “Hawksburn, Luxton and Barnsbury Roads Precinct” was extended and re-named ‘Hawksburn Railway Station Precinct’ in August 2010 via Amendment G103. The extensions to the north along Hawksburn Road added six properties on the east side of Hawksburn Road (Nos 68 to 88) and a pocket of three contiguous properties on the west side of Hawksburn Road (Nos 55-56).
Other additions to the north and south of the precinct were also proposed as part of Amendment C103 as shown in Figure 2. The Amendment C103 Panel Report discussed the proposed revision to the precinct boundary.

Figure 2  Part of Amendment C103 map – Existing HO Extensions

Figure 3  Current boundaries of HO137, and related precincts HO 383 Norman Avenue precinct, HO 382 Coolulah and Quamby precinct, and HO140 Como precinct; note Stanhope Court and north end of Hawkesbury Road are located outside any HO precinct

Hawkesbury Railway Station Precinct HO137 extension to Heritage Overlay Precinct
4.0 HISTORY AND DESCRIPTION

In the 1850s Lot 33 was a large allotment located in Gardiners Creek Road (now Toorak Road) that extended to Commercial Road (now Malvern Road) with a boundary on Williams Road. Hawksburn House was built soon after the land was sold in 1851 to a senior public servant James Horatio Nelson Cassell. He was first posted to Van Diemen’s Land in 1836, and first came to work in the Port Phillip district in 1842. A modest single storey villa, it was built above the gully where Hawksburn Creek flowed. It had a formal garden to the east and the main driveway was from Williams Road. A secondary informal road to the north had a bridge over the creek at its midpoint. Cassell died in 1863, but his wife Martha lived until the 1880s.

To the north the large Corio allotment that extended to the Yarra billabong. These allotments were largely wooded as were nearby allotments, when most of Prahran had been cleared. However, the small adjoining allotment at the north-west had been cleared and the current mansion Stanhope was constructed at the north-west corner facing Gardiners Creek Road, also before 1854 when surveyed for the plan prepared by James Kearney. This is shown in the Kearney 1856 Plan Figure 3.

![Figure 4 James Kearney plan surveyed 1854, published 1855](image)

The beginning of the process of subdivision by Martha Cassell is outlined in the heritage citation report for the Coolullah and Quamby Avenues Precinct, HO 382. Martha Cassell ... oversaw the gradual subdivision of their estate. The north-east corner of the lot offered the best land on high ground and was the first to be sold-off. The land further south along the creek had to wait for adequate drainage before subdivision. Between 1858 and 1862, John Pike acquired about 5.5 acres of land with a frontage to Toorak Road, on which he built a large brick dwelling ‘Witterfield’. Martha Cassell had planned to subdivide the rest of her land holding as early as 1873 but was forced to substantially replan to accommodate the Hawksburn railway station, which was built in 1879 on the South Yarra to Caulfield line (3). Around 1880, a residence named

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1 ADB - Cassell, James Horatio Nelson (1814 – 1868 Sydn Stringer)

Hawkesburn Railway Station Precinct HO137 extension to Heritage Overlay Precinct
"Quamby" was built on a 3.75 acre portion of the Cassell Estate, covering present day Quamby Avenue and the northern end of Oban Street. Another large house "Cockullah" was built to the north of Quamby in the late 1880s. Early photographs show it to have been an imposing Victorian Italianate style building with a double storey tangle and circular carriageway (5).

Hawkesburn House had probably lost its rural ambience when the large tract of land was acquired for the railway and station construction. However the land value was greatly enhanced by the adjoining Hawkesburn station. Hawkesburn Road was created about 1880 as part of the subdivision of the remaining northern part of the Hawkesburn House estate owned by Martha Cassell.

Hawkesburn Road entered Toorak Road directly opposite the gate lodge and gates for the driveway to Como which survived until the turn of the century before the land south of Como was subdivided and Como Avenue was created. Hawkesburn Road was located along the alignment of the secondary driveway to Toorak Road. Cassell Street was built at the same time along the location of the formal main driveway to Williams Road, and Oban Street was built to provide access to the new station. The station made the location very desirable for high density residential development, and two storey and single terraces houses were constructed in the new subdivision in the 1880s to create a new minor suburb clustered around the Hawkesburn station. This was almost fully developed by 1896 as shown in the following 1896 MMBW plans.

The better, larger, houses were located on high ground with more modest houses built in flood prone land near the creek. This had been converted into a 7 foot diameter brick drain by 1898. The drainage reserve remains in part as Hawkesburn Close. The subdivision enabled Norman Avenue to be subdivided and developed on vacant land behind Stanhope. This took place shortly after the MMBW plan was prepared.

Figure 5 West side of Hawkesburn Road MMBW Detail plan 970, dated 1896 (SLV)

Figure 6 East side of Hawkesburn Road MMBW Detail plan 971, dated 1896 (SLV)
As noted above, the balance of the Toorak Road and Williams Road frontage of Lot 33 north of the railway had been developed with three large mansion allotments. The two facing Williams Road, Quamby and Coolafah were redeveloped as flat enclaves in the interwar period. In 1945 to the east of Hawkesburn Road, facing Toorak Road, there were two detached houses on standard blocks while further east Winterfield still extended to Williams Road on a huge allotment until the 1950s. With a perimeter planting of large Cypress trees, this was one of the last nineteenth century mansions to survive along Toorak Road. See Figures 6 and 7. By contrast, the 1930s subdivision of Stanhope to the west was comprehensively redeveloped with interwar style flats.

![Figure 7](image_url)

Hawkesburn Road is still defined by the current building stock as a nineteenth century subdivision while the large allotments to the east have been developed for flats in the 1950s and 1960s.

Hawkesburn Road then remained essentially unchanged until the 1960s when four threestorey blocks of flats were constructed. 13 and 24 Hawkesburn Road were built at the south end within the current HO137. They are both painted brick, the former with a hipped tile roof and the other flat steel decking. Another two were built at the north end at 63 and 70 Hawkesburn Road, both in unpainted chocolate coloured brickwork. 13 and 63 are more intrusive due exposed sitting and for 63 to being fully built above ground level car parking.

Some two storey infill developments have taken place since then, but these have had far less impact on the heritage values than these four blocks of flats. Perhaps the most conspicuous in the existing HO137 precinct are the developments located on the south-east and south-west
corners of Oban Street and Cassell Street, as well as the most recent redevelopment of the former shops in Oban Street. Another is the modestly scaled two storey apartment development on the south-west corner of Hawksburn Road and Norman Avenue within the area under review by this Memorandum.

Figure 8: Hawksburn Road Interface with Toorak Road, right to left - 384A, two storey terrace at 386 and single storey pair at 368 and 370

Figure 9: Hawksburn Road Interface with Toorak Road, right to left - 362 and 364A
Figure 10. Looking south down west side of Hawksburn Road from near Norman Avenue intersection – this shows the balustraded corbel of 87 at right, and the grey chimney of the single storey house at 39, both are within HO137 but separated by a streetcape sequence not included in HO137; this view shows continuity of streetcape as seen from this view.

Figure 11. Looking south down east side of Hawksburn Road from near Norman Avenue intersection, all within HO137.
Figure 12. Reverse view to Figure 12 - looking north along east side of Hawksburn Road from near Norman Avenue intersection, showing where HO137 terminates before the flats at 70

Figure 13. Looking north along Hawksburn Road toward Toorak Road showing intact streetscape on west side that is not included in HO137
5.0 HERITAGE ASSESSMENT AND REVIEW OF THE PROPOSED PRECINCT EXTENSIONS

5.1 Development pattern

The existing Hawksburn Railway Station Precinct HO137 in Hawksburn Road does not reflect the historical development of the 1880s–1900s, as outlined above.

The precinct boundaries are inconsistent as they do not include sections at the Toorak Road end with sequences of contributory houses of comparable value to those within the precinct further south. Conversely the existing precinct also includes the two large intrusive 1930s–1960s blocks of flats at the southern end, as well as the more recent intrusive developments at the southern corners of Oban Street and Cassel Street.

The Hawksburn Railway Station Precinct HO137 has a placememal character, with discontinuous sections of streetscapes, especially on the eastern side. Hawksburn Road is experienced as a whole due to the views along it created by the valley in the middle. There is a change in road alignment south the former creek and this emphasises the two storey terrace houses on the west side when seen from the north from near Toorak Road. There is a continuity of nineteenth and early twentieth century houses from one end to the other. The heritage values of Norman Avenue further support this.

The landmark two storey terrace on the eastern corner with Toorak Road and the adjoining single storey pair provides a clear demarcation between the nineteenth and early twentieth century character of Hawksburn Road and the flats built along Toorak Road.

5.2 Areas under review

5.2.1 Southern section 43 – 53 Hawksburn Road

As noted in the Heritage Citation Report, more modest houses were built in the lower section of Hawksburn Road near the old creek. There is still a single storey scale character to most of this section.

The southern section that is not currently included in HO137 lies on the west side between 43 and 53 Hawksburn Road. The low scale has generally been retained with only one main exception. Apart from 45, this group of houses are not contributory. 43 is single storey, 45 is also single storey and has some contributory elements with the parapet, 47 is two storey but set so far back that it makes little impact on the streetscape. 49 has a low two storey scale. Only 51 and 53 have much impact of the heritage values. Taken as a group, it is hard to see why 51, 57 and 59 have been separated from the precinct further south on this side.

The inclusion of this small group of houses within HO137 would help ensure that any redevelopment takes account of the lower overall scale of this group, and help avoid further development of the scale of 51 and 53.

Figure 14: Left to right - 43, 45, 47 with deep setback, 49, and dominant pair at 51 and 53 [Google Maps]
5.2.2 Northern section 61 – 79 and 70 – 76 Hawksburn Road, 362 – 370 Toorak Road

The northern section that is not currently included comprises includes two intrusive 1960s – 1965s blocks of flats at 63 and 70 Hawksburn Road, a similar situation to the existing precinct at the southern end where there are two intrusive 1950s – 1960s blocks of flats.

On the western side of Hawksburn Road the section under review extends north and into Toorak Road to the house at 362. Apart from the flats at 63, the only other non-contributory buildings in this group are at 61 and 65. They are more recent and only two storeys. On the corner with Norman Avenue, 61 has less impact than the new infill on the south-east corner of Cassel Street and Oban Street. To the north of 65 there is a contributory streetscape grouping of 67, 69 and 79 comprising detached single storey villas, with 69, a Federation era villa, and 79, a Victorian villa, being of particular note. This sequence on the west side is terminated by the rear yard of 364A Toorak Road. The values of late nineteenth and early twentieth century single storey houses of Norman Avenue in HO383 are supported by the proximity with this group on the west side. This group also compliments the nineteenth and early twentieth century houses opposite on the east side, including those within HO137 further south.
Figure 17 1960s flats at 63 Hawksburn Road [Google Maps]

Figure 18 1960s flats at 63 and 65A Hawksburn Road [Google Maps]

Figure 19 Looking south down west side of Hawksburn Road toward Norman Avenue
Intersection with 67, 69 and 79 Hawksburn Road at right

Hawkesburn Railway Station Precinct HO137 extension to Heritage Overlay Precinct
The single storey red brick 1896 former doctor’s house at the corner of Hawksburn Road at 364A Toorak Road has the appearance of a much later construction date and demonstrates design innovation, albeit in a low key building form. It had originally been a candidate for the Federation era houses study. It does not face Hawksburn Road and due to its large rear yard does not have such a strong relationship with 67, 69 and 79 to the south of it.
Figure 22. Hawksburn Road interface with Toorak Road - oblique view of 384A

It does share some values through scale, siting and materiality with 362 Toorak Road to the west of it, a gable roofed attic style house. However, as interwar house, 362 has more shared values with the adjoining group of contributory interwar flats that flank Stanthope Court.

On the eastern side of Hawksburn Road HO137 terminates at 68. The section under review extends north and into Toorak Road to the pair at 388 and 370. The 1960s flats at 70 is the only non-contributory building in this group. While it does provide some discontinuity between 88 Hawksburn Road and the houses further north, tree planting has made it more recessive than the 1950s – 60s flats at the south end of Hawksburn Road.

Figure 23. Left to right – flats at 70 Hawksburn Road, part 68 with HO137 [Google Maps]

The pre 1896 villa at 74 is has a very distinctive projecting gable parapet with a striking Elizabethan Revival character, as well as a well proportioned return verandah. It has a deeper setback than the adjoining, substantially intact, Victorian villa at 76.
Figure 24: Contributory streetscape, left to right – two storey terrace house at 308 Toorak Road, Victorian villa at 76, and 74 Hawksburn Road [Google Maps]

Figure 25: Looking south down east side of Hawksburn Road, left to right - 76, 74, the flats at 70, all outside HO 137, and 68 which is located within HO137

Figure 26: Looking south down east side of Hawksburn Road showing how 74 not visible from this view, but 68 within HO137 is visible
In Toorak Road the two storey terrace at 366 and single storey pair at 368 and 370 continues this sequence of contributory houses.

Figure 27. Looking north up the east side of Hawksburn Road, all outside HO 137

Figure 28. Hawksburn Road interface with Toorak Road, right to left, two storey terrace at 366 and single storey pair at 368 and 370, looking down Hawksburn Road
5.3 Intrusive development within HO137

There were two pre-existing intrusive flat developments that dated from the 1950s – 1960s when HO137 was applied. These are equally impactful as the flats at 69 and 70 Hawksburn Road.

In particular, the block of flats at 13 has a major impact and prominence due to larger setback of the adjoining single storey houses on both sides.

Figure 29 Flats at 24 Hawksburn Road, 20 at right (Google Maps)

Figure 30 Flats at 13 Hawksburn Road, setback single storey houses at 11 at left, 15 at right (Google Maps)

More recent developments at the corner of Cassel Street and Oban Street further weaken any argument that the few intrusive developments in the areas under review are fatal to the consideration of the extension of HO137 to include them.
On this basis, the prosed extensions to HO 1367 Hawksburn Railway Station Precinct are justified. The railway station provided the basis for this area being developed.

5.4 Impact of current redevelopment proposals

This opinion still applicable if the potential demolition of either/or both 74 Hawksburn Road and 384A Toorak Road proceed(s).

As 74 Hawksburn Road is set well back, it makes little contribution from oblique views away from the property frontage. The bulk and siting of the flats at 70 Hawksburn Road contain views from the south.

Regarding 384A Toorak Road, this house is not so clearly linked with the streetscapes of Hawksburn Road, as discussed above.

If a heritage overlay was in place, it could help enable the impact of any new development to be managed with respect to siting, height, bulk and design.

6.0 RECOMMENDATIONS

On the basis of the analysis outlined above, it is recommended that these potential precinct extensions to HO137 are applied through a planning scheme amendment.

This memorandum confirms the preliminary verbal advice previously provided to Council on 28 April 2018.

NIGEL LEWIS
9 May 2018
ASSEMBLY OF COUNCILLORS RECORD

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

ASSEMBLY DETAILS:

Date: Wednesday 6th June 2018
Name of Meeting: Multipurpose Sport & Recreation Facility – Percy Treyvaud Memorial Park Stakeholder Meeting #1

Time: 7pm

Assembly Location: Phoenix Park Community Centre, Conference Room 22 Rob Roy Road Malvern East

IN ATTENDANCE:

Councillors:

Cr Glen Atwell (Chair)

Apologies:

Bill Gray (Local Resident)

Council Officers:

Simon Thomas, Rick Kwasek, Tracey Limpens

Stakeholders

Alan Jolly – Chadstone Civic and Recreation Club
Dimitrios Tsinis – Local Trader
Joseph Gianfriddo – Local Resident
Joshua Sheffield – Malvern Valley Primary School
Julie Elliott – Local Resident
Linda Rowland – Prahran Netball Association
Natalie Menchikova – Chadstone Tennis Club
Nigel Maxwell – Chadstone Bowls Club
Noel Fidock – East Malvern Tooronga Cricket Club
Scott Filliponi – Chadstone Lacrosse Club
Wayne Bird – Basketball Victoria

Consultants: Virginia Ross, Tammy Beck

Matter/s Discussed:

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<td>• Purpose and role of the Stakeholder Group.</td>
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<td>• Participants to introduce themselves and who they represent.</td>
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<td>Stakeholder Information Pack</td>
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<td>• Membership&lt;br&gt; • Project Governance&lt;br&gt; • Working Together&lt;br&gt; • Meeting arrangements&lt;br&gt; • Sharing contact details</td>
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<td>3. Principal Design Consultant&lt;br&gt; • Background and experience&lt;br&gt; • Master planning process&lt;br&gt; • Community consultation and engagement&lt;br&gt; • Initial steps&lt;br&gt; • Focus for the next meeting</td>
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<td>4. General Business&lt;br&gt; • Communication&lt;br&gt; • Other matters to be raised</td>
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<td>5. Next Meeting</td>
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**CONFLICT OF INTEREST DISCLOSURES:** including time left and returned to meeting

**Councillors:**

None

**Council Officers:**

None

**Form completed by:** Abbey Marie
ASSEMBLY OF COUNCILLORS RECORD

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

ASSEMBLY DETAILS

STRATEGIC COMMUNICATION & ENGAGEMENT COMMITTEE

Date and Time: Tuesday 12 June 2018, 4.00pm

Assembly Location: Meeting Room 1.1, 311 Glenferrie Road, Malvern

IN ATTENDANCE

Councillors:
Cr Davis
Cr Atwell

Council Officers:
Stuart Draffin, General Manager Planning & Amenity
Vanessa Davis, EA Planning & Amenity
Matt Clear, Manager Communications
Tracey Limpens, Manager API

Matter/s Discussed:
Conflicts of Interest
Communications Audit and Communications and Digital Strategy
Communications Audit discover phase discussion, including in-depth interviews, identification of stakeholders and survey
Communications and Digital Strategy
Other Business

CONFLICT OF INTEREST DISCLOSURES:

Councillors:
None declared

Council Officers:
None declared

Form completed by: Vanessa Davis
ASSEMBLY OF COUNCILLORS RECORD

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

ASSEMBLY DETAILS

Date: Tuesday 12 June 2018
Section 223 Hearing and Councillor Briefing

Time: 6.15pm

Assembly Location: Commenced in Council Chamber Malvern Town Hall then reconvened after Section 223 Hearing to Committee Room, Level 2, 311 Glenferrie Road, Malvern

IN ATTENDANCE

Councillors:
Cr S Stefanopoulos (Mayor)
Cr G Atwell
Cr J Chandler
Cr M Koce (left 8.42pm)
Cr M Sehr (apology)
Cr S Davis

Council Officers:
Warren Roberts (CEO)
Cath Harrod
Ian McLauchlan (6.51pm, left 8.35pm)
Jordan Allan (6.51pm, left 7.21pm)
Stuart Draffin
Geoff Cockram
Susan Price (7.50pm, left 8.20pm)
Simon Holloway (7.50pm, left 8.04pm)

Matter/s Discussed:
1. COUNCILLOR ONLY DISCUSSION
2. PRESENTATION: PRAHRAN MARKET BOARD AND MANAGEMENT PRESENTATION OF ROLLING THREE YEAR VISION
3. 6.45PM SECTION 223 HEARING OF SUBMISSIONS RELATING TO THE PROPOSED CLOSURE TRIAL IN VICTORIA TERRACE, SOUTH YARRA
4. SUSTAINABLE ENVIRONMENT STRATEGY
5. HAWKSBURN RAILWAY STATION PRECINCT - HERITAGE INVESTIGATION
6. GARDINER PARK DEVELOPMENT - PROPOSAL TO CONSULT ON PARKING RESTRICTIONS
7. BURKE ROAD, GLEN IRIS - BETWEEN MALVERN ROAD AND THE RIGHT-OF-WAY - PARKING PROPOSAL
8. PLANNING APPLICATION - 1132/17 - 364B TOORAK ROAD SOUTH YARRA VIC 3141 - CONSTRUCTION OF A MULTI DWELLING DEVELOPMENT IN A RESIDENTIAL GROWTH ZONE
9. PLANNING APPLICATION 459/17 - 45 WASHINGTON AVENUE, MALVERN EAST - CONSTRUCTION OF TWO DWELLINGS ON A LOT IN THE NEIGHBOURHOOD RESIDENTIAL ZONE AND NEIGHBOURHOOD CHARACTER OVERLAY
10. PLANNING APPLICATION 1122/17 - 1 MADDOCK STREET, WINDSOR VIC 3181 - PARTIAL DEMOLITION, BUILDING AND WORKS IN AN ACTIVITY CENTRE ZONE, SPECIAL BUILDING OVERLAY AND HERITAGE OVERLAY, A RESTAURANT AND CAFÉ LIQUOR LICENCE AND CAR PARKING DISPENSATION ASSOCIATED WITH RESTAURANT AND OFFICE (AS OF RIGHT USES)
11. PLANNING APPLICATION 1015/17- 41 MATHOURA ROAD, TOORAK VIC 3142- CONSTRUCTION OF A MULTI-DWELLING DEVELOPMENT IN A GENERAL RESIDENTIAL ZONE
12. **PLANNING APPLICATION 1007/16- 19-21 TOORAK ROAD, SOUTH YARRA VIC 3141 – CONSTRUCTION OF A FIVE STOREY MIXED USE BUILDING COMPRISING A RESTAURANT, OFFICE/RETAIL AND ONE, THREE BEDROOM DWELLING WITH 11 CAR SPACES PROVIDED VIA STACKERS AT THE REAR OF THE SITE**

13. **CONFIDENTIAL - CITIZEN OF THE YEAR AWARDS 2018**

14. **DISCUSSION ON AFFIRMATION STATEMENT FOR COUNCIL MEETING**

**CONFLICT OF INTEREST DISCLOSURES:** including time left and returned to meeting

Councillors:
Nil

Council Officers:
Nil

Form completed by: Fabienne Thewlis