



Ordinary Council Meeting Minutes

Held on Monday 7 September 2020 at 7 pm

**Virtual Meeting via Zoom, Virtual Meeting
via Zoom**



Ordinary Council Meeting Minutes Monday 7 September 2020 Order of Business

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Councillors Present:

Cr Steven Stefanopoulos, Mayor
Cr John Chandler, Deputy Mayor
Cr Glen Atwell
Cr Marcia Griffin
Cr Sally Davis
Cr Judy Hindle
Cr Matthew Koce
Cr Melina Sehr
Cr Jami Klisaris

Council Officers Present:

Jacqui Weatherill
Chris Balfour
Greg Curcio
Stuart Draffin
Cath Harrod
Rick Kwasek
Alexandra Kastaniotis
Bill Warne
Judy Hogan

The meeting began at 7:02pm.

1 Reading of the Reconciliation Statement and Affirmation Statement

Good evening and welcome to the City of Stonnington Council Meeting of Monday 7 September 2020.

I'm Councillor Steve Stefanopoulos, Mayor of the City of Stonnington

These meetings are an important way to ensure that the democratically elected Councillors, work for the community in a fair and transparent manner. Council business is conducted in accordance with Council's General Local Law 2018 and must be open to members of the public in accordance with the Local Government Act 2020. However, as outlined in The Act, Council may decide the meeting, or part thereof, be closed to members of the public, if Confidential Business is to be discussed.

We are committed to doing whatever we can to protect the health and wellbeing of our community, staff and visitors. Due to the unprecedented circumstances arising from the current State of Emergency and State of Disaster due to COVID-19, and on the advice of health experts, we have made the difficult, but necessary decision, to temporarily change the way we run our Council Meeting this evening.

Tonight's Council Meeting has been relocated from the Council Chamber in the Malvern Town Hall, to our respective homes or offices, to ensure that social distancing is observed at all times, and is being broadcast over the internet via our website.

Whilst we have undertaken extensive planning for this virtual on-line meeting, there always remains the risk of technical issues arising beyond our control. If we experience a technical issue tonight, we will adjourn the meeting for a short time to try and resolve the issue. If the issue cannot be resolved and the meeting cannot continue, then we will adjourn to a later date, and details of the future meeting will be made available via our website as soon as possible.

We are working to keep our community safe during the COVID-19 outbreak and are closely monitoring the situation.

In accordance with the Local Government Act, Councillors must formally declare any conflicts of interest in relation to any items listed on the Agenda at the start of the meeting, and immediately prior to the item being considered.

About this Meeting

The Agenda for this meeting, lists all the items to be discussed under 'General Business'. Each report is written by a Council Officer and outlines:

- the purpose of the report;
- relevant information and;
- a recommended decision for Councillors.

Councillors will consider the report and either accept, reject or make amendments to the recommendation. Council decisions are adopted if they receive a majority vote from the Councillors present. The casting vote by the Mayor may only be used if there is an equal division of votes amongst Councillors present.

A Councillor may call for a Division, which will formally record the names of individual Councillors opposing or supporting a motion, and Councillors who are absent or who are abstaining from voting.

Meeting Agenda

To help you follow proceedings, the Meeting Agenda, recommended motions and Councillors' proposed alternate motions (also known as 'yellows'), are displayed on an adjacent screen.

Live Webcasting

Council Meetings are streamed live and recordings are usually available on our website, within 48 hours.

The Mayor, Cr Stefanopoulos 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 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.

2 Introductions

The Mayor, Cr Stefanopoulos introduced his fellow Councillors and the Chief Executive Officer.

For the benefit of those online, I will introduce my fellow Councillors, each of whom will put their hand up as I read their name:

- Deputy Mayor, Cr John Chandler, North Ward
- Cr Melina Sehr, South Ward
- Cr Matthew Koce, North Ward
- Cr Judy Hindle, South Ward
- Cr Jami Klisaris, East Ward
- Cr Marcia Griffin, North Ward
- Cr Sally Davis, East Ward,
- Cr Glen Atwell, East Ward

Ms Jacqui Weatherill, is our Chief Executive Officer for the City of Stonnington.

3 Apologies

There was no apologies for this Council meeting.

4 Adoption and confirmation of minutes of previous meeting(s)

4.1 Minutes of the Ordinary Council Meeting held on 17 August 2020, Minutes of the Confidential Council Meeting held on 17 August 2020, Minutes of the Special Council Meeting held on 31 August 2020

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Marcia Griffin

That the Council confirms the Minutes of the Ordinary Council Meeting of the Stonnington City Council held on 17 August 2020, Minutes of the Confidential Council Meeting of the Stonnington City Council held on 17 August 2020 and Minutes of the Special Council Meeting of the Stonnington City Council held on 31 August 2020 as an accurate record of the proceedings.

Carried

5 Disclosure by Councillors of any conflicts of interest

There was no disclosure by Councillors of any conflicts of interest in the General Business section of the Agenda.

Cr Sehr declared a conflict of interest later in the Council meeting under Urgent Business. Cr Sehr declared a conflict of interest in the item as she resides in the vicinity.

6 Questions to Council from Members of the Public

During Council's previous Council meeting held on 17 August 2020 no Questions to Council were submitted. No Questions to Council have been submitted for this Council meeting.

7 Correspondence (only if related to Council business)

Cr Griffin tabled the following correspondence:

- email from resident regarding query over Council recycling calendar;
- email from resident regarding objection to development at 49-51 Claremont Street, South Yarra
- emails from residents regarding Ferrie open space: Kooyong Park
- email from resident inquiring as to when the Como Cat park seat would be returned to its position at Como Oval

- email from resident concerned about safety and lighting on the pedestrian path Mell Street to Mathoura Road, Toorak
- email from resident expressing concern over a crime/vandalism incident in Evelina Road Toorak
- email from resident regarding River Street, South Yarra
- Email from trader regarding Chapel Street, South Yarra and plans for renewal of the area

Cr Stefanopoulos tabled the following correspondence:

- email from Lauriston Girls' School regarding the proposed development
- email from Rotary Club of Prahran regarding pop up library proposal

8 Questions to Council Officers from Councillors

Cr Koce asked a question regarding the possibility of using vacant business premises for the display of art pieces during Covid

The Chief Executive Officer noted she would take this Question on Notice.

Cr Koce asked a question regarding the current number of Covid cases within Stonnington. Can we confirm that Council is not involved in the mobile CCTV camera's currently operating in Council local parks?

The Chief Executive Officer responded and provided information that this initiative of the Victoria Police.

The Director Covid response noted that the number of Covid cases within Stonnington had decreased.

Cr Davis made a comment regarding the distribution of the Council recycling calendar and noted they are distributed within the community and also advice is on the website.

The Director Environment & Infrastructure responded that advice regarding the recycling calendar went out with the latest InStonnington.

Cr Sehr noted that a resident asked if it was possible to close Chapel Street to all traffic to facilitate outdoor dining? She asked for a report to Councillor Briefing Session on this matter.

The Chief Executive Officer noted that the Director COVID Response was currently investigating overseas experience such as New York and San Diego cities in this area.

Cr Griffin asked the Director Covid Response how many business grants had been applied for?

The Director Covid Response noted that 523 business's had applied for grants and these applications were currently being assessed.

Cr Griffin asked the Director Environment & Infrastructure when then cat sculpture outdoor seat would be returned to Como Oval?

The Director Environment & Infrastructure noted that the outdoor seat was currently under repair with the original artist.

Cr Atwell asked the Director Environment & Infrastructure about the progress on the installation of the basketball ring in the Beaver Street park which had been the subject of a recent petition?

The Director Environment & Infrastructure responded that concept plans were being developed.

Cr Hindle asked Director Environment & Infrastructure who would be consulted about the removal of any car spots in Chapel Street, would local shop owners be consulted and have some say in this process?

The Chief Executive Officer responded that Council would be considering a range of options and each issue would be considered on merit.

9 Tabling of Petitions and Joint Letters

Cr Davis tabled a multi signature letter regarding Grandview Road Glen Iris, permit parking consideration.

PROCEDURAL MOTION:

MOVED: Cr Sally Davis

SECONDED: Cr Jami Klisaris

That the multi signature letter from residents requesting the introduction of parking restrictions in Grandview Road, Glen Iris be received and noted.

Carried

10 Notices of Motion

No Notices of Motion were submitted for this Council meeting.

11 Reports of Special and Other Committees and Informal Meetings of Councillors

11.1 Reports of Committees: IMAP

MOTION:

MOVED: Cr Sally Davis

SECONDED: Cr Melina Sehr

That Council confirms the minutes of the Inner Melbourne Action Plan Implementation Committee (IMAP) meeting held on Friday 12 June 2020.

Carried Lost

The Chief Executive Officer tabled the following Assembly of Councillors records for the following meetings:

- Councillor Briefing Session 24 August 2020
- Planning Consultative Meetings held in August 2020

12 Reports by Delegates

13 Urgent Business

Cr Chandler proposed an item of Urgent Business regarding the proposed development at 70-88 Greville Street Prahran & 42 Charles Street Prahran.

Cr Sehr declared a conflict of interest in this item as she lives in the vicinity of the proposed development. Cr Sehr left the virtual meeting at 7:33pm and was placed in the virtual waiting room.

MOTION:

MOVED: Cr John Chandler

SECONDED: Cr Judy Hindle

That Council move into Urgent Business to discuss a matter.

Carried

MOTION:

MOVED: Cr John Chandler

SECONDED: Cr Judy Hindle

That Council write to The Minister for Planning indicating that:

- 1. Council appreciates and acknowledges the importance and desire to enable economic stimulus via development activity**
- 2. Council is of the view that this should not come at the cost of proper and thorough planning consideration and the democratic processes that are the foundations of the Victorian Planning System (i.e. third party rights of participation and transparency of decision making)**
- 3. Council would welcome and encourage an alternate approach to fast tracking “shovel ready” projects. This can be done by the Government pursuing and enabling a fast tracking of VCAT processes for identified projects. This would address time delays, respect and maintain legitimate third party rights and allow for thorough and proper consideration of the planning merits of proposals by an independent body, thus ensuring transparent, timely and quality outcomes for both immediate economic needs and longer term quality legacies.**

A Division was called by Cr Stefanopoulos

For: Cr Steve Stefanopoulos, Cr John Chandler, Cr Glen Atwell, Cr Jami Klisaris, Cr Judy Hindle, Cr Marcia Griffin, Cr Matthew Koce, Cr Sally Davis

Against: nil

Absent: Cr Sehr

The motion was carried unanimously

Cr Sehr returned from the virtual waiting room to the Council meeting (7:38pm)

14 General Business

14.1 Grattan Street, Prahran - Trial One-Way Traffic Flow - Section 223 Hearing of Submissions

The Mayor, Cr Stefanopoulos made the following statement by way of introduction to the process.

Thank you to the submitters joining us this evening.

We will be hearing each submission relating to Grattan Street Prahran - trial one way traffic flow in the order as listed in the Agenda for tonight's Council Meeting.

Every submitter will be visible to all Councillors, Council Officers and the public watching us live over the internet.

Please assume that your submission has been read by the Councillors, therefore I ask that you keep your submission brief and to the point. Feel free to draw our attention to key issues you wish to highlight. We are here to listen to your submission, but we will not be debating the matter, nor answer any questions posed.

In accordance with the Governance Rules, please ensure that there is no use of defamatory, indecent, offensive, abusive or objectionable language; or the presentation of irrelevant or trivial material, or comments made aimed at embarrassing a Councillor or a member of Council staff.

At the end of your submission, Councillors may wish to ask you a question relating to your submission.

Council will be provided with a report at next Monday's Council Briefing session for discussion and final presentation to the Council Meeting on Monday 21 September 2020.

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Matthew Koce

That Council:

- 1. NOTE the comments provided by the community in response to the consultation on a trial one-way flow southbound in Grattan Street, Prahran.***
- 2. RECEIVE a further report on the proposal to trial 1-way flow southbound in Grattan Street in the next meeting cycle.***

Carried

14.2 Planning Application 1242/16 - 5 Evelina Road, Toorak

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Marcia Griffin

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 1242/16 for the land located at 5 Evelina Road, Toorak under the Stonnington Planning Scheme for partial demolition, buildings and works to a dwelling subject to the following conditions:

- 1. Before the commencement of the development, 1 copy of plans drawn to scale and fully dimensioned, must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the re-advertised plans dated 28 April 2020, but modified to show:***
 - a) The existing tree(s) within the front setback shown to be retained;***
 - b) Demolition plan to confirm the removal of the front fence, crossover and existing car parking space within the front setback;***
 - c) Notations confirming the existing crossover is to be reinstated as kerb and footpath;***
 - d) Remove the notation, "Retain existing street tree if possible". All street trees must be retained;***
 - e) A setback of 5.4 metres for the car space within the front setback;***
 - f) Details of the following restoration works proposed to the original building:***
 - i. Re-tuck point facade brickwork;***
 - ii. Replace verandah tiles with traditional tessellated tiles;***
 - iii. Restore verandah posts and lacework;***
 - iv. Repaint and restore original windows and front door;***

All to the satisfaction of the Responsible Authority.
- 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. 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.***
- 4. The level of the footpaths and/or laneways must not be lowered or altered in any way to facilitate access to the site.***
- 5. The crossover must be constructed to Council's Standard Vehicle Crossover Guidelines unless otherwise approved by the Responsible Authority. Separate consent for crossovers is required from Council's Building and Local Law Unit.***
- 6. Prior to occupation of the building, any existing vehicular crossing made redundant by the building and works hereby permitted must be broken out and re-instated as standard footpath and kerb and channel at the permit holders cost to the approval and satisfaction of the Responsible Authority.***

7. ***Prior to the occupation of the building, the walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.***
8. ***The project must incorporate the Water Sensitive Urban Design initiatives detailed in the endorsed site plan and/or stormwater management report.***
9. ***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.***

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 application was not assessed against the provisions of Clause 54 – One Dwelling on a Lot (ResCode) of the Stonnington Planning Scheme. As such, it is the responsibility of the applicant/owner to appoint a Registered Building Surveyor to determine compliance of the endorsed plans associated with the issue of this Planning Permit against Part 5 of the Building Regulations 2018. Non-compliance with any Regulation under Part 5 will require the report and consent from Council’s Building and Local Law Services Department.***
- 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. ***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.***
- D. ***Nothing in this permit hereby issued shall be construed to allow the removal of, damage to or pruning of a significant tree (including the roots) without the further written approval of Council.***

“Significant Tree” means a tree or palm:

 - a) ***with a trunk circumference of 140 cm or greater measured at 1.4 m above its base;***
 - b) ***with a total circumference of all its trunks of 140 cm or greater measured at 1.4 m above its base;***
 - c) ***with a trunk circumference of 180 cm or greater measured at its base; or***
 - d) ***with a total circumference of all its trunks of 180 cm or greater measured at its base.***

Please contact the Council Arborists on 8290 1333 to ascertain if permission is required for tree removal or pruning or for further information and protection of trees during construction works.
- E. ***Nothing in the permit hereby issued may be construed to allow the removal of, damage to or pruning of any street tree without the further written consent of the***

Stonnington City Council. Contact the Council Arborists on 8290 1333 for further information.

- F. At the permit issue date, Section 69 of the Planning and Environment Act 1987 stated that the Responsible Authority may extend the periods referred to if a request is made in writing within the following timeframes:**
- a) Before or within 6 months after the permit expiry date, where the development allowed by the permit has not yet started; and**
 - b) Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires**

Carried

14.3 Amendment C272ston, Hawksburn Village

MOTION:

MOVED: Cr John Chandler

SECONDED: Cr Judy Hindle

That Council:

- 1. CONSIDERS the Panel report and ADOPTS Amendment C272ston as exhibited with changes (pursuant to Section 29 (1) of the Planning and Environment Act 1987) as shown in Attachment 3.**
- 2. SUBMITS the adopted Amendment C272ston to the Minister for Planning for approval, in accordance with Section 31 (1) of the Planning and Environment Act 1987.**
- 3. AUTHORISE officers to make refinements to the July 2016 version of the Hawksburn Village Structure Plan to provide consistency with the final provisions of Amendment C272ston.**
- 4. ADVISES all submitters of Council's decision in relation to Amendment C272ston.**

Carried

A Division was called by Cr Stefanopoulos}:

For: Cr Steve Stefanopoulos, Cr John Chandler, Cr Jami Klisaris, Cr Judy Hindle, Cr Marcia Griffin, Cr Matthew Koce, Cr Melina Sehr, Cr Sally Davis

Against: nil

Absent:

The motion was carried unanimously

14.4 Ferrie Oval Redevelopment

MOTION:

MOVED: {mover}

SECONDED: {second}

That Council:

- 1. NOTE the previous Council commitment to redevelop Ferrie Oval and surrounds following completion of the Toorak Road Level Crossing Removal Project.**
- 2. NOTE the findings and outcomes of the Ferrie Oval Redevelopment community consultation process, including the online survey results and submission received from local residents.**
- 3. NOTE the floodlighting proposal for Ferrie Oval, including design, configuration and days / hours of operation.**
- 4. ENDORSE the implementation of proposed upgrade works to the oval, shared path network, fencing, landscaping and other open space improvement works.**
- 5. ENDORSE the installation of floodlighting at Ferrie Oval.**

Carried Lost

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Judy Hindle

That Council defer consideration of Ferrie Oval Redevelopment for one Council Meeting cycle.

MOTION:

MOVED: Cr John Chandler

SECONDED: Cr Melina Sehr

That Council:

- 1. NOTE the previous Council commitment to redevelop Ferrie Oval and surrounds following completion of the Toorak Road Level Crossing Removal Project.**
- 2. NOTE the findings and outcomes of the Ferrie Oval Redevelopment community consultation process, including the online survey results and submission received from local residents.**
- 3. NOTE the floodlighting proposal for Ferrie Oval, including design, configuration and days / hours of operation.**
- 4. ENDORSE the implementation of proposed upgrade works to the oval, shared path network, fencing, landscaping and other open space improvement works.**
- 5. ENDORSE the installation of floodlighting at Ferrie Oval.**

Carried Lost

15 Confidential Business

MOTION:

MOVED: Cr Sally Davis

SECONDED: Cr Melina Sehr

{resolution}

Carried Lost

15.1 Reports of Committees: IMAP adoption of confidential minutes

Executive Manager Governance & Integrity: David Taylor

Confidential report is circulated separately under the Local Government Act

This document is confidential information under Section 66 (2) (a) of the Local Government Act 2020. The matter is deemed to be confidential under Section 3 (1) (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies.

There being no further business the meeting closed at 8:42pm.

Confirmed on 5 October 2020.

.....
CR STEVEN STEFANOPOULOS, MAYOR