



Ordinary Council Meeting Agenda

Monday 7 September 2020 at 7 pm

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

Vision

Stonnington will be an inclusive, healthy, creative, sustainable and smart community.

Council's vision will be implemented through four key pillars:

- **Community:** An inclusive City that enhances the health and wellbeing of all residents, where people can feel safe, socially connected and engaged.
- **Liveability:** The most desirable place to live, work and visit.
- **Environment:** A cleaner, safer and better environment for current and future generations to enjoy.
- **Economy:** A City that will grow its premier status as a vibrant, innovative and creative business community.

These pillars reflect the shared priorities of our community and Council, and are consistent with our history and vision for a liveable future. For each pillar, there is a framework for our strategies, actions and measures which outline the key services and projects to be delivered to our community. The Strategic Resource Plan sets out how Council will provide the resources needed to implement strategies and actions within the Council Plan.

Councillors

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

Chief Executive Officer

Jacqui Weatherill

Executive Staff

Chris Balfour – Director Corporate Services
Stuart Draffin – Director Planning & Place
Cath Harrod – Director Covid Response
Rick Kwasek – Director Environment & Infrastructure
Greg Curcio – Director Engagement & Innovation
James Rouse – Acting Director Community & Wellbeing

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.

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.

Welcome

Welcome to a Stonnington City Council meeting. The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. These meetings are an important way to ensure that the democratically elected Councillors work for the community in a fair and transparent way. Council business is conducted in accordance with Part C – Meeting Procedure section of Council’s Governance Rules.

Councillors carry out the functions, powers, authorities and discretions vested with them under the **Local Government Act 2020**, and any other relevant legislation. Councillors impartially perform the Office of Councillor duties, in the best interests of the City of Stonnington residents, to the best of their skills and judgement.

Councillors must formally declare their 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, in accordance with Part 6 – Council integrity, Division 2 – Conflict of Interest of the Act.

About this meeting

The agenda, as specified in Stonnington’s Governance Rules, lists of all the items to be discussed. Each report is written by a Council Officer and outlines the purpose of the report, relevant information and a recommended decision for Councillors. Council 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 at the meeting.

Arrangements to ensure meetings are accessible to the public

Council meetings are generally held at the Malvern Town Hall, corner High Street and Glenferrie Road (entry via Glenferrie Road via the door closest to the Malvern Police Station). The Council Chamber is accessible to all. Accessible toilets are also available. If you require translation, interpreting services or a hearing loop, please contact Council’s civic support on 03 8290 1331 to make appropriate arrangements before the meeting.

To ensure that people in the chamber can follow proceedings, the meeting agenda, motions and proposed alternate resolutions (also known as ‘yellows’), are displayed on a screens.

Live webcasting

Council meetings are broadcast live via Council’s website, allowing those interested to view proceedings without needing to attend the meeting. This gives people who are unable to attend, the ability to view Council decisions and debate. A recording of the meeting is available on our website after the meeting (usually within 48 hours). Only Councillors and Council officers are visible. People in the public gallery will not be filmed, but if you speak, you will be recorded.

Members of the gallery

If you choose to attend a Council Meeting as a member of the public gallery, you should note the role of the Chairperson (usually the Mayor) and your responsibilities under the City of Stonnington Governance Rules – Division 8 – Questions to Council from Members of the Public, Division 12 – Recording of Proceedings and Division 13 Behaviour.

Your cooperation is appreciated. We hope you enjoy the meeting.

Mayor, Deputy Mayor and Councillors, Stonnington City Council

Ordinary Council Meeting Agenda Monday 7 September 2020 Order of Business

1	Reading of the Reconciliation Statement and Affirmation Statement.....	7
2	Introductions.....	7
3	Apologies	7
4	Adoption and confirmation of minutes of previous meeting(s)	7
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	7
5	Disclosure by Councillors of any conflicts of interest.....	8
6	Questions to Council from Members of the Public	8
7	Correspondence (only if related to Council business)	8
8	Questions to Council Officers from Councillors	8
9	Tabling of Petitions and Joint Letters	8
10	Notices of Motion.....	8
11	Reports of Special and Other Committees and Informal Meetings of Councillors	8
11.1	Reports of Committees: IMAP	8
12	Reports by Delegates	10
13	Urgent Business	11
14	General Business	12

14.1 Grattan Street, Prahran - Trial One-Way Traffic Flow - Section 223 Hearing of Submissions	12
14.2 Planning Application 1242/16 - 5 Evelina Road, Toorak	15
14.3 Amendment C272ston, Hawksburn Village	27
14.4 Ferrie Oval Redevelopment.....	31
15 Confidential Business	37
15.1 Reports of Committees: IMAP adoption of confidential minutes.....	37

1 Reading of the Reconciliation Statement and Affirmation Statement

2 Introductions

3 Apologies

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

Officer Recommendation

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.

5 Disclosure by Councillors of any conflicts of interest

6 Questions to Council from Members of the Public

7 Correspondence (only if related to Council business)

8 Questions to Council Officers from Councillors

9 Tabling of Petitions and Joint Letters

10 Notices of Motion

Nil.

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

11.1 Reports of Committees: IMAP

Executive Manager Governance & Integrity: David Taylor

Linkage to Council Plan

Stewardship: Council will strive for excellence, ensuring that it has the capacity to deliver timely and efficient services to meet community needs and continually improve standards of service delivery.

- S1** The City's capacity to deliver the objectives of the Council Plan is based on our service culture, people, good governance, business systems and technology, asset and risk management and responsible financial planning.

Purpose of Report

To confirm the minutes of the IMAP meeting held on 12 June 2020.

Officer Recommendation

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

Executive Summary

The Cities of Melbourne, Port Phillip, Stonnington, Yarra and Maribyrnong have set up the Inner Melbourne Action Plan Implementation Committee, to provide a coordinated decision making process to facilitate the implementation of the Inner Melbourne Action Plan (IMAP) as adopted by member Councils in December 2005.

Background

The Committee held a meeting on Friday 28 August 2020 where the minutes of the meeting of Friday 12 June 2020 were adopted. The minutes of the meeting of Friday 12 June are submitted to Council for confirmation.

Governance Compliance

Policy Implications

There are no policy implications associated with this report.

Financial and Resource Implications

There are no financial and resource implications associated with this report.

Conflicts of Interest Disclosure

No Council Officer and/or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Legal / Risk Implications

There are no legal / risk implications relevant to this report.

Stakeholder Consultation

There was no requirement for external stakeholder consultation in this proposal.

Human Rights Consideration

Complies with the Charter of Human Rights & Responsibilities Act 2006.

Attachments

1. MINUTES IMAP Implementation Committee Meeting 12 June 2020 [11.1.1 - 10 pages]

12 Reports by Delegates

13 Urgent Business

14 General Business

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

Manager Transport & Parking: Ian McLauchlan
Director Environment & Infrastructure: Rick Kwasek

Linkage to Council Plan

Community: An inclusive City that enhances the health and wellbeing of all residents, where people can feel safe, socially connected and engaged.

- C4** Enhance community engagement to ensure Council makes long-term decisions in the best interests of the community.

Purpose of Report

To provide an opportunity to hear at the at the Council Meeting of 7 September 2020, from those elected to be heard in response to Council's proposal to trial one-way flow southbound in Grattan Street, Prahran. Submissions were made in response to the statutory process undertaken in accordance with Section 223 of the Local Government Act.

Officer Recommendation

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.**

Executive Summary

Members of the community who have elected to appear will be presenting to Council regarding their position on the trial one-way flow arrangement. A list will be compiled by officers prior to the meeting. At this stage, four submitters have expressed interest in being heard however this was prior to implementation of COVID-19 restrictions. All submitters will be advised of the meeting and may nominate to be heard (via telephone/internet connection as appropriate at the time).

Background

At the Council Meeting on 2 December 2019 a report was presented to advise Council of the results of a second round of consultation on options to modify parking on one side of Grattan Street with properties of Grattan Street. This report can be found in **Attachment 1**. At this meeting based on the results of the consultation and discussion it was resolved that Council:

- 1. Install :**
 - NO PARKING restrictions, operating at all times in the permitted parking area on the east side of Grattan Street between Commercial Road and the south property line of 56 Grattan Street**

- ***¼P restrictions operating at all times in the permitted parking area on the west side of Grattan Street between Commercial Road and the south property line of 31 Grattan Street.***
- 2. Undertake a consultation process in accordance with the provisions of S223 of the Local Government Act, inviting submissions from the public on a proposal to conduct a 12 month trial of 1-way flow southbound in Grattan Street between Commercial Road and Greville Street***
 - 3. Notify those properties previously consulted of the decision.***
 - 4. Consider a further report on the submissions received at the conclusion of the consultation process.***

As per point 2 of the decision, Council began a S223 process on the proposal of conducting a 12-month trial of one-way flow southbound in Grattan Street, Prahran (Commercial Road to Greville Street).

A public notice was published in the Leader community newspaper and The Age newspaper on 10 December 2019. This public notice can be seen in **Attachment 2**. Letters were also sent to residents and owners of properties in the area approximately bounded by Porter Street, Commercial Road, Izett Street/St Edmonds Road and High Street (ie, residents who may use Grattan Street in order to access their property). Submissions were required by 7 February 2020.

In the consultation period Council received two submissions of support for the one-way trial; 12 against the trial and generally in favour of the passing bay option previously consulted; and one response that did not clearly provide support or objection. A further submission in favour was received after the consultation period had closed however the respondent had not intentionally missed the consultation period, and as the matter had not yet been heard their submission has been included. All submissions are included in **Attachment 3**.

Key Issues and Discussion

Four submitters have expressed interest in being heard, however this was prior to implementation of COVID-19 restrictions and the hearing has been delayed due to this.

Due to the timeframe between the initial consultation and Council consideration submitters were contacted to confirm their position and request to be heard.

It is proposed to hear submissions at the Council meeting on 7 September 2020.

All submitters will be advised of this meeting and may still nominate to be heard (via telephone/internet connection as appropriate at the time) at this meeting as part of the S223 process.

Reasonable notice of this presentation date, time, and zoom link will be circulated to those who made a submission asking to be heard, in accordance with Section 223 of the Local Government Act.

Conclusion

No decision is to be made regarding the trial one-way flow southbound in Grattan Street, Prahran until a future date, to allow Councillors and Council staff an opportunity to hear community members who have elected to speak and consider their statements prior to making a recommendation/decision.

A report outlining and responding to the issue raised will be submitted in the next meeting cycle.

Governance Compliance

Policy Implications

There are no policy implications associated with this report.

Financial and Resource Implications

There are no financial and resource implications associated with this report.

Conflicts of Interest Disclosure

No Council Officer and/or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Legal / Risk Implications

There are no legal / risk implications relevant to this report.

Stakeholder Consultation

Stakeholder consultation is outlined in **Attachment 3**.

Human Rights Consideration

Complies with the Charter of Human Rights & Responsibilities Act 2006.

Attachments

1. CL 02 Dec 2019 - Grattan Street Prahran Results of Parking Proposals [**13.2.1** - 3 pages]
2. Public Notice - Grattan Street [**13.2.2** - 1 page]
3. CONFIDENTIAL REDACTED - Grattan Street - S223 Responses 2019 [**13.2.3** - 6 pages]

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

Statutory Planning Coordinator: Phillip Gul
Director Planning & Place: Stuart Draffin

Purpose of Report

For Council to consider a planning application for partial demolition, buildings and works to a dwelling in a Heritage Overlay at 5 Evelina Road, Toorak.

Officer Recommendation Summary

That Council authorise Officers to issue a Notice of Decision subject to conditions outlined in the Officer Recommendation.

Executive Summary

Applicant:	Merrylees Architecture
Ward:	North
Zone:	Neighbourhood Residential Zone (Schedule 3)
Overlay:	Heritage Overlay (HO380)
Neighbourhood Precinct:	Inner Urban Precinct
Date Lodged:	01 December 2016
Statutory Days: (as at Council Meeting date)	132
Trigger for Referral to Council:	Councillor Call Up More than 6 objections
Number of Objections:	Nine (9)
Consultative Meeting:	Yes - held on 11 July 2017 & 28 July 2020
Officer Recommendation	Notice of Decision to Grant a Planning Permit

Background

The Proposal

The plans that form part of the basis of Council's consideration were prepared by *Merrylees Architecture* and are known as Drawing No's: TP-001, TP-101, TP-102, TP-103, TP-104, TP-105, TP-201, TP-202, TP-203, TP-301, TP-302, TP-401, TP-501, TP-502, TP-503 and are Council date stamped 28 April 2020.

Key features of the proposal are:

- Demolition of the rear ground floor of the existing dwelling comprising the kitchen, dining and living area, bathroom laundry, ensuite to Bedroom 1 and storage. The works will also remove the rear pergola, the existing double garage and all paving and trees from the backyard.
- Demolition of the entire first floor level containing two bedrooms and a landing.

- Removal of the existing car parking space and crossover from the front setback and the creation of a new crossover and parking space to the western side of the street frontage.
- Demolition of the existing front fence and construction of a new fence to be black steel pickets on a rendered concrete base to a maximum height of 1.2 metres.
- Construction of a new ground and first floor addition.
- The ground floor will comprise a new kitchen, living and dining area, with a study and open air greenery within the centre of the building and outdoor terrace. The first floor level will comprise three new bedrooms with bathrooms and a rumpus room.
- Construction of a new double car garage to the rear lane with a roof terrace above, and a new swimming pool and deck to the north-west corner of the site.
- The new additions to the dwelling will have a height of 7.4 metres above natural ground level; while the new garage and roof terrace will have a height of 5.66 metres when measured from the lane.
- The new additions will be setback 19 metres from the street and 11 metres behind the front façade.
- The ground floor additions are proposed to be constructed on the west boundary (laundry) for a distance of 5.6 metres and are to be setback from the eastern boundary 1.83 metres to match the existing setback of the original dwelling.
- The following restoration works are proposed to the original building:
 - Re-tuck point facade brickwork;
 - Replace veranda tiles with traditional tessellated tiles;
 - Restore veranda posts and lacework; and
 - Repaint and restore original windows and front door
- Rainwater tanks (8,000L) proposed for re-use on site.
- Solar panels proposed on the roof of the new addition.
- The proposed additions will result in 53.8 per cent site coverage and 41.97 per cent garden area.

Site and Surrounds

The site is located on the northern side of Evelina Road in Toorak. The site has the following significant characteristics:

- Frontage to Evelina Road of 15.24 metres, a rear boundary to the lane of 15.72 metres, a site boundary to the east of 44.91 metres and a site boundary to the west of 48.77 metres.
- The site has an overall area of approximately 907 square metres and there is no appreciable fall in the land.
- The land is currently developed with a two-storey dwelling, containing 5 bedrooms, with an overall height of 6.6 metres above natural ground level.
- The original dwelling has a B-heritage grading and presents to the street as an intact late Victorian single storey dwelling with later additions to the rear, concealed from the street.
- The subject site is within the Bush Inn Estate Heritage Precinct (HO380). The Bush Inn Estate precinct, Toorak, is a residential area created during the land boom era of the 1880s. The precinct retains a large number of dwellings from this period including grand double-storey terraces and handsome villas as well as modest single-storey cottages.

Key features of the adjoining sites are as follows:

To the north is a laneway that runs parallel with Evelina Road and provides rear access to the properties on the northern side of Evelina Road. Beyond the lane is the railway reserve. Hawksburn Railway Station is located approximately 250 metres to the west.

To the east, No. 7 and 9 Evelina Road house a single-storey Victorian semi-detached timber pair of dwellings. The buildings are constructed to the east and west title boundaries and are setback from the street a distance of 5.9 metres. The dwellings have a B heritage grading and a low picket fence to the front boundary. A garage is located to the north-west of the site accessed via the rear lane.

To the west is a single storey Victorian brick Italianate villa at 3 Evelina Road with an A2 heritage grading. This dwelling is setback 8.8 metres from Evelina Road and there is a single car space on the south-west side of the street frontage. A 1.5 metre high metal front fence extends along the front boundary. An existing garage is located to the north-east of the site accessed via the rear lane.

To the south, across Evelina Road are a row of double storey terraces with car parking within the front setbacks. Further to the south-east exhibits modest single-fronted Victorian cottages, occurring as semi-detached pairs or in terrace rows as at 12-22 Evelina Road.

Previous Planning Application/s

A search of Council records indicates there are no recent planning applications registered to this site.

The Title

The site is described on Certificate of Title Volume 02877 Folio 224 as Lot 1 on Title Plan 702728V and no covenants or easements affect the land.

Planning Controls

The following controls/permit triggers are considerations for this application:

Zone

Clause 32.09 – Neighbourhood Residential Zone (Schedule 3)

Pursuant to Clause 32.09-5, a permit is not required to extend one dwelling on a lot greater than 500 square metres in area.

Clause 32.09-10 specifies a maximum building height of 9 metres and two storeys for any dwelling in this Zone. The proposed additions will reach a height of 7.4 metres and contain two storeys.

Overlay

Clause 43.01 - Heritage Overlay (HO380 - *Bush Inn Precinct extension Toorak*)

Pursuant to Clause 43.01-1, a permit is required to construct a building or construct or carry out works, including demolition.

Particular Provisions

Clause 52.06 - Car Parking

Clause 52.06 does not apply to the extension of a single dwelling. Three (3) car parking spaces are to be retained on site, as per the existing conditions.

Relevant Planning Policies

Clause 15	-	Built Environment and Heritage
Clause 15.03	-	Heritage
Clause 21.03	-	Vision
Clause 21.06	-	Built Environment and Heritage
Clause 22.04	-	Heritage Policy
Clause 22.18	-	Stormwater Management (Water Sensitive Urban Design)

Advertising

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987 by sending notices to the owners and occupiers of adjoining land (and by placing one sign on the site). The public notification of the application has been completed satisfactorily.

The site is located in North Ward and objections from nine (9) different properties have been received. The concerns can be summarised as:

- Not in keeping with the character with the area
- Not in keeping with the heritage streetscape
- Visual bulk
- Overlooking
- Overshadowing
- Side setbacks
- Overdevelopment
- The re-location of off-street car parking is inconsistent with Stonnington's Heritage Guidelines
- Architectural features are incompatible with that of the surrounding buildings
- Adverse possession

A Consultative Meeting was held on 11 July 2017 and 28 July 2020. The first meeting was attended by all North Ward Councillors, the applicant, Council officers and 5 objector parties.

Following this meeting on 11 July 2017, the applicant sought to address some of the issues raised by the objectors. This took some time and revised plans were lodged with Council on 28 April 2020. The revised plans were amended to show:

- First floor window to the stair landing on the west side of the addition has been reduced in size and sill raised to 1.7m above finished floor level to minimise overlooking;
- The maximum height of the extension decreased by 300mm;
- Planter boxes added to the northern first floor bedrooms to minimise overlooking;
- The addition of a pergola above the roof deck/double garage to the rear of the site;
- The addition of solar panels on the new addition concealed from the street.

The revised plans were re-advertised in May 2020 and attracted four submissions from original objections and one new objection. One objection was withdrawn. At the time of writing this report, there are nine (9) objections to this proposal.

A second consultative meeting was held virtually on 28 July 2020 and was attended by Councillors Koce, Griffin and Chandler, representatives of the applicant, objectors and a Council planning officer. The meeting did not result in any further changes to the plans.

It is noted that additional sight lines have been provided by the applicant to demonstrate the extent of visibility of the new additions on oblique views from Evelina Road. The

supplementary sight lines have been included in the attachments (refer to Drawing No's SK-101 and SK-102).

Referrals

Heritage Advisor

Demolition

- The proposed demolition is of modern additions with the main roof form of the original house retained in its entirety.
- There are no detrimental heritage impacts from this demolition.

New Works

- The proposed new works at the rear are the construction of a distinctly modern two storey addition.
- As with the existing addition it would seem that it will not be visible from the street and is set back approximately 11 metres, which meets the provisions of the heritage guidelines.
- It also does not interfere or break into the original roof of the dwelling.

Conclusion: The proposal is supported on heritage grounds.

Liveability and Compliance Unit

No objection to the 3.0m wide crossover with 1.3m straight splay on both sides subject to no objection from Council Arborists and a front setback of 5.4m is provided on-site for the car space.

Parks Department

New Crossover

- The new crossover will not compromise the established street tree. No tree bond is required.

Trees within site

- The trees scheduled for removal within the rear setback are not significant under Council Local Law.

Key Issues and Discussion

The subject site has an area greater than 500 square metres and therefore, the only trigger for a planning permit is the Heritage Overlay.

Heritage

Heritage Context

State and local planning policies at Clause 15.03-1S and Clause 21.06-10 encourage appropriate development that respects places with identified heritage values. Some of the strategies to both conserve heritage places and allow for sympathetic adaptation include:

- Ensure the retention of the key attributes that underpin the significance of the heritage place.
- Encourage the conservation of elements that contribute to the significance of heritage places.
- Ensure that new development within the Heritage Overlay respects the significance of the place.

- Promote design excellence that clearly and positively supports the ongoing significance of heritage places.

The Bush Inn Estate precinct is a residential area developed in the late-nineteenth and early twentieth century on the south side of the railway line, near Hawksburn Station. Building stock in the precinct includes ornate Victorian terraces and middle class villas derived from Italianate sources as well as modest single-fronted cottages. Edwardian and interwar dwellings can also be found intermingled among earlier Victorian building stock. Early building stock in the precinct generally remains in good original condition and there are few visible modern additions.

The elements that contribute to the significance of the precinct are:

- Late-Victorian, Edwardian and interwar building stock including double and single storey terrace rows, freestanding villas, semi-detached cottages and the commercial buildings on Williams Road. -Individually noteworthy early dwellings of high architectural quality
- The single and double-storey scale of existing built form.
- The pattern of settlement resulting in middle class terraces and villas along the Williams Road frontage and higher density streetscapes of less ornate single-storey cottages and villas in the eastern half of the precinct.
- Road layout and allotment patterns resulting from late-nineteenth century subdivisions.
- Built form from two distinct periods illustrating development during the boom of the 1880s and the resurgence of development after the economic recession in the Edwardian period.
- Intactness of the area to its c.1926 state arising from the very low proportion of modern infill.
- Intactness of individual buildings to their original states. Dwellings typically survive with their presentation to the street largely unaltered retaining verandahs and decorative detailing. The area is notable for the absence of prominent additions and alterations.
- The consistent, modest scale of the built form in May Road, Mell Street and the eastern half of Evelina Road.
- The detached form of the early dwellings, other than the terraces and semi-detached cottages, with generally uniform (within each streetscape) front setbacks and modest side setbacks.
- Face brick (including unpainted polychrome brickwork), render and timber materiality.
- Roofscapes with parapets, chimneys, and pitched roof forms in corrugated galvanised iron, slate or terracotta tiles.
- Bluestone kerbs and channels (to the extent that they survive).

The subject site contains a bichrome brick house with an encompassing cast iron verandah. It presents to the street as an intact late Victorian single storey dwelling with the later additions concealed from the front views.

The objectives of Council's Heritage Policy at Clause 22.04 of the Stonnington Planning Scheme are:

- To retain all significant and contributory heritage places.
- To conserve and re-use significant and contributory heritage places.
- To ensure that new development respects the significance of heritage places.
- To maintain views of and vistas to significant heritage places

This application proposes partial demolition, new additions and restoration works as will be discussed in turn below.

Demolition

The subject site contains an intact B-graded heritage dwelling, also known as a “significant” building. The existing dwelling comprises newer additions to the rear including a first floor addition, which are largely concealed on views from the street.

It is policy at Clause 22.04-4.1, to ensure significant building fabric is retained to conserve:

- The heritage significance of the place (including buildings, fences and gardens).
- The primary building volume (including original external joinery to doors and windows, original or early shopfront features, verandahs and other features).
- The intactness of the heritage streetscape (if applicable).

This proposal seeks to remove the later additions from the rear of the dwelling, ensuring that the significant building fabric and main roof form of the original house will be retained in its entirety. The proposed demolition will remove the non-original elements that are situated at least 11 metres from the front façade of the house. In addition, the proposal includes the removal of the front fence, the existing car space and crossover to the street and the double car garage to the rear (north) of the site. These elements have not been identified as original to the house and removal can be supported. As the demolition works will retain the original dwelling’s presentation to the street, largely unaltered, the extent of demolition will ensure that there are no detrimental heritage impacts on the significant heritage place or the intactness of the original building. Moreover, the demolition is supported by Council’s Heritage Advisor.

New Additions

Council’s Heritage Policy at Clause 22.04-4.4 seeks to ensure that all additions and alterations:

- Retain and conserve the primary building volume and significant building fabric.
- Are set back behind the primary building volume.
- Respect the built form character of the place including but not limited to scale, form, height, street wall, siting and setbacks.
- Adopt a visually recessive design where the heritage place remains the dominant visual element.
- Are readily identifiable as new works while respecting and having minimal impact on the significance of the heritage place.
- Complement the materials, detailing and finishes and paint colours of the heritage place.
- Avoid new openings in the primary building volume and significant building fabric

A significant feature of the Bush Inn Estate Precinct is the absence of prominent additions and alterations. This proposal is for a new ground and first floor addition to the rear of the original dwelling with an overall height of 7.4 metres. The existing dwelling has a height of 6.6 metres above natural ground. The proposed extension to the dwelling is to be located behind the primary building volume at a distance of no less than 11 metres from the front façade and no less than 19 metres from the street (Evelina Road).

In addition to the policy guidance above, Council’s Heritage Guidelines (2017) direct that new additions should be visually recessive and present minimal bulk from oblique view points from the footpath on the opposite side of the street/s or laneways. Council’s Policy 22.04-4.4 for upper level additions recommends that new additions are contained within an envelope created by projecting a sight line from 1.7 metres above ground level on the opposite side of the street. Sight lines taken at 1.7 metres above ground on the southern

side of Evelina Road have been submitted and confirm the new additions will not be visible when standing directly in front of the subject site. This is primarily due to the considerable setbacks from the street (19 metres) and the height of the new addition being 0.8 metres above the existing ridgeline of the original roof.

Despite the abovementioned sight line, the extent of visibility of the new additions from oblique angles has been raised as a primary concern by several objectors. Following the consultative meeting on 28 July 2020, the applicant prepared additional sight lines to demonstrate the extent of views of the new additions on oblique angles from within Evelina Road. The sight lines show that when standing in front of 4A Evelina Road (on the opposite side of the street), the extent of visibility of the new addition will be minor. In the worst case, a section of the upper level addition that measures 0.489 metres in height and 4.415 metres in length above the existing roof line will be apparent. Importantly, the visible section of the new addition is setback 19 metres from the front title boundary. At this distance, the addition will be highly visually recessive, in accordance with the Heritage Policy.

Council's Heritage Policy also calls for new additions to be readily identifiable as new works. The additions to the dwelling include a flat roof so as to minimize the visibility of the extension above the original heritage building. The additions are to be finished in a variety of durable and substantive materials including a light grey render, bluestone and metal cladding, and black framed clear glazed windows. The proposed finishes are considered to complement the existing brick heritage building, while being identifiable as new works.

The proposal also includes a new double car garage with a terrace and pergola above. These works are located on the northern boundary, some 29.4 metres from the original façade of the dwelling and over 37 metres from Evelina Road. Some objectors have raised concerns with the new double car garage with rooftop terrace above. Views from the rear lane have not been identified as being an element of significance within the Bush Inn Estate Precinct. The new garage is proposed in the same location as the existing double garage and many properties within Evelina Road have structures built to their rear boundaries. However, most importantly, the new garage is fully concealed on views from within Evelina Road.

Overall, the extension to the existing residence complements the significant and contributory buildings in the precinct by ensuring that the new additions are located behind the original building and will not result in visually prominent new additions within the streetscape. This is a view shared by Council's Heritage Advisor who supports the proposal on heritage grounds.

It is noted that a new swimming pool, pool equipment and solar panels are proposed to the rear of the site. These additions will not be visible to the street and the solar panels are to be concealed on the flat roof of the new addition. These works do not raise any heritage concerns.

Restoration Works

The applicant has confirmed restoration works to the original building including:

- Re-tuck point facade brickwork
- Replace verandah tiles with traditional tessellated tiles
- Restore verandah posts and lacework
- Repaint and restore original windows and front door

Repairs and routine maintenance that seek to restore and preserve the original heritage features of the building are considered positive and will contribute to the heritage streetscape. The above works have not been detailed on the plans and this will be required

by way of a condition of any approval, ensuring all works are to the satisfaction of the Responsible Authority.

Front Fence

The proposal seeks to remove the existing front fence and construct a new black steel picket fence on a concrete base at a maximum height of 1.2 metres. The proposed fence is in accordance with Council's Heritage Policy as it retains a low 1.2 metre height, has a high degree of transparency and better reflects the style and era of the original dwelling. Furthermore, Council's Heritage Advisor has reviewed the proposed replacement fence and has confirmed that it can be supported.

Crossover

Although Council's Heritage Policy seeks to "ensure that front setback areas are landscaped and remain free from permanent buildings, structures, vehicle parking and large areas of hard paving", many properties within Evelina Road feature a car park within the front setback, including the dwellings directly to the south and west of the subject site. The subject site also has an existing car space to the south-east of the site's frontage. The relocation of the car space from the south-east to the south-west of the site's frontage is considered acceptable as it is an existing condition and a character of the streetscape. Council's Heritage Advisor has not objected to the relocation of the crossover.

Existing Trees

The proposal includes the removal of all trees from the backyard of the subject site. There is no trigger for a planning permit with respect to tree removal and the applicant has confirmed that the trees are not significant under the Council Local Law. It is apparent that a tree within the front setback has been mistakenly shown to be removed. A condition of any approval granted will require that the tree within the front setback be retained.

The relocation of the vehicle crossover will occur in close proximity of a street tree on Evelina Road. The applicant has engaged an arborist to carry out a non-destructive root investigation. Council's Arborist attended the root investigation and subsequently advised that the new location of the crossover will not impact the street tree. For this reason, it has been confirmed that no tree bond is required. The notation on the plan stating, "Retain existing street tree if possible" will be required to be removed, as the street tree will not be impacted by the new crossover, as confirmed by Council's Arborist.

Water Sensitive Urban Design

In accordance with Council's Stormwater Management Policy (Clause 22.18), rainwater tanks with a total capacity of 8000 litres and two raingardens have been proposed to achieve a STORM Rating of 105 per cent. This exceeds the minimum best practice standards achieved with a STORM rating of 100 per cent. The tank capacity has been confirmed on plans and all tanks are to be connected to toilets for flushing. This response meets the policy requirements and is acceptable.

Objections

Matters including overlooking, overshadowing, and visual bulk have been raised as issues as part of this development.

It is noted that the permit trigger relates to the Heritage Overlay. Those matters ordinarily considered via Clause 54 and 55 (ResCode) are not triggered in this instance.

The broad issue of amenity is considered relevant, however significant weight must be placed on the heritage outcomes set out above. It is further noted that matters such as

overlooking, overshadowing, and visual bulk will be considered as part of the Building Permit application by the relevant Building Surveyor.

One objector has raised concerns with the loss of on-street parking as a result of the relocated crossover. As the new crossover is to be narrower than the existing, there should be no loss of on-street parking. The existing crossover occupies approximately 5.8 metres of the street frontage. The new crossover (with splays) will have a width of 5.6 metres. Furthermore, a condition of approval will require that the existing crossover must be broken out and reinstated as kerb and footpath.

The issue of adverse possession is not a matter for planning. Council is not aware of an adverse possession claim having been made and the planning application can only consider the legal boundaries as per the Certificate of Title.

Conclusion

Having assessed the application against the relevant planning controls, it is recommended that the proposal be supported for the following reasons:

- The proposal is in accordance with Council's Heritage Policy at Clause 22.04 of the Stonnington Planning Scheme.
- The primary building volume is to be retained ensuring the intactness of the heritage streetscape is preserved.
- The design and siting of the new additions ensure the new upper level additions are visually recessive and will not detract from the significance of the heritage streetscape.
- The new additions do not interfere or break into the original roof of the dwelling.

Governance Compliance

Conflicts of Interest Disclosure

No Council Officer and/or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Human Rights Consideration

This application has been assessed in accordance with the requirements of the Planning and Environment Act 1987 (including the Stonnington Planning Scheme), reviewed by the State Government and which complies with the Charter of Human Rights & Responsibilities Act 2006.

Attachments

1. 1242/16 - 5 Evelina Road, Toorak [14.2.1 - 18 pages]

Officer Recommendation

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**

14.3 Amendment C272ston, Hawksburn Village

Manager City Strategy: Susan Price

Director Planning & Place: Stuart Draffin

Linkage to Council Plan

Liveability: The most desirable place to live, work and visit.

- L2** Preserve Stonnington's heritage architecture and balance its existing character with complementary and sustainable development.
- L3** Balance the competing demands of maintaining residential amenity and population growth through appropriate planning.
- L4** Enhance the design outcomes of public spaces, places and buildings.

Purpose of Report

To update Council on Amendment C272ston, in particular the findings of the independent planning Panel.

To seek endorsement of changes to the exhibited Amendment, in response to the Panel report, through Council's adoption of the updated Amendment.

Officer Recommendation

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.**

Executive Summary

Amendment C272ston proposes several changes to the planning scheme, the primary change being a new Design and Development Overlay schedule (DDO21) to guide built form in Hawksburn Village.

An independent planning Panel considered the Amendment and submissions at a hearing in June 2020. Council received the Panel's findings in its report issued on 30 July 2020. The report is supportive of the Amendment and recommends Council adopt it with some changes. Officers have considered the changes and agree the majority are appropriate. Some recommendations however, are not supported, and these are discussed in more detail below.

Background

Amendment C272ston implements the built form guidance of the Hawksburn Village Structure Plan (2016) by introducing DDO21. Additionally, the Amendment makes a small number of changes to zones and extends an existing Environmental Audit Overlay (EAO) within Hawksburn Village. There are some minor consequential changes to the local planning policy framework which reflect the strategic work prepared for the centre.

The Amendment was publicly exhibited from 21 November to 23 December 2019 and as a result 14 submissions received (13 in objection, 1 in support).

The Amendment and submissions were considered by an independent planning Panel at a hearing (held remotely via video conference) between 9 and 15 June 2020. Council called evidence from experts in the fields of planning, urban design, heritage and economics. Other parties at the hearing included local residents and developers, many of whom had legal or planning representation supported by experts in the fields of urban design, architecture and heritage.

Key Issues and Discussion

The Panel report (refer **Attachment 1**) is supportive of the Amendment. The report states “the Panel is satisfied that the DDO21 is an appropriate choice of planning tool, and broadly translates the objectives of the Structure Plan into the Planning Scheme in an effective way”, however some changes to the detail of DDO21 are recommended. The Panel fully supports all zoning changes and the extension to the EAO.

The following recommendations were made by the Panel, and are generally supported by officers (refer **Attachment 2** for map indicating location of these recommendations and detailed officer response to these and other more minor recommendations):

- Revised wording that improves the legibility and functionality of DDO21, prescribes clearer design responses at residential interfaces, discourages blank side walls, encourages visually interesting skylines and the separation of building mass on larger sites.
- The application of mandatory controls only to heritage buildings. DDO21 to otherwise apply discretionary controls for building height, street wall height and upper level setbacks in Area 2 and non-heritage buildings in Area 6 to assist in managing appropriate change in this large neighbourhood activity centre,
- All prescribed building heights should increase by 1m to allow for better compliance with the Better Apartment Design Standards.
- Include 537-541 Malvern Road in Area 7 due to its similarities with the Woolworths site at 559-565 Malvern Road (also in Area 7). Increase the prescribed discretionary building height of Area 7 to 18m (from 14m) to reflect the large areas of both sites and their ability to accommodate a moderate increase in building height.
- Reduce the preferred upper level setback of buildings in Area 1 to 3m (from 5m) to be more consistent with the emerging character in this western part of Hawksburn Village.
- Reduce Area 5 to better reflect the true extent of buildings with industrial character.

DDO21 has been updated to reflect these changes (refer **Attachment 3**). Three key Panel recommendations that are not supported by Officers are:

1. Increase street wall height from 8m to 11m for all non-heritage buildings in Areas 6 and 7.

Officers consider the 8m (2 storey) street wall height is important and integral to maintain and enhance the village’s highly valued character. Existing street wall heights across Areas 6 and 7 are predominantly 1 or 2 storeys (there is only one 3 storey

street wall). The 8m approach is supported by the Structure Plan and Council's Urban Design experts.

2. Identify gateway sites in DDO21.

Officers consider that existing requirements in the planning scheme together with DDO21 provide an appropriate level of design guidance for all sites in the centre, including those at entry points. Labelling sites as a gateway site is not required and could lead to the misinterpretation of intended built form outcomes.

3. 145 Williams Road (BMW dealership)

Officers are supportive of Panel's site-specific requirement to provide a transitional and landscaped response at the interface with the site on Clarke Street. However, the way the Panel has drafted this requirement, using the term 'must' results in it being a mandatory control. There is no reference in the Panel report that this is the intention and given the strict nature in which mandatory controls are supported by Panel (e.g. proven that no-other design outcome is acceptable, a high level of built form testing and justification is required) it is considered that use of the word 'must' is an oversight by Panel and therefore should be edited to make the requirement discretionary.

Additional and more minor changes that officers consider requiring modification are also discussed in **Attachment 2**.

Conclusion

Amendment C272ston has gone through public exhibition and been considered by an independent planning Panel. The Panel is supportive of the Amendment and its strategic intent and recommends it be adopted subject to changes. The recommendations of the Panel have been considered and changes made to the DDO21 content where considered appropriate by Officers. On this basis, it is recommended that Council endorses the outlined changes by adopting the updated Amendment and submitting it to the Minister for Planning for approval.

Governance Compliance

Policy Implications

The Amendment is consistent with the policy direction contained within Plan Melbourne 2017-2050, and Stonnington Planning Scheme's goal of maintaining and enhancing a network of sustainable and viable activity centres. Refinements to the Hawksburn Village Structure Plan (2016) are proposed to be made to provide consistency with the final provisions of C272ston.

Financial and Resource Implications

The costs associated with the Amendment have been included within the budget for City Strategy in 2019/20 and 2020/21. The indicative timeline for the Amendment is:

Nov - Dec 2019	March 2020	June 2020	July 2020	Sept 2020	Nov - Dec 2020
<i>Public Exhibition</i>	<i>Consideration of Submissions</i>	<i>Panel hearing</i>	<i>Panel report</i>	Council adoption	<i>Ministerial approval</i>

Conflicts of Interest Disclosure

No Council Officer and/or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Legal / Risk Implications

Council had legal representation at the Panel hearing, and will continue to seek advice as any legal issues arise.

Stakeholder Consultation

Submitters to the Amendment have been provided with a copy of the Panel report and will be advised of the outcomes of this Council report. Both the Structure Plan and the Amendment have undergone processes of engagement and submitters have had the opportunity to be heard at the Panel hearing.

Human Rights Consideration

Complies with the Charter of Human Rights & Responsibilities Act 2006.

Attachments

1. C272ston Panel Report [**14.3.1** - 127 pages]
2. Panel recommendations implemented or requiring modification [**14.3.2** - 10 pages]
3. Schedule 21 to Clause 43.02 Design and Development Overlay [**14.3.3** - 33 pages]

14.4 Ferrie Oval Redevelopment

Manager Open Space & Environment: Simon Holloway

Director Environment & Infrastructure: Rick Kwasek

Linkage to Council Plan

Liveability: The most desirable place to live, work and visit.

- L1** Strategically invest in open spaces, sporting fields and community facilities, and optimise use according to community needs.

Purpose of Report

To present the findings and outcomes of the Ferrie Oval Redevelopment community engagement process, present a proposal for sports floodlighting at the ground and seek Council endorsement to proceed with the respective elements of the project.

Officer Recommendation

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.**

Executive Summary

The Toorak Road Level Crossing Removal Project has recently been completed by the Victorian Government. The project involved the occupation of various parcels of Council land, including Ferrie Oval for a site office and works compound. With the project now essentially complete and the land ready for return to Council, plans are progressing for the redevelopment of the sportsground and surrounding precinct.

It has been agreed between Council and the Level Crossing Removal Authority (LXRA) that the project will reinstate (make good) the land to an agreed standard and provide Council with a financial contribution to enable it to complete the sports ground redevelopment works. It was Council's preference for it to undertake these works, rather than LXRA, on that basis that it allows Council to carry out works to a preferred (better than minimum) standard, incorporate a number of long-term asset renewal elements given the opportunity (already planned for the site) and integrate a number of other open space improvements in the precinct.

Council has recently conducted a community engagement and consultation process to seek feedback on the proposed redevelopment of the oval, open space enhancements throughout

the precinct and potential new floodlighting for the ground. Council endorsement is required to now proceed with the respective elements of the project.

Background

Council meeting

On 15 June 2020, Council officers presented a report for Council consideration outlining the current use of Ferrie Oval, the planned scope of the redevelopment works for the oval and surrounding precinct and proposal to explore the feasibility of introducing floodlighting to the ground. Refer **Attachment 1** for background information presented in the previous report.

At the 15 June 2020 meeting, Council resolved:

That Council:

1. *SUPPORT the planned redevelopment of Ferrie Oval and surrounding open space precinct following the completion of the Toorak Road Level Crossing Removal Project.*
2. *SUPPORT the planned communication and consultation in relation to the redevelopment of Ferrie Oval, surrounding precinct and potential future floodlighting.*

Community engagement and consultation process

In late June, Council undertook a community engagement and consultation process with local residents, park users and the wider community to present information about the project and seek feedback on the oval redevelopment, open space upgrades and potential floodlighting at the ground.

In light of Covid-19 restrictions the engagement process included:

- Letter to nearby residents
- Signs erected in parks
- Notifications sent to relevant sporting clubs
- Information provided on Council's online engagement platform Connect Stonnington
- Online survey

The online survey closed on 31 July 2020.

Key Issues and Discussion

Community engagement feedback

In total, Council received 405 responses to its online survey plus a detailed submission on behalf of local residents. See **Attachment 2** for a full copy of the online survey results and **Attachment 3** for a copy of the local resident's submission.

In summary, key findings from the online survey results include:

- 405 responses
 - 81.2% of respondents live 3km or less from the ground
 - 88.6% of respondents use the ground at least weekly
 - Over half (51.1%) of respondents drive to the oval, with 40.6% walking or running

- 96.2% of respondents use and visit the oval for junior or senior sport – as a participant, coach or parent
- 96.8% of respondents support the installation of low spill floodlighting at the ground.
 - Range of different operating times suggested for floodlighting
- 92.8% of respondents indicated that they would use the oval more if floodlighting was installed and used in set times. This was primarily for sport, though also included walking, exercising and walking dogs, among other activities

In summary, key findings from the resident submission include:

- 33 responses from residents in Elizabeth Street and Talbot Crescent
- 26 out of 33 residents stated that they would not use Ferrie Oval more as a result of the redevelopment.
- 25 out of 33 residents stated that they would not use Ferrie Oval for recreational use after training if the floodlights are left on and dimmed.
- 12 out of 17 residents in Elizabeth Street (who are most affected by the floodlights) oppose the installation of the floodlights.
- 23 out of 33 residents believe the floodlights should operate between 5.00 and 8.00pm.
- 30 out of 33 residents believe the floodlights should be automatically switched off at latest permissible time (8.00pm).
- 27 out of 33 residents are in favour of the separate bike path on the Monash freeway side.
- 27 out of 33 residents support parking restrictions in Elizabeth Street and Talbot Crescent.
- 20 out of 33 residents support parking restrictions (permit parking only) on both sides of Elizabeth Street.
- 22 out of 33 residents support parking restrictions (permit parking only) in Talbot Crescent.
- 10 out 17 residents in Elizabeth Street would prefer parking restrictions to apply between 1 March and 30 September (one month earlier than currently applies).
- 50% of residents in Talbot Crescent prefer parking restrictions to apply between 1 March and 30 September and 50% would prefer parking restrictions to apply between 1 April and 30 September.
- 30 out of 33 residents would like Council to prioritise re-surfacing the road in Talbot Crescent once the landscaping for the level crossing project is completed.

Floodlighting – specific proposal

Stonnington has the second lowest amount of open space per capita of any Victorian Local Government. As such, it is strategic priority to better utilise available open space assets to optimise physical activity by the Stonnington community. The addition of floodlighting within the Ferrie Oval redevelopment aligns with Council's goals of increasing physical activity participation for children, females and the wider community through both sport and active recreation.

Ferrie Oval is a junior-sized sports ground located in the City of Stonnington's largest sports precinct, Sir Zelman Cowen Park. The tenant sports clubs are Glen Iris Jnr Football Club (GIJFC) in the winter season, and the Malvern Junior Cricket Club and Toorak Prahran Cricket Club in the summer season.

The GIJFC is one of the largest sports clubs in the City of Stonnington. The club uses Ferrie Oval for 10 hours a week during the winter season (2 hours for training, 8 hours for competition). The club has 720 players (31 teams), including 200 female players and 9 girls' teams. While Ferrie Oval is the club's home ground for weekend competition, due to the absence of floodlighting the club's 30 teams are required to train across five different grounds with lighting (19hrs training per week).

Ferrie Oval is one of three unlit sports grounds prioritised for development within the Recreation Services Unit's floodlighting development program, due to sports grounds being at capacity for winter training and the need to optimise existing open space and assets. Lighting at Ferrie Oval will allow the club to have a central training base at the ground and free up important winter training availability (up to 7 hours per week) from several other sports grounds (Righetti Oval, Birrell Reserve, TH King Reserve and Gardiner Park).

Timing wise, the redevelopment of the oval presents an ideal opportunity to progress the lighting installation. Trenching from the Muir pavilion to the light towers can be carried out as part of the oval reconstruction, rather than needing to trench the completed oval.

Lighting Design

A lighting consultant has developed an LED floodlighting concept design for Ferrie Oval, compliant with the requirements of Australian Standard 2560.2.3 Sports Lighting for Football (all codes). The design consists of two 25m high towers positioned on the western side of the ground, directed away from adjacent properties. This design eliminates light spill into resident properties and is compliant with obtrusive lighting requirements. This is considered to be the most unobtrusive and cost-effective design. Council will commission an audit of the lighting post installation to ensure there is no obtrusive light spill into nearby dwellings. It is proposed that the two poles will be painted black in colour. See [Attachment 4](#) for a copy of the floodlight concept design.

Council will also identify opportunities for additional tree screen planting between the oval and adjacent residential properties to minimize any visual impact of the lights and light towers over time. Siting and species selection will involve further community engagement with affected properties prior to finalizing a planting plan. See [Attachment 5](#) for a map showing potential additional tree planting sites (subject to further community engagement).

The GIJFC is supportive of a two-pole design for the floodlighting and have indicated that they will make a financial contribution of \$100,000 towards the lighting costs, conditional upon being provided a ten-year license agreement for the use of Ferrie Oval and the Muir Pavilion. The club has been based at the Muir Pavilion in Sir Zelman Cowen Park for the past 30 years.

Dimmed lighting for active recreational use

In addition to increasing the capacity for organised sports use, it is proposed that the lights will be dimmed at programmed times to increase opportunities available for active or passive recreation by the wider community. This practice of lighting sports fields outside of work hours in winter months, when daylight hours are limited, has been successfully rolled out across other locations. This enables the general public to use the fields for walking, dog walking, running, etc.

Proposed lighting schedule

Council officers, in conjunction with GIJFC and in consideration of feedback received from local residents, have developed a proposed lighting schedule as follows:

- Monday – Friday 5pm – 8pm
 - Maximum 3 nights per week for sports training - lights illuminated to 100%
 - Other 2 nights per week for passive exercise - lights dimmed to 50%.

This proposal aligns both with the specific feedback received from residents (23 out of 33 residents believe floodlights should operate between 5pm – 8pm) and the needs of GIJFC. See [Attachment 6](#) for an outline of officers’ response to specific requests made by local residents in relation to the potential installation of floodlighting at Ferrie Oval.

Conclusion

Following completion of the Toorak Road Level Crossing Removal Project and associated occupation of Council land, Ferrie Oval requires redevelopment to a condition suitable for sport and passive recreation. Council and the Level Crossing Removal Authority (LXRA) have agreed that the project will reinstate (make good) the land to an agreed standard and provide Council with a financial contribution to enable it to complete the sports ground redevelopment works. Council will utilise this opportunity to undertake other (planned) works on the sports ground and surrounding precinct.

The recently completed community engagement and consultation process demonstrated strong support for the oval redevelopment and associated works. It also demonstrated broad support for the installation of low-spill floodlighting with restricted hours of operation. Council officers have proposed a lighting schedule of Monday to Friday 5:00 – 8:00 pm, comprising 3 nights for sports training at 100% illumination and 2 nights for passive exercise at 50% illumination.

On this basis it is recommended that Council proceed with the oval redevelopment, open space improvements and the installation of floodlighting at Ferrie Oval.

Governance Compliance

Policy Implications

The planned redevelopment of Ferrie Oval and surrounds supports Council’s policies to provide high quality sport and recreation facilities, enhanced open space and improved walking / cycling infrastructure.

Financial and Resource Implications

A detailed budget summary was attached to the 15 June 2020 report (see Attachment 1). The oval reinstatement works will be funded by LXRA and Council. The floodlighting works will be funded by Council with a contribution from the Glen Iris Jnr Football Club.

Ferrie Oval Redevelopment: Provisional Budget Summary (excludes open space upgrades)		
Expenditure	\$ (ex GST)	
Oval Redevelopment		
Base works	182,000	
PS Items		
Irrigation	55,000	
Cricket pitch	25,000	
Sporting infrastructure	20,000	
Additional Works		
Drainage Upgrade	65,000	
Root Zone Layer	85,000	

Total Expenditure	432,000	
Funding		\$ (ex GST)
LXRA		
Ground reinstatement – base works		182,000
PS items (if damaged)		100,000
Council		
PS item (if not damaged though need replacing) <i>PKS046 Sportsground Maintenance and Renewal</i>		100,000
Additional works <i>X9940 Sportsgrounds Ferrie Oval Redevelopment</i>		150,000
Total Funding		432,000

Ferrie Oval Floodlighting: Provisional Budget Summary		
Expenditure	\$ (ex GST)	
Floodlighting – cost estimate	325,000	
Total Expenditure	325,000	
Funding		\$ (ex GST)
Glen Iris Jnr Football Club		
Agreed contribution		100,000
Council		
Balance of project cost <i>X9598 Floodlighting Upgrade Program</i>		225,000
Total Funding		325,000

Conflicts of Interest Disclosure

No Council Officer and/or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Legal / Risk Implications

There are no legal / risk implications relevant to this report.

Stakeholder Consultation

As outlined in this report.

Human Rights Consideration

Complies with the Charter of Human Rights & Responsibilities Act 2006.

Attachments

1. Background information - 15 June 2020 Council Report - Ferrie Oval Redevelopment [14.4.1 - 10 pages]
2. Online Survey Results - Ferrie Oval Redevelopment [14.4.2 - 48 pages]
3. Resident Submission - Ferrie Oval Redevelopment [14.4.3 - 10 pages]
4. Lighting concept design - Ferrie Oval 100 Lux 2- Pole Design [14.4.4 - 3 pages]
5. Additional potential buffer tree planting [14.4.5 - 1 page]
6. Officer Response to Local Resident Requests [14.4.6 - 2 pages]

15 Confidential Business

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.