



Council Meeting Agenda

Monday 16 August 2021 at 7 PM

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

Information for the Community

Welcome

Welcome to a City of Stonnington Council meeting.

The Council has adopted Governance Rules in accordance with the Local Government Act 2020 which determine the way in which the Council will make decisions.

About this meeting

The agenda lists all the items to be considered by the Council. Each report is written by a Council Officer and outlines the purpose of the report, relevant information and a recommendation for the Council. The 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 present at the meeting.

Arrangements to ensure meetings are accessible to the public

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

To ensure that people in the Hall can follow proceedings, the meeting agenda, recommendations and proposed alternate recommendations are displayed on screen.

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 the Council website after the meeting (usually within 48 hours). Live captioning is occurring during the meeting. Only Councillors and Council Officers are visible. People in the public gallery will not be filmed, but if you speak, you will be recorded.

Governance Matters

This Council Meeting is conducted in accordance with the Local Government Act 2020 and the City of Stonnington Governance Rules 2020.

Recording of Council Meetings

In accordance with the Governance Rules 2020 clause 67 meetings of the Council will be audio recorded and made available for public access, with the exception of matters identified as confidential items in the agenda.

Disclosure of Conflict of Interest

In accordance with the Local Government Act 2020, a Councillor must declare any Conflict of Interest pursuant to Section 130 of the Act in any items on the Agenda.

At the time indicated in the agenda, a Councillor with a conflict of interest in any item on the agenda must indicate they have a conflict of interest by clearly stating"

- The item for which they have a conflict of interest;
- Whether their conflict of interest is general or material; and
- The circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.

Behavior at meetings

Members of the public present at the meeting must remain silent during the proceedings other than when specifically invited to address the meeting.

The Chair may remove a person from the meeting for interjecting or offensive gesture after being asked to desist, and the Chair may cause the removal of any object or material that is deemed by the Chair to be objectionable or disrespectful.

The Chair may call a break in the meeting for either a short time, or to resume another day if the behavior at the Council table or in the gallery is significantly disrupting the Meeting.

Your cooperation would be appreciated.

Mayor, Deputy Mayor and Councillors, Stonnington City Council

Attendees

Chair	Cr Kate Hely (Mayor)
Councillors	Cr Melina Sehr (Deputy Mayor) Cr Nicki Batagol Cr Marcia Griffin Cr Jami Klisaris Cr Matthew Koce Cr Alexander Lew Cr Polly Morgan Cr Mike Scott
In attendance	Jacqui Weatherill, Chief Executive Officer Annaliese Battista, Director Planning & Place Cath Harrod, Director Community & Wellbeing Rick Kwasek, Director Environment & Infrastructure Greg Curcio, Director Customer & Technology

Welcome and Acknowledgement of Country

The Chair will open the meeting and recite the following Acknowledgement of Country.

We acknowledge we are meeting on the Traditional Lands of Kulin Nations and pay our respect to their Elders past, present and emerging.

We extend that respect to all Aboriginal and Torres Strait Islander Peoples.

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.

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- 1 Reading of the Reconciliation Statement
- 2 Reading of Statement of Commitment
- 3 Apologies
- 4 Introductions of Councillors & Executive Staff
- 5 Confirmation of the Minutes of the previous meetings
- 5.1 Minutes of the Council Meeting held on 2 August 2021

Officer Recommendation

That the Minutes of the Meeting of the Stonnington City Council held on 2 August 2021 be confirmed as an accurate record of the proceedings.

- 6 Disclosure of any Conflicts of Interest
- 7 Questions From the Community
- 8 Business

8.1 Planning Application 1293/17 - 1906 Malvern Road, Malvern East

Manager Statutory Planning: Alex Kastaniotis
Director Planning & Place: Annaliese Battista

Purpose of Report

For Council to consider a planning application for construction of a multi-dwelling development in a General Residential Zone and alteration of access to a road in a Road Zone Category 1 at 1906 Malvern Road, Malvern East.

Abstract

Proposal

The proposal seeks to construct four townhouses, comprising three three-storey dwellings and one double-storey dwelling. Each townhouse is provided with a double garage accessed from the laneway to the west.

Officer Recommendation Summary

That Council authorise Officers to issue a **Notice of Decision to Grant a Planning Permit** subject to conditions outlined in the Officer Recommendation. **The proposal is supported** for the following reasons:

- The proposed development is consistent with the objectives of the Planning Policy Framework.
- The development is appropriately located on a main road and within close proximity of two Neighbourhood Activity Centres, public transport, and existing services and infrastructure to accommodate a medium density development.
- The proposal provides a satisfactory design response to the site context and the existing and preferred neighbourhood character of the area.
- The development achieves a high level of compliance with Clause 55 and will not result in unreasonable amenity impacts to adjoining properties.
- The development provides an adequate level of internal amenity.
- The proposal provides a satisfactory landscape response that will compensate the loss of vegetation on site, enhance the garden setting and contribute to the broader landscape character of the surrounding area.
- The proposal will not result in unreasonable traffic or parking impacts.

Issues

The following are the key issues in respect of this application:

- Neighbourhood character (refer to Neighbourhood Character assessment);
- Building height, scale and massing (refer to Built Form assessment);
- Amenity impacts on the adjoining properties (refer to Amenity Impacts assessment);
- Internal amenity (refer to Internal Amenity assessment);
- Landscaping (refer to Landscaping assessment); and
- Car parking and traffic impact (refer to Car Parking and Traffic assessment).

Officer's response

The proposal seeks to construct a townhouse development, comprising three three-storey dwellings and one double-storey dwelling. The site is located in proximity to two Neighbourhood Activity Centres (Darling Village and East Malvern Village) and has convenient access to services, facilities and public transport. It is clear that strategic direction for the site encourages some form of medium density residential development on this site, subject to a right design and landscape response which respect the existing and preferred neighbourhood character of the area.

The proposal appropriately responds to the design objectives and guidelines for the Garden Suburban 4 Precinct as well as the existing and preferred character of the area, and is supported by Council's Urban Designer.

The landscape response provides canopy tree planting and meaningful landscaping that are commensurate with the scale of the development. The response is considered satisfactory and will compensate the loss of vegetation on site whilst contribute to the streetscape and landscape character of the area.

The proposal meets all of the objectives of Clause 55 and will not result in unreasonable visual bulk and amenity impact to the neighbouring properties.

The proposed development provides a good level of internal amenity and achieves a satisfactory environmentally sustainable design response.

As confirmed by Council's Transport and Parking Unit, the anticipated increase in traffic is considered reasonable and will not result in unacceptable traffic or parking impacts to the laneway, Malvern Road and the surrounding local road network.

Executive Summary

Applicant:	Time Architects Pty Ltd
Ward:	East
Zone:	General Residential Zone, Schedule 7 (GRZ7)
Overlay:	Nil
Neighbourhood Precinct:	Garden Suburban 4
Date Lodged:	11 December 2017
Section 57A Lodged:	15 December 2020
Statutory Days: (as at Council Meeting date)	154
Trigger for Referral to Council:	Number of objections and Councillor call up
Number of Objections:	15
Consultative Meeting:	Yes – held on 9 June 2021
Officer Recommendation	Notice of Decision to Grant a Permit

Background

The Proposal

The plans that form part of the basis of Council's consideration were prepared by Time Architect and are known as Drawing No.s: SA-1 (Rev-4), TP-1, TP-2, TP-3 (TP-Rev 4), TP-4 (Rev-4), TP05 (Rev-3), TP-6, TP-7 (TP-Rev 4), SH1 – SH7 (TP-Rev 3) and Council date stamped 10 February 2021.

The application was originally advertised in May 2018. Following the first public notification, the application was amended on 15 December 2020 to formally substitute the advertised plans. The amended proposal is a complete redesign of the development and scaled back of the original proposal. The amended application was subsequently readvertised. Details of changes are outlined in the 'Advertising' section of this report.

Key features of the proposal are:

- Demolition of all existing buildings and removal of all vegetation (no planning permit required).
- Construction of 4 townhouses, comprising three three-storey dwellings and one double-storey dwelling. The three-storey townhouses contain 5 bedrooms whilst the double-storey townhouse contains 4 bedrooms.
- The development proposes two groups of buildings in a tandem configuration, each comprising two townhouses. The front and rear groups of dwellings are separated by a 6.73 metre wide break.
- Dwelling 1 is oriented towards the north fronting Malvern Road and provided with a private pedestrian access from Malvern Road. Dwellings 2, 3 and 4 are located to the rear and are accessed via a pedestrian path along the eastern side boundary.
- Private open space for each dwelling is provided in the form of individual courtyards.
- Each dwelling is to be provided with a double car garage, with access from the laneway to the west.
- The development will have a maximum overall building height of 10.937 metres above natural ground level.

- The development will have a site coverage of 47%, permeability of 48.7% and garden area of 48.7%.
- The buildings are of modern design with a skillion or flat roof form. A mixture of materials and finishes are proposed, including facebrick, Colorbond standing seam cladding, rendered finish, clear and obscured glazing, and Colorbond roof sheeting.

Site and Surrounds

The site is located on the south side of Malvern Road, bounded by Forster Avenue to the west and Albert Street to the east, in Malvern East. The site has the following significant characteristics:

- The subject site is made up of two allotments. It is trapezoid in shape and has a total area of approximately 1144 square metres. It has a street frontage to Malvern Road of 27.86 metres, a depth of 53.75 metres (east boundary) and 73.27 metres (west boundary), and a rear boundary of 16.76 metres.
- The site abuts an unnamed laneway (right-of-way) to the west, which connects Malvern Road to the north and Olive Street to the south.
- The site has an approximate 2.5 metre fall from the rear boundary towards the Malvern Road frontage.
- The site is developed with a single storey rendered brick dwelling with a pitched tile roof. To the rear of the dwelling is the private open space which comprises a swimming pool, deck and outbuildings.
- Vehicle access to the property is provided from Malvern Road via a crossover located at the northeast corner.
- The front setback contains two scattered trees and screen vegetation planted along the street frontage and the west boundary. The rear private open space currently contains no significant vegetation, other than screen planting along the east and south boundaries.
- A 1.8 metre high timber paling fence is constructed along the Malvern Road frontage.

The subject site is located between two small Neighbourhood Activity Centres (NAC), with Darling Village approximately 380 metres to the northwest and East Malvern Village approximately 570 metres to the southeast. The Darling Railway Station is located approximately 450 metres north of the subject site whilst the East Malvern Railway Station is located approximately 600 metres to the east.

The site contextually forms part of an established residential precinct. The immediate context features a predominance of single detached dwellings constructed in various periods, interspersed with few townhouse developments in the wider area. Developments along this section of Malvern Road in this neighbourhood are largely one to two-storeys; of weatherboard, brick or rendered construction; and with more traditional built form and pitched roof. The built form on the opposite (north) side of Malvern Road varies and is generally more robust when compared with the south side. There are examples of three-storey developments in this area, including a large aged care facility (1997-2005 Malvern Road) and a townhouse development (1975-1977 Malvern Road) located to the northwest and a three-storey apartment building located further southeast at 2053-2055 Malvern Road. The property at 2031-2033 Malvern Road also has a current approval for a three-storey townhouse development (Planning Permit 852/17). Generous rear setbacks planted with some form of landscaping and canopy trees is a common feature in this neighbourhood. High front fences with immediate abuttal to a main road is also characteristic in the immediate surrounds.

The site interfaces with adjoining properties as follows:

- Land to the east at 1908-1910 Malvern Road is developed with a single storey interwar villa with pitched tile roof. This property is affected by a Heritage Overlay (HO350) and has a B heritage grading. The main secluded private open space is located to the south of the dwelling interfaced with the subject site. There are four habitable room windows facing the subject site, setback approximately 1.735 metres from the common boundary. Vehicle access is provided from Albert Street.
- Land to the south at 43 Albert Street is occupied by a single storey interwar villa with pitched tile roof. This property is zoned Neighbourhood Residential Zone, Schedule 2 (NRZ2) and is affected by a Heritage Overlay (HO350) with a B heritage grading. Vehicle access is provided from Albert Street. Private open space is located to the rear of the dwelling on the western section of the property.
- The subject site has interfaces with four residential properties across the laneway to the west. The northernmost allotment at 1904 Malvern Road is occupied by a single storey dwelling of rendered brick construction with pitched tile roof. This dwelling is fronted onto Malvern Road with its private open space located at the rear interfaced with the very front section of the subject site. Vehicle access to the property is via a driveway along the east boundary and a crossover off Malvern Road.
- The allotments to the west of the laneway at 30, 32 and 34 Forster Avenue are each occupied by a detached dwelling, either single or double storey. All of these dwellings are fronted onto Forster Avenue with a rear setback ranging between 5.57 and 18 metres. Their private open spaces are located to the rear of the dwellings interfaced with the laneway and the subject site. Vehicle access to these dwellings is provided from Forster Avenue.
- Across Malvern Road to the north are predominantly single and double-storey detached dwellings, with the exception of a double-storey townhouse development at 2015 Malvern Road and a double-storey dual occupancy at 2011 Malvern Road.

Previous Planning Application/s

A search of Council records indicates the following relevant planning application:

- Planning Permit 386/09 was refused by Council on 30 September 2009 for construction of a crossover in a Road Zone Category 1.

The Title

The site is described on Certificate of Title Volume 05164 Folio 680 / Lots 7 and 8 on Plan of Subdivision 002915.

No covenants or easements affect the land.

Planning Controls

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

Zone

Clause 32.08 – General Residential Zone (Schedule 7) – Residential Boulevards & Corridors

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

Pursuant to Clause 32.08-4, a minimum garden area of 35% is required to be provided on a lot greater than 650 square metres. The development provides a minimum garden area of 48.7% (which equates to 572 square metres) in compliance with the mandatory requirement.

Schedule 7 to the General Residential Zone (GRZ) specifies that a building used as a dwelling must not exceed a height of 10.5 metres unless the slope of the natural ground

level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the height of the building must not exceed 11.5 metres. The site therefore has an allowable height of 11.5 metres.

The development has a maximum building height of 10.937 metres above the natural ground level. It complies with the mandatory building height limit as set out in Schedule 7 to the GRZ.

Schedule 7 also includes variations to the following requirements of Clause 55:

	Standard	Requirement
Site coverage	B8	Basements should not exceed 75% of the site area.
Side and rear setbacks	B17	For a distance of at least 5 metres behind the front façade of the building fronting the street, setback new buildings (including basements) a minimum of 2 metres from at least one side boundary and at least 1 metre from the other side boundary up to 3.6 metres in height. Where no setback is specified, standard B17 applies.
Walls on boundaries	B18	Walls should not be located on side boundaries for a distance of 5 metres behind the front façade of the building fronting the street.

Overlay

The site is not affected by any overlays.

Particular Provisions

Clause 52.06 – Car Parking

Pursuant to Table 1 at Clause 52.06-5, one car parking space is required to each two bedroom dwelling and two car parking spaces are required to each three or more bedroom dwelling.

The development, comprising three 5-bedroom dwellings and one 4-bedroom dwelling, generates a statutory car parking requirement of 8 car spaces. The subject site is located within the Principal Public Transport Network (PPTN) area and therefore no visitor car parking is required to be provided on site.

The development provides 8 car spaces, which complies with the requirements of Clause 52.06.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

Pursuant to Clause 52.29, a permit is required to create or alter access to a road in a Road Zone, Category 1. An application to create or alter access to a road declared as an arterial road under the *Road Management Act 2004* must be referred to the Roads Corporation under Section 55 of the *Act*. The Department of Transport (formerly known as VicRoads) is a determining referral authority.

Clause 55 – Two or more dwellings on a lot and residential buildings

Clause 55 applies to an application to construct a development of four-storeys or less, excluding a basement. A development must meet all of the objectives of this clause and should meet all of the standards of this clause.

Relevant Planning Policies

Clause 15 – Built Environment and Heritage
Clause 16 – Housing
Clause 18 – Transport
Clause 21.03 – Vision
Clause 21.05 – Housing
Clause 21.06 – Built Environment and Heritage
Clause 22.05 – Environmentally Sustainable Development Policy
Clause 22.18 – Stormwater Management (Water Sensitive Urban Design) Policy
Clause 22.23 – Neighbourhood Character Policy
Clause 53.18 – Stormwater Management in Urban Development
Clause 55 – Two or more dwellings on a lot (ResCode)
Clause 65 – Decision Guidelines

Advertising

The original application sought to construct nine townhouses, comprising 8 three-storey dwellings and one double-storey dwelling, with 17 car spaces.

The original application was first advertised in May 2018 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 (1) sign on the site. The public notification of the application was completed satisfactorily.

The site is located in East Ward and objections from 12 different properties were received to the original proposal. The objections are summarised as follows:

- Issue with three-storey height.
- Excessive building mass, visual bulk and density of the development.
- Out of character with the neighbourhood and streetscape.
- Insufficient setbacks for landscaping.
- Overshadowing to neighbouring properties.
- Overlooking and loss of privacy.
- Traffic impact and congestion, and concern with laneway access and safety.
- Precedent for future developments.
- Noise.

Following public notification, amended plans were submitted on 15 December 2020. The key changes include, but are not limited to, the following:

- A complete redesign and scaled back of the development.
- Reduction in the number of dwellings from 9 to 4.
- Changes to the overall layout, form and appearance of the development.
- Modifications to the setbacks.
- Provision of break between the front and rear groups of dwellings.
- Increase in the east setbacks at first floor.
- Deletion of all west facing balconies at first floor and changes to the west setbacks.
- Reduction in building footprint at second floor and increase in the east and west setbacks.
- Increase in landscaping, particularly provision of a 1.5 metre wide landscaping strip along the east boundary.
- Reduction in the number of car parking spaces from 17 to 8.

The amended application was subsequently readvertised by sending notices to the owners and occupiers of adjoining land and by placing two (2) signs on the site. The re-notification of the application was completed satisfactorily.

Eight (8) objections were received to the amended application. Amongst these, only three (3) objections are new objections. The grounds of the new objections are similar to the original objections summarised above.

A Consultative Meeting was held on 9 June 2021. The meeting was attended by Councillors Klisaris, Morgan and Lew, representatives of the applicant, objectors and a Council planning officer. The meeting did not result in any changes to the plans.

Referrals

Urban Designer

- The amended plans are a satisfactory response to my previous comments regarding the proposed materials and colour scheme and the landscape response.

Parks

- No objection to this proposal.
- The submitted landscape plan is suitable for approval.

Waste Management

- A comprehensive Waste Management Plan (WMP) accompanied this proposal. This document responded well to the waste management challenges presented in the plans.
- Location of waste/ recycling bins is not shown on the plans.

Planner response: Condition will be imposed in any permit issued requiring location of bin storage to be shown on the plans.

Infrastructure

- The proposed levels of the garages and ground floors must be raised to provide reasonable protection from flooding/ overland flow from ROW.
- The garage floors need to be raised to at least 150mm higher than the existing edge of ROW at the high side of the opening.
- Cross-sections must be submitted to demonstrate compliance with the required floor levels.
- The finished floor level of the dwellings where the garage floor meets the respective units floor must step up by at least 100mm from the garage floors.
- Access ramps must not be extended into the ROW and must be fully contained within the title boundaries.
- The rear unit floor is below the abutting ROW and any overflow from the ROW may flood into that unit. This issue must be addressed. It may be possible to place a masonry wall to protect that unit and rear doorway.
- Permit conditions are recommended to address stormwater drainage design, stormwater detention, and footpath and laneway levels.

Planner response: The applicant has requested this matter to be addressed by way of permit conditions. The applicant has advised that changes to the floor levels can be accommodated without increasing the building height. Given a relatively high floor to ceiling height to the ground floor (3 metre in this case), it is considered that there is scope to accommodate the required level changes within the current building envelope without comprising the internal amenity of the dwellings.

Transport and Parking

- The proposed car parking provision meets the statutory requirements of the Planning Scheme.

- The anticipated volume of traffic generated by the development is low and given the relatively low number and density of dwellings abutting the laneway at present, it would have limited impact to the laneway.
- Multiple corrective movements in the laneway are considered unacceptable. Access must be designed to allow B99 vehicles to enter and exit in a single movement, noting that a reverse out, drive forward movement would be accepted.
- The garage dimensions and gradients at property boundary are considered satisfactory.
- Additional detail is required for headroom clearance and minimum gradient of the garage floor level.
- Sight distance triangles are required along the laneway.
- A corner splay has been provided on the corner of the laneway and Malvern Road to ensure the lines of sight for pedestrians and motorists at the intersection are not impacted.
- The existing vehicle crossing to Malvern Road is to be removed and the kerb and channel replaced to the satisfaction of Council.

Planner response: Conditions will be imposed in any permit issued requiring access to be designed in a way to allow B99 vehicles to enter and egress the garages in a single movement. This is achievable given that the dwellings are large in size and could be adjusted to allow deeper garages and wider garage openings without reduction in buildings setbacks. Other identified design issues are not fatal and can be addressed by way of permit conditions and amended plans.

Department of Transport (formerly known as VicRoads)

- No objection to the proposal subject to permit conditions.

Key Issues and Discussion

Strategic Justification

The Planning Policy Framework encourages higher density residential development on sites within established urban areas close to activity centres, employment corridors and public transport. Specifically, Clause 16 of the Stonnington Planning Scheme relates to housing and encourages diversity of housing; improved housing choice; affordable housing; and well located housing in relation to activity centres, employment and public transport.

In addition, local policies call for well-designed medium density housing that respects neighbourhood character, improves housing choice, makes better use of existing infrastructure and improves energy efficiency of housing. The subject site is located between two Neighbourhood Activity Centres (NAC), with Darling Village approximately 380 metres to the northwest and East Malvern Village approximately 570 metres to the southeast. The location of the site and its proximity to public transport and existing services and infrastructure responds adequately to the State planning policy for increased density and infill development.

Further to this, the Strategic Framework Plan in the Municipal Strategic Statement (MSS) (Clause 21.03) identifies locations where specific outcomes are sought. In terms of redevelopment and residential intensification, the Strategic Framework Plan recognises the need for increased densities across the municipality and directs specific types of development to specific areas. Clause 21.05 (Housing) in the MSS identifies the subject site as being within an area of *'incremental change'* where the policy directs multi-unit development (2-3 storeys) to lots capable of accommodating increased density. Further

Local Policy at Clause 21.06-4 directs medium density development with a two to three-storey form in residential areas to respect the preferred character of the precinct. The proposed development will read as a two-storey building with a recessed third level. The building provides adequate breaks at the top level and gradually steps down to two storey at the rear. This will provide a comfortable fit with the surrounding buildings and the preferred built form envisaged along this section of Malvern Road.

Clause 21.03-2 seeks to ensure that the landscaped character of the City is retained, repaired and enhanced and canopy trees are a prevailing part of the City's environment and that new built form is well-designed and respects the valued, traditional built form character elements of its host precinct. Similarly, Clause 21.06 also seeks to repair and reinforce the high quality landscape character of the City.

The subject site has many attributes which makes it suited to being redeveloped for medium density housing. The site is not affected by any overlays, is located on a main road with a direct abuttal of laneway, and is in proximity to two Neighbourhood Activity Centres and two railway stations. The location provides an opportunity for increased housing choice offering good access to services, infrastructure and public transport. It is clear that strategic direction for the site encourages some form of medium density residential development on this site, subject to a right design and landscape response which respects the existing and preferred neighbourhood character of the area.

Built Form

The application has been assessed against the objectives and standards of Clause 55 (ResCode). A full assessment against the applicable requirements of Clause 55 has been undertaken and demonstrates that the development achieves a high level of compliance, with the following notable standards highlighted and discussed.

Neighbourhood Character

The Neighbourhood Character Policy in Clause 22.23 sets out the preferred character and design guidelines for development in different character precincts. The subject site is located in the Garden Suburban 4 (GS4) Precinct where the statement of preferred neighbourhood character is as follows:

The Garden Suburban 4 (GS4) precinct comprises spacious and leafy streetscapes with Edwardian, Interwar or Post-war era and new buildings set in established garden surrounds. Regular front and side setbacks provide space around buildings and allow for canopy trees. New buildings or additions offer innovative and contemporary design responses while complementing the key aspects of building form, scale and design detail of the older dwellings in the precinct. Low or permeable front fences retain views to gardens and buildings from the street. Areas within a Residential Growth or Mixed Use Zone or within a substantial change area will accommodate more development with a more compact setting but with space for canopy trees and other vegetation and high quality, responsive design.

Having regard to the objectives above, the development is deemed to be respectful of the surrounding built form as well as the emerging and preferred character of the area. The development has been sufficiently setback from all property boundaries to strengthen the garden setting of the building and to reinforce the tree canopy of the wider area. On balance, the proposal responds positively to the design objectives and guidelines for the Garden Suburban 4 Precinct as follows:

- The application seeks to demolish the existing buildings on site. However, this is not prohibited under the current planning controls. The existing buildings make a limited

contribution to the character of the area and are not protected by any Heritage Overlay. Therefore, their removal will not adversely impact on the existing neighbourhood character of the area.

- The proposal is a contemporary design response that will present largely as a double-storey building across the site with a recessive third level featuring a skillion roof form. The proposed height and scale provide adequate transition to the neighbouring lower scale buildings whilst reflects the preferred two to three-storey scale envisaged along this section of Malvern Road and other recent approvals of multi-unit developments in the surrounding area.
- The architectural form is innovative and incorporates a pronounced two-storey façade of red facebrick and pitched (skillion) roof form to reflect the Interwar dwellings to the east and south and other Edwardian and Interwar dwellings in this section of Malvern Road.
- It is considered that the proposal will not dominate the streetscape as the third (top) level is adequately setback from the street frontage at distances of 6.52 metres from Malvern Road, 5.12 metres from the laneway to the west, 6.21 metres from the east boundary, and 15.87 metres from the rear boundary. Separations have been provided across the third level to break up a wide expanse of built form into smaller compositions. These setbacks ensure a highly recessive third storey addition when viewed from the sensitive residential interfaces to the east, west and south on oblique angles. The metal cladding at the upper level creates a visual distinction between the brick façade below and mitigate the building bulk, which is deemed to be a positive feature.
- The design response adopts staggered setbacks and steps the building down to two storey at the rear. The physical separation between the front and rear groups of the dwellings provides a clear visual break and breaks up the mass and breadth of built form which spans across this long, deep site. This mitigates the visual bulk and provides sense of separation when viewed from the neighbouring properties to the east and west.
- The façade of the building is well articulated through the use of architectural detailing, fenestration, recesses, and staggered setbacks.
- The use of varied building materials provides articulation to the building and visual interest. The materiality of facebrick, renders and Colorbond cladding is consistent with the predominant architectural detailing of other contemporary developments whilst complementing the older housing stock in the surrounding area.
- The building is adequately setback from all property boundaries to reflect the development pattern in the surrounding area and reinforce the rhythm of spacing between and around buildings in the streetscape.
- The proposal for a contemporary building set among canopy trees and soft landscaping reflects the garden character of the wider neighbourhood and will provide transition in scale between the main road properties along Malvern Road and the Heritage Overlay properties to the east and south.
- Car parking structures are orientated to face the laneway to the west. This ensures the structures are not visually dominant to the Malvern Road streetscape whilst increases opportunities for landscaping within the front setback area.
- The front fences facing Malvern Road are aligned with the front building façades and significantly recessed from the street frontage. They will be well integrated into the landscaping along the street frontage and will not become a dominant element in the streetscape.

Overall, it is considered that the design adequately responds to the site constraints, the surrounding built form, the site and local context as well as the existing and preferred character as identified in Neighbourhood Character Policy. The proposed development will sit comfortably within the existing and emerging streetscape.

Integration with the Street

The proposed development provides adequate integration with the street. The pedestrian entry with a porch above will be clearly visible from Malvern Road. The rear dwellings have an identifiable landscaped pathway accessed from Malvern Road. Each level of the development has large windows facing the street to provide passive surveillance opportunities from upper levels.

Street Setback

The neighbouring dwelling to the west at 1904 Malvern Road is setback 5.79 metres from the Malvern Road frontage. The adjoining dwelling to the east at 1908-1910 Malvern Road has a front setback of 5.22 metres. Pursuant to Standard B6 of Clause 55.03-1, a minimum front setback of 5.5 metres is required for the proposal.

The development adopts front setbacks in the order of 5.52 to 5.56 metres. The proposal is therefore compliant with Standard B6. The setbacks as proposed will continue to reflect the rhythm of other buildings in the street and are therefore considered to be acceptable.

Building Height

The development as proposed has a maximum building height of 10.937 metres, which complies with the mandatory height limit of 11.5 metres specified in Schedule 7 to the GRZ.

The streetscape is predominantly made up of single and double-storey forms, yet there are some examples of three-storey buildings on the opposite side of Malvern Road in the wider area. In the vicinity, the property at 2031-2033 Malvern Road has a current approval for a three-storey townhouse development. The Zone allows for a building up to three-storeys and Council's Municipal Strategic Statement encourages two to three-storey built form within incremental change areas on lots capable of accommodating it, which Malvern Road falls within. Some objectors have raised concerns with a three storey form adjacent to the Heritage Overlay to the east and south.

The design response adopts varied floor levels and building heights and steps the building down to two storey and away from the sensitive rear interface. Importantly the third storey as proposed is significantly recessed from the floors below and setback 6.21 to 6.78 metres from the east boundary and 15.87 metres from the rear boundary. This is considerable distance and is deemed to provide an acceptable transition in scale to the built form character of Heritage Overlay to the east and south. Separations are provided across the third storey to create appreciable visual break in the built form when viewed in oblique from the residential properties to the east and west.

On balance, the proposal will achieve a built form outcome that is compatible with the preferred neighbourhood character of the surrounding area and the wider Malvern Road streetscape, whilst respecting the surrounding lower scale residential developments. Therefore, the proposed height is considered appropriate and acceptable.

Site Coverage and Permeability

The proposal results in 47% site coverage, which is well below the 60% maximum coverage recommended by Standard B8. The proposal incorporates an adequate area for soft landscaping. Importantly, the buildings have been setback from all boundaries to allow for

the establishment of deep soil, in-ground planting and meaningful landscaping as sought by Council's Neighbourhood Character Policy. The objective of Standard B8 is met.

Standard B9 recommends at least 20% site permeability. The development proposes a permeable area equating to 48.7% which complies with the prescriptive requirement of the standard.

Landscaping

Council's Municipal Strategic Statement (MSS) and various local policies emphasise the provision of high-quality landscaping and seek to ensure that landscaping forms a key consideration of development proposals. Clause 21.06-2 (Landscape Character) seeks to *'repair and reinforce the high-quality landscape character of the City'*.

Further to this, Clause 22.23 (Neighbourhood Character Policy) seeks *'to maintain and strengthen the garden settings of buildings and the tree canopy of the neighbourhood'*. The policy defines canopy tree as *'a tree at least 5m in height with a canopy spread of at least 6m at maturity'* and further encourages a design response which *'includes planting around the perimeter of the site to strengthen the garden setting'*.

The subject site is planted with a modest amount of vegetation which is proposed to be removed, however as none of it is considered significant, its removal can be supported. Landscaping is important to the character of the area. It is important for any new development on this site to incorporate meaningful landscaping not only to complement and contribute to the existing and preferred landscape character of the area, but also compensate for the loss of vegetation.

It is considered that the proposed layout and setbacks of the development will allow adequate opportunities around the perimeter of the site to accommodate for canopy tree planting and meaningful landscaping commensurate with a development of this scale.

The proposed landscape response provides deep soil planting opportunities, including 28 canopy trees in the central break and around the perimeter of the development. Amongst them, 11 trees are medium to large sized trees (Blackwood and Blue Jacaranda) with a maturity height of 10 to 15 metres and 4 trees are medium sized trees (Brush Box) with a maturity height of 5 to 10 metres and wide canopy spread (10 to 15 metres). A 1.5 metre wide landscaping strip is proposed along the east boundary to incorporate a row of screen planting comprising 13 Weeping Lilly Pilly with a maturity height of 5 to 10 metres. A mix of canopy trees in different sizes and species (comprising four Brush Boxes and four Blackwoods) along with lower level planting are proposed within the front setback area. This landscape design will form a multi-layered landscaping with different heights and sizes and is considered to be a good landscape contribution to the streetscape and the broader neighbourhood. The adequate amount of new canopy tree planting will compensate the loss of vegetation, maintain the tree canopy of the neighbourhood and complement the streetscape, the garden setting, and the preferred landscape character sought to achieve in the Garden Suburban 4 Precinct.

The arboricultural report submitted with the application has assessed the vegetation impact and has concluded that the proposed development will have no adverse impact to the existing vegetation on the adjoining properties to the east and west. The plans indicate that the development will encroach into the tree protection zone of the Lilly Pilly (Tree 3) on the adjoining property to the east. However, the encroachment does not exceed 10% and is therefore acceptable as any potential impact on the tree's root will be sufficiently limited. For the large trees on the properties to the west of the laneway, there is no encroachment into the tree protection zones of the Silky Oak and Chinese Elms. Due to no major impact on the

neighbouring trees, special construction methods are not required. Council's Arborist has reviewed the report and accepted these findings. A permit condition will be imposed in any permit issued requiring that tree protection fencing be erected prior to commencement of the development to protect the health of the neighbouring trees during construction.

Overall, a balanced outcome is achieved between making efficient use of the land and intensifying developments whilst providing a sympathetic landscape response to the neighbourhood. Subject to permit conditions, the landscape response will enhance the garden setting and the landscape character of the area and ensure a high standard of landscape integration is achieved.

Amenity Impacts

Side and Rear Setbacks

The development has been designed to protect the amenity of the adjoining properties. This is evident through the generous setbacks provided to the side and rear boundaries.

Modified Standard B17

Schedule 7 to the General Residential Zone varies the side setback requirements at the front façade of the building and requires new buildings to be setback a minimum of 2 metres from at least one side boundary and at least 1 metre from the other side boundary up to 3.6 metres in height, for a distance of at least 5 metres behind the street facing façade.

The front section of the building is setback a minimum 4.5 metres from the east boundary and 3.5 metres from the west boundary. The development fully complies with the modified Standard B17.

Standard B17

Standard B17 (side and rear setbacks) sets out numeric requirements for side and rear setbacks. The table below illustrates how the proposal responds to these requirements:

	East Elevation			
	Wall Height	Setback Required	Setback Proposed	Complies
Ground Floor	4.7 metres	1.33 metres	3 metres	Yes
First Floor	7.3 metres	2.39 metres	3.5 metres	Yes
Second Floor	10.27 and 10.94 metres	5.36 – 6.027 metres	6.21 – 6.78 metres	Yes
	South Elevation			
	Wall Height	Setback Required	Setback Proposed	Complies
First Floor	6.6 metres	1.9 metres	4.3 metres	Yes
Second Floor	10.11 metres	5.2 metres	15.87 metres	Yes
	West Elevation			
	Wall Height	Setback Required	Setback Proposed (to the laneway)	Complies
Ground Floor	3.96 metres	1.1 metres	1 metre	No
First Floor	6.67 and 6.9 metres	1.9 – 1.99 metres	1.9 – 2.05 metres	Yes
Second Floor	9.78 – 10.65 metres	4.87 – 5.74 metres	5.12 metres	No

The laneway to the west provides a separation of 3 metres from the properties to the west, fronting Forster Avenue. The degree of non-compliance of 100mm at ground floor is acceptable given the additional separation provided by the laneway and therefore will not result in any unreasonable amenity impacts on the properties to the west.

The non-compliance at the top level occurs towards the ridge of the skillion roof to Dwellings 2 and 3. Given the interface with a 3 metre wide laneway, such degree of non-compliance is not considered to be unreasonable. The development would wholly contain within the Standard B17 building profile if measured from the centreline of the laneway.

The development incorporates a skillion roof form and small building footprints with perceived separations across the top level. This creates a clear and appreciable visual break and presents the top level as a recessive element to the properties on the west of the laneway. The visual bulk of the building will be further mitigated by the additional separation provided by the 3 metre wide laneway. The proposed setbacks will provide appropriate spacing and will not crowd the laneway.

Overall, the variations to the side setbacks will not result in unreasonable building bulk or off-site amenity impacts to the neighbouring properties to the west, nor adversely affect the neighbourhood character of this area. The Side and Rear Setback Objective is considered met.

Daylight to Existing Windows

The development will not have any adverse impact on any existing adjacent habitable room windows as defined by Standard B19 (Daylight to existing windows objective).

Standard B19 recommends that a new wall constructed opposite an existing window should be set back from the window at least 50 per cent of the height of the new wall.

The existing windows to the east are setback 1.73 metres from the common boundary with the subject site. Considerable setbacks are proposed opposite the existing dwelling to the east in excess of the recommendations of Standard B19 as detailed below:

	East Elevation			
	Wall Height	Setback Required (to existing windows)	Setback Proposed (to existing windows)	Complies
First Floor	7.23 metres	3.62 metres	5.23 metres	Yes
Second Floor	10.91 metres	5.46 metres	8.51 metres	Yes

As there is a laneway located to the west of the site, there are no habitable room windows in close proximity to the west boundary. There are no north facing windows within 3 metres of the subject site to the rear.

As such, the development will not unreasonably affect any existing windows as determined by the Standard.

Overshadowing

Standard B21 (Overshadowing objective) of Clause 55.04-5 seeks to ensure buildings do not significantly overshadow the existing secluded private open space. Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent or 40 square metres with minimum dimensions of 3 metres, whichever is the lesser area, of the secluded private open space should receive at least five (5) hours of sunlight between 9am and 3pm at the September Equinox.

The proposed development will cast additional shadow over the secluded private open space of the neighbouring properties to the west at 30, 32 and 34 Forster Avenue at 9am. The extent of overshadowing to the neighbouring properties to the west is within the extent of permissible in Standard B21, as a minimum of 40 square metres of the secluded private open space will continue to receive 5 hours of direct sunlight.

The adjoining property to the east at 1908-1910 Malvern Road will experience some additional shadowing at 2pm and 3pm as a result of the proposal. However, given the size of this property and secluded private open spaces, the extent of overshadowing will be minor and in compliance with Standard B21, in that at least 40 square metres of the secluded private open space will continue to receive a minimum of 5 hours of sunlight between 9am and 3pm at the September Equinox.

The shadow diagrams also illustrate that the proposed development will not cast any additional shadow over the neighbouring property to the rear (south) at 43 Albert Street beyond the existing conditions.

Overall, the extent of overshadowing to the adjoining properties is within the parameters allowed in Standard B21. There will be no unreasonable overshadowing to the adjoining properties as a result of this development. The Objective of Standard B21 is met.

Overlooking

With regard to overlooking, Standard B22 specifies that any new windows or balconies with an outlook to a sensitive interface within a horizontal distance of 9 metres (measured at ground level) to be screened to a height of 1.7 metres above finished floor level. The Standard does not apply to any overlooking issues from the proposed ground level as the existing and proposed fences will prevent any unreasonable overlooking issues.

All east, west and south facing habitable room windows at first and second floors are to be provided with obscure glazing fixed to 1.7 metres above finished floor level. The screening measure complies with Standard B22, and will limit potential overlooking into the neighbouring habitable room windows or secluded private open spaces within 9 metres in accordance with the overlooking objective (Standard B22).

Noise Impacts

The proposed townhouse development is not expected to generate noise above and beyond that normally associated with a residential development.

A condition of the approval will require that the plant and equipment be screened so as to minimise visibility from any of the surrounding footpaths and from overhead views and is to be baffled so as to minimise the emission of unreasonable noise to the environment in accordance with Section 48A of the *Environment Protection Act 1970*.

Through these permit conditions, it would minimise the visual and amenity impact to the neighbouring dwellings and the streetscape.

Internal Amenity

The proposed development provides family sized dwellings with all of them having either four or five bedrooms and floor areas of between 224 and 321 square metres. The pedestrian entries to each dwelling are clearly defined and accessible.

Sufficient private open space areas are provided in a form of ground level courtyards ranging between 45 to 97 square metres and minimum dimensions exceeding 3 metres with direct access from the living area. The private open space areas provide a functional layout and

will meet the reasonable recreational and service needs of residents. The provision of private open space complies with Standard B28.

Each townhouse is oriented with a triple aspect to make appropriate use of daylight, solar energy and natural cross ventilation. Furthermore, the courtyards will receive sufficient sunlight from the east and west throughout the day. Due to generous separation between built form, the energy efficiency of neighbouring properties will not be unreasonably impacted.

Each dwelling is provided with a secure storage of 6 cubic metres in compliance with Standard B30. Location of mailboxes and bin storage will be required to show on the plans.

Car Parking and Traffic

The proposal satisfies the statutory car parking requirement of Clause 52.06 with two resident car spaces provided for each dwelling. There is no requirement for visitor parking and as such none has been provided.

Vehicle access to the garages will be via the laneway to the west off Malvern Road. Several objectors have expressed concern with this proposed arrangement. While the objectors prefer for vehicle access to be provided from Malvern Road, no changes have been made in the amended proposal.

Importantly, Council cannot require vehicle access to be provided from Malvern Road. As Malvern Road is a road in Road Zone Category 1, any intensification or variations to access onto this road must be approved by the Department of Transport (formerly known as VicRoads).

The development will not result in any unreasonable impact on the nearby streets, the surrounding area and the local road network. The Department of Transport, who is responsible for managing Malvern Road, has no objection to the proposal. Council's Transport and Parking Unit have expressed no concerns with the laneway access. Given the low intensity of traffic generated by the proposed development and the relatively low number and density of dwellings abutting the laneway at present, it is considered that the proposal will not adversely impact the operation of the laneway to an extent that would warrant an objection from a traffic and safety perspective.

In addition, Council's Neighbourhood Character Policy at Clause 22.23 seeks to prevent the loss of front garden space and the dominance of car parking structures. Vehicle access from an existing laneway therefore delivers a balanced outcome amongst these competing objectives.

The garage design meets the relevant design standards of Clause 52.06. However, the swept path diagrams submitted with the application suggest that multiple corrective manoeuvres would be required in the laneway for B99 vehicles. Council's Transport and Parking Unit considered this to be unacceptable and required access from a public road, including laneway, without corrective manoeuvres. Conditions will be imposed in any permit issued requiring access to be designed in a way to allow B99 vehicles to ingress and egress the garages in a single movement. This is achievable given that the dwellings are large in size and could be adjusted to allow deeper garages and wider garage openings without reduction in building setbacks.

Other identified design issues, including headroom clearance, minimum gradient of the garage floor level and requirement of sight distance triangles, are not fatal and can be addressed by way of permit conditions.

Environmentally Sustainable Design

The applicant has submitted a Sustainable Design Assessment (SDA) in support of the application. The report includes a BESS assessment which indicates the development will

achieve a BESS score of 56% with a pass in all four mandatory categories (Water, Energy, Stormwater Quality, and IEQ). All key ESD initiatives are annotated on the drawings.

A Water Sensitive Urban Design (WSUD) response was submitted with the application. The report indicates that the development will achieve a STORM rating of 113% through the provision of rainwater tanks with a capacity of 2,000 litre for each dwelling. The rainwater tanks will collect rainwater from the building's roof catchment areas and connect to all toilets for flushing. The architectural plans submitted do not show any proposed stormwater treatment measures and this will be addressed by way of permit conditions.

The proposed development does not provide any external shading devices to the north, west and east facing glazing and thus fails to satisfy Council's best practice of SDAPP policy. Conditions will be imposed in any permit issued requiring provision of shading devices to north, west and east facing glazing in accordance with Council's adopted SDAPP policy.

Subject to appropriate permit conditions, the proposed development includes various design features to achieve best practice for sustainable design and achieves an acceptable ESD outcome.

Objections

In response to the grounds of objection not already discussed in the report, the following comments are made:

- *Precedent for future developments*

Each application is assessed on its individual merit and against the current planning controls at the time the application is made.

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. 1293/17 - 1906 Malvern Road, Malvern East [8.1.1 - 20 pages]

Officer Recommendation

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 1293/17 for the land located at 1906 Malvern Road, Malvern East under the Stonnington Planning Scheme for construction of a multi-dwelling development in a General Residential Zone and alteration of access to a road in a Road Zone Category 1 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 plans, Drawing Nos. SA-1 (Rev-4), TP-1, TP-2, TP-3 (TP-Rev 4), TP-4 (Rev-4), TP05 (Rev-3), TP-6, TP-7 (TP-Rev 4), SH1 – SH7 (TP-Rev 3) and Council date stamped 10 February 2021, but modified to show:***

- a) **Cross-sections taken through the right-of-way (ROW) and respective garages at the high side of all door openings to the satisfaction of the Responsible Authority. In addition, the cross-sections must show:**
 - i) **The existing levels of the ROW on the high side of the entrances to the respective garages. The level details must be confirmed by a level survey carried out by a licenced land surveyor.**
 - ii) **All garage floors must be at least 150mm higher than the existing edge of the ROW at the high side of the door opening.**
- b) **The finished floor level of the ground floor of each dwelling must step up a minimum 100mm above the finished floor level of the adjoining garage. This only applies where the garage floor adjoins the adjoining ground floor. This must be designed to the satisfaction of the Responsible Authority.**
- c) **Any subsequent adjustment to the design and gradient(s) of the access ramp(s)/ driveway(s) in order to achieve Conditions 1(a) and (b).**
- d) **Provision of masonry retaining wall along the west, south, east boundaries to Dwelling 4 to protect the dwelling and rear doorway from flooding, or to the satisfaction of the Responsible Authority.**
- e) **Any changes as required by Conditions 1(a) to (d) (inclusive) must not result in any increase in the building envelope, overall building height or wall height.**
- f) **Swept path diagrams for B99 vehicles, prepared by suitably qualified traffic engineers, showing vehicles manoeuvring and demonstrating vehicles can enter and egress garages in a single movement (a reverse out, drive forward movement is accepted) to the satisfaction of Council's Transport and Parking Unit.**
- g) **Internal floor layout changes to satisfy Conditions 1 (a) to (f) (inclusive). The building setbacks must not be reduced.**
- h) **Sight distance triangles to be provided at the west boundary on either side of crossovers to the satisfaction of the Responsible Authority.**
- i) **Height of headroom clearance of the garages measured when doors are in an open position.**
- j) **The minimum gradient of the floor level of garages annotated to be 1:200 (0.5%) to allow for adequate drainage as per AS2890.1, or to the satisfaction of the Responsible Authority.**
- k) **All metal fences to be replaced by timber paling fences to correspond with the elevations and material schedule.**
- l) **Notation to depict that obscure glazing is 'fixed'.**
- m) **Deletion of GB 'obscure glass balustrade' in the Finishes Schedule.**
- n) **Location of mailboxes.**
- o) **Location of bin (waste/ recycling) storage.**
- p) **External shading devices are to be provided to north facing glazing of habitable rooms, which should ensure that the north windows/glazed**

doors are shaded from the spring equinox until the autumn equinox (21 September to 21 March). Where sun shading devices are being utilised a dimensioned section diagram is to be included to demonstrate their effectiveness.

- q) External sun shading devices are to be provided to east and west facing glazing of habitable rooms, which could be in the form of operable louvres, sliding shutters or external blinds. The external shading devices are to be clearly shown/noted on the plans and elevations.**
- r) All stormwater treatment measures proposed in the Water Sensitive Urban Design (WSUD) Response as required by Condition 7. Details must be provided to the satisfaction of the Responsible Authority.**
- s) Any changes as required by Condition 3 (Landscape Plan), Condition 6 (Sustainable Design Assessment), and Condition 11 (Stormwater Detention).**

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. Concurrent with the endorsement of plans, a landscape plan to be prepared by a landscape architect or suitably qualified or experienced landscape designer, must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The landscape plan must be in accordance with the landscape plan (Rev A) prepared by MEMLA Pty Ltd and Council date stamped 15 December 2020, but modified to show:**
 - a) Any changes necessary to reflect the plans to be endorsed in Condition 1.**
 - b) A survey (including botanical names) of all existing vegetation to be retained and/or removed.**
 - c) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.**
 - d) Details of surface finishes of pathways and driveways.**
 - e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
 - f) Landscaping and planting within all open areas of the site.**
 - g) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.**
 - h) Details of all proposed hard surface materials including pathways, patio or decked areas.**

All to the satisfaction of the Responsible Authority.

- 4. Before the occupation of the development, the landscaping works as shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority. Landscaping must then be maintained to the satisfaction**

of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

5. **Prior to the commencement of any works on the land, each Tree Protection Zone nominated within the endorsed plans must:**
 - a) **Be fenced with temporary fencing compliant with Section 4 of AS 4970 to the satisfaction of the Responsible Authority.**
 - b) **Include a notice on the fence to the satisfaction of the Responsible Authority advising on the purpose of the Tree Protection Zone, the need to retain and maintain the temporary fencing and that fines will be imposed for removal or damage of the fencing and trees.**
 - c) **No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the prior written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.**

6. **Concurrent with the endorsement of plans, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. Upon approval the SDA will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SDA to the satisfaction of the Responsible Authority. The SDA must be generally in accordance with the report submitted with the application prepared by Northern Environmental Design and Council date stamped 10 February 2021, but modified to include the following:**
 - a) **Any changes necessary to reflect the plans to be endorsed in Condition 1. All to the satisfaction of the Responsible Authority.**

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

7. **Concurrent with the endorsement of plans, the applicant must provide a Water Sensitive Urban Design (WUSD) Response addressing the Application Requirements of the Water Sensitive Urban Design Policy to the satisfaction of the Responsible Authority. The WSUD Response must be generally in accordance with the report prepared by Northern Environmental Design and Council date stamped 10 February 2021, but modified to include the following:**
 - a) **Any changes necessary to reflect the plans to be endorsed in Condition 1. All to the satisfaction of the Responsible Authority.**

All proposed treatments included within the Water Sensitive Urban Design Response must also be indicated on the plans.

8. **The project must incorporate the Water Sensitive Urban Design initiatives detailed in the endorsed site plan and/or stormwater management report.**

9. **The existing level of the footpaths and/or laneways must not be altered in any way to match with the new development levels and driveways facilitate access to the site to the satisfaction of the Responsible Authority.**

10. ***The access ramp(s)/ driveway(s) to the garages must not be extended into the right-of-way (ROW) and must be fully contained within the title boundaries of the subject land to the satisfaction of the Responsible Authority.***
11. ***The permit holder must at their cost provide a stormwater detention system to restrict runoff from the development to no greater than the existing runoff based on a 1 in 10 A.R.I. to the satisfaction of Council's Infrastructure Unit. Alternatively, in lieu of the stand-alone detention system, the owner may provide stormwater tanks that are in total 4,000 litres greater than those tanks required to satisfy WSUD requirements for the development. Those tanks must be connected to all toilets.***
12. ***Prior to a building permit being issued, a report for the legal point of discharge must be obtained from Council and a drainage design for the development must be prepared by a suitably qualified Engineer in accordance with all 'recommendations' and requirements contained in that report. All drainage must be by means of a gravity based system with the exception of runoff from any basement ramp and agricultural drains which may be pumped. As required by the Building Regulations, the relevant building surveyor must check and approve the drainage design and ensure that protection of the building is provided from a 1 in 100 A.R.I. storm event.***
13. ***Prior to an 'Occupancy Permit' being issued, a suitably qualified Engineer must carry out a detailed inspection of the completed stormwater drainage system and associated works including all water storage tanks and detention (if applicable) to ensure that all works has been constructed in strict accordance with the Engineer's design and the relevant planning permit conditions. Certification from the Engineer must be provided to Council for the completed drainage and associated works prior to a 'Statement of Compliance' being issued for the subdivision.***
14. ***Prior to occupation of the building or commencement of use, 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.***
15. ***Prior to the commencement of the development hereby approved, the permit holder must obtain approval from Council's Building and Local Laws Department to construct or modify any vehicle crossover/s providing access to the subject site. The issue of a planning permit does not provide approval for vehicular crossovers which are outside of the title boundary.***
16. ***Prior to the occupation of the building, fixed privacy screens (not adhesive film) designed to limit overlooking as required by Standard B22 of Clause 55.04-6 in accordance with the endorsed plans must be installed to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.***
17. ***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.***

18. ***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.***
19. ***All utility services to the subject land and buildings approved as part of this permit must be provided underground to the satisfaction of the Responsible Authority by completion of the development.***
20. ***External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
21. ***All plant and equipment (including air-conditioning units) shall be located or screened so as to minimise visibility from any of the surrounding footpaths and from overhead views and shall be baffled so as to minimise the emission of unreasonable noise to the environment in accordance with Section 48A of the Environment Protection Act 1970 to the satisfaction of the Responsible Authority.***

DEPARTMENT OF TRANSPORT CONDITION

22. ***Prior to the commencement of the use hereby approved, the disused/ redundant vehicle crossing on Malvern Road must be removed, and the area reinstated to kerb and channel, to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.***

END OF DEPARTMENT OF TRANSPORT CONDITION

23. ***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:

DEPARTMENT OF TRANSPORT NOTE

- A. ***The proposed development requires the removal of a redundant crossover. Separate approval under the Road Management Act 2004 for this activity is required from the Head, Transport for Victoria. Please contact the Department of Transport (Road) prior to commencing any works.***

END OF DEPARTMENT OF TRANSPORT NOTE

- 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. ***The owners and occupiers of the dwelling/s hereby approved are not eligible to receive "Resident Parking Permits".***
- D. ***Council has adopted a zero tolerance approach in respect to the failure to implement the vegetation related requirements of Planning Permits and endorsed documentation. Any failure to fully adhere to these requirements will be cause for prosecution. This is the first and only warning which will be issued.***

- E. 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.

- F. 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.**
- G. 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:**
- i. Before or within 6 months after the permit expiry date, where the development allowed by the permit has not yet started; and**
 - ii. Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.**

8.2 Draft Council Plan 2021-25 (Future Stonnington) for Public Exhibition

Manager City Strategy & Performance: Mathew Burke

Director Planning & Place: Annaliese Battista

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.

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 seek approval for the draft Council Plan 2021-25 (Future Stonnington) to proceed to public exhibition for a three-week period (17 August - 7 September 2021) before final adoption with the Annual Plan 2021-22 on 4 October 2021.

Officer Recommendation

That Council:

- 1. APPROVE the public exhibition of the draft Council Plan 2021-25 (Future Stonnington) for a three-week period from 17 August - 7 September 2021;**
- 2. NOTE that the Financial Plan will be exhibited concurrently with the draft Council Plan 2021-25;**
- 3. NOTE that following public exhibition, any feedback received will be considered before final adoption of the Council Plan 2021-25 (Future Stonnington) with the Annual Plan 2021-22 (currently in development) on 4 October 2021.**

Executive Summary

- The City of Stonnington is developing a Community Vision 2040 and Council Plan 2021-25. These documents form the apex of Stonnington's integrated planning framework and will provide direction for Council's subsequent plans, strategies and actions.
- A robust community engagement process was undertaken from September 2020 – May 2021 to develop the Stonnington Community Vision 2040. This was adopted by Council on 28 June 2021.
- The Council Plan's strategic directions, objectives, priorities, key actions and indicators were developed through extensive engagement with Councillors, Executive and staff, in alignment with the Community Vision.

4. A combined document – Future Stonnington – has been developed which incorporates both the Community Vision and Council Plan and highlights the linkage between the two. Community feedback through public exhibition is now sought on the draft Council Plan 2021-25 as part of the broader Future Stonnington document.
5. Following exhibition, any feedback received will be considered before final adoption of the Council Plan 2021-25 as part of the broader Future Stonnington document, along with the Annual Plan 2021-22, on 4 October 2021.

Background

Community Vision

6. The Local Government Act 2020 (LGA2020) requires Council to develop a Community Vision, created with its community in accordance with deliberative engagement practices.
7. Following a robust engagement program, the Stonnington Community Vision 2040 was developed by the People's Panel. It was subsequently approved by Council on 28 June 2021.

Council Plan

8. Council has been developing the Council Plan 2021-25 through a series of workshops and engagement points with Councillors, the Executive Team and staff, utilising insights from the community engagement process. This engagement program is depicted in **Attachment 1**.
9. A penultimate draft of Future Stonnington was presented with all Councillors in attendance at the Council Strategy Offsite on 24 July 2021 to obtain comment and feedback.
10. All suggested edits were discussed in plenary and agreed upon in principle by Councillors, either unanimously or by super-majority (7 of 9 Councillors present).

Key Issues and Discussion

11. Suggested edits to the Council Plan, agreed in principle in line with paragraph 10, have been processed in an updated version of Future Stonnington (**Attachment 2**). A summary of these changes, including rationale for wording changes to priorities or new priorities, is provided in **Attachment 3**.
12. Approval to proceed to public exhibition from 17 August-7 September 2021 is now sought on the draft Council Plan 2021-25 as part of the broader Future Stonnington document. This will occur concurrently with the public exhibition of the Financial Plan, presented to Council as a separate report.
13. Following public exhibition, any feedback received will be considered ahead of submission of Future Stonnington to Council for final approval on 4 October 2021.

Governance Compliance

Policy Implications

14. There are no policy implications associated with this report.

Financial and Resource Implications

15. The Community Vision and Council Plan will inform the Financial Plan and Budget, which will have long term financial and resource implications for Council. These will be addressed in each of these documents.

Conflicts of Interest Disclosure

16. 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

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

Environmental Implications

18. Both the Community Vision and Council Plan include strong environmental considerations, including Principles 2 and 5 of the Community Vision, the Climate Leadership operating principle within the Council Plan, and the Sustainability and Climate Action strategic objective within the Council Plan.

Community Consultation

19. A summary of community consultation is included below:

Purpose	An extensive engagement program – Shaping Stonnington – was undertaken from September 2020 to May 2021 to develop the Community Vision 2040 and inform the development of the Council Plan 2021-25. Community feedback via public exhibition on the Council Plan is now being sought.
IAP2 Goal	Collaborate
Exhibition period	See ‘Method’ below
Method	<ul style="list-style-type: none"> • Wider Engagement: September 2020 - February 2021 • Deliberative Engagement via People’s Panel: March - May 2021 • Public Exhibition: 17 August - 7 September 2021
Reach	<ul style="list-style-type: none"> • Wider engagement: Approximately 20,000 touchpoints across letters, social media, online workshops, surveys and face-to-face intercepts. • Deliberative engagement: Statistically representative panel of 32 community members.
Summary of feedback	<ul style="list-style-type: none"> • All feedback collected during the wider engagement phase was consolidated and provided to the People’s Panel for consideration when developing the Community Vision. • The Community Vision was developed by the People’s Panel and adopted by Council unedited. This is included in the Future Stonnington document (Attachment 2). • Any feedback received during Public Exhibition will be summarized and presented to Council.
Impact	At the collaborate level, Council partnered with our community to incorporate advice and recommendations into the Community Vision

	<p>to the maximum extent possible. The Community Vision as drafted was adopted by Council. The community's concerns, priorities and aspirations from the engagement program were also reflected in the Council Plan.</p> <p>Feedback received during Public Exhibition will be considered ahead of final adoption and any changes based on this feedback will be highlighted.</p>
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Human Rights Consideration

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

Attachments

1. Community Vision and Council Plan timeline [**8.2.1** - 1 page]
2. Future Stonnington (draft) [**8.2.2** - 46 pages]
3. Summary of changes to priorities [**8.2.3** - 5 pages]

8.3 Draft Financial Plan for public exhibition

Chief Financial Officer: Julia Gallace

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 seek approval for the draft Financial Plan 2021-31 to go to public exhibition for a three-week period (17 August - 7 September 2021) before final adoption with the Council Plan 2021-25 on 4 October 2021.

Officer Recommendation

That Council:

- 1. APPROVE the public exhibition of the draft 10 Year Financial Plan 2021-31 for a three-week period from 17 August - 7 September 2021;**
- 2. NOTE that the Financial Plan 2021-31 will be exhibited concurrently with the draft Council Plan 2021-25;**
- 3. NOTE that following public exhibition, any feedback received will be considered before final adoption of the Financial Plan 2021-31 on 4 October 2021; and**
- 4. NOTE that a Financial Plan must be adopted by all Victorian Councils by 31 October 2021.**

Executive Summary

1. The Local Government Act 2020 requires each Council to prepare a Financial Plan covering a minimum period of 10 years following each Council election. The 10-Year Financial Plan covers the period 2021-22 to 2030-31.
2. The Financial Plan is a decision-making tool to identify Council's current and projected financial capacity to meet Council's future needs in providing services and facilities to the community based on the goals and aspirations of the Council Plan and to achieve the Community Vision.
3. The long-term outlook for Council displays prudent financial management and increasing operating surpluses to support community infrastructure requirements.

Background

1. The Local Government Act 2020 (section 91) requires Councils to develop, adopt and keep in force a Financial Plan which spans at least 10 years.
2. This is a new requirement of the Local Government Act and the Financial Plan must be adopted by Councils by 31 October 2021.

3. The Financial Plan effectively takes the assumptions and budget parameters that have been applied to the 2021-22 budget (which covers a 4 year period) and extends these out into years 5-10 to give a longer term view of Council's financial viability and outcomes.
4. Each year the 10-Year Financial Plan is reviewed and updated to reflect the current circumstances of Council and will be adopted as part of the annual budget process.
5. The Financial Plan outlines the resources required to give effect to the Council Plan and must include details as specified in the LGA and Regulations.
6. Under the Local Government Act 2020, and in accordance with Council's newly adopted Community Engagement Policy, Council will be required to prepare the Finance Plan in accordance with its deliberative engagement practices in future years.

Key Issues and Discussion

7. To ensure Council has the capacity to work towards the achievement of the Stonnington Community Vision 2040, a Financial Plan has been prepared to guide the financial resources of Council over the next 10 years refer to **Attachment 1**.
8. The key assumptions used as part of the development of the 2021-22 Budget form the basis for the development of the 10 Year Financial Plan and include economic and industry factors.
9. City of Stonnington's Financial Plan displays a financially sustainable Council, with improving financial sustainability year on year to enable Council to respond to financial challenges now and into the future.
10. It highlights the prudent use of borrowings and how this will be repaid over the next 10 Years and outlines Council's cash management over the longer-term to support service delivery requirements and asset works.
11. The Financial Plan also details performance measure to approved targets over 10 Years. Council achieves all performance measures apart from internal financing in the medium-term. This internal finance ratio excludes borrowings and evaluates the % of operating cash from that year covering net capital cash outgoings. Council intends to rely on debt funding to support the capital program in the medium-term due to the financial losses experienced from Covid-19.
12. Approval to proceed to public exhibition from 17 August-7 September 2021 is now sought on the draft Financial Plan 2021-31. This will occur concurrently with the public exhibition of the Council Plan, presented to Council as a separate report.
13. Following public exhibition, any feedback received will be considered ahead of submission of the Financial Plan for final approval on 4 October 2021.

Governance Compliance

Policy Implications

14. There are no policy implications associated with this report.

Financial and Resource Implications

15. The Community Vision and Council Plan will inform the Financial Plan and Budget, which will have long term financial and resource implications for Council. These will be addressed in each of these documents.

Conflicts of Interest Disclosure

16. 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

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

Environmental Implications

18. Both the Community Vision and Council Plan include strong environmental considerations, including Principles 2 and 5 of the Community Vision, the Climate Leadership operating principle within the Council Plan, and the Sustainability and Climate Action strategic objective within the Council Plan. The Community Vision and Council Plan will inform the Financial Plan.

Community Consultation

19. A summary of community consultation is included below:

Purpose	An extensive engagement program – Shaping Stonnington – was undertaken from September 2020 to May 2021 to develop the Community Vision 2040 and inform the development of the Council Plan 2021-25. The Community Vision and Council Plan will inform the Financial Plan. Community feedback via public exhibition on the Financial Plan is now being sought.
IAP2 Goal	Collaborate
Exhibition period	See ‘Method’ below
Method	Community Vision and Council Plan Wider Engagement: September 2020 - February 2021 Deliberative Engagement via People’s Panel: March - May 2021 Budget Public Exhibition: April 2021 to May 2021 Financial Plan and Council Plan Public Exhibition: 17 August - 7 September 2021
Reach	Wider engagement: Approximately 20,000 touchpoints across letters, social media, online workshops, surveys and face-to-face intercepts.
Summary of feedback	Any feedback received during Public Exhibition will be summarized and presented to Council.
Impact	At the collaborate level, Council partnered with our community to incorporate advice and recommendations into the Community Vision to the maximum extent possible. The Community Vision as drafted was adopted by Council. The community’s concerns, priorities and aspirations from the engagement program are reflected in the Council Plan and Financial Plan.

	Feedback received during Public Exhibition will be considered ahead of final adoption and any changes based on this feedback will be highlighted.
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Human Rights Consideration

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

Attachments

1. Draft Financial Plan- City of Stonnington [8.3.1 - 32 pages]

8.4 Community Recovery Committee - Appointment of Chair

Manager Aged, Diversity & Community Planning: Liz Daley

Director Community & Wellbeing: Cath Harrod

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.

- C1** Enhance community health and wellbeing outcomes through quality service delivery and strategic partnerships.
- C4** Enhance community engagement to ensure Council makes long-term decisions in the best interests of the community.

Purpose of Report

To seek appointment of a Councillor as Chair of the Stonnington Community Recovery Committee, as per the Terms of Reference.

Officer Recommendation

That the Council APPOINT (Councillor to be nominated) to Chair the Stonnington Community Recovery Committee.

Executive Summary

1. The Community Recovery Committee was established as a representative forum for residents to work alongside Council on COVID-19 recovery.
2. A new Chair of the Committee is required to be appointed, following the decision of the current Chair and Deputy Chair to stand down.

Background

3. The City of Stonnington Community Recovery Committee was formed in response to the COVID-19 pandemic event to:
 - a. seek input from the affected community into the process of recovery;
 - b. inform community about recovery processes and activities;
 - c. confirm the Community Recovery Plan; and
 - d. monitor and progress recovery effort.
4. The Terms of Reference for the Committee (refer **Attachment 1**) note the Committee will include an independent Chair. A decision was made by Council at the Meeting of 7 December 2020 to appoint a Councillor as Chair and Deputy Chair.

Key Issues and Discussion

5. At the meeting of 7 December 2020, Council appointed Cr Scott as Chair and Cr Batagol as Deputy Chair of the Community Recovery Committee.
6. Cr Scott has elected to stand down as Chair of the Committee to fulfil a new role as Chair of the Stonnington LGBTIQA+ Advisory Committee.

7. Cr Batagol has elected to stand down temporarily from the Committee while an internal audit of the COVID-19 Community Grants program is completed.
8. A new Chair is therefore required to be appointed by the Council. Cr Sehr has expressed an interest in undertaking the role.

Governance Compliance

Policy Implications

9. There are no policy implications associated with this report.

Financial and Resource Implications

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

Conflicts of Interest Disclosure

11. 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

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

Environmental Implications

13. There are no environmental implications relevant to this report.

Community Consultation

14. There was no requirement for community consultation.

Human Rights Consideration

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

Attachments

1. Terms of Reference - Community Recovery Committee [8.4.1 - 1 page]

8.5 Naming of laneway - Confectionery Lane Prahran

Revenue Coordinator: Robert Smart
Chief Financial Officer: Julia Gallace

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 obtain approval in naming a laneway situated at the rear of 179 High Street Prahran continual to 206 Chapel Street and adjacent to 8 Hillingdon Place, Prahran.

Officer Recommendation

That the Council:

1. **APPROVE the subject laneway to be officially named CONFECTIONERY LANE, PRAHRAN;**
2. **NOTE the Registrar of Geographic Names (Geographic Names Victoria GNV) is notified of the decision and their approval sought;**
3. **NOTE the relevant Ward Councillors are notified of the decision;**
4. **NOTE an advertisement is placed in the in the Herald Sun Newspaper 'Public Notices' section advising of the decision and the consulted local community advised of the result;**
5. **NOTE that relevant authorities (which may include the following bodies) shall be notified of this decision:**
 - **Melways Publishing Pty Ltd**
 - **Melbourne Water**
 - **Address Management**
 - **Metropolitan Fire Brigade**
 - **The Divisional Returning Officer**
 - **Boral Energy 21**
 - **Universal Press**
 - **Metropolitan Ambulance Service**
 - **State Electoral Office Victoria**
 - **Commissioner of Land Tax**
 - **Telstra**
 - **Australia Post**
 - **Office of Geographical Names**

- ***Prahran Historical Society***
 - ***Vic Roads – Metropolitan South Eastern Region***
 - ***City Power***
 - ***United Energy***
6. ***APPROVE that street signage be organised and installed for the newly named Laneway.***

Executive Summary

1. The subject laneway is currently unnamed and as a result of developments/expansion works there are now properties that front the subject laneway. It was therefore recommended that the laneway is named. A survey of the residents in close proximity to the laneway was undertaken, as well as public consultation via The Herald Sun newspaper. The results of consultation confirmed that Confectionery Lane is the preferred street name.
2. 'Confectionery' is named after a number of confectioners who operated in the area.

Background

3. Council issued Planning Permit 698/19 on 03/01/2020 - improvement works to an existing building – 194 Chapel Street, Prahran (Property 42377). The proposed works includes the reconfiguration works/creation of an additional occupancy on the first-floor level, which would have primary access from the rear subject laneway, that is currently unnamed.

Key Issues and Discussion

4. The City of Stonnington street naming process requires the referral of street name requests to the Stonnington Local History Unit to provide viable name options, which comply with the principles outlined in the Naming Rules for places in Victoria (2016).
5. It should be noted that the Geographic Names Victoria guidelines preclude Council from using company names when naming streets. The main confectioners in the subject area were Red Tulip and Kiora but cannot be used hence the suggestion of Confectionery Lane.
6. The provision of street names is required when properties front an unnamed laneway/street for mail delivery and emergency services vehicle access.
7. The following recommended names were provided for the subject laneway:
8. **Confectionery**: named after a number of confectioners who operated in the area, **Nankervis**: named for ANZAC William Charles Nankervis, 50 King Street Prahran. Nankervis was killed in action in 1918, having been wounded in action twice in the previous twelve months. He was buried in France.
9. A circular/survey was canvassed to the residents in close proximity to the laneway providing the suggested two names for the subject laneway and further requesting that they return their preference for one of the two names. A thirty (30) day reply/due date was applicable.

10. The tally/results of the survey are provided below, confirming that Confectionery Lane returned to be the preferred street name.

11. Circulars sent: 19 Responses received: 3

	In Favour
Confectionery	2
Nankervis	1

12. An article was further published in the Public Notices section of the Herald Sun Newspaper on Monday 12th April, 2021, for public consultation purposes to the broader community to the name Confectionery Lane, with the required thirty (30) day respond/due date for any further comments to be received.

13. There were no further comments/submissions received from the article.

Governance Compliance

Policy Implications

14. The name Confectionery complies with the principles outlined in the Naming Rules for places in Victoria (2016)

Financial and Resource Implications

15. The street sign/s will be costed from the general street sign budget.

Conflicts of Interest Disclosure

16. 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

17. Council has an obligation to name the laneway in assisting mail delivery and Emergency Services Vehicles to quickly locate and respond to any matters that may arise in the area.

Environmental Implications

18. There are no environmental implications relevant to this report.

Community Consultation

Purpose	To receive feedback on affected owners of the proposed naming of laneway
IAP2 Goal	N/A
Exhibition period	30 days in accordance with Office of Geographic names Guidelines (DELWP)
Method	Circular to owners directly abutting the laneway and publication in the Herald Sun
Reach	Abutting property owners and broader community via Herald Sun Public Notices
Summary of feedback	3 out 19

Impact	Compliance with GNV Guidelines for Emergency Services identification and access to abutting properties.
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Human Rights Consideration

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

Attachments

1. Proposed naming of laneway - LOCATION PLAN (Rear 194 Chapel Street) [**8.5.1** - 1 page]

8.6 Perth Street, Prahran - Permanent One Way Flow - Hearing of Consultation Submission

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 verbal submissions at the Council Meeting of 16 August 2021, from those submitters who have elected to be heard in response to Council's proposal to permanently implement one-way flow in Perth Street, Prahran. Submissions were made in accordance with the provisions of Council's Engagement Policy enacted under Section 55 and 56 of the Local Government Act 2020.

Officer Recommendation

That Council:

- 1. NOTE the comments provided by the community in response to the consultation on the permanent implementation of one-way flow southbound in Perth Street, Prahran between Commercial Road and Greville Street, and one-way flow northbound in Perth Street, Prahran between High Street and Greville Street; and**
- 2. RECEIVE a further report on the proposal to permanently implement one-way flow in Perth Street in the next meeting cycle.**

Executive Summary

1. Members of the community who have elected to appear will be presenting to Council regarding their position on the one-way flow arrangement in Perth Street. Officers will compile a list prior to the meeting. At this stage, 14 submitters have expressed interest in being heard. All submitters will be advised of the meeting and may nominate to be heard (via telephone/internet connection as appropriate at the time).

Background

2. At the Council Meeting on 1 June 2020 a report was presented for a decision by Council on the implementation of a trial of the one-way flow in Perth Street. A decision was made to proceed with this trial. This report can be found in Attachment 1. Part of the resolution by Council was:
 - 7. CONSULT with the affected community through a section 223 Process seeking feedback on the trial, and their preference for maintaining the one-way flow or reopening the street to two-way flow.**

3. As per part 7 of the decision, Council began the consultation process seeking feedback on the trial 1-way flow arrangement. Since that Council decision, Council has implemented the Engagement Policy and the process followed was in accordance with this rather than the S223 process listed which has been superseded.
4. A public notice was published in The Herald Sun newspaper on 3 July 2021 and online in the Leader publication. The public notice was also placed on Council's social media platforms. This public notice can be seen in Attachment 2. Letters were also sent to residents and owners of properties in the area bounded by Punt Road, Commercial Road, High Street and Porter Street (ie, residents who may use Perth Street in order to access their property). Submissions were required by 30 July 2021.

Key Issues and Discussion

5. During the consultation period Council received 91 submissions of support for the one-way to be permanently implemented; and 24 against the one-way. The State Government enacted a two week lockdown in between this consultation period. As such, it is anticipated that more submissions may be received after the 30 July deadline due to delays with Australia Post.
6. As the matter has not yet been heard, submissions will be continued to be included in the report.
7. Of all the submissions, 14 submitters have expressed interest in being heard. It is proposed to hear submissions at the Council meeting on 16 August 2021.
8. 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.
9. Reasonable notice of this presentation date, time, and zoom link will be circulated to those who made a submission asking to be heard.

Attachments

1. Council Meeting 1 June 2020 - Perth Street, Prahran - Proposed Trial of One Way Closure Consultation [8.6.1 - 5 pages]
2. Ad in Herald Sun [8.6.2 - 1 page]

8.7 Albion Street South Yarra - Footpath Accessibility

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.

C2 Strengthen Council's commitment to support our diverse and inclusive communities.

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

L6 Maintain Council's infrastructure and assets essential for the sustainable operation of the City.

Purpose of Report

To seek approval to resolve accessibility issues on footpaths by implementing a staggered parking arrangement in Albion Street, South Yarra and to investigate potential future improvements. The report also seeks approval to consult residents on parking restriction changes.

Officer Recommendation

That Council:

- 1. NOTE officers recommend implementing a staggered parking arrangement in Albion Street, South Yarra as the most appropriate treatment to address access and mobility issues in Albion Street.**
- 2. NOTE the community has requested an additional opportunity to engage with Council on the matter.**
- 3. Endorse an on-line meeting with interested Albion Street residents prior to a report being presented to Council for consideration.**

Executive Summary

1. Officers recommend a staggered parking arrangement be implemented in Albion Street, South Yarra to address identified accessibility issues. This arrangement would maximise on-street parking retention. It is also proposed to offer residents the option of altering the current parking restrictions that apply to PERMIT ZONE operating at all times. Prior to any final decision by Council an on-line meeting be held with interested Albion Street residents to respond to concerns expressed.

Background

2. Albion Street, South Yarra is a residential street that runs east from Punt Road. Traffic flow operates one-way flow eastbound. The street is narrow (8.8m width, property boundary to property boundary) and vehicles have historically parked with two wheels on the footpath in order to maintain a through traffic lane and parking on both sides. The key dimensions of the street are shown in **Attachment 1**.
3. Parking on the footpaths has been allowed in Albion Street by Council decision (see **Attachment 2** for Council's 1997 decision), in recognition of it being a narrow street. Allowing vehicles to park with two wheels on the footpath maintains parking on both sides of the street, while allowing clearance for a through traffic lane. Vehicles are still

required to be parked a reasonable distance from fences to allow pedestrians to pass, which has typically been interpreted as 1m from the property line.

4. The Council decision of 1997 acknowledges that parking on the footpath is contrary to the *Road Safety (Traffic) Regulations* in operation at the time. It also acknowledges that parking enforcement officers enforcing some vehicles parked on the footpath that do not leave room for pedestrians to pass, while not enforcing others, is problematic as the offence is technically the same.
5. A query was tabled at the Council meeting of 6 August 2018 regarding vehicles parked on the footpath and blocking access for pedestrians, particularly for prams and wheelchairs. The *Road Safety Road Rules (2017)* does not allow vehicles to park on footpaths unless permitted by a parking control sign.
6. Council officers have been corresponding with individual residents experiencing access issues in the street and general community regarding accessibility since 2018 which has established the key concerns. The existing Council decision to allow vehicles to park on the footpath has provided some justification for the existing arrangement, despite being contrary to the *Road Safety Road Rules (2017)*.
7. Notices have been distributed to the street in May 2019 and May 2021 advising residents to keep at least 1 m clear on the footpaths but obstructions to access have been occurring despite ongoing enforcement.
8. Accessibility for pedestrians and walkability are key community concerns and are also reflected in the *Council Plan 2017-2021*.
9. Despite officer correspondence with the community to diffuse the concerns raised, the matter has been escalated, and more recently reported to the Victorian Equal Opportunity and Human Rights Commission and therefore a permanent resolution is sought as the current arrangement is untenable.

Key Issues and Discussion

10. It is understood that the community is split on this matter. There has been strong community sentiment expressed that the car parking on Albion Street is highly valued, and that any parking loss is considered intolerable by many in the street.
11. The opposing view is that Council has a moral and legal responsibility to provide accessible and appropriate pedestrian footpaths. Community members have submitted many complaints requesting enforcement over time, and more recently have submitted photographs of cars impeding the passage of prams/wheelchairs on the footpath.

Key Design Criteria

12. The key design criteria used are:
 - Minimum footpath width: 1.2m (absolute minimum 1.0m)
 - Minimum parking lane width: 2.0m (preferably 2.1m)
 - Minimum through traffic width: 3m
13. The source for each dimension is included within **Attachment 3**, as well as some other key dimensions.
14. The key issue is that the 8.8m road reserve width simply does not provide enough space to allow for appropriate footpaths on both sides, car parking on both sides, and a through traffic lane at appropriate design standards.

15. Taking each of these requirements, as an ideal minimum for a footpath on each side (1.2m + 1.2m), a through traffic lane (3.0m), and parking on both sides (2.1m + 2.1m), requires a width of 9.6m.
16. Even taking the absolute minimum of each, footpath (1.0m + 1.0m), through lane (3.0m), and parking (2.0m + 2.0m), is a width of 9.0m. This would be incredibly tight, requiring absolute perfection from all users, and still would not fit.
17. As such, the unfortunate reality is that with insufficient space in the existing constrained environment the current arrangement cannot be retained in Albion Street.

Design Options

18. Council officers considered several options to try to resolve the issue:

- Prohibit parking on one side of the street:
 - north side
 - south side
 - staggered north and south side
- Close footpath on one side of the street
- Shared Zone; and in response to resident feedback,
- Linemark parking areas

19. A typical layout of each option, as well as key considerations, is shown in **Attachment 4**.

20. The impacts on parking and trees are shown in the table below.

Parking options	On-street parking spaces (change from existing)	Trees (change from existing)
Option 1 – ban parking on north side	25 (-18)	11 (-6)
Option 2 – ban parking on south side	20 (-23)	12 (-5)
Option 3 – staggered parking on both sides	29 (-14)	9 (-8)
Option 4 – close footpath on north side	28 (-15)	13 (-4)
Option 5 – Shared Zone	28 (-15)	17 (0)
Option 6 – delineate 1m path*	44 (0)	17 (0)

**this option has been included for discussion as it was raised by a number of residents.*

Option 1 – 3

21. The prohibition of parking on one side of the street has been developed in three configurations. Each would provide the footpath and through traffic lane requirements but would result in a loss of parking compared to the present informal arrangement. Option 3 provides the least amount of parking loss.

Option 4 - Close footpath on north side

22. Closing the footpath on one side of the street could accommodate parking on both sides and a 1.2m footpath on one side of the street. However, this option would still result in some parking losses to ensure that property gates are left clear. The closure of the footpath would mean marking parking bays on the footpath, to within 0.6m of the property line (offset required to ensure car doors can open). Therefore, bays cannot be marked across a property gate, as the occupants would not be able to exit freely and cross the street to the clear footpath on the other side. The parking available in this option is 28 spaces (existing 44 spaces). This option also presents legal challenges, as parking law may not permit parking on a footpath formally with the current restrictions, unless signed which can cause additional obstructions and constraints on access width. As such, this option was not considered feasible.

Option 5 - Shared Zone

23. A Shared Zone may be possible (with appropriate road reconstruction), however this arrangement is not currently supported by the Department of Transport (DoT) based on an assessment against the Shared Zone warrants. DoT approval must be granted to implement a Shared Zone. It should be noted that a shared zone if supported would also result in a similar loss of parking.
24. A Shared Zone means that a lower speed limit would be implemented in the street, and pedestrians would have priority over vehicles. These are typically used where pedestrian travel perpendicular to the path of vehicle travel, not aligned with vehicle travel. Such a treatment over the length of Albion Street (approximately 325m from Punt Road to Moore Street) would be intimidating for pedestrians and not considered safe if a vehicle was stuck behind.
25. Finally, to maintain the through width, vehicles would need to park closer to the property line, which again would mean marked bays would need to be kept clear of driveways and gates. The number of spaces saved by this treatment is unlikely to be significant (compared with banning parking in a staggered arrangement as discussed above). For these reasons, this option was not considered feasible although it could be considered in a future road reconstruction.

Option 6 - Delineate 1m pedestrian path

26. The line marking (or other delineation) of parking along Albion Street, confirming the current informal arrangement on the street, was suggested through consultation by residents as a solution to the issue. However, there is a difference between an informal arrangement and providing markings on the street. When markings are installed to formalise the arrangement, it must be installed to Australian Standards. Marking a line 1m from the property line to encourage vehicles to keep the footpaths clear would mean that some vehicles when parked would not leave the required 3m for through traffic. There is insufficient space to mark this. Further, the 1m footpath less than the design recommended width for wheel-chair access. As such, this option is not considered feasible.

Options Assessment

27. The most difficult aspect of assessing the options is determining the highest priority.
28. From a traffic engineering perspective, the priority would be the through traffic lane, then the footpath on either side, and then the car parking. This is because Council has a legal

obligation to provide for access through traffic and pedestrians. There is no obligation to provide on-street parking.

29. It is understood and acknowledged that on-street parking is highly valued in the community, and specifically by the residents of Albion Street. As explained previously, there is insufficient space to provide as much parking as the current informal arrangement.
30. As such, the staggered parking arrangement (Option 3 in Attachment 4) is the recommended option, as it retains a footpath on both sides of the street, at least one of which has a minimum width of 1.2m for the full length.
31. All options result in some parking losses, however the staggered parking arrangement minimises losses when compared with other options, while providing footpaths on both sides. A similar arrangement has been operating in Argo Street, a parallel street approximately 80m south of Albion Street, for many years.

Other Improvements

32. Due to the associated loss of on-street parking in the proposed option, compared with the existing arrangement, residents could be consulted on a proposal to implement PERMIT ZONE restrictions operating 24/7 in Albion Street after the changes are made, to ensure that remaining spaces are for residents and their visitors only. The street currently has 2-HOUR parking restrictions currently (9am to 7pm Monday to Saturday on the north side, 9am to 9pm Monday to Friday on the south side).
33. In addition, it is intended to investigate and install pram crossings at any intersections that do not currently have crossings.
34. In the longer term, it is suggested that Council, as part of the road renewal program, investigate opportunities for landscaping and kerb outstands, and the opportunity to widen the footpath on the north side of the street.

Other Obstruction Issues

35. Obstructions relating to overhanging foliage on private property and rubbish bins left on the footpath for excessive time after being emptied are significantly contributing to pedestrian access.
36. Appropriate community education and enforcement campaigns should be developed to address these issues to help with accessibility.

Implications for Other Streets

37. Council will review accessibility and impacts on other narrow streets within the municipality and consider the options broadly discussed above.
38. Each of the narrow streets will be considered on a street-by-street basis, due to the differences in road width, footpath widths, nature strips and other constraints.

Conclusion

39. After considering the physical constraints of Albion Street, the requirements to provide mobility and access for pedestrians, whilst maintaining vehicle access in the street, officers prepared and evaluated a number of options to manage the parking available.
40. Officers consider the staggered parking option is the most appropriate to comply with Council's obligations as a road authority and minimises parking loss.

41. Council may choose to implement Option 3 along with further consultation on the parking restrictions which should apply as well as further actions to improve pedestrian accessibility in the street.
42. However, it is suggested given the resident feedback with strong views expressed on both sides Council may wish to conduct some further on-line discussion with residents as requested, before making the final decision.

Governance Compliance

Policy Implications

43. The proposed recommendation supports the Council Plan 2017-2021 items as noted above.

Financial and Resource Implications

44. The implementation of staggered parking on the road can be managed through changes to parking signage. The installation of new signage is a minor expense which can be covered by existing operating budgets. Any changes to parking restrictions could be made at the same time.
45. Similarly, the installation of pram crossings can be covered by existing operating budgets.
46. Other infrastructure improvements to the street will be considered as part of Council's Road renewal program.

Conflicts of Interest Disclosure

47. 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

48. Council has an obligation to comply with:
 - Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling
 - AS 2890.5 - Parking Facilities Part 5: On-street car parking
 - Victorian *Road Safety Road Rules (2017)*
 - *AS1428 parts 1 and 2 - Design for Access and Mobility*
49. The recommended option and subsequent actions will enable Council to address compliance issues as far as practicable.

Stakeholder Consultation

Residents

50. At the Council meeting of 28 June 2021 it was decided that prior to the report being considered further, residents were to be consulted. On 12 July 2021, residents abutting Albion Street (between Punt Road and Moore Street) were consulted on the three options considered by Council officers:
 - Prohibit parking on the north side of the street
 - Prohibit parking on the south side of the street
 - Staggered parking arrangement

51. The results of the survey are attached in **Attachment 5**.
52. These options formed the basis of the original report as they were considered only feasible options to provide the required footpath access.
53. Several community members also provided feedback independent of the survey. These are included in **Attachments 6 and 7**.
54. At the Council Meeting of 2 August 2021, a petition from Albion Street residents to hold a face-to-face (or virtual) consultation meeting with residents to discuss further options for the street was tabled (see **Attachment 8**). Councilors have noted the petition.

Access and Inclusion Committee

55. Feedback was sought from Stonnington's Access and Inclusion Committee. The key issues raised specific to the issues in Albion Street were the overhanging foliage (from private property to the footpath) and bins not returned to properties following collection day. It was also noted that additional pram crossing should be installed at intersecting streets. The committee also supported the preferred minimum footpath width of 1.2m, as discussed above.

Accessibility Consultant Feedback

56. Feedback was sought from Equal Access, an independent accessibility consultant, in regard to the preferred option (staggered parking arrangement), as well as other potential options for the street.
57. The consultant has stated in discussions the staggered parking proposal recommended, in conjunction with:
 - active patrolling on overhanging foliage
 - program to encourage residents to remove rubbish bins on day of the pick-up
 - installing missing pram crossingswill provide an acceptable outcome.

When the street is eligible for renewal a further review of design options could be considered.

Disability Services Commissioner

58. Consideration of these matters has implications for ensuring accessibility for visually and mobility impaired pedestrians and is problematic for many inner suburban Councils with narrow local streets constructed in the early 1900s.
59. Officers have therefore engaged with the Disability Services Commissioner on an informal basis, to seek guidance and ensure our proposed measures are consistent with good practice desirable in similar narrow streets across inner Melbourne.
60. The Commissioner indicated that the issue needs to be about mobility in general as a priority over cars and car parking. She also suggested that we consider Journey mapping key routes around public transport nodes and activity centers in addition to other initiatives.
61. Therefore, whilst the current recommendation for Albion Street is an interim adjustment to assist with mobility, it is part of a process to upgrade our streets to remove barriers to access. Longer term, the process developed and lessons in undertaking the Albion Street investigation can inform an overall program to journey map pedestrian routes and prioritise upgrades to infrastructure accordingly.

62. A recommendation has been made to commence the process by officers working with Stonnington's Access and Inclusion Committee.

Human Rights Consideration

Complies with the Charter of Human Rights & Responsibilities Act 2006 and engagement has occurred with the Victorian Equal Opportunity and Human Rights Commission.

Attachments

1. Albion Street - Existing Arrangement [8.7.1 - 1 page]
2. Council Report and Decision - 1997 [8.7.2 - 4 pages]
3. Design Criteria [8.7.3 - 3 pages]
4. Albion Street Design Options [8.7.4 - 9 pages]
5. Albion Street Consultation Report [8.7.5 - 8 pages]
6. Albion Street Resident Correspondence - General [8.7.6 - 25 pages]
7. CONFIDENTIAL REDACTED - Albion Street Resident Correspondence - Confidential [8.7.7 - 4 pages]
8. CONFIDENTIAL REDACTED - Signed Petitions 1 and 2 [8.7.8 - 20 pages]

8.8 T21077 - Harold Holt Swim Centre Dive Pool and Tower Redevelopment

Manager Project Management & Delivery: Madelyn Eads-Dorsey

Director Environment & Infrastructure: Rick Kwasek

Linkage to Council Plan

Environment: A cleaner, safer and better environment for current and future generations to enjoy.

E1 Reduce energy use and associated greenhouse gas emissions.

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.

L2 Preserve Stonnington's heritage architecture and balance its existing character with complementary and sustainable development.

L4 Enhance the design outcomes of public spaces, places and buildings.

Purpose of Report

To seek approval to award Contract No. T21077 – Harold Holt Swim Centre Dive Pool and Tower Redevelopment to Stosius and Staff Constructions Pty Ltd (ABN 58 106 222 146).

Officer Recommendation

That Council:

- 1. AWARD Contract No. T21077 – Harold Holt Swim Centre Dive Pool and Tower Redevelopment to Stosius and Staff Constructions Pty Ltd (ABN 58 106 222 146) for the restoration of the dive tower and dive pool, installation of 1m and 3m diving boards, installation of the dive pool infiltration system, installation of a new in-ground spa pool and construction of a new plant and storeroom for a lump sum of \$3,917,493.80 (incl GST) and a contract length of approximately 8 months;**
- 2. AUTHORISE the Chief Executive Officer to execute the contract agreements with the above contractor; and**
- 3. NOTE that expenditure under this contract is in accordance with Council's Budget for Financial Year [2021/22] and provisions will be made accordingly for the associated future budget periods for this contract.**

Executive Summary

- Please note that confidential information is contained in **Attachment 1**, as circulated in the confidential section of the agenda attachments, in accordance with Section 66 (2) (a) of the Local Government Act 2020, as the information relates to contractual matters and premature disclosure of the information could be prejudicial to the interests of Council or other persons.
- This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making. If discussion of the confidential information in

the attachments to this report is required for Council to make a decision, this item will be deferred to the confidential section of the agenda.

Contract No.	T21077
Contract Name:	Harold Holt Swim Centre Dive Pool and Tower Redevelopment
Contract Supervisor:	Lou Murray

Background

3. The dive pool and associated dive tower were constructed in 1969 as an original component of the Harold Holt Swim Centre. The dive pool and tower are of heritage significance and are listed on the Victorian Heritage Register (VHR H0069).
4. In 2003 the dive pool and tower were closed to the public due to safety related issues associated with the public's recreational use of the diving tower, springboards and platforms. Since 2003, the dive pool and tower have remained closed to the public and the pool's infiltration, treatment and heating systems inoperable.
5. Between April and May 2019, feedback was sought from the Community on Council's proposal to return diving to the Harold Holt Swim Centre. The majority of those responded in favour of the dive pool and tower restoration and returning diving to the Centre.
6. On 6 July 2020 Council endorsed the immediate re-instatement of diving at Harold Holt Swim Centre, and further development of plans and a business case for the potential future development of the dive pool as a combined dive/25m lap pool.

The Dive Tower

7. The main concrete columns and slab systems of the tower require minor repair and refurbishment. The spiral staircase has experienced significant structural deterioration and localised failures due to the nature of its construction. The extent of damage exhibited by the spiral staircase makes it structurally unsafe when trafficable and is considered to have reached its end of life and in its current form would not satisfy current standards. Subsequently, the proposed remedial works are based on the intent to preserve the heritage component of the dive tower, avoid demolition of the spiral stairs and retain the structure as a monument.
8. Council will retain diving in the form of 1m and 3m diving boards independent of the diving tower that complies with Heritage Victoria's requirements of non-permanent fixtures being added to the facility.
9. In accordance with FINA Guidelines (the standard that governs diving boards with respect to safety by Federation Internationale De Natation Amateur), the existing dive tower and the various dive platforms (1m, 3m and 10m) do not satisfy FINA's safety requirements. Therefore, independent diving boards have been proposed.

The Dive Pool

10. The existing diving pool shell and perimeter hob wall is in acceptable structural condition. The proposed activation of the dive pool retains the pool inclusive of its size, depth and perimeter hob wall.
11. Previously, the diving pool shared its filtration plant with the outdoor 50m pool. However, as part of the 2010 Redevelopment Project, a new filtration system was installed to service the 50m outdoor pool only. Based on the requirements of the Victorian

Department of Health's Water Quality Guidelines, the 50m outdoor pool's system does not have sufficient capacity to service both the 50m pool and the dive pool.

12. The proposed redevelopment involves the provision of a new independent filtration plant system to service the existing dive pool. This filtration plant system will be constructed within a new plant room building that is located within the adjoining site of the Harold Holt Swim Centre.

The Outdoor in-ground spa pool

13. It is proposed to replace the existing above-ground prefabricated outdoor spa pool. The existing spa pool was constructed as part of the 2010 Redevelopment Project. The existing spa pool's filtration system and access is considered non-compliant and needs replacement.
14. It is proposed to construct a new in-ground concrete shell spa pool with a compliant stair entry. The spa pool will be fully tiled with the tiling scheme to match that of the outdoor 50m pool that was refurbished in 2020 and will provide consistency across the outdoor pools.
15. The new filtration plant to service the spa pool will replace the existing spa filtration plant located within the existing outdoor 50m pool plant area.

Key Issues and Discussion

Advertisement Date:	Saturday 29 May 2021
Procurement Method:	Public – The Age Newspaper
Documents released via:	VendorPanel
Closing Date:	Monday 28 June 2021
Number of Submissions received:	One

16. The Council issued a tender for the redevelopment of the dive pool and tower at the Harold Holt Swim Centre for an initial term of 6 months. One tender submission was received by Council for contract T21077 – Harold Holt Swim Centre Dive Pool and Tower Redevelopment.
17. Stosius & Staff Constructions Pty Ltd was assessed by the Tender Evaluation Panel as the preferred contractor, offering the best value to Council based on price, value, experience, and capacity to perform.
18. Tenders were assessed against the Evaluation Criteria listed in the Tender Application by an Evaluation Panel.
19. Refer to the attached confidential Evaluation Report for:
 - a. Tenders Received
 - b. Tender Evaluation Panel Members
 - c. Tender Submission Pricing
 - d. Price Clarifications
 - e. Tender Conformance/ Compliance Assessment
 - f. Pricing Basis for Evaluation

- g. Evaluation Matrix
- h. Evaluation Panel Recommendation and Commentary
- i. Contract Departures
- j. Referee and Financial Due Diligence Checks

Governance Compliance

Policy Implications

20. There are no policy implications associated with this report.

Financial and Resource Implications

21. The estimated total annual expenditure under this contract is identified in the attached confidential Evaluation Report.

22. Funding is provided from capital budget X9608 – Harold Holt Swim Centre Masterplan of which there is a total budget of \$4,295,083 (ex GST) for 2021/2022. This budget is for two stages of work. Stage 1 is the contract considered in this paper and the budget is \$3.6M.

23. The contract is within the current budget allocation.

Conflicts of Interest Disclosure

24. 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

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

Environmental Implications

26. The Climate Emergency has been considered in the design of this scope of works and the swimming pool is heated via an electric heat pump which considers whole of life sustainability outcomes.

Community Consultation

Purpose	Inform the community of the proposal to bring back diving to Harold Holt Swim Centre, obtain feedback and assess community sentiment.
IAP2 Goal	Obtain public feedback on analysis, alternatives and decisions.
Exhibition period	12 April 2019 – 12 May 2019
Method	<ul style="list-style-type: none"> • The consultation was promoted via a media release, Council's website, printed postcards, letterbox drop, social media (ie. Facebook) and onsite signage. • Consultation material included the proposed plan and rendered design images showing how the proposal might look from different angles. • An online survey provided a formal feedback mechanism for the community.

	<ul style="list-style-type: none"> The survey gathered information about respondents' relationship to Harold Holt Swim Centre, their previous and future use of the dive facility, as well as an opportunity for verbatim feedback on the plan to bring diving back to the facility.
Reach	<p>During the engagement period, there were 559 visits to the <i>Connect Stonnington</i> online engagement portal. A total of 265 survey responses were received, including 85 hardcopy surveys. Responses were unique and individual with no duplicate submissions.</p>
Summary of feedback	<ul style="list-style-type: none"> Close to two thirds (62%) attend Harold Holt Swim Centre at least once a week, with the respondent's relationship most likely to be as an aquatic member, local resident or regular swimmer. Half of respondents (48%) claim to have used the dive tower before its closure, most commonly for fun or recreational purposes, while a quarter (25%) currently use a dive facility elsewhere. Half indicated that they would use the diving facility once a month or more if it were restored. Overall, most survey respondents were overwhelmingly in favour of the proposal to bring diving back to Harold Holt Swim Centre.

Stakeholder Consultation

27. Officers from Building Projects and Active Communities undertook consultation with Heritage Victoria.

Human Rights Consideration

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

Attachments

1. CONFIDENTIAL REDACTED - T21077 Confidential Evaluation Report [8.8.1 - 3 pages]
2. CONFIDENTIAL REDACTED - T21077 Tender Evaluation Matrix [8.8.2 - 1 page]

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) (g) private commercial information, being information provided by a business, commercial or financial undertaking that -i) relates to trade secrets; or ii) if released, would reasonably expose the business, commercial or financial undertaking to disadvantage.

8.9 Contract Award T21081 - Hard & Green Waste Collection, Transportation and Disposal Service

Manager City Operations: Noel Kiernan

Director Environment & Infrastructure: Rick Kwasek

Linkage to Council Plan

Environment: A cleaner, safer and better environment for current and future generations to enjoy.

E5 Deliver best practice waste management services to minimise waste generation and maximise resource recovery and recycling.

Purpose of Report

To seek approval to award Contract No. **T21081 Hard and Green Waste Collection, Transportation and Disposal Service to WM Waste Management Services, ABN 69 897 425 789** for a three-year period with the option of two one-year extensions.

Officer Recommendation

That Council:

1. **AWARD Contract No. T21081 Hard and Green Waste Collection, Transportation and Disposal Service to WM Waste Management Services (ABN 69 897 425 789) for the collection, transportation, and disposal of hard and (bundled) green waste under a blanket services model for an initial term of three (3) years with two additional one (1) year extension options at the:**
 - a. **fixed price of \$1,091,638.90 incl. GST (\$992,399.00 excl. GST) for year one;**
 - b. **the initial term of three (3) years at \$3,274,916.70 incl. GST (\$2,977,197 excl. GST), subject to CPI.**
2. **AUTHORISE the Chief Executive Officer to execute the contract agreements with the above contractor including two additional one (1) year extension options with WM Waste Management Services;**
3. **NOTE that a further report will be brought to Council in November 2021 providing the outcome of a survey on a proposed change to the Hard Waste service model;**
4. **NOTE that under the terms of the contract the service model is flexible and can changed to be either Blanket, Booked or a Hybrid of the two at the discretion of Council.**

Executive Summary

1. Please note that confidential information is contained in **Attachment 1**, as circulated in the confidential section of the agenda attachments, in accordance with Section 66 (2) (a) of the Local Government Act 2020, as the information relates to contractual matters and premature disclosure of the information could be prejudicial to the interests of Council or other persons.

2. This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making. If discussion of the confidential information in the attachments to this report is required for Council to make a decision, this item will be deferred to the confidential section of the agenda.
3. The preferred contractor for Contract No. T21081 Hard and Green Waste Collection, Transportation and Disposal Service is WM Waste Management Services which includes the collection, transportation, and disposal of hard and (bundled) green waste for an initial term of three (3) years with two additional one (1) year extension options at the:
 - a. fixed price of \$1,091,638.90 incl. GST (\$992,399.00 excl. GST) for year one;
 - b. the initial term of three (3) years at \$3,274,916.70 incl. GST (\$2,977,197 excl. GST), subject to CPI.

Contract No.	T21081
Contract Name:	Hard and Green Waste Collection, Transportation and Disposal Service
Contract Supervisor:	James Wynne

Background

4. Council currently provides a biannual kerbside and bundled hard waste service. This service is known as a 'blanket service' and is historically provided twice a year in autumn and spring. Residents are required to place approved hard waste material at the kerbside during a designated period.
5. The following tonnages are collected and disposed of annually;
 - Landfill waste: 1,500 tonnes
 - Green waste: 100 tonnes
 - Mattresses: 7,000 units
 - E-Waste: 20 tonnes
6. Council resolved at its meeting of 17 May 2021 to consult with the community to understand whether there was a desire to move from a blanket service to a booked service at some point in the future.
7. The survey will close on 31 October 2021.
8. Tendering for two prices provides Council with an understanding of the cost implications of both services in the event it wishes to change to a booked service at a point within the first term of the contract. Any such transition to an alternative service model would be at Council's discretion and subject to Council approval.

Key Issues and Discussion

Advertisement Date:	12 June 2021
Procurement Method:	Public Tender
Documents released via:	VendorPanel
Closing Date:	12 July 2021
Number of Submissions received:	2 and 1 non-conforming

9. Tenders were assessed against the Evaluation Criteria listed in the Tender Application by an Evaluation Panel and supported by an independent probity auditor, Terry Alford, CT Management Group, on the advice of the procurement team.
10. Refer to the attached confidential Evaluation Report for:
 - a. Tenders Received
 - b. Tender Submission Pricing
 - c. Tender Evaluation Panel Members
 - d. Clarifications
 - e. Evaluation Matrix
 - f. Evaluation Panel Recommendation and Commentary
 - g. Tender Conformance/ Compliance Assessment
 - h. Contract Departures
 - i. Referee and Financial Due Diligence Checks

Governance Compliance

Policy Implications

11. 'Resources and Waste Management' is a strategic priority area in Council's Sustainable Environment Strategy 2018-2023. The proposed actions in this report are consistent with this strategy, aiming to reduce waste to landfill and maximise recovery of resources.

Financial and Resource Implications

12. The lowest tendered price submitted was from WM Waste Management Services, submitting \$992,399 (ex GST) for a blanket service per annum. Total contract amount over the full-term including extensions is \$4,961,996 (ex GST), subject to CPI.
13. Funding is provided from operating budget R3210.4300 and R3200.4228 in which there is a total budget of \$820,000 (ex GST) for the 2021/22 blanket service.
14. The contract exceeds the current budget allocation 2021/22 by \$111,000.00. The increased costs include higher tenement numbers of approximately 1,000 and CPI increases.
15. The annual cost increase will be reforecast at the appropriate time in the financial year and the increase in the contract value will be factored into the future cost recovery modelling of the Waste Collection Fees.

Conflicts of Interest Disclosure

16. 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

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

Environmental Implications

18. All contractors and disposal facilities must operate in accordance with the Environmental Protection Act and regulations.
19. It is a requirement within the specifications that the contractor's plant is to always operate efficiently and to be designed in a manner to minimise environmental impact by

way of noise, other emission, and fuel consumption. Furthermore, diesel engines will be required to comply with ADR80 (Euro IV).

Community Consultation

20. Community consultation is currently underway regarding the type of service delivery preferred by Stonnington residents in the future. This transition will be addressed in an appropriate report in November 2021.

Human Rights Consideration

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

Attachments

1. CONFIDENTIAL REDACTED - Confidential Procurement Briefing Paper - T21081
[8.9.1 - 5 pages]

8.10 Elizabeth Street and Talbot Crescent, Kooyong - Proposal to Install PERMIT ZONE Restrictions

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

Linkage to Council Plan

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

L6 Maintain Council's infrastructure and assets essential for the sustainable operation of the City.

Purpose of Report

To advise Council of the consultation results received in the parking proposals in Elizabeth Street and Talbot Crescent, Kooyong and to seek approval to amend the existing PERMIT ZONE restrictions in Elizabeth Street, Kooyong and to install PERMIT ZONE restrictions in Talbot Crescent, Kooyong.

Officer Recommendation

That Council:

- 1. APPROVE the installation of Permit Zone restrictions operating 8am to 8pm Wednesday to Sunday, March to September, on the west side of Elizabeth Street Kooyong from Talbot Crescent Kooyong to the dead end;**
- 2. APPROVE the installation of Permit Zone restrictions operating 8am to 8pm Wednesday to Sunday, March to September, on the north side of Talbot Crescent, between 45 Talbot Crescent to 99 Talbot Crescent;**
- 3. AUTHORISE officers to notify those properties consulted on the decision.**

Executive Summary

1. As part of the Council resolution for the Ferrie Oval floodlighting proposal, parking consultations were undertaken in Elizabeth Street and Talbot Crescent, Kooyong to address residents' concerns that increased visitation to the Oval may result to parking difficulty in their street. Based on resident feedback, the proposed PERMIT ZONE restrictions in Elizabeth Street and Talbot Crescent are recommended to be approved.

Background

At the Council Meeting on 29 March 2021, Council considered a report for the Ferrie Oval floodlighting proposal which can be viewed in **Attachment 1**. Per point 5 of the decision, the Transport and Parking Unit has been asked to assist with the parking consultation component of the resolution listed below:

- 5. APPROVE Officers to consult abutting properties on the following proposals:**
 - a. Install Permit Zone restrictions operating 8am to 8pm Wednesday to Sunday, March to September, on the west side of Elizabeth Street from Talbot Crescent to the dead end.**

- b. Install Permit Zone restrictions operating 8am to 8pm Wednesday to Sunday, March to September, on the north side of Talbot Crescent, between 45 Talbot Crescent to 99 Talbot Crescent.**

6. NOTE that the results of both parking consultations will be reported back to Council for decision.

Elizabeth Street currently has PERMIT ZONE restrictions operating 8am to 8pm Friday to Sunday, April to September on the west side from Talbot Crescent to the end of the street. This was installed to assist with residents' concern regarding difficulty obtaining on-street parking during the local football season, which generally runs between April and September. The proposed restrictions in Elizabeth Street are extending the current parking restrictions to cover March.

Discussion

A questionnaire was distributed on 21 April 2021 to properties abutting Elizabeth Street from Talbot Crescent to the dead end for the following proposal:

- Installation of Permit Zone restrictions operating 8am to 8pm Wednesday to Sunday, March to September, on the west side of Elizabeth Street from Talbot Crescent to the dead end.

A questionnaire was also distributed to properties abutting Talbot Crescent between 45 Talbot Crescent and 99 Talbot Crescent for the following proposal:

- Installation of PERMIT ZONE restrictions operating 8am to 8pm Wednesday to Sunday, March to September, on the north side of Talbot Crescent between 45 Talbot Crescent to 99 Talbot Crescent.

Consultation materials can be viewed in **Attachment 2**, which includes plan for each proposal. A detailed analysis of the consultation is included in **Attachment 3**, which includes the community comments.

Consultation Summary and Officer Recommendation

Elizabeth Street

A total of 22 properties were distributed the circular with 15 replies received, equating to a 68% response rate. 12 out of the 15 that responded supported the proposal (80%) and the remaining three respondents did not support the proposal (20%).

Respondent comments in favour suggested increased monitoring and installation of restrictions on the east side too. This feedback can be passed on to Parking Services once restrictions are operating.

Respondents opposed indicated that this will make parking for park users difficult and suggest using some of the park space to turn into car parking. During the community consultation for the Ferrie Oval proposal, residents who will be mostly affected by the proposed redevelopment were consulted and one of the concerns is parking difficulty during football seasons. The PERMIT ZONE restrictions are proposed along residential frontages where parking is typically prioritised for residents.

In light of the feedback received, it is recommended to proceed with the proposed PERMIT ZONE restrictions.

Talbot Crescent

A total of 36 properties were distributed the circular with 15 replies received, equating to a 42% response rate. Eight of the respondents supported the proposal (52%), the remaining seven respondents did not support the proposal (47%).

The response received in favour are slightly more than the response opposed to the proposal. In addition, with parking restrictions installed in Elizabeth Street parking is likely to be transferred to Talbot Crescent.

Respondent comments (related to parking) in favour of the proposal suggest utilising the area under the bridge to create more parking and extending the PERMIT ZONE restrictions to all days of the week. The use of the open space created by the new rail bridge has already been consulted with the community during the Toorak Road Level Crossing Removal Project and will feature activity space (custom seating, fitness equipment and play equipment), new walking and cycling paths, and landscaping in line with community feedback. The proposed parking restrictions are based on residents' feedback during the Ferrie Oval redevelopment consultations, and it is understood that the parking concerns are predominantly during football season.

Respondent comments opposed to the proposal indicate that parking is not an issue currently, residents should use off-street car parks, provide more parking for park user to encourage use of parks, and consider alternative parking restrictions. As mentioned above, the proposed parking restrictions are based on resident feedback during the Ferrie Oval redevelopment consultation.

Given the feedback received, it is considered reasonable to proceed with the majority response and install the proposed PERMIT ZONE restrictions.

Governance Compliance

Policy Implications

There are no policy implications associated with this report.

Financial and Resource Implications

Elizabeth Street signage changes are estimated at \$300 (including GST), and the Talbot Crescent signage changes are estimated at \$1,050 (including GST). These can be accommodated within the existing capital budget.

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.

Environmental Implications

There are no environmental implications relevant to this report.

Community Consultation

Properties within the proposed section of the affected streets were consulted of the proposals. Consultation materials can be viewed in **Attachment 2**. A detailed analysis of the consultation is included in **Attachment 3**, which includes the community comments.

Human Rights Consideration

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

Attachments

1. Ferrie Oval Floodlighting Proposal Report and Minutes [**8.10.1** - 37 pages]
2. Consultation Material [**8.10.2** - 10 pages]
3. Consultation Report [**8.10.3** - 4 pages]

8.11 Vicinity Centres and Monash University Trackless Rapid Transit Proposal

Manager Transport & Parking: Ian McLauchlan

Director Environment & Infrastructure: Rick Kwasek

Linkage to Council Plan

Environment: A cleaner, safer and better environment for current and future generations to enjoy.

E8 Promote and facilitate the use of sustainable transport options across the city.

Purpose of Report

To seek endorsement on a Council position for the Trackless Rapid Transit proposal put forward by Vicinity Centres and Monash University

Officer Recommendation

That Council:

- 1. APPROVE writing to Department of Transport requesting an independent business case on the proposal be developed which includes alternative transport options such as a dedicated bus lane proposal and for the final business case to be publicly released; and**
- 2. NOTE feedback will be provided to Vicinity Centres and Monash University on their proposal.**

Executive Summary

1. Vicinity Centres, operator of Chadstone Shopping Centre, and Monash University have put forward a business case proposal to the State and Federal Government for a 19km \$1.4 billion Trackless Rapid Transit (TRT) system between Caulfield Station and Rowville, including stops at Chadstone Shopping Centre and Monash University Clayton campus and its proposed Suburban Rail Loop station.
2. Council Officers have assessed the business case proposal and have noted that whilst the project would provide transport access and economic development benefits to Stonnington, more information on the proposal, its potential impacts and a more robust assessment of alternatives, is required before Council Officers can fully support the project.

Background

3. Trackless Rapid Transit systems use electric vehicles similar in length to E-class trams but running on rubber wheels. The vehicles do not require tracks or overhead power with rapid recharging able to occur at each stop. Stops are generally high capacity and spaced further apart than bus stops. Trackless Rapid Transit is currently used in cities worldwide and will be used in the Brisbane Metro Project.
4. The proposed route in Stonnington runs along Dandenong Rd from Burke Road to Warrigal Road, using dedicated road lanes and stops in the place of the centre median. Existing traffic lanes would be retained, requiring the narrowing of the service lanes and buffers, and removal of vegetation. The system would carry 1,800 passengers per hour

and provide a quicker journey time than is currently possible in a private car or bus. The route could be operational by the end of 2025 if detailed planning commenced in 2021.

5. The proposal responds to stalled State and Federal Government proposals and funding commitments to deliver public transport on the Caulfield to Rowville corridor to service education, employment and residential transport demand, and to promote growth in these areas. In 2018, the Victorian Government committed \$3 million to study the feasibility of light rail on a similar alignment. In 2019, the Federal Government pledged \$475 million towards planning a heavy rail link from Huntingdale to Rowville.
6. Stonnington, in its Public Transport Advocacy Reference Document 2018, includes 'Consulting closely with Council while studying the proposed Caulfield-Chadstone-Clayton campus-Rowville light/heavy rail project' as a priority.

Key Issues and Discussion

7. No funding has been put forward for delivery of this project by Monash University or Vicinity Centres. Council understands that the State Government is considering the new proposal with the Federal Government supporting further investigations as part of its Rowville rail strategy. Some feasibility work has been done, with Victorian transport authorities to consider the project as part of planning for the Suburban Rail Loop. There is support for the project among neighbouring councils with the City of Glen Eira calling for the State Government to undertake a business case and release the findings.
8. The business case proposal compares TRT against other transport upgrade options such as light rail, bus rapid transit, bus service upgrades and hybrid approaches. Council Officers have assessed the business case proposal and note the project as proposed benefits the eastern part of Stonnington and its visitors, students and workers.
9. Council Officers have noted the proposal indicates improved public transport connectivity and access to Monash University's Caulfield and Clayton campuses, Chadstone Shopping Centre, Monash National Employment and Innovation Cluster, and interchange opportunities at Caulfield Station and the future Suburban Rail Loop. The proposal aims to alleviate congestion by encouraging mode shift from private vehicles. Whilst the project would deliver a 36% increase in public transport accessibility around Chadstone Shopping Centre, the current number of traffic lanes would be maintained and most patronage growth is expected to be from increased population.
10. The proposal indicates it would support growth in local private investment in housing and other infrastructure, and employment along the corridor, mostly forecast after 2030. Increased investment, jobs and housing would be as a result of improved transport accessibility, and value creation and capture opportunities through strategic planning. This would likely require rezoning and higher density redevelopment of land within 400m of new TRT stations on Dandenong Road and around Chadstone Shopping Centre.
11. The proposal indicates a quicker and more reliable journey time for public transport users compared to both the current and an upgraded bus network however Council Officers consider this comparison unfair. The current bus system has a frequency of every ten minutes or more, uses older diesel vehicles and has minimal road priority measures. The upgraded bus network used for comparison in the proposal is still proposed to use diesel, rather than the electric buses the State Government has committed to buy from 2025, would not have road priority, and would therefore only have increased service frequency. Improvement of the current bus network, services and priority measures may provide considerable improvements quicker, more flexibly, at a lower cost than the TRT proposal and with less impact to the local community.

12. Public transport demand on the route in 2025 is only expected to be half of the projected capacity of the proposed system and so the project may not be required immediately.
13. Comparison with bus rapid transit, where buses operate on dedicated bus lanes and with high quality bus stops, noted both would provide similar route capacity, operating speed, cost, time to deliver and time savings. Bus rapid transit systems are a more established transport system and could provide greater flexibility of vehicle supply and delivery.
14. Compared to light rail, TRT would cost half the \$2.9 billion required for the comparable route and could be delivered two years earlier.
15. Councils Officers are seeking additional information in order to assess the proposal and plan to write to Department of Transport requesting the development and public release of an independent business case. This business case would aim to better understand the viability and broader benefit of a TRT system and compare it to a similar level of investments in alternatives including light rail, bus rapid transit, an upgraded and modernised bus network and consider hybrid approaches and incremental upgrades.
16. Council Officers recommend providing Council's assessment of the proposal to Vicinity Centres and Monash University.

Governance Compliance

Policy Implications

17. Increasing public transport accessibility, as the TRT proposal aims to do, aligns with Council strategies including the Integrated Transport Plan 2021-26.
18. Ensuring Council involvement with the proposed Caulfield-Chadstone-Clayton campus-Rowville light/heavy rail project is an advocacy action in Council's Public Transport Advocacy Reference Document 2018.

Financial and Resource Implications

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

Conflicts of Interest Disclosure

20. 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

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

Environmental Implications

22. There are no environmental implications relevant to this report.

Community Consultation

23. There was no requirement for community consultation.

Human Rights Consideration

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

Attachments

1. CONFIDENTIAL REDACTED - Trackless Rapid Transit Proposal Presentation [8.11.1 - 24 pages]

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) (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values.

8.12 Prahran Square Venue Hire Fee Waiver

Manager Event, Arts & Culture: Alison Leach
Director Community & Wellbeing: Cath Harrod

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.

- C1** Enhance community health and wellbeing outcomes through quality service delivery and strategic partnerships.
- C7** Support local community organisations with equitable access to facilities, training and resources.

Purpose of Report

To seek approval for a temporary Prahran Square hire fee waiver provision for community groups in support of post COVID community recovery until 31 December 2021.

Officer Recommendation

That Council:

- 1. APPROVE the temporary Prahran Square fee waiver provision for community groups until 31 December 2021; and**
- 2. NOTE the investigation and development of an ongoing hire fee waiver provision for future use.**

Executive Summary

1. Officers are seeking approval to implement a temporary hire fee waiver at Prahran Square until 31 December 2021, in order to:
 - a. Encourage and incentivise community usage and activation of Prahran Square as part of community recovery from the COVID pandemic.
 - b. Increase demand and usage of Prahran Square and improve commercial viability.
 - c. Provide insight into demand and usage of Prahran Square as a key outdoor community hub in Prahran.
 - d. Establish an ongoing hire fee waiver provision for community groups based on a developed application and selection process.

Background

2. Prahran Square has been operating since November 2019.
3. The impact of the COVID pandemic has influenced the use of Prahran Square as an attractive and popular gathering place and community hub in Prahran.
4. Prahran Square averages over 17,000 visitors a week with a desired increase of 20% in twelve months.
5. The majority of the programming and activation delivered at Prahran Square to date has been led or facilitated by Council.

6. A key objective for Prahran Square is to build the capacity of local traders and community groups to be involved in place programming.
7. Prahran Square is available for third party hire, with a comprehensive hire fee schedule introduced from 1 July 2021 for community and commercial usage.
8. The fee structure has been modelled on similar urban locations throughout Melbourne and benchmarked against other LGAs.

Key Issues and Discussion

9. Expression of interest from local community groups to hire and use Prahran Square for community events and activity has increased as COVID-19 restrictions continue to ease.
10. Supporting reactivation of public spaces, social connection and community resilience is vital for COVID-19 recovery.
11. Initiating a temporary hire fee waiver until 31 December 2021 will:
 - a. Support community recovery, and the visitor economy.
 - b. Incentivise hire by third party groups and increase visibility, awareness and commercial viability of Prahran Square.
 - c. Increase visitation for Prahran Square and drive foot traffic to local traders.
 - d. Provide insight to develop an ongoing fee waiver provision for community groups through an application and selection process.
12. Selection of hire fee waiver suitability will be based on the below criteria established in the Prahran Square Civic and Cultural Charter (refer **Attachment 1**).

Governance Compliance

Policy Implications

13. There are no policy implications associated with this report.

Financial and Resource Implications

14. The Prahran Square hire fee structure has been introduced from 1 July 2021. The proposed temporary fee waiver is only applicable to eligible community groups and will have minimal impact on overall fee revenue up to 31 December 2021 with the aim to generate future demand and usage.

Conflicts of Interest Disclosure

15. 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

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

Environmental Implications

17. There are no environmental implications relevant to this report.

Community Consultation

18. There was no requirement for community consultation.

Human Rights Consideration

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

Attachments

1. Prahran Square Civic and Cultural Charter [8.12.1 - 8 pages]

9 Correspondence

10 Tabling of Petitions and Joint Letters

11 Notices of Motion

Nil.

12 Reports by Councillors

13 Questions to Council Officers

14 Urgent Business

15 General Business

16 Confidential Business

16.1 Microsoft and Cyber Security Agreement

Director Customer & Technology: Greg Curcio

Confidential report is circulated separately.

This document is confidential information under Section 66 (2) (b) of the Local Government Act 2020. The matter is deemed to be confidential under Section 3 (1) (b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person.