



Council Meeting - Minutes

Held on Monday 6 March 2023

**Council Chamber, Malvern Town Hall
Corner Glenferrie Road & High Street, Malvern**



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The meeting commenced at 7:00pm

Councillors Present:

Cr Jami Klisaris, Mayor
Cr Melina Sehr, Deputy Mayor
Cr Nicki Batagol
Cr Joe Gianfriddo
Cr Kate Hely
Cr Matthew Koce
Cr Polly Morgan
Cr Mike Scott

Apologies:

Cr Marica Griffin (Leave of Absence)

Council Officers Present:

Rick Kwasek	Interim Chief Executive Officer
Cath Harrod	Director Community & Wellbeing
Simon Holloway	Acting Director Environment & Infrastructure
David Thompson	Executive Manager Legal & Governance
Daniela Mazzone	Chief Customer and Transformation Officer
Julia Gallace	Acting Director Organisation Capability
Alexandra Kastaniotis	Manager Statutory Planning
Loren Lawford	Executive Assistant to the Mayor and Councillors
Judy Hogan	Civic Support Officer
Fauzi Rahman	Information Technology Support

1 Reading of the Statement of Reconciliation

The Mayor, Cr Jami Klisaris read the following Statement of Reconciliation:

We acknowledge we are meeting on the Traditional Lands of the Wurundjeri Woi Wurrung and Bunurong peoples of the East 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. We acknowledge their living connection to Country, relationship with the land and all living things extending back tens of thousands of years.

2 Reading of the Statement of Commitment

The Mayor, Cr Jami Klisaris read the following Statement of Commitment:

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.

3 Introduction of Councillors & Executive Staff

The Chair introduced the Councillors and the Interim Chief Executive Officer introduced the Council Officers present.

4 Apologies

The Mayor, Cr Jami Klisaris informed her colleagues that Cr Marica Griffin was an apology for the Council meeting having previously been granted a leave of absence from the Council.

Cr Mike Scott informed his colleagues he would be an apology for the Council meeting on 3 April 2023.

Cr Matthew Koce informed his colleagues he would be an apology for the Council meeting on 3 April 2023.

PROCEDURAL MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Polly Morgan

That the apologies received from Cr Mike Scott and Cr Matthew Koce for non-attendance at the Council Meeting of 3 April 2023 be accepted and leave of absence granted.

Carried

5 Confirmation of the Minutes of the previous meeting

5.1 Minutes of the Council Meeting held on 20 February 2023

MOTION:

MOVED: Cr Mike Scott

SECONDED: Cr Nicki Batagol

That the Minutes of the scheduled meeting of the Council held on 20 February 2023 be confirmed as an accurate record of the proceedings.

Carried unanimously

5 Confirmation of the Minutes of the previous meeting

5.1 Minutes of the Council Meeting held on 6 February 2023

MOTION:

MOVED: Cr Mike Scott

SECONDED: Cr Marcia Griffin

That the Minutes of the scheduled meeting of the Council held on 6 February 2023 be confirmed as an accurate record of the proceedings.

Carried

6 Disclosure of Conflicts of Interest

There was no disclosure of any conflicts of interest.

7 Questions From the Community

Ms Suzanne Thompson - Response to Questions asked at the Council meeting on 20 February 2023.

Question 1

“What is the proposed time line for the commencement for converting Stonnington into a 15/20 minute city”?

Response:

The City of Stonnington is looking to encourage this concept as part of our upcoming Place-led Economic Development Strategy and Neighbourhood Activity Centre Framework, both of which we look forward to consulting with the community on this year.

Question 2

“What are the boundaries for the proposed 15/20 minute city”?

Response:

As noted above, the concept of a 20-minute neighbourhood aims to give people the ability to meet most of their daily needs within a 20-minute return walk from home.

Question 3

“Who agreed to this? (voted for this) When”?

Response:

This is not an adopted Council position. As noted in the response to question 1, Council is looking to incorporate this concept into upcoming Strategies and Frameworks.

Question 4

“Where will traffic diffusers/bollards on the edge of the zone be located and which exit and ingress roads be limited into the neighbourhood”?

Response:

There will be no restriction on movement.

Question 5

“Are you proposing exit permits for a specified number of days a year per vehicle”?

Response:

No. As noted above there will be no restriction on movement.

Ms Vanessa Kennedy - Response to Questions asked at the Council meeting on 20 February 2023.

Question 1

“Are you proposing exit permits for a specified number of days a year per vehicle”?

Response:

No.

Question 2

“Are there proposed limitations on vehicles entering the neighbourhood (eg visitors from other districts) if so what are these limits”?

Response:

No.

Question 3

“What if your place of employment is outside your prescribed 20minute zone, or your child’s school is, or your relatives or friends are, or if you wish to have free movement not just between suburbs but between States”?

Response:

The 20-minute neighbourhood concept does not restrict people from leaving their immediate area or the State.

Question 4

“What community consultations have been undertaken to let residents know just how much their liberty to drive/ receive visitors who travel by car will be curtailed”?

Response:

There will be no restrictions on residents’ liberties to drive or receive visitors.

Question 5

“Under what law/ statute or treaty is it legal to curtail citizens’ freedoms? - as the restriction of movement of citizens is against English Common Law”.

Response:

There will be no restriction on movement.

The summary of the question which has been submitted by Dean Hurlston is as follows:

Question - The context to the question relates to the smart city sensors listed on the Council website.

Mr Hurlston has requested the Council to provide evidence of what the sensors look like, where they are physically, what information they are collecting, where the data is being stored, and how it is being used for various locations throughout Stonnington.

The Mayor, Cr Jami Klisaris stated a written response to the question would be sent to Mr Hurlston within ten (10) business days in accordance with the Customer Service Charter. Further, in accordance with the Governance Rules, the response will then be tabled and inserted into the Minutes of the following Council meeting.

8 Business

8.1 Planning Application 0588/22 - 151-153A Toorak Road, South Yarra

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Kate Hely

That Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 588/22 for the land located at 151-153A Toorak Road, South Yarra under the Stonnington Planning Scheme for the use of land for the sale and consumption of liquor (On Premises licence) in association with a restaurant (as-of-right use) on the ground floor, and display of internally illuminated business identification signage subject to the following conditions:

- 1. Before the commencement of the use, 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 advertised plans but modified to show:***
 - a. A reduction in area for the sale and consumption of liquor to exclude the 8 seats located at the northern end of the Darling Street footpath trading area and the 6 seats aligned with them to the south, indicated on the red line plan. The Darling Street footpath dining area to have a maximum of 10 patrons.***
 - b. Deletion of the area for the sale and consumption of liquor on the Toorak Road footpath from the red line plan.***
 - c. The Noise and Amenity Action Plan updated to reflect the permitted hours of operation in accordance with condition 5.***
- 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. Prior to the commencement of use of the premises, the applicant must display a sign at the exit of the premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner, to the satisfaction of the Responsible Authority.***
- 4. A maximum number of 140 patrons may be housed on the premises (including a maximum of 10 patrons within the Darling Street footpath dining area) at any one time to the satisfaction of the Responsible Authority.***
- 5. Without the prior written consent of the Responsible Authority, the sale and consumption of liquor shall only occur within the licensed area between the following hours:***
 - Internal area:***
Monday to Sunday - 10am to 12pm (midnight)

- **Footpath trading / external areas:**
Darling Street - Monday to Sunday, 10am to 10pm
- 6. **The predominant activity carried out at all times on the licensed premises must be the preparation and serving of meals for consumption on the licensed premises to the satisfaction of the Responsible Authority.**
- 7. **Tables and chairs must be placed in position on the licensed premises so as to be available for at least 75% of the patrons attending the premises at any one time, to the satisfaction of the Responsible Authority.**
- 8. **No speakers are to be located externally.**
- 9. **The use must operate in accordance with the endorsed Noise and Amenity Action Plan to the satisfaction of the Responsible Authority.**
- 10. **Noise emanating from the subject land must comply with Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.2, Environment Protection Authority, November 2020), to the satisfaction of the Responsible Authority. Any works required to ensure and maintain the noise levels from the premises are in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.**
- 11. **Without the prior written consent of the Responsible Authority, the provision of music and entertainment on the premises must be limited to background music or entertainment by performers using non-amplified instruments or equipment.**
- 12. **The collection of wastes and recyclables from the premises (other than normal Stonnington City Council collection) must be in accordance with Council's General Local Laws.**
- 13. **The location and details of the signs, including those of the supporting structure, must be in accordance with the endorsed plans, unless otherwise agreed in writing by the Responsible Authority.**
- 14. **The signs must be maintained to the satisfaction of the Responsible Authority.**
- 15. **The signs must not contain any flashing or moving light.**
- 16. **The signs hereby permitted must only be illuminated during the hours of operation of the business on the subject land.**
- 17. **Any projection over the street must have a minimum vertical clearance above the footpath level of 2.7 metres and a minimum horizontal clearance of 750 millimetres from the street kerb unless otherwise approved in writing by the Responsible Authority.**
- 18. **This permit, as it relates to signage, expires 15 years from the permit issue date.**
- 19. **Upon expiry of the permit, the signage and any structures built specifically to support and illuminate it must be removed.**
- 20. **This permit will expire if the signs are not erected within 2 years of the date of this permit. The Responsible Authority may extend the periods if a request is made in writing before the permit expires or within the timeframe specified in Section 69 of the Planning and Environment Act 1987.**

- 21. This permit will expire if one of the following circumstances applies:**
- a. The use is not commenced within five years of the date of this permit.**
 - b. The use is discontinued for a period of two years or more.**

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

NOTES

- A. This permit is for the use of the land and/or buildings and does not constitute any authority to conduct a business requiring Health Act/Food Act registration without prior approval from the Council's Health Services.**
- B. This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.**
- C. Unless a permit is not required under the Stonnington Planning Scheme, signs must not be constructed or displayed without a further planning permit.**
- D. Background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial level.**
- E. This permit does not give any authority to occupy the footpath for trading without prior approval from Council's Local Laws department. A permit must be obtained for footpath trading and it must accord with the relevant Footpath Trading Code.**
- F. At the permit issue date, Section 69 of the Planning and Environment Act 1987 stated that the Responsible Authority may extend the periods referred to if a request is made in writing within the following timeframes:**
 - 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**

Carried unanimously

8.2 Planning Application 0400/22 - 35-39 Clifton Street, Prahran

MOTION:

MOVED: Cr Nicki Batagol

SECONDED: Cr Mike Scott

That Council AUTHORISE Officers to issue a Planning Permit No: 400/22 for the land located at 35-39 Clifton Street, Prahran under the Stonnington Planning Scheme for construction of buildings and works and use of the land for offices and dwellings in an Activity Centre Zone and Special Building Overlay and a reduction in the statutory car parking requirements subject to the following conditions:

- 1. Before the commencement of the development, one electronic 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 prepared by CBG Architects, amended on 21 December 2022, but modified to show:***
 - a. A setback to the ground floor façade of 2 metres with this area annotated to be kept clear for pedestrians, and any associated changes to the satisfaction of the Responsible Authority.***
 - b. Provision of separate lobby and lift access to the commercial and residential uses. This could be achieved through conversion of the ground floor retail premises to an office lobby or suitable alternative, with any consequential changes to the satisfaction of the Responsible Authority.***
 - c. The retail car parking space allocated to a dwelling.***
 - d. A minimum grade of 1:200 (0.5%) within the car parking area to allow for drainage as per the requirements within AS2890.1***
 - e. Provision of a convex mirror within the accessway to improve sight lines between motorists entering from Clifton Street and motorists exiting the car lift.***
 - f. A notation confirming the wall mounted bicycle racks will be staggered by at least 300mm to allow bicycles 700mm wide at the handlebars to be stored.***
 - g. Notations on the floor plans confirming separate utility meters for individual commercial tenancies, dwellings and common area in accordance with the SMP.***
 - h. The inclination angle of the solar PV panels specified on the roof plan in accordance with the SMP.***
 - i. Separate residential and commercial waste bins indicated on the floor plan.***
 - j. Any privacy screening measures required to demonstrate compliance with Standard D15 (Internal views objective) to the satisfaction of the Responsible Authority.***
 - k. Any changes required to comply with conditions 3 (WMP), 5 (SMP), 7 (WSUD), 9 (Landscape Plan) and 12 (Melbourne Water).***
- 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. Prior to the endorsement of plans, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by JBA Consulting Engineers, Revision A dated 18/03/2022, but modified to show:

- a. Provision of separate bins in the bin store for residents and commercial users.**
- b. Inclusion of Food Organic / Green Organic (FOGO) provision in the overall waste generation estimate.**

Waste collection from the development must be in accordance with the Waste Management Plan, to the satisfaction of the Responsible Authority.

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

5. Prior to the endorsement of any plans pursuant to Condition 1 a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the SMP will be endorsed and will then form part of the permit. The development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. Amendments to the SMP must be incorporated into plan changes required under Condition 1. The SMP must be generally in accordance with the report prepared by JBA Consulting Engineers, Revision D dated 16/12/2022, but modified to show:

- a. Details of the pool water heating mechanism and provision of an insulated cover over the pool.**
- b. A water balance calculation / report demonstrating that the daily water demand entered into STORM is appropriate for an office space and takes into account the proposed rate of occupancy (days) for the office space.**
- c. Preliminary façade calculation demonstrating that all wall-glazing construction is meeting the minimum NCC 2019 requirements (through a facade calculator). Also, provide the minimum NCC 2019 insulation values for floor and ceilings and compare it with the proclaimed 10% improvement over these values for the proposed development.**
- d. If BESS credit 3.1 Water Efficient Landscaping is claimed, confirmation from the project Landscape Architect that the proposed planting requires no irrigation system and does not require watering after an initial period when plants are getting established. Alternatively, a notation may be included on the plans confirming the landscape irrigation system is connected only to a rainwater tank and no potable water (mains water supply) is used for irrigation.**

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

- 6. Prior to the occupation of the building, a report from the author of the Sustainability Management Plan approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.**
- 7. Prior to the endorsement of plans, the applicant must provide a Water Sensitive Urban Design Response addressing the Application Requirements of the Water Sensitive Urban Design Policy 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. Prior to 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 drawn to scale with dimensions. The landscape plan must be in accordance with the landscape concept plan dated 9 June 2022 prepared by memLa, but modified to show:**
 - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.**
 - b. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.**
 - c. 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.**
 - d. Details of the climbing frame for the *Ficus pumila* (Creeping Fig).**
 - e. Any changes required to accord with the amended plans to be endorsed under Condition 1.**
- 10. Prior to the commencement of the use / occupation of the building, 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.**
- 11. Prior to commencement of the development (including excavation and demolition), a tree protection fence must be erected around the neighbouring palm tree located to the south. Fencing is to be compliant with Section 4 of AS 4970. Signage identifying the need for approval from Council's Parks Unit for any root cutting (prior to it occurring) must also be displayed on the fence.**

Start Melbourne Water conditions

- 12. Prior to the development plans being endorsed, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must show:**
 - a. Finished floor levels of the ground floor (retail and lift area) must be set no lower than 16.04 metres to AHD.**
 - b. The basement (carpark and bin storage area) must incorporate a flood proof apex and associated bunding set no lower than 16.04 metres to AHD.**
 - c. A notation stating that any opening to the basement is set no lower than 16.04 metres to AHD.**
- 13. Finished floor levels of the ground floor (retail and lift area) must be constructed no lower than 16.04 metres to Australian Height Datum (AHD).**
- 14. The basement (carpark and bin storage area) must incorporate a flood proof apex and associated bunding constructed no lower than 16.04 metres to AHD.**
- 15. Any opening to the basement including vents etc must be constructed no lower than 16.04 metres to AHD.**
- 16. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.**

End Melbourne Water conditions

- 17. The ground floor street setback must remain clear for pedestrian access at all times to the satisfaction of Responsible Authority.**
- 18. 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 Registered Professional Civil Engineer (VIC) in accordance with all 'recommendations' and requirements contained in that report. All drainage must be by means of a gravity based system and not pumped, with the exception of runoff from any basement ramp and agricultural drains which may be pumped. 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. rainfall event as required by the Building Regulations.**
- 19. Prior to an 'Occupancy Permit' being issued, a Registered Professional Civil Engineer (VIC), must carry out a detailed inspection of the completed stormwater drainage system and associated works including all water storage tanks and to ensure that all works have been constructed in accordance with the approved design and the relevant planning permit conditions. Certification of the completed drainage from the Engineer must be provided to Council prior to a 'Statement of Compliance' being issued for subdivision.**

20. ***Prior to occupation of the building or commencement of the 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 owner/developer's cost to the approval and satisfaction of the Responsible Authority.***
21. ***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.***
22. ***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.***
23. ***All fixed plant and equipment (including air-conditioning units) must be located and screened to visually integrate into the development to the satisfaction of the Responsible Authority.***
24. ***The car stacker modules and car lift must be installed in accordance with the technical specifications shown on the endorsed plans.***
25. ***The car stackers and car lift must be maintained in good working order and be made permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.***
26. ***All loading and unloading of goods must be undertaken in accordance with Council's Local Laws.***
27. ***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.***
28. ***Before a sensitive use (residential use, child care centre, pre-school centre, primary school, secondary school or children's playground) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences:***
 - a. ***A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or***
 - b. ***An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use.***

Prior to the occupation of the building all the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the Responsible Authority.

29. ***The use and development allowed by this permit must comply with the directions and conditions of any statement of environmental audit issued for the land.***

30. ***All the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the Responsible Authority, prior to the commencement of the use. Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the Responsible Authority. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification of works.***
31. ***This permit will expire if one of the following circumstances applies:***
- a. ***The development is not started within two years of the date of this permit.***
 - b. ***The development is not completed within four years of the date of this permit.***

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

NOTES:

- A. ***This permit is for the use of the land and/or buildings and does not constitute any authority to conduct a business requiring Health Act/Food Act registration without prior approval from the Councils Health Services.***
- B. ***This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.***
- C. ***The crossover must be constructed to Council's Standard Vehicle Crossover Guidelines unless otherwise approved by the Responsible Authority. Separate consent for crossovers is required from Council's Building and Local Law Unit.***
- D. ***The owners and occupiers of the dwelling/s hereby approved are not eligible to receive "Resident Parking Permits".***
- E. ***The applicable flood level is 15.74 metres to Australian Height Datum (AHD).***
- F. ***At the permit issue date, Section 69 of the Planning and Environment Act 1987 stated that the Responsible Authority may extend the periods referred to if a request is made in writing within the following timeframes:***
 - 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.***

Carried

8.3 VCAT Quarterly Report - Fourth Quarter 2022 (October - December 2022)

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Kate Hely

That the Council:

- 1. RECEIVES and NOTES the VCAT Quarterly Report – Fourth Quarter (October to December 2022).***

Carried

8.4 South Yarra Siding Reserve - Dog Off Leash Removal Public Consultation

MOTION:

MOVED: Cr Kate Hely

SECONDED: Cr Melina Sehr

That the Council:

- 1. ENDORSE a public consultation process for a period of three (3) weeks, regarding the designation of South Yarra Siding Reserve as an off-leash dog park.***
- 2. NOTE a further report will be brought back to council for consideration.***

Carried

8.5 Proposed Sale of Land at part 2-16 Essex Street, Prahran to Homes Victoria

MOTION:

MOVED: Cr Mike Scott

SECONDED: Cr Melina Sehr

That the Council:

- 1. RESOLVES to sell the part of the land contained on certificate of title Volume 2583 Folio 522, to Homes Victoria;***
- 2. AUTHORISES the Chief Executive Officer to prepare, negotiate and execute a contract of sale for the Land, and execute all relevant documentation required to effect the transfer of the Land to Homes Victoria; and***
- 3. NOTES that Council is not required to comply with the community engagement obligations under section 114 of the Local Government Act 2020 (Act), as a transfer to a public body is exempt from these requirements pursuant to section 116 of the Act.***

Carried unanimously

8.6 Naming of New Percy Treyvaud Facilities

Cr Matthew Koce read biographical information on the late Margaret Connellan and requested that the context be read into the minutes.

“Marg Connellan was the co-founder, with Bella Parker, of the PNA in the mid-1980s, when Sunday mornings were spent sweeping up the syringes and broken glass from the old Cato St carpark off Chapel St so that the temporary goal posts could be installed and play could begin on the shopping strip's only non-trading day.

Having been a player, coach, umpire and administrator in the decades since, while also spending 2000-07 on the Netball Victoria board after two stints on its State Council, Connellan's great passion was for young girls and women to have the chance to have fun and be active through team sport.

Her dream: to secure a suitable venue for the netballers of the City of Stonnington to call home.

While long-overdue stadium approval was the big-ticket item, Connellan's selfless - and unpaid, until 2015, when she started receiving a small administrator's wage for the first time - contribution came at all levels.

Former Netball Victoria president Jenny Sanchez hailed her 'brutally ethical', friend's ability to think in both the community-based and elite spheres, while always emphasising the connection between the two.

All the way through, Marg's been that constant that said young girls and women have to have a place - it's not a carpark, it's not a leaky gym, it has to be somewhere they can really progress, and progress with a vision that if they want to they can get somewhere special, like the Vixens.

She was a clever, articulate, introverted but seriously determined woman.

We have parents whose children are playing now who used to play as kids when Marg was around, so our community had a really deep attachment to Marg, says Campbell. She was there every Saturday, ringing her bell, and telling people off, usually! She was about 5'2", and came across as really quite gruff and tough, but had a heart of gold and was actually the kindest person you could know.

Our kids were devastated and, because she ran the rep program, those girls were shattered. We got them to write on a sticky note what they remembered most about Marg, and we spelt her name out on a wall, which reduced all of us to tears.

The hope is that there will be a permanent tribute at the Percy Treyvaud Stadium - the hard-fought approval for which Sanchez is convinced would never have eventuated without Connellan's will, tenacity, and persistence.

It's true of many stories around Australia in netball: there are key people at key times that deliver key outcomes. Marg's one of them. She had plenty of people on the journey, but Marg's the constant. She never surrendered”.

Procedural Motion - Extension of Speaking Time

MOTION:

MOVED: Cr Mike Scott

SECONDED: Cr Melina Sehr

That Cr Matthew Koce be granted an extension of time of one minute to speak.

Carried

Procedural Motion - Extension of Speaking Time

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Matthew Koce

That Cr Polly Morgan be granted an extension of time of one minute to speak.

Carried

Procedural Motion - Extension of Speaking Time

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Melina Sehr

That the Mayor, Cr Jami Klisaris be granted an extension of time of one minute to speak.

Carried

In accordance with the Governance Rules, Cr Mike Scott requested the Mayor, Cr Jami Klisaris to put the motion to the vote in separate parts.

Motion One

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Melina Sehr

That the Council:

- 1. ENDORSE the name “Stonnington Sports Centre” for the new four court high ball sports stadium, bowls and tennis facilities and pavilion at Percy Treyvaud Memorial Park.***
- 2. AUTHORISE Council officers to progress the preferred name as per the statutory state government process with Geographic Names Victoria.***

Carried

DIVISION

Cr Matthew Koce called for a division.

Voting For the motion: Cr Jami Klisaris, Cr Matthew Koce, Cr Melina Sehr and Cr Polly Morgan

Voting Against the motion: Cr Joe Gianfriddo, Cr Kate Hely, Cr Mike Scott and Cr Nicki Batagol

The Mayor, Cr Jami Klisaris declared the motion **Carried** on her casting vote

Motion Two

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Melina Sehr

That the Council:

3. ***ENDORSE naming the indoor sports courts “Margaret Connellan Stadium”, noting that this naming doesn’t require approval by Geographic Names Victoria.***

Carried

DIVISION

Cr Matthew Koce called for a division.

Voting For the motion: Cr Jami Klisaris, Cr Kate Hely, Cr Matthew Koce, Cr Melina Sehr, Cr Nicki Batagol, Cr Mike Scott and Cr Polly Morgan

Voting Against the motion: Cr Joe Gianfriddo

The Mayor, Cr Jami Klisaris declared the motion **Carried**

9 Correspondence

Cr Mike Scott tabled the following correspondence:

- Email from resident expressing concern regarding the recent Business Health Survey conducted by the Council and the difficulty in completing the survey online.

10 Tabling of Petitions and Joint Letters

There was no petitions or joint letters submitted to the meeting.

11 Notices of Motion

There were no notices of motion presented to the meeting.

12 Reports by Councillors

12.1 Record of Councillor Briefing Session held on 27 February 2023

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Nicki Batagol

That the Council RECEIVE the Record of the Councillor Briefing Session held on 27 February 2023.

Carried

Eastern Alliance for Greenhouse Action (EAGA)

Cr Kate Hely informed her colleagues about her attendance at the Eastern Alliance for Greenhouse Action (EAGA) meeting held on 23 February 2023.

Cr Kate Hely highlighted the following matters discussed at EAGA:

- Adaptive community assets
- Victorian Climate Resilient Councils
- Annual Planning Process

Climate Emergency Advisory Committee

Cr Kate Hely informed her colleagues of her attendance at the Climate Emergency Advisory Committee meeting held on 23 February 2023.

Cr Kate Hely welcomed the appointment of two community co-chairs, Nadine Samaha and Thijs Honingh and the highlighted the following matters discussed at the meeting:

- Pop up bicycle parking
- Waste fees and charges policies
- Home energy efficiency kits

Stonnington Disability and Inclusion Advisory Committee

Cr Polly Morgan informed her colleagues of her attendance at the Stonnington Disability and Inclusion Advisory Committee meeting held on 26 February 2023.

Cr Polly Morgan highlighted the following matters discussed at the meeting:

- Footpath trading compliance
- Changing Places Strategy
- Update on the Disability Inclusion Access Plan
- Self-reflection and effectiveness of the operation of the Advisory Committee

Percy Treyvaud Memorial Park Steering Committee

Cr Polly Morgan informed her colleagues of her attendance at the Percy Treyvaud Memorial Park Steering Committee meeting held on 1 March 2023.

Cr Polly Morgan highlighted the following matters discussed at the meeting:

- Name of site
- Stadium name
- Progress of building development against budget
- Proposed staff visit to the site

Cr Kate Hely informed her colleagues that along with Cr Marcia Griffin they had attended a meeting of Albion Street, South Yarra residents.

Cr Kate Hely stated the meeting had discussed:

- Parking surveys
- Results of a speed survey
- Potential signage within and around Albion Street, South Yarra

13 Questions to Council Officers

Cr Nicki Batagol asked the following question of the Acting Director Environment & Infrastructure.

Can we please have an update on when the permanent roadworks will occur within Perth Street, Prahran?

The Acting Director Environment & Infrastructure responded.

Cr Polly Morgan retired from the Council meeting at 8:09pm

14 Urgent Business

There was no urgent business submitted to the meeting.

15 General Business

Cr Kate Hely informed her colleagues she had attended the Clean Up Australia Day event held at KooyongKoot Creek (Gardiners Creek) on 4 March 2023.

Cr Hely commented on the great work done by various volunteers and community groups in helping to clean up KooyongKoot Creek and stated it was a very “inspiring day” for all involved.

16 Confidential Business

16.1 Proposed Extension of Parking Sensor Trial

Procedural Motion - Closure of Council Meeting to the Public

PROCEDURAL MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Mike Scott

1. ***That, in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting be closed to members of the public for the consideration of the agenda items titled:***

16.1 Proposed Extension of Parking Sensor Trial

2. ***This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because:***
 - (a) ***Item 16.1 is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a); and***
 - (b) ***These grounds apply because the agenda item concerns commercial negotiations, and the premature disclosure of the information would be prejudicial to the interests of the Council.***

Carried

The Council meeting was closed to the public at 8:11pm.

Procedural Motion - Reopening of Council Meeting to the Public

PROCEDURAL MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Matthew Koce

Council resolve that the Council meeting be re-opened to the public.

Carried

The Council meeting was re-opened to the public at 8:14pm with all councillors present excepted Cr Marcia Griffin and Cr Polly Morgan.

The meeting concluded at 8:14pm.

Confirmed on 20 March 2023.

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CR JAMI KLISARIS, MAYOR