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Council Meeting - Minutes

Held on Monday 26 September 2022

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



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Council Meeting 26 September 2022 - Minutes

The meeting commenced at 7:00pm

Councillors Present:

Cr Jami Klisaris, Mayor
Cr Melina Sehr, Deputy Mayor
Cr Marcia Griffin
Cr Kate Hely
Cr Matthew Koce
Cr Alexander Lew
Cr Polly Morgan

Apologies:

Cr Nicki Batagol (Leave of Absence)
Cr Mike Scott (Leave of Absence)

Council Officers Present:

Jacqui Weatherill	Chief Executive Officer
Annaliese Battista	Director Planning & Place
Cath Harrod	Director Community & Wellbeing
Marilyn Kearney	Acting Director Organisation Capability
Ian McLauchlan	Acting Director Environment & Infrastructure
David Thompson	Executive Manager Legal & Governance
Georgie Birch	Manager Economic & Place Development
Judy Hogan	Civic Support Officer
Phil Gul	Coordinator Statutory Planning

Remote Attendance

In accordance with the Governance Rules, the Chief Executive Officer made it known at the commencement of the Council meeting that Cr Alexander Lew had requested to join the meeting by electronic means of communication.

PROCEDURAL; MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Polly Morgan

That the Council resolve to approve the request by Cr Alexander Lew to attend the Council meeting on 26 September 2022 by electronic means of communication.

Carried

Councillor Alexander Lew joined the meeting by electronic means of communication at 7:01pm

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 Mayor, Cr Jami Klisaris then introduced the Councillors and the Chief Executive Officer introduced the Council officers present.

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4 Apologies

The Mayor, Cr Jami Klisaris informed the meeting that Cr Mike Scott and Cr Nicki Batagol were apologies for the Council meeting. Further, both Cr Mike Scott and Cr Nicki Batagol had previously been granted a leave of absence for the Council meeting.

5 Confirmation of the Minutes of the previous meeting

5.1 Minutes of the Council Meeting held on 12 September 2022

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Melina Sehr

That the Minutes of the Meeting of the Council held on 12 September 2022 be confirmed as an accurate record of the proceedings.

Carried

6 Disclosure of Conflicts of Interest

Cr Marcia Griffin declared a general conflict of interest in Item 8.4 - Planning Application 1118/21 - 329-333 Toorak Road, South Yarra.

Cr Marcia Griffin stated the general conflict of interest was "A corflute sign was erected by a mutual contact on this site during the 2020 election period".

7 Questions from the Community

Cr Kate Hely left the Council meeting at 7:05pm.

Mr Marr - Response to Questions asked at the Council meeting on 12 September 2022.

Question 1

"How is the Council satisfied on public safety grounds given the ongoing safety issues repeatedly raised that the outdoor area of the 'Wolf and I' should be allowed to retain a roadside permit on Eastbourne Street"?

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Response:

Council Officers have been regularly monitoring the Roadside Dining area at the Wolf and I. While some concerns regarding venue operations have been raised by community members, such as the placing of beer kegs on the footpath, venue management have been responsive in rectifying these issues. Council Officers will continue to monitor the venue for any further concerns.

Question 2

“Does the Council consider that the outdoor area of the 'Wolf and I' is in compliance with the applicable roadside and outdoor dining policies and legislation including the Disability Discrimination Act and Road Safety Act”?

Response:

Although the Wolf and I is currently amending their current Roadside Dining area to meet the specifications of Council's Outdoor Dining Framework, the relevant application has been assessed by Council's Transport Engineers and Risk Department to ensure the area is positioned as safely as possible and complies with the Disability Discrimination Act 1992.

Question 3

“Why has the Council not exercised its discretion to revoke any permit for the outdoor area of the 'Wolf and I' given the ongoing compliance breaches as identified to Council officers through substantial photographic and written evidence that has been submitted to Council”?

Response:

Council Officers have continued to monitor the venues Roadside Dining area to ensure compliance with Council's Local Law and the Roadside Dining Framework. Any concerns raised with the venue have been promptly addressed by venue management. As such, it would be unreasonable for Council to revoke the corresponding Roadside Dining Permit.

Question 4

“How is the Council taking into consideration the large commercial construction site at 1 - 7 Eastbourne Street, combined with the construction sites at 12 Eastbourne Street and 15 Eastbourne Street, with access to those sites from traffic running East to West down Eastbourne Street (as a one-way street), in relation to its assessment of the public safety and amenity impact of the outdoor area at the 'Wolf and I'”?

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Response:

Council is unable to prevent construction sites from conducting works, provided they have the necessary approvals in place. 1-7 Eastbourne Street, Windsor is currently operating in accordance with the relevant Council approvals and, while the works will place a burden on available parking the street, the construction 'works zone' parking has been sought and approved in accordance with Council Policy. Regular compliance inspections have confirmed that the site is operating in a safe manner and in accordance with Council's Local Laws.

Question 5

"Given the proximity of the construction site at 1-7 Eastbourne Street to the West of Eastbourne Street, near Chapel Street, noting the narrow one-way street and already damaged vehicles and safety issues raised, will Council consider providing access to the construction site from Chapel Street, and closing Eastbourne Street at Hornby Street, except for local resident and services traffic"?

Response:

Council's Transport Engineers have assessed the proposed plan regarding trucks reversing into Eastbourne Street from Chapel Street and are supportive of this plan. Yarra Trams have also approved this manoeuvre on the condition it takes no longer than two minutes to complete the movement. If a truck is to take longer than two minutes to reverse into position, it must abandon the manoeuvre, drive around to Hornby Street and enter Eastbourne Street with the flow of the traffic.

There were no questions from the community tabled at the meeting.

Cr Kate Hely returned to the Council meeting at 7:07pm.

8 Business

8.1 Governance Rules - Council Meetings Physical and Remote Attendance

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Jami Klisaris

That the Council RESOLVE to conduct the remaining 2022 Council meetings wholly in person.

Carried

DIVISION

Cr Alexander Lew called for a division.

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

Voting Against the motion: Cr Alexander Lew and Cr Marcia Griffin

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

8.2 Planning Amendment 0457/13 - 145 Williams Road, Prahran

MOTION:

MOVED: Cr Melina Sehr

SECONDED: Cr Polly Morgan

That consideration of Notice of Decision to Amend a Planning Permit No: 457/13 for the land located at 145 Williams Road, Prahran be deferred for one Council meeting cycle.

Carried

Note - Cr Alexander Lew abstained from voting on this matter.

8.3 Planning Application 0052/22 - G12, 670 Chapel Street, South Yarra

MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Kate Hely

That the Council AUTHORISE Officers to issue a Notice of Decision to Grant a Planning Permit No: 52/22 for the land located at G 12/670 Chapel Street, South Yarra under the Stonnington Planning Scheme for use of the land for the sale and consumption of liquor (Restaurant and Café liquor licence) in association with a food and drink premises (as of right) in an Activity Centre Zone subject to the following conditions:

- 1. The plans endorsed to accompany the permit must not be amended without the written consent of the Responsible Authority.***
- 2. Before the commencement of the use, an amended Noise and Amenity Action Plan (NAAP), must be submitted to and approved by the Responsible Authority. The NAAP must be generally in accordance with the plan submitted with the application, but modified to reflect the updated operating hours. When approved, it will form part of the permit and the tenancy must operate in accordance with the applicable plan to the satisfaction of the Responsible Authority.***
- 3. A maximum of 51 seats may be housed on the premises (including 27 internal and 24 footpath trading) at any one time to the satisfaction of the Responsible Authority.***
- 4. 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 areas:**Monday to Saturday, 7am to 11pm****Sunday and Public Holidays, 10am to 11pm****Footpath trading / external areas:****Monday to Saturday, 7am to 9:30pm****Sunday and Public Holidays, 10am to 9:30pm**

5. **The predominant activity carried out at all times on the licensed premises must be the preparation and serving of meals to be consumed on the premises to the satisfaction of the Responsible Authority.**
6. **Tables and chairs must be placed in position on the licensed premises so as to be available for at least 75% of the patrons in each area at any one time, to the satisfaction of the Responsible Authority.**
7. **No speakers are to be located externally.**
8. **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.**
9. **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.**
10. **Bottles and rubbish must not be removed from within the premises to the waste storage area between the hours of 11pm and 7am the following day.**
11. **Bottles and rubbish must not be removed from within the premises to the waste storage area between the hours of 11pm and 7am the following day.**
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 use must be managed so that the amenity of the area is not detrimentally affected through the:**
 - a) **Transport of materials, goods or commodities to or from the land;**
 - b) **Appearance of any building, works or materials;**
 - c) **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, and**
 - d) **Presence of vermin.**
14. **This permit will expire if one of the following circumstances applies:**
 - a) **The use is not started within two years from 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, the Responsible Authority may extend the periods referred to if a request is made in writing within the prescribed timeframes, where the use allowed by the permit has not yet started.**

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

8.4 Planning Application 1118/21 - 329-333 Toorak Road, South Yarra

In accordance with the Local Government Act 2020 and the Governance Rules, Cr Marcia Griffin declared a general conflict of interest.

Cr Marcia Griffin stated the general conflict of interest was "A corflute sign was erected by a mutual contact on this site during the 2020 election period".

Cr Marcia Griffin left the Council Chamber at 7:18pm prior to consideration and vote on the item.

MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Kate Hely

That the Council AUTHORISE Officers to advise VCAT that had a Failure to Determine appeal not been lodged, a Refusal to Grant a Planning Permit No: 1118/21 would have been issued for the land located at 329-333 Toorak Road, South Yarra under the Stonnington Planning Scheme for the construction of a mixed use development in an Activity Centre Zone and Land Subject to Inundation Overlay and a reduction in the car parking and visitor bicycle parking requirements subject to the following grounds (additional grounds highlighted):

- 1. Melbourne Water has objected to the grant of a permit and pursuant to Section 61(2) of the Planning and Environment Act, Council must refuse this application.***
- 2. The proposed development is inconsistent with the Planning Policy Framework relating to floodplain management.***
- 3. The proposed development is inconsistent with the purpose and decision guidelines set out in the Land Subject to Inundation Overlay (LSIO) within the Stonnington Planning Scheme.***
- 4. The proposed development is subject to inappropriate and unacceptable flood risk, where the safety of land users may be affected and potential for flood damage is excessive.***
- 5. The proposed development does not comply with DELWP's Guidelines for Development in Flood-prone Areas, specifically the core criteria relating to site and access safety, flood damage and off-site impacts.***
- 6. The ease, functionality and safety with which vehicles access the car lift is inadequate for a basement accommodating 21 spaces given the accessway is unable to accommodate an on-site passing/waiting area in the event the car lift is in use. This will result in unacceptable traffic impacts along the laneway and the surrounding local road network.***
- 7. The building height is excessive and is contrary to the building height expectations stipulated Schedule 1 to the Activity Centre Zone. The building height will result in excessive visual bulk to the surrounding area.***
- 8. The development fails to meet the massing requirements and interface setback requirements of Schedule 1 to the Activity Centre Zone and constitutes an overdevelopment that is unacceptable in the urban context of the site and lacks policy justification.***
- 9. The proposed eastern boundary construction unreasonably impacts upon the future development prospects of 335 and 337 Toorak Road.***

Carried

Cr Marcia Griffin returned to the Council Chamber and resumed her seat at 7:22pm.

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8.5 Community Grants Program Annual Acquittals

MOTION:

MOVED: Cr Polly Morgan

SECONDED: Cr Melina Sehr

That the Council:

- 1. NOTE the acquittals of the 2021-2022 Community Grants Program and the return of unspent funds.***

Carried

9 Correspondence

Cr Marcia Griffin tabled the following correspondence:

- email from Chapel Street Precinct Association (CSPA) providing their Annual Report 2020-21
- email from Chapel Street Precinct Association (CSPA) regarding legal advice
- email from resident regarding Caroline Gardens, South Yarra maintenance issues

10 Tabling of Petitions and Joint Letters

There were no petitions or joint letters tabled at 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 19 September 2022

MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Jami Klisaris

That the Council RECEIVE the Record of the Councillor Briefing Session held on 19 September 2022.

Carried

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13 Questions to Council Officers

Cr Marcia Griffin asked the following question of the Acting Director Environment & Infrastructure.

I am seeing lime bikes increasingly parked on street corners and obstructing footpaths and in parks, can you outline the guidelines regarding where and how long lime bikes can park?

The Acting Director Environment & Infrastructure responded.

Cr Marcia Griffin then asked the following question of the Director Planning & Place.

I am asking about the Murphy Street South Yarra parklet and were residents and businesses in Murphy Street, South Yarra consulted about the parklet and how long was it positioned in this location?

The Director Planning & Place responded.

Cr Alexander Lew asked the following question of the Chief Executive Officer.

I am asking about a conversation which Council officers had with Maddocks Lawyers where telephone advice was given on the confidential item on the agenda tonight and when did this conversation occur?

The Chief Executive Officer responded and the Director Planning & Place took the question on notice.

Cr Alexander Lew asked the following further question to the Director Planning & Place

What information was provided to Maddocks Lawyers in writing in advance of that conversation?

The Director Planning & Place took the question on notice.

Cr Alexander Lew then asked if the advice provided by Maddocks Lawyers had been provided in the last seven days?

The Director Planning & Place took the question on notice.

Cr Alexander Lew also asked to be informed of the rough time period of when that conversation occurred?

The Director Planning & Place took the question on notice.

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Cr Alexander Lew then asked that in respect to that particular conversation did you ever request the advice to be confirmed in writing?

The Director Planning & Place responded.

Cr Alexander Lew also asked if the Council was provided legal advice relating to particular sections of the Local Government Act 2020 and one of the sections relates to trade secrets, can the Council officer indicate what type of trade secrets may be in the confidential business under discussion tonight?

The Mayor, Cr Jami Klisaris responded to Cr Alexander Lew.

Cr Alexander Lew then asked if a general explanation of trade secrets could be given which will be discussed under confidential business tonight?

The Director Planning & Place took the question on notice.

Cr Alexander Lew also asked when the initial legal advice was asked for and the nature of confidential business to be discussed.

The Chief Executive Officer responded.

Cr Alexander Lew asked where in the Local Government Act 2020 does it provide a provision for the Council to override the definitions of confidential as provided in the Act.

The Executive Manager Legal & Governance responded.

Cr Alexander Lew asked can the Council officer in a general sense refer to the section under confidential business which defines commercial or financial undertakings and would expose the commercial or financial undertaking to disadvantage by debating this item in general business.

The Director Planning & Place responded.

14 Urgent Business

There was no urgent business submitted to the meeting.

15 General Business

There was no general business submitted to the meeting.

16 Confidential Business**Procedural Motion - Closure of Council Meeting to the Public**

PROCEDURAL MOTION:

MOVED: Cr Matthew Koce

SECONDED: Cr Polly Morgan

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 item titled:***

16.1 Service Review

2. ***This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because:***
 - (a) ***the item is Council business information, being information that would prejudice the Council position in commercial negotiations if prematurely released (section 3(1)(a)); and***
 - (b) ***this item is 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 (section 3(1)(g); and***
 - (c) ***these grounds apply because:***
 - i) ***the agenda item concerns commercial negotiations and the premature disclosure of the information would be prejudicial to the interests of the Council and other persons; and***
 - ii) ***the agenda item contains private commercial information provided by independent consulting firms, which if released, could result in commercial disadvantage by disclosing their intellectual property to industry competitors.***

Carried

DIVISION

Cr Alexander Lew 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 Alexander Lew, Cr Kate Hely and Cr Marcia Griffin

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

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

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Procedural Motion - Reopening of Council Meeting to the Public

PROCEDURAL MOTION:

MOVED: Cr Marcia Griffin

SECONDED: Cr Melina Sehr

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

Carried

The Council meeting was reopened to the public at 9:17pm with all councillors present except Cr Nicki Batagol and Cr Mike Scott.

The meeting concluded at 9:17pm.

Confirmed on 10 October 2022.

.....
CR JAMI KLISARIS, MAYOR



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145 Williams Road Prahran

★ - Objector Properties

Date printed: 31/08/2022

Scale: 1:1250

DRAWING LEGEND

 NO WORKS PROPOSED

 EXTENT OF ADDITIONAL FULLY ENCLOSED FLOOR AREA AT THIS LEVEL

 EXTENT OF ADDITIONAL UNCOVERED FLOOR AREA AT THIS LEVEL

 PROPOSED TREE

 EXISTING TREE

 PROPOSED LANDSCAPING

 EXISTING LANDSCAPING

PLANNING

LOWER
GROUND LEVEL
Proposed Plan

DATE: 19.05.14
DRAWN: 23027
CHECKED: DRAUGHTING

Author
Scale: 1 : 300 @ B1
REV

TP110 D

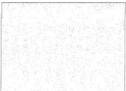


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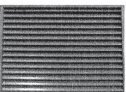
EXTERNAL FINISHES SCHEDULE



CONCRETE AND CFC WALLS
DULUX VIVID WHITE PAINT FINISH



ALUCOBOND CLADDING TO FASCIA
PURE WHITE #10



EXTERNAL LOUVRES
NATURAL ANODISED ALUMINIUM FINISH

D	28.05.15	Dimensions & Detail Added	OK
C	02.12.15	Signage amendments	OK
B	13.08.13	Shadows Removed	OK
A	04.07.13	Planning Application	OK

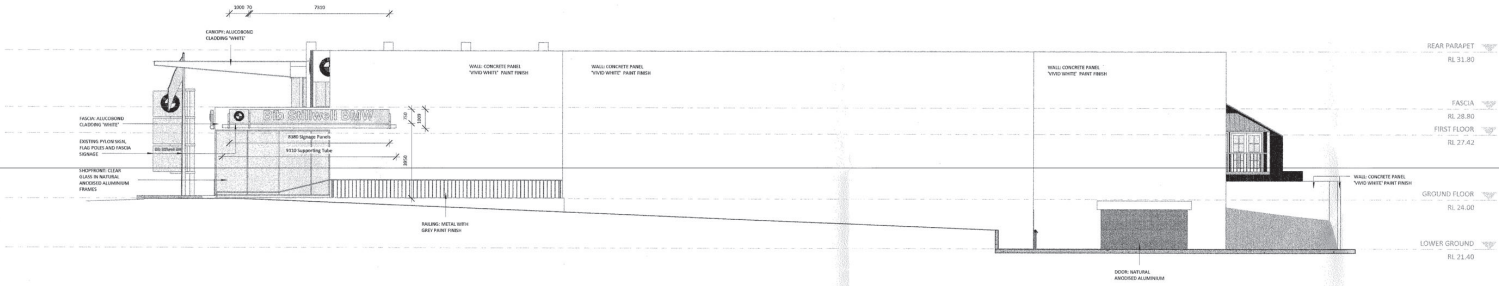
PLANNING

FOR CLARITY IN ALL COMMENTS TO DRAFTS AND PROPOSALS, ALL COMMENTS MUST BE SPECIFIC TO THE PROPOSAL AND NOT THE DRAFTING. COMMENTS SHOULD BE MADE IN THE MARGINS OF THE DRAWING AND NOT IN THE COMMENTS FIELD OF THE SOFTWARE. COMMENTS SHOULD BE MADE IN THE MARGINS OF THE DRAWING AND NOT IN THE COMMENTS FIELD OF THE SOFTWARE.

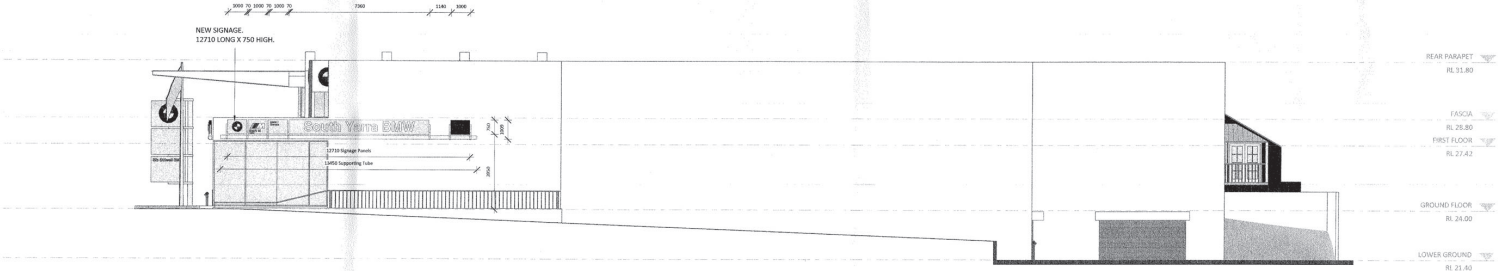
Bib Stillwell BMW
149 Manners Road, Preston VIC 3141
For Stillwell Motor Group (BMG European Cam)

PROJECT	DATE	SCALE
NORTH	18.05.14	As Shown
ELEVATION	20.02.17	1:1000 (P)
EXISTING & PROPOSED	20.02.17	1:1000 (P)

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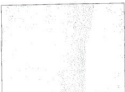

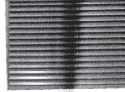
1 EXISTING - NORTH (McDonalds)
1:100

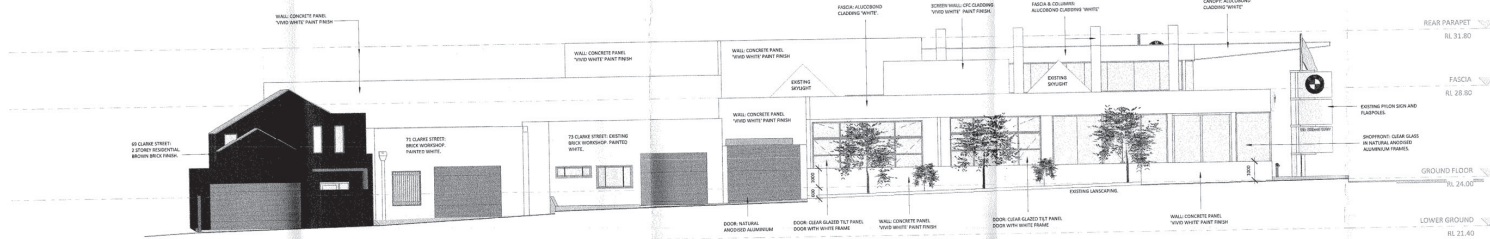


2 PROPOSED - NORTH (McDonalds)
1:100

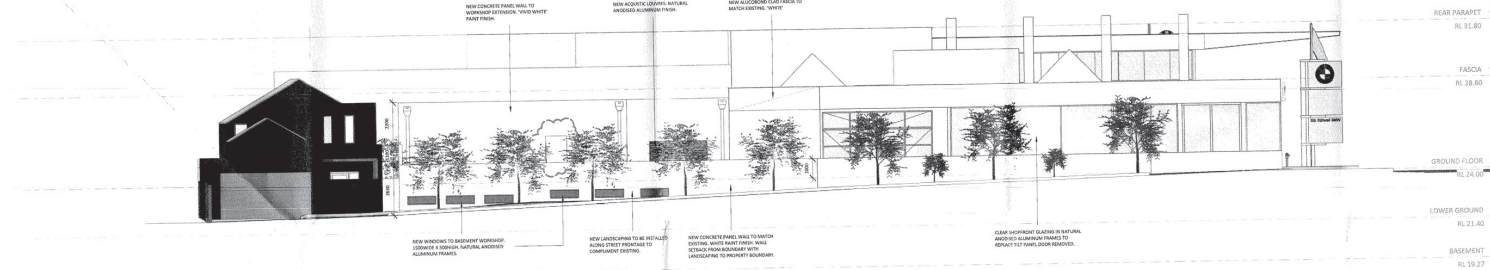
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EXTERNAL FINISHES SCHEDULE

	CONCRETE AND CFC WALLS DULUX VIVID WHITE PAINT FINISH
	ALUCOBOND CLADDING TO FASCIA 'PURE WHITE 410
	EXTERNAL LOUVRES NATURAL ANODISED ALUMINIUM FINISH



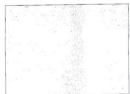
1 EXISTING - SOUTH (Clarke Street)
1:100



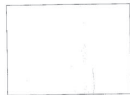
2 PROPOSED - SOUTH (Clarke Street)
1:100

C 19.05.14	Williams Road loading bay shown. General amendments to address Condition 1 of MOU.	RM
B 13.08.13	Shed/Workshop	RM
A 04.07.13	Planning Application	RM
DRAWING REVISIONS / ISSUE		
PLANNING		
Bib Stillwell BMW		
149 Williams Road, Pghyton, VIC 3114 For Street Motor Group (100% European Cars)		
SOUTH ELEVATION Existing & Proposed		
19.05.14	Author	RM
21.07.20	1:100P/B	RM
TP202	C	

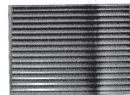
EXTERNAL FINISHES SCHEDULE



CONCRETE AND CFC WALLS
DULUX 'VIVID WHITE' PAINT FINISH



ALUCOBOND CLADDING TO FASCIA
PURE WHITE #10



EXTERNAL LOUVRES
NATURAL ANODISED ALUMINIUM FINISH

B 13.08.13 Shadows Removed
A 04.07.13 Planning Application

DATE DRAWING REVISIONS / ISSUE

PLANNING

PROJECT

Bib Stillwell BMW

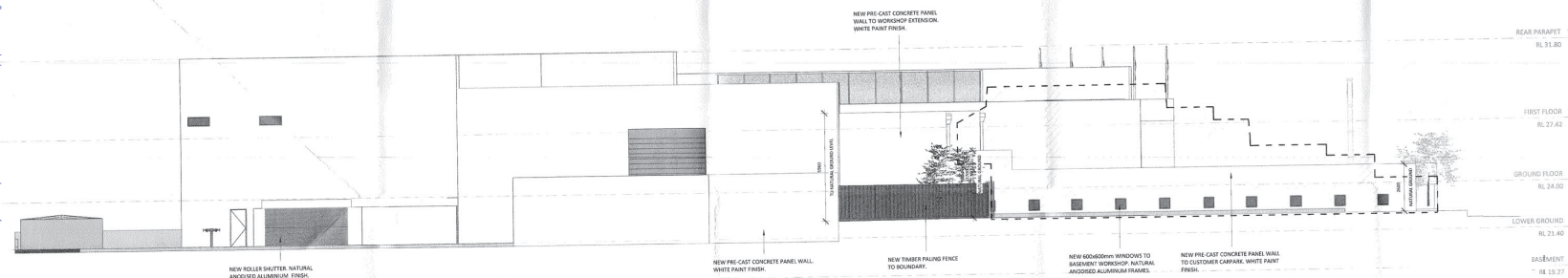
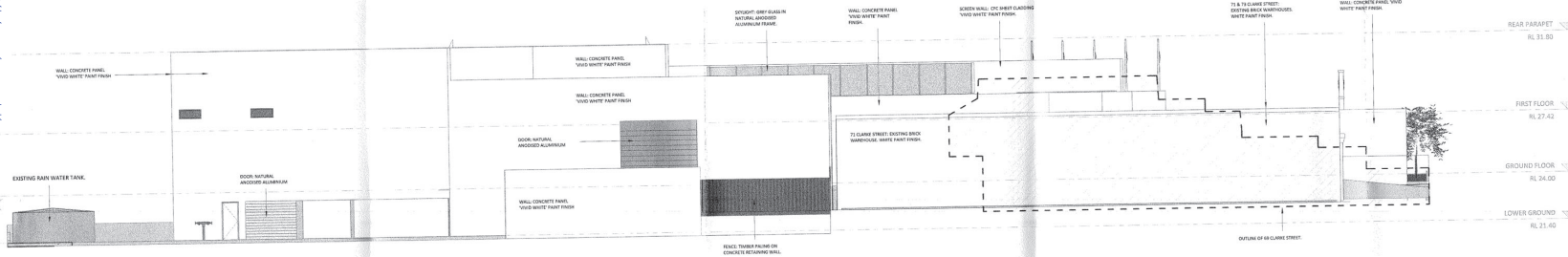
149 Williams Road, Prahran VIC 3141
For Stillwell Motor Group (BMW European Cars)

WEST
ELEVATION
Existing &
Proposed

DATE 13.08.14
AUTHOR 12027
SCALE 1:10000 RL

TP203 B

1 EXISTING - WEST (Right of Way) with 69 Clarke St shown dashed
1 : 100



2 PROPOSED - WEST (Right of Way) with 69 Clarke Street shown dashed
1:100

B	13.08.13	Shadows Removed	13A
A	04.07.13	Planning Application	13A

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149 Williams Road, Prahran, VIC 3141
For Stilwell Motor Group (SMG European Cars)

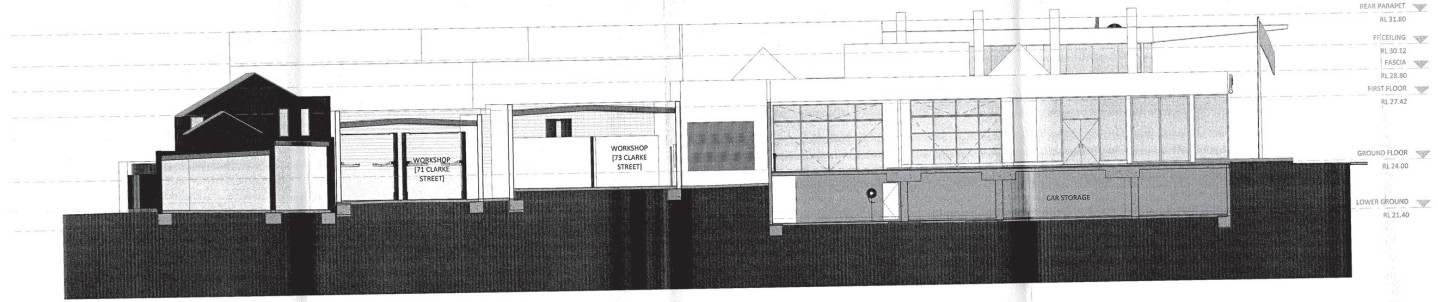
WEST
ELEVATION
(with 69 Clarke
St shown)

DATE	19.05.14	ISSUED BY	Author
JOB NO	21027	SCALE	1 : 100@
DESCRIPTION	TP204	REV	B

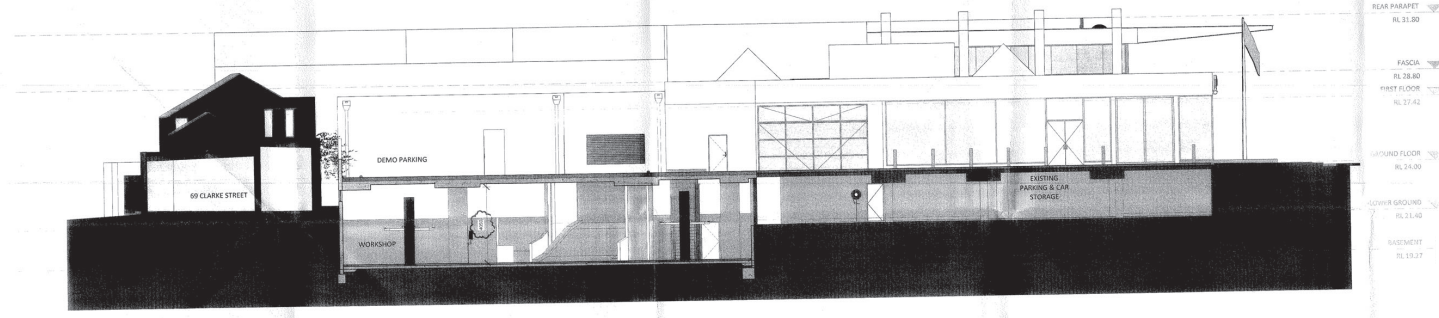
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office@era-architects.com.au
era-architects Pty Ltd. ABN 60 603 051 693

DATE



1 Existing Section 01
1:100



2 Proposed Section 01
1:100

#1: 19.05.14 Williams Road leading bay shown. General
amendments to address Condition 1 of MOU.
#2: 04.07.13 Planning Application

By: [Signature] Date: [Date]
DRAWING REVISIONS / ISSUE

REVISION	DATE	BY	CHK
1			

PLANNING

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PROJECT NO. 19/05/14

Bib Stillwell BMW

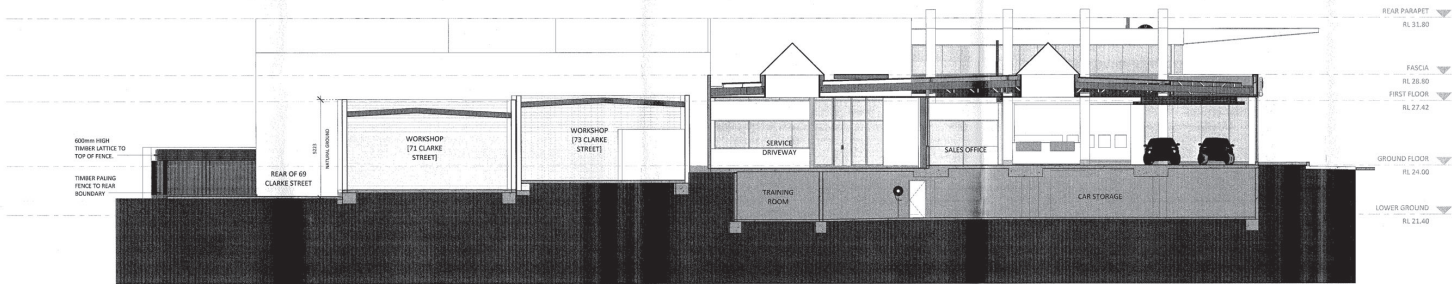
149 Williams Road, Prahran, VIC 3141
For Stillwell Motor Group (BMG European Cars)

SECTION	DATE	AUTHOR
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Existing & Proposed	24.07.13	ERA
	24.07.13	ERA
	24.07.13	ERA

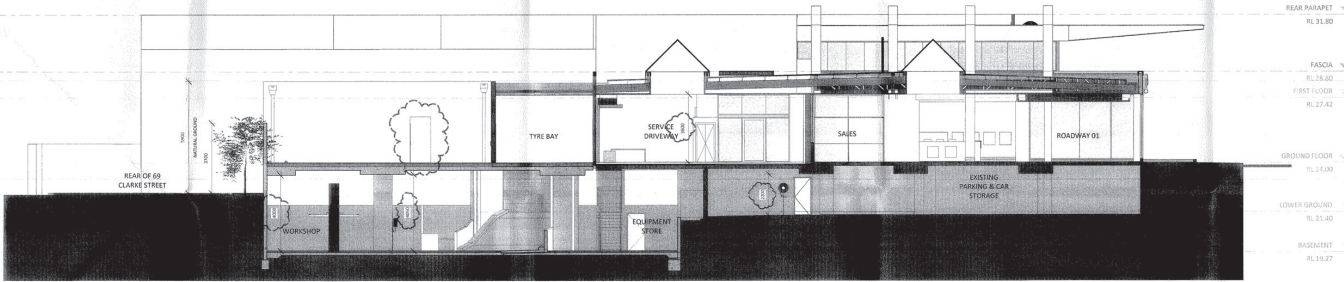
TP300 B

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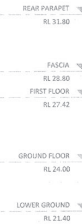


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1:100



2 Proposed Section 02
1:100

B	19.05.14	Williams Road leading bay shown. General amendments to address Condition 1 of MOU.	KM
A	04.07.13	Planning Application	KM
14	1406	DRAWING REVISIONS / ISSUE	
PLANNING			
PROJECT			
Bib Stillwell BMW			
149 Williams Road, Prahran VIC 3161 For Stillwell Motor Group (BMW European Cars)			
PROJECT	19.05.14	Author	
SECTION 02	19.05.14	DATE	
Existing & Proposed	23.02.27	DATE	
	TP301	B	



1 Existing 1 : 100



2 Propo
1 : 100

DRAWING REVISIONS / ISSUE

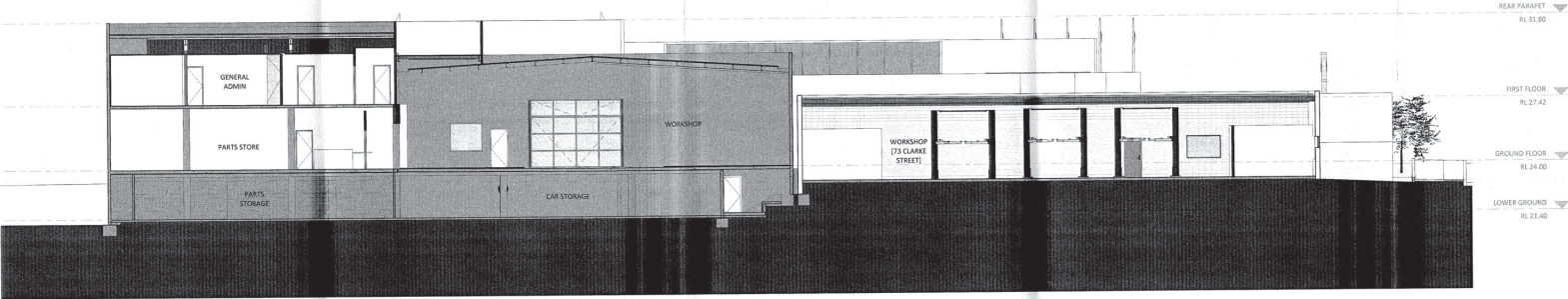
FIGURE 1

149 Williams Road, Prahran, VIC 3141
For Sale by Motor Group (BMG Furness Cars)

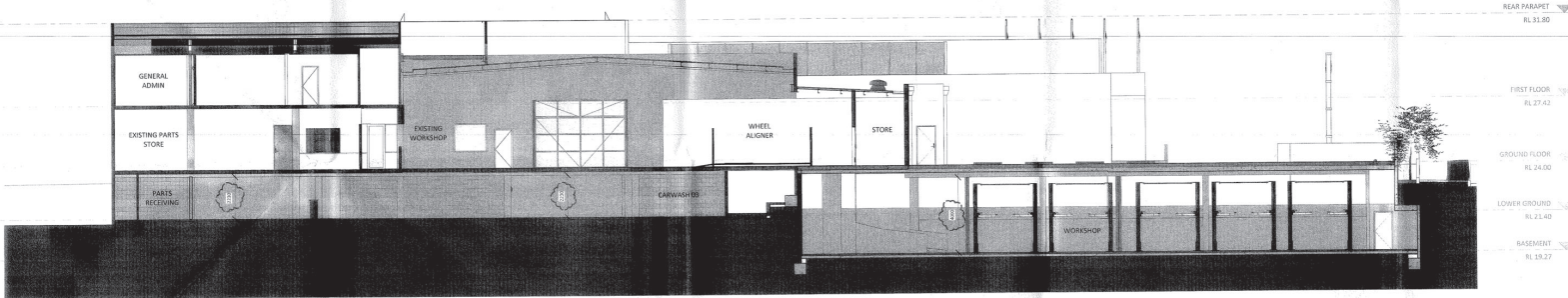
SECTION 03	19.05.16	Author
	JUNE	SAJ
11/07/17		1 - 10540 R1

Proposed	IP302	B
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era.architects@pmo.vic.gov.au



2 Existing Section 04
1:100



1 Proposed Section 04
1:100

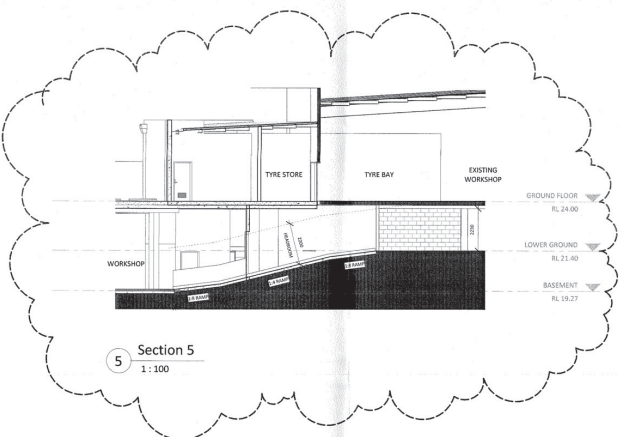
B 19.05.24 - Williams Road leading bay shown. General amendments to add to Condition 1 of RCD.		10M
A 04.07.23 Planning Application		10M
DRAWING REVISIONS / ISSUE		
REVISION		
PLANNING		
Bib Stillwell BMW		
149 Williams Road, Prahran VIC 3141 For Stillwell Motor Group (SMA European Cars)		
SECTION 04 Existing & Proposed	TP303 B	

Advised Document page 59 of 59, Jun 2022

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era-architects Pty Ltd ABN 60180108108

WPS



5 Section 5
1:100

A 19.05.14 Williams Road loading bay shown. General
arrangements to address Condition 1 of MOU. RM

as Issued 1 revision

DRAWING REVISIONS / ISSUE

PLANNING

NO CHANGES TO THE EXISTING OR PROPOSED DEVELOPMENT
AND THE EXISTING OR PROPOSED DEVELOPMENT IS NOT
PROPOSED TO BE USED FOR ANY OTHER PURPOSES
OTHER THAN THAT FOR WHICH IT WAS DESIGNED
AND CONSTRUCTED.

PROJECT Bib Stillwell BMW

140 Williams Road, Preston VIC 3141
For BMW Motor Group (BMG European Cars)

DATE	19.05.14	ISSUED BY	RM
DATE	19.05.14	ISSUED BY	RM
DATE	19.05.14	ISSUED BY	RM

SECTION through Ramp

TP304 A

Quick Response Grant Funding Recommendations – August and September 2022

Application ID	Organisation	Project Title	Request	Panel Recommendation
AGCCB00005	The People's Choir	The People's Choir Concert	Cash Grant: \$1,000.00 (Musical Equipment)	Funding not recommended
AGCCB00012	Perpiwira Perhimpunan Warga Indonesia Di Victoria Inc	Multicultural and Networking Fun Day	Cash Grant: \$1,000.00	Full funding recommended
AGCCB00015	Hope Connection Inc	Japanese information and Communication events	In-kind venues \$715.00 2 uses of GGCC (03/12/2022 and 06/05/2022) 1 use of CGC (24/09/2022)	Part in-kind venue funding \$455.00 2 uses of GGCC (03/12/2022 and 06/05/2022)
AGCCB00014	Nar a Non – Family Groups Inc	Na Annon Family support self-help group meetings	In-kind venues \$1,300.00 Chris Gahan Centre	Part in-kind venue funding from point of Council approval (Chris Gahan Centre)
AGCCB00010	Probus Club of Malvern	Internet Upgrade.	Cash Grant: \$1,000.00	Full Funding Recommended
AGCCB00008	Toorak Men's Probus Club Inc	Day Trips and Outings - Assistance for Seniors and their partners.	Cash Grant: \$1,000.00	Full Funding Recommended
AGCCB00006	Malvern Valley Primary School	Phoenix Park Hub - Trivia Night	In-kind venue \$334.59 (Phoenix Park CC)	Full in-kind venue funding recommended (Phoenix Park CC)
AGCCB00002	Team Sports 4 All	TS4A Stonnington Expansion Project (continued from last financial year)	Cash Grant: \$10,000.00	Part funding recommended \$1,000.00
ACGB00019	Dharmalandfest Limited	Dharmaland Festival	Cash Grant: \$1,000.00	Ineligible application
AGCCB00011	Stonnington Toy Library Incorporated	Children's Week Play Activities	Cash Grant: \$1,000.00	Funding not recommended
AGCCB00017	The Irish Australian Support and Resource Bureau	Home from Home Easter Party	Cash Grant: \$1,000.00 (Community event)	Full funding recommended on condition of relevant Child Safety, food safety and park booking approval.

AGCCB00020	Zenon Cultural Centre Inc.	Greek language and culture lessons for children	Cash Grant: \$1,000; In-kind venue \$5,596.50 (Phoenix Park CC)	In-kind venue funding \$3,840.81 recommended commencing Term 4 (4 October 2022)
AGCCB00018	Blind Sports & Recreation Victoria (BSVR)	A vision for inclusive and festive spirit in Stonnington	Cash Grant: \$1,000	Part cash funding \$550



Car Share Policy

Version	1
Date	13 July 2021
Prepared For	City of Stonnington
Author	Transport Planning

City of Stonnington

Car Share Policy

Document History

Version	Date	Author	QA Review	Comments
1	13/07/2021	Principal Transport Planner	NA	NA

Document Authorisation

City of Stonnington	
Owner (By Directorate)	Environment & Infrastructure
Date of Initial Adoption by Council	19/07/2021

1 Purpose

The Purpose of this Policy is to:

- Outline the role of car share as part of an integrated and sustainable transport system and define the benefits of car share to the local community, Council, and car share members.
- Establish a Council ambition to expand car share within the City of Stonnington in line with demand to support Council's strategic transport objectives of managing growth in private vehicle trips, increasing the efficiency of road space usage and promoting sustainable transport.
- Broadly outline the process and guidelines for the locating of new car share bays to provide assurance to providers, car share members and the community of its effective management.
- Outline the rationale behind fees and charges applicable to car share providers.

2 Scope

This Policy applies to:

- Commercial car share providers.
- The application, operation and expansion of on and off-street car share on Council owned and/or managed land, including necessary changes to parking restrictions.
- Supporting the provision of car share vehicles within private developments. This Policy does not however govern agreements between car share providers and vehicles on private property.

The Policy does not apply to peer-to-peer car share platforms (such as Car Next Door) where private individuals rent out their own vehicles.

3 Objectives

Car share helps manage car-dependency as members benefit from the flexibility of having access to a private vehicle without having to pay the fixed costs associated with owning a car. Car share fulfils an important role in an integrated and sustainable transport system by filling the mobility gap for journeys that cannot be undertaken by walking, cycling and public transport.

Expansion of conveniently located car share is recognised and supported in Council's Integrated Transport Plan 2020-25 and in the Sustainable Environment Strategy 2018-2023 as a sustainable transport mode and efficient use of kerbside space. Increased car share use provides benefits to car share members, resident non-members and the broader community in the following ways:

- Can reduce member's private vehicle trips and kilometres driven by up to 50% by signalling the true cost of vehicle-use, which can increase use of active and public transport modes and reduce overall vehicle congestion and associated emissions¹.
- Can reduce local parking demand as research indicates one car share vehicle can replace up to 10 privately owned vehicles, freeing up to 9 vehicles worth of space for the local community².
- Can reduce transport costs as using car share can be cheaper than operating a private car³.
- Can improve the safety and lower the emissions of the local car fleet as car share vehicles are newer, safer and lower emissions, than the average private vehicle.
- Can enable more affordable housing, as apartments which include car share can reduce the need for private car parking which can cost \$30,000 to \$70,000 per space⁴.

Council is aiming to expand the network of publicly available car share vehicles across the municipality in line with community demand to grow membership in car share services and further realise the aforementioned benefits.

^{1, 2, 3, 4} Boyle, P. (2016). The impact of car share services in Australia. International Car sharing association

4 Definitions

Term	Definition
Car share	A professional service that allows car share members to reserve vehicles for use any day or time of the week, via an online booking platform
Car share member	An individual or business approved by a car share provider to hold membership to utilise that provider's car share vehicles.
Car share providers	An organisation approved by Council to apply for vehicles and/or on and off-street Council-managed car spaces for their members to use.
On-street car share bay	An approved dedicated street parking space for a single car share vehicle.
Off-street car share bay	A dedicated car share parking space for a single car share vehicle in an off-street car park, residential or commercial building or property.
Peer-to-peer car share	A form of person-to-person lending where private individuals rent out their own vehicles. For example "Car Next Door"
Permissible parking spaces	Parking that is allowable under the Road Management Act 2004 and subordinate legislation

5 Policy Principles

Expanding car share

The City of Stonnington will expand car share in line with community demand through welcoming applications for new dedicated car share parking bays and vehicles from car share providers. Car share providers must demonstrate they meet minimum operating criteria before applying for new car share bays. Providers must demonstrate high levels of existing or projected local use of car share services and address the below location guidance in applications for new car share.

Location guidance for on-street dedicated car share spaces

The below guiding principles inform the priority placement and Council Officer assessment of on-street car share to ensure they are competitive with private car use and are an effective use of kerbside space:

- Easily accessible and highly visible, whilst not unduly impacting non car share members.
- Distributed near public transport nodes, within easy access to activity centres and in areas of high forecast demand including high population density and forecast population growth.
- Safely located so as not to block pedestrian sightlines, impede road access or impact accessibility and can only be located in 'permissible parking spaces'.

In assessing car share applications, Council Officers will consult property owners directly affected by a proposed car share bay to understand any specific issues or matters that need to be considered.

Car Share fees and charges

Council seeks to recover the costs associated with the installation of car share bays and vehicles including signage, line marking and traffic management through fees outlined in the Car Share Fee Schedule. Council will charge an annual fee as per the Car Share Fee Schedule to cover ongoing administration and maintenance costs with higher annual fees applicable in shopping streets to recognise the higher value of parking spaces due to greater demand including for alternative uses such as roadside dining. The Car Share Fee Schedule will be reviewed annually as part of Council's Fees and Charges process. Council will consider the alignment of car share to Council strategies, community demand for car share and will undertake benchmarking with neighbouring councils in determining appropriate fees and charges.

Ongoing management, monitoring and evaluation

Council will require car share providers to provide access to monthly utilisation data to allow ongoing monitoring and evaluation. Renewal of car share will be subject to the service continuing to meet the intent of this policy as well as minimum usage thresholds. Existing dedicated car share bays can continue to operate but will be subject to the standard annual fee and process. Existing car share which does not currently operate from a dedicated on-street car share bay will be able to apply for a dedicated bay through the standard fees and process. Council Officers will provide an annual Car Share Monitoring and Evaluation Report to Council.

Supporting the provision of car share vehicle within new developments

Council supports the provision of car share vehicles within new developments to reduce the need for car ownership within the specific development and to supplement the local network of car share. If public access is to be provided to car share vehicles within new developments it requires careful consideration of design and location to ensure safe and convenient access.

6 Responsibilities

Party/parties	Roles and responsibilities	Timelines
Council	Approving car share providers Assessment and approval of car share applications, consulting affected properties and installation of car share bays Renewal, and if necessary, removal of car share bays including ongoing monitoring and evaluation	Ongoing
Car share providers	Providing documents to become approved car share providers Applying for suitable car share bays aligning with this Policy Providing vehicles, membership and levels of service that meet community requirements as assessed by Council Officers Providing monthly and membership data and annual reports Promotion of car share services to current and prospective members.	Ongoing

7 Human Rights Charter

This policy has been reviewed against and complies with section 13 of the *Charter of Human Rights and Responsibilities Act 2006*, as this Policy aligns with and provides for the protection of an individual's right not to have their privacy unlawfully or arbitrarily interfered with. It is also in line with section 18, which recognises a person's right to participate in the conduct of public affairs.

8 Monitoring, Evaluation and Review

Council commits to monitoring processes, information sharing and decision making to understand the overall level of success of the Policy's implementation. A periodic review of this Policy will be undertaken by 2026 to ensure any changes required to strengthen or update the Policy are made.

9 Related Policies and Legislation

Road Management Act 2004 and subordinate legislation

Appendix: Car Share - Fee schedule

The below fees are applicable to car share in the City of Stonnington. Council will undertake regular benchmarking and review of car share fees and will consider community demand and the alignment of car share to Council strategies in determining appropriate fees.

Fee	Amount per car share bay (ex GST)
Establishment Fee – to cover installation costs including new signage, line marking and any traffic control required	\$650 (one-time fee)
Renewal Fee – required to continue using existing car share bays in Stonnington	\$300 (per annum) \$500 (per annum) in Shopping Street parking or paid parking areas

ITEM 14.2 - Car Share Policy

Officer Alternative Recommendation

That the Council:

1. ADOPT the Car Share Policy (refer Attachment 1) **noting it applies to: “the application, operation and expansion of on and off-street car share on Council owned and/or managed land, including necessary changes to parking restrictions”.**
2. ADOPT the Car Share Fee Schedule (refer Attachment 2).
3. **NOTE that Officers will review the program every six months and an annual Car -Share Monitoring and Evaluation Report will be provided to Council.**
4. **NOTE that fees will be reviewed annually and updated as part of Council’s annual budget process.**

Informal Meeting of Councillors held on 3 October 2022 - Record



Councillor Briefing Session – Record of Informal Meeting of Councillors

Held on Monday 3 October 2022

Informal Meeting of Councillors held on 3 October 2022 - Record

Meeting Information	
Meeting Name/Type	Councillor Briefing Session
Meeting Date	Monday 3 October 2022
Attendees	
Councillors	Cr Jami Klisaris (Mayor) Cr Melina Sehr (Deputy Mayor) Cr Nicki Batagol Cr Kate Hely Cr Polly Morgan Cr Alexander Lew Cr Marcia Griffin Cr Mike Scott
Apologies	Cr Matthew Koce
Staff	Chief Executive Officer Director Community & Wellbeing Director Planning & Place Acting Director Environment & Infrastructure Acting Director Organisation Capacity Executive Manager Legal & Governance Manager City Operations Manager Aged, Diversity & Community Planning Acting Chief Customer and Transformation Officer Acting Manager Communications and Engagement CX & BI Program Lead Coordinator Statutory Planning Coordinator Transport Planning Municipal Building Surveyor Executive Assistance to the Mayor & Councillors
Guests	Mark Zuker, Managing Director, JWS Research Katrina Cox, Director of Client Services, JWS Research

Informal Meeting of Councillors held on 3 October 2022 - Record

Disclosure of Conflict of Interest	<p>Cr Marcia Griffin declared a general conflict of interest in Item 7 titled Aged Services Update</p> <p>The Acting Director Organisation Capability declared a general conflict of interest in Item 10 titled MAV State Council</p> <p>Cr Mike Scott declared a general conflict of interest in Item 23 titled Service Review</p>
Matters discussed	<ol style="list-style-type: none"> 1. JWS Community Satisfaction 2. Vehicle Crossing Permit & Tree Work Permit Appeal Process 3. Building Act Amendment, Cladding Update and Cost Modelling 4. Planning Amendment 0457/13 – 145 Williams Road, Prahran 5. Quick Response Grants 6. 2022 Volunteer Awards 7. Aged Services Update 8. Car Share Monitoring and Evaluation Report 9. Tender - T22059 Weed Control and Laneway Pruning 10. MAV State Council 11. Board - Prahran Market 12. Prahran Square 13. Community Engagement & Consultation 14. Orrong Romanis Park Playground 15. Central Park Playground 16. Malvern Valley Golf Course 17. Sponsorship and Philanthropy 18. Significant Trees

Informal Meeting of Councillors held on 3 October 2022 - Record

	<p>19. Vehicular Crossings</p> <p>20. Serrell Street Kindergarten</p> <p>21. Councillor Workshop</p> <p>22. Mount Street Precinct Masterplan</p> <p>23. Service Review</p>
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