



# MINUTES

**of the ORDINARY MEETING of the  
STONNINGTON CITY COUNCIL  
held in the MALVERN TOWN HALL AND COUNCIL  
CHAMBER, MALVERN TOWN HALL  
(CORNER GLENFERRIE ROAD & HIGH STREET,  
MALVERN)**

on

**6 May 2019**

**COUNCIL MINUTES**  
**MONDAY 6 MAY 2019**

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- A. READING OF THE RECONCILIATION STATEMENT AND AFFIRMATION STATEMENT
- B. INTRODUCTIONS
- C. APOLOGIES
- D. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S) IN ACCORDANCE WITH SECTION 93 OF THE ACT AND CLAUSE 49 OF GENERAL LOCAL LAW 2018 (No 1)
  - 1. MINUTES OF THE COUNCIL MEETING HELD ON 15 APRIL 2019..... 4**
- E. DISCLOSURE BY COUNCILLORS OF ANY CONFLICTS OF INTEREST IN ACCORDANCE WITH SECTION 79 OF THE ACT<sup>1</sup>
- F. QUESTIONS TO COUNCIL FROM MEMBERS OF THE PUBLIC
- G. CORRESPONDENCE – (ONLY IF RELATED TO COUNCIL BUSINESS)
- H. QUESTIONS TO COUNCIL OFFICERS FROM COUNCILLORS
- I. TABLING OF PETITIONS AND JOINT LETTERS
- J. NOTICES OF MOTION
- K. REPORTS OF SPECIAL AND OTHER COMMITTEES
- L. REPORTS BY DELEGATES
- M. GENERAL BUSINESS INCLUDING OTHER GENERAL BUSINESS
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- N. URGENT BUSINESS
- O. CONFIDENTIAL BUSINESS

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<sup>1</sup> Note that s.79(1)(a) of the Act requires Councillors to disclose the nature of a conflict of interest immediately before the relevant consideration or discussion.

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**PRESENT** : CR STEVEN STEFANOPOULOS, MAYOR  
: CR GLEN ATWELL  
: CR MARCIA GRIFFIN  
: CR JOHN CHANDLER  
: CR SALLY DAVIS  
: CR JUDY HINDLE  
: CR MATTHEW KOCE  
: CR MELINA SEHR  
: CR JAMI KLISARIS

**COUNCIL OFFICERS PRESENT**

: SIMON THOMAS, INTERIM CEO  
: GEOFF COCKRAM  
: STUART DRAFFIN  
: CATH HARROD  
: RICK KWASEK  
: HANNAH MCBRIDE-BURGESS  
: FABIENNE THEWLIS  
: JUDY HOGAN

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The meeting began at 7.00pm in the Malvern Town Hall due to the numbers attending for Items 1 and 2 of General Business.

**A. Reading Of The Reconciliation Statement**

Fabienne Thewlis, Manager Governance & Corporate Support, read the following reconciliation statement:

*We acknowledge that we are meeting on the traditional land of the Boonwurrung and Wurundjeri people and offer our respects to the elders past and present. We recognise and respect the cultural heritage of this land.*

The Mayor Cr Stefanopoulos read the following Affirmation Statement:

*We are reminded that as Councillors we are bound by our Oath of Office to undertake the duties of Councillor in the best interests of the people of the City of Stonnington and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act and any other relevant Act.*

**B. Introductions**

The Mayor Cr Stefanopoulos introduced the Councillors and the Interim Chief Executive Officer Simon Thomas. Mr Thomas then introduced the Council Officers.

**C. Apologies**

**D. Adoption And Confirmation Of Minutes Of Previous Meeting(S) In Accordance With Section 93 Of The Act And Clause 49 Of General Local Law 2018 (No 1)**

**1. Council Meeting - 15 April 2019**

**MOTION:                    MOVED CR SALLY DAVIS    SECONDED CR MARCIA GRIFFIN**

***That the Council confirms the Minutes of the Council Meeting of the Stonnington City Council held on 15 April 2019 as an accurate record of the proceedings.***

***Carried***

**E. Disclosure by Councillors of any conflicts of interest in accordance with Section 79 of the Act**

Cr Chandler declared an Indirect Conflict of Interest – Other – Conflicting Personal Interest in Item 8 – Cato Street Car Park Development Site – Shortlisted Names noting that he had been advised that at one stage his name had been proposed for this new community space.

**F. Questions to Council from Members of the Public**

During Council's previous Ordinary Meeting thirty- two (32) sets of Questions to Council were submitted.

At the time, I used my discretion available to me under Council's General Local Law to answer the questions at the meeting. As required under the Local Law, written answers were subsequently provided to the submitter. A copy of the responses are now tabled for inclusion in the minutes of this meeting as follows:

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Questions and responses – Julie Elliott

Question 1

In the beginning the Chadstone Bowls Club was presumed to be an under-utilised site and a feasibility study was undertaken. It was based on the premise that 4 indoor multi-purpose courts would be built on the site of the existing Club grounds in Chadstone Road. No trees would need to be felled. The Chadstone Bowls Club successfully campaigned to save the club. The Council reacted and agreed to include the Chadstone Bowls Club in the development. Then the project became expensive. The Council REACTED and sought funding from everywhere it could think of. In the process it needed to upgrade the status of the project and so Percy Treyvaud M. P. became the site of a State/Regional Sporting Centre in what has curiously and suddenly become a sporting precinct.

Does the council plan to conduct all its capital expenditures in this reactive way, with no forward planning?

Response

No.

Question 2

How can the council proceed with this large scale state/regional project where the Feasibility Study was for a quite different and much smaller project?

Response

Consultation on the feasibility study informed Council of the community's preference for the Chadstone Bowls Club to remain onsite. The proposed Masterplan for Percy Treyvaud Memorial Park incorporates upgraded facilities for the Chadstone Recreation and Civic Club and its sport sections of the Chadstone Bowls Club in response to this feedback.

Question 3

And, there are methods available to put a dollar value on mature trees. Why does the council not assess the value of its trees?

Response

Significant tree replanting is proposed in the Masterplan for Percy Treyvaud Park, 134 new trees will be planted to replace the 67 to be removed.

Question 4

Why are 77 trees so easily disposable?

Response

Significant tree replanting is proposed in the Masterplan for Percy Treyvaud Park, 134 new trees will be planted to replace the 67 to be removed.

Questions and responses – Karen Chant

Question 1

Why does the traffic study undertaken for the proposed stadium not include the extra sports that the Mayor has approached and supposedly gained support from? Will this be done?

Response

The traffic studies based calculations on the peak sporting use of the park, with the tennis courts, bowling greens, indoor courts and ovals being used to capacity.

Question 2

Isn't there a conflict of interest with Linda Roland (PNA spokesperson & supporter) being a VCAT member (judge) and the stadium process?

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Response  
No.

Question 3

Can you categorically assure ratepayers and residents that no deal or promises have been made to PNA?

Response

Outside of the general usage discussions in development of the functional design brief no specific assurances have been made to the Prahran Netball Association.

Question 4

What mental health strategies are in place currently to support the overwhelmed local residents and bowls club members of which many are elderly to deal with the stress that this inappropriately located, exorbitant costly, unwanted and unwarranted sporting stadium is causing?

Response

Residents can contact Council should they experience mental health concerns resulting from this proposal, and we will assess what support can be provided.

Question 5

Why is council not spending money upgrading existing sporting venues for women and girls change rooms across Stonnington? This is urgently required.

Response

Council has, and will continue to, invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

Questions and responses - Lucia De Summa

Question 1

What benefit will residents/ratepayers get from the proposed Stadium at Percy Treyvaud Park (that do not play organised sport)?

Response

Proposed park improvements in the Masterplan for Percy Treyvaud Memorial Park include:

- Extensive tree planting and landscape improvements
- More accessible pedestrian pathways and the creation of a loop path
- Installation of fitness stations at the southern end of the park
- Additional public seating

Question 2

Why is there no other park in Victoria that fits 11 sports into one location?

Response

We have not undertaken research to prove this assumption as fact or otherwise.

Question 3

Why isn't there a VICROADS report stating that the roads will handle the additional traffic?

Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

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Question 4

Why does the traffic study NOT take into account the various additional sports the mayor has asked to support the stadium proposal?

Response

The traffic studies based calculations on the peak sporting use of the park, with the tennis courts, bowling greens, indoor courts and ovals being used to capacity.

Question 5

Why are resident's needs for open space being constantly compromised when we have the lowest open space around?

Response

The proposed Masterplan for Percy Treyvaud Memorial Park results in an increase of over 1,000m<sup>2</sup> publicly accessible open space.

Questions and responses – George Lawlor

Question 1

Why did the Mayor solicit support from non-Stonnington Groups?

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 2

Why isn't there a VicRoads report stating that the roads will handle the additional traffic?

Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

Question 3

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)

Response

This is a question you should direct to Cr Klisaris.

Questions and responses – Jim Ryan

Question 1

Given the stated strategies from Chadstone Shopping Centre management to build two additional Hotels, one additional Office Block and several Entertainment areas, what is Council doing to minimise the noise, traffic and parking impacts on the local residents?

Response

Any further development proposed by Chadstone will be subject to relevant planning controls and considerations.

Question 2

Why is Council considering wasting exorbitant monies on a stadium at Percy Treyvaud Park, when it will generate additional traffic issues for the local residents?

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Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 3

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium), nor their park to be converted into a "Sports Precinct"?

Response

This is a question best directed to Cr Klisaris.

Question 4

Given the exorbitant monies (\$45M) now proposed for the stadium at Percy Treyvaud Park, would it not be wiser to utilise such funds to develop an alternate site for a sporting precinct on land that is underutilised and needs repair e.g. near Malvern Valley Golf course?

Response

Alternative sites were investigated before Council commenced developing a Masterplan for Percy Treyvaud Memorial Park, including the Malvern Valley Golf Course. Following this investigation Percy Treyvaud Memorial Park was identified as the preferred site.

Questions and responses – Russell Hatton

Question 1

Why did the Mayor solicit support from non-Stonnington groups

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This question is best directed to each individual Councillor.

Question 3

Why does the traffic study NOT take into account the various additional sports the mayor has asked to support the stadium proposal

Response

The traffic studies based calculations on the peak sporting use of the park, with the tennis courts, bowling greens, indoor courts and ovals being used to capacity.

Question 4

Why are residents needs for open space being constantly compromised when we have the lowest open space around?

Response

The proposed Masterplan for Percy Treyvaud Memorial Park results in an increase of over 1,000m<sup>2</sup> publicly accessible open space.

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Question 5

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)?

Response

This is a question best directed to Cr Klisaris.

Questions and responses – Mary Tassigiannakis

Question 1

Why did the Mayor solicit support from non-Stonnington Groups?

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 3

Why does council keep building car parks? Cato Square and Percy Treyvaud are concrete blobs?

Response

The inclusion of an undercroft car park in the Masterplan for Percy Treyvaud Memorial Park is necessary to ensure that adequate parking is available on site for sporting and park users to minimise the impact on the local street network.

Cato Square will be a wonderful addition to the Chapel Street Precinct that provides car parking underground and an urban square and improved open space and gathering place for the community above ground.

Question 4

Why do we need to borrow money all the time to waste it?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 5

How long will Chadstone Bowls be relocated for during construction?

Response

If the proposed Masterplan for Percy Treyvaud Memorial Park is endorsed, then Council will work directly with the Chadstone Bowls Club, Chadstone Tennis Club and seasonal sporting users to discuss scheduling works and arrange appropriate alternate arrangements.

Questions and responses – Brendan Murphy

Question 1

Why did the Mayor solicit support from groups outside of Stonnington?

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Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 2

Why is there no VicRoads report stating that the roads will handle the additional traffic, and why have VicRoads not been consulted?

Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

Question 3

Why does the traffic study not take into account the various additional sports the mayor has asked to support the stadium proposal?

Response

The traffic studies based calculations on the peak sporting use of the park, with the tennis courts, bowling greens, indoor courts and ovals being used to capacity.

Question 4

Why are some councillors believe it's acceptable to cut down 77 trees in Percy Treyvaud Park which goes against Councils own strategy?

Response

This is a question best directed to each individual Councillor.

Questions and responses – Louise Gratton

Question 1

Why should ratepayers foot the \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 3

What about girls AFL and Soccer - why are they not being funded?

Response

Council has, and will continue to, invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

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Questions and responses – Rosemary Long

Question 1

How does council justify the use of \$45 million of ratepayers' money for girls' netball facilities as a priority over other infrastructure projects, without broader consultation with all ratepayers?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park. The new and upgraded sporting facilities proposed in the Masterplan for Percy Treyvaud Memorial Park are in direct response to community need and feedback. There are over 4,000 registered netball & basketball players in Stonnington and the proposal will provide participation opportunities for local residents.

Question 2

On what basis is such a huge sum of money being allocated to netball and none to girls' AFL or Soccer - both of which have many more participants - eg to provide desperately needed girls' changing rooms?

Response

Council has, and will continue to invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

Question 3

On what basis has council decided to make Percy Treyvaud the only park in Victoria that fits 11 sports into one location?

Response

We have not undertaken research to prove this assumption as fact or otherwise.

Question 4

Can council provide a VicRoads report stating that the roads will handle the additional traffic?

Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

Question 5

Why do some councillors want to cut down 77 mature trees in Percy Treyvaud Park which is against their own strategy?

Response

This question is best directed to each individual Councillor

Questions and responses – Fiona Brooks

Question 1

What benefit will residents/ratepayers (who do not play organised sport) get from the proposed Stadium at Percy Treyvaud Park?

Response

Proposed park improvements in the Masterplan for Percy Treyvaud Memorial Park include:

- Extensive tree planting and landscape improvements

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- More accessible pedestrian pathways and the creation of a loop path
- Installation of fitness stations at the southern end of the park
- Additional public seating

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 3

How long will Chadstone Bowls be relocated for during construction?

Response

If the proposed Masterplan for Percy Treyvaud Memorial Park is endorsed, then Council will work directly with the Chadstone Bowls Club, Chadstone Tennis Club and seasonal sporting users to discuss scheduling works and arrange appropriate alternate arrangements.

Question 4

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)?

Response

This is a question best directed to Cr Klisaris.

Questions and responses – Felicity Brooks

Question 1

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 2

Why are residents needs for open space being constantly compromised when we have the lowest open space around?

Response

The proposed Masterplan for Percy Treyvaud Memorial Park results in an increase of over 1,000m<sup>2</sup> publicly accessible open space.

Questions and responses – Barbara Day

Question 1

Why did the Mayor solicit support from non-Stonnington groups?

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

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Response

This is a question best directed to each individual Councillor.

Question 3

For how long will Chadstone Bowls and Tennis Clubs be relocated for during construction?

Response

If the proposed Masterplan for Percy Treyvaud Memorial Park is endorsed, then Council will work directly with the Chadstone Bowls Club, Chadstone Tennis Club and seasonal sporting users to discuss scheduling works and arrange appropriate alternate arrangements.

Question 4

Why should ratepayers foot the \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Questions and responses – Adrian & Suzy Ling

Question 1

Why should ratepayers foot at least \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities for our community, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 2

What financial support will the sporting groups be putting towards the cost to build the stadium, especially the ones outside Stonnington area that the council is current soliciting support from?

Response

No funding has been sought nor offered from external sporting groups. The Federal Government has previously pledged \$4m in funding if the Masterplan is adopted. The Council will continue to seek funding opportunities from the State Government.

Question 3

Why is there no other park in Victoria that fits 11 sports into one location?

Response

We have not undertaken research to prove this assumption as fact or otherwise.

Question 4

What about girls AFL and Soccer - why are they not being funded as these have higher participation rates than Netball and higher growth rates?

Response

Council has and will continue to invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

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Question 5

Why are resident's needs for open space being constantly compromised when we have the lowest open space around?

Response

The proposed Masterplan for Percy Treyvaud Memorial Park results in an increase of over 1,000m<sup>2</sup> publicly accessible open space.

Questions and responses – Matty Marinakis

Question 1

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed at each individual Councillor.

Question 2

Why does council keep building car parks? Cato Square and Percy Treyvaud are concrete blobs?

Response

The inclusion of an undercroft car park in the Masterplan for Percy Treyvaud Memorial Park is necessary to ensure that adequate parking is available on site for sporting and park users to minimise the impact on the local street network.

Cato Square will be a wonderful addition to the Chapel Street Precinct that provides car parking underground and an urban square and improved open space and gathering place for the community above ground.

Question 3

Why do we need to borrow money all the time to waste it?

Response

Council has borrowed money on numerous occasions to fund major projects.

Question 4

How long will Chadstone Bowls be relocated for during construction?

Response

If the proposed Masterplan for Percy Treyvaud Memorial Park is endorsed, then Council will work directly with the Chadstone Bowls Club, Chadstone Tennis Club and seasonal sporting users to discuss scheduling works and arrange appropriate alternate arrangements.

Questions and responses – Richard Land

Question 1

There are four netball arenas within 10 kms from Orrong Romanis: Richmond (3.7km); Duncan McKinnon (9.1km); Ashwood (9.5km); and Oakleigh (10.1km) so why does council need to spend \$45m of ratepayers' money and destroy trees and parkland to create another one 9.0km away when the others could be better utilised (e.g. Sunday morning competitions as well as Saturday morning)?

Response

Indoor sports courts in neighbouring municipalities are at, or near, capacity.

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**Question 2**

Why can't the existing courts at Orrong Romanis be more efficiently developed to meet the needs of the Prahran netball association at the point of need (e.g. by building a second level) rather than spending \$45m to build a sporting stadium nearly 10 kilometres away?

**Response**

Orrong Romanis was investigated as an option for additional indoor sporting courts but was ruled out for a number of reasons including soil contamination, encroachment on open space and sporting reserves and the lack of parking provision.

**Question 3**

Given other sports facilities within close proximity of Stonnington and given there is freedom of passage across council borders, why are we spending \$45m of our ratepayers money to promote various sporting associations?

**Response**

The new and upgraded sporting facilities proposed in the Masterplan for Percy Treyvaud Memorial Park are in direct response to community need and feedback.

**Question 4**

Does Stonnington Council believe it has an altruistic duty to sporting bodies across the country to garner their support to spend \$45m of Stonnington ratepayers money to build a stadium to support those sporting bodies?

**Response**

The Masterplan for Percy Treyvaud Memorial Park will provide greater opportunities for residents to participate in community sport.

**Question 5**

I went to a number of Council consultations about the new stadium where there was clear feedback that ratepayers did not want the stadium (for example in the focus group I attended the facilitators relented and allowed us to vote whether or not we wanted it and the show of hand was 30- nil against building the stadium) so therefore why is Council not listening to the feedback from its own ratepayers and spending \$45m of their money?

**Response**

Council has sought and received extensive feedback on this project. Through the two formal consultation processes associated with the preparation of the Masterplan, community opinion was clearly divided between those that supported, and those that opposed the proposal.

**Questions and responses – George Marinakis**

**Question 1**

What benefit will residents/ratepayers get from the proposed Stadium at Percy Treyvaud Park (that do not play organized sport)?

**Response**

Proposed park improvements in the Masterplan for Percy Treyvaud Memorial Park include:

- Extensive tree planting and landscape improvements
- More accessible pedestrian pathways and the creation of a loop path
- Installation of fitness stations at the southern end of the park
- Additional public seating

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Question 2

Why should ratepayers foot the \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 3

Why is there no other park in Victoria that fits 11 sports into one location?

Response

We have not undertaken any research to ascertain the accuracy or otherwise of this assumption

Question 4

Why did the mayor solicit support from non-Stonnington groups?

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Questions and responses – Julie Sutherland

Question 1

What financial support will the sporting groups be putting towards the cost to build the stadium?

Response

No funding has been sought nor offered from external sporting groups.

Question 2

What about girls AFL and Soccer - why are they not being funded?

Response

Council has, and will continue to, invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

Question 3

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Questions and responses – Michael Beggs

Question 1

Why should ratepayers foot the \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

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Question 2

Why did the Mayor solicit support from non-Stonnington Group?

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 3

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This question is best directed at each individual Councillor

Question 4

Why has Prahran Netball suddenly placed the complaint with the Equal Opportunity Commission on hold?

Response

This is a question for the Prahran Netball Association. It is not our place to outline or comment on their decisions.

Question 5

What assurances have council staff and certain councillors given Prahran Netball?

Response

Outside of the general usage discussions in development of the functional design brief no specific assurances have been made to the Prahran Netball Association.

Questions and responses – Dean Hurlston

Question 1

Why is there no other park in Victoria that fits 10 sports into one location like the proposal at Percy Treyvaud?

Response

We have not undertaken research to prove this assumption as fact or otherwise.

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own Council strategy?

Response

This is a question best directed to each individual Councillor.

Question 3

When will Chadstone Bowls be relocated and how long for during construction?

Response

If the proposed Masterplan for Percy Treyvaud Memorial Park is endorsed Council will then work directly with the Chadstone Bowls Club, Chadstone Tennis Club and seasonal sporting users to discuss scheduling works and arrange appropriate alternate arrangements.

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Question 4

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)

Response

This is a question you should direct to Cr Klisaris.

Question 5

Why has Prahran Netball suddenly placed the complaint with the Equal Opportunity Commission on hold after threatening council?

Response

This is a question for the Prahran Netball Association.

Questions and responses – Trevor Brooks

Question 1

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 2

Why does council keep building car parks? Cato Square and Percy Treyvaud will become concrete blobs?

Response

The inclusion of an undercroft car park in the Masterplan for Percy Treyvaud Memorial Park is necessary to ensure that adequate parking is available on site for sporting and park users to minimise the impact on the local street network.

Cato Square will be a wonderful addition to the Chapel Street Precinct that provides car parking underground and an urban square and improved open space and gathering place for the community above ground.

Question 3

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)

Response

Cr Klisaris is a strong advocate of community sport and I join her in her support for the proposed Masterplan for Percy Treyvaud Memorial Park.

This is a question best directed to Cr Klisaris.

Question 4

What financial support will the sporting groups be putting towards the cost to build the stadium?

Response

No funding has been sought nor offered from external sporting groups.

Questions and responses – Jayne Davey

Question 1

Why should ratepayers foot the \$45 million bill?

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Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 2

Why did the Mayor solicit support from non- Stonnington groups?

Response

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

Question 3

Why did Cr Klisaris betray her constituents?

Response

It is my opinion that Cr Klisaris has not betrayed her constituents.

Question 4

What about girls AFL and Soccer - why are they not being funded?

Response

Council has and will continue to invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

Question 5

As a VCAT member (judge) isn't Linda Rowland (PNA) prejudicing this process with her conflict of interest

Response

No.

Questions and responses – Jan Owen

Question 1

Why should ratepayers foot the \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Question 2

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 3

Why isn't there a VicRoads report stating that the roads will handle the additional traffic?

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Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

Question 4

As a VCAT member (judge) isn't Linda Rowland (PNA) prejudicing this process with her conflict of interests?

Response

No.

Questions and responses – Brett Ogle

Question 1

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)

Response

This is a question you should direct to Cr Klisaris.

Question 2

As a VCAT member (judge) isn't Linda Rowland (PNA) prejudicing this process with her conflict of interests?

Response

No.

Question 3

Why are resident's needs for open space being constantly compromised when we have the lowest open space around?

Response

The proposed Masterplan for Percy Treyvaud Memorial Park results in an increase of over 1,000m<sup>2</sup> publicly accessible open space.

Question 4

Why should ratepayers foot the \$45 million bill?

Response

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities for our community as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

Questions and responses – Jenny Lawlor

Question 1

How long will Chadstone Bowls be relocated for during the proposed construction of the Indoor Stadium?

Response

If the proposed Masterplan for Percy Treyvaud Memorial Park is endorsed, then Council will work directly with the Chadstone Bowls Club, Chadstone Tennis Club and seasonal sporting users to discuss scheduling works and arrange appropriate alternate arrangements.

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**Question 2**

What about girls AFL and Soccer - why are they not being funded yet council is proposing to spend \$45 million on girl's netball?

**Response**

Council has and will continue to invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this. Council is not proposing to spend \$45 million on girl's netball.

**Question 3**

Why has the Mayor solicited support for the proposed stadium from, non-Stonnington sporting groups and schools?

**Response**

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

**Question 4**

What assurances have council staff and certain councillors given Prahran Netball regarding the Indoor Stadium?

**Response**

Outside of the general usage discussions in development of the functional design brief, no specific assurances have been made to the Prahran Netball Association.

**Question 5**

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

**Response**

This is a question best directed to each individual Councillor.

**Questions and responses – Ricki Ogle**

**Question 1**

How will we as residents and ratepayers benefit from this proposed stadium on our doorstep at Percy Treyvaud Park if we do not play organised sport?

**Response**

Proposed park improvements in the Masterplan for Percy Treyvaud Memorial Park include:

- Extensive tree planting and landscape improvements
- More accessible pedestrian pathways and the creation of a loop path
- Installation of fitness stations at the southern end of the park
- Additional public seating

**Question 2**

I am staggered to read that 77!!! trees in Percy Treyvaud Park will be cut down....this is senseless and against councils own strategy is it not?

**Response**

Significant tree replanting is proposed in the Masterplan for Percy Treyvaud Park, 134 new trees will be planted to replace the 67 to be removed.

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**Question 3**

Is there a VicRoads report stating that the roads are able to handle the additional traffic which will surely cause further congestion and concern to us residents/ratepayers??

**Response**

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

**Question 4**

We would like to know if and what assurances have council staff and certain councillors given Prahran Netball?

**Response**

Outside of the general usage discussions in development of the functional design brief no specific assurances have been made to the Prahran Netball Association.

**Questions and responses – Gwen Hause**

**Question 1**

What benefit will residents/ratepayers get from proposed stadium at P.T. Park that do not play sport?

**Response**

Proposed park improvements in the Masterplan for Percy Treyvaud Memorial Park include:

- Extensive tree planting and landscape improvements
- More accessible pedestrian pathways and the creation of a loop path
- Installation of fitness stations at the southern end of the park
- Additional public seating

**Question 2**

Why should ratepayers foot the \$45 million bill?

**Response**

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

**Question 3**

Why did the Mayor solicit support from non Stonnington groups?

**Response**

Given the potential investment being considered to deliver the new and upgraded sporting facilities, I believed it was important for Councillors to be aware of support and feedback from a range of bodies.

**Question 4**

Why do Councillors want to cut down 77 trees from the Park?

**Response**

This is a question best directed to each individual Councillor.

**Question 5**

Why isn't there a VicRoads report regarding how roads will handle additional traffic.

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Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

Questions and responses – Bill Tassigiannakis

Question 1

Why isn't there a VicRoads report stating that the roads will handle the additional traffic?

Response

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

Question 2

Why did Cr Klisaris (an East Ward Councillor) betray her constituents (given East Ward Residents do not want the stadium)?

Response

This is a question you should direct to Cr Klisaris.

Question 3

As a VCAT member (judge) isn't Linda Rowland (PNA) prejudicing this process with her conflict of interests?

Response

No.

Question 4

Why do some councillors want to cut down 77 trees in Percy Treyvaud Park which is against their own strategy?

Response

This is a question best directed to each individual Councillor.

Question 5

Why does the traffic study not take into account the various additional sports the mayor has asked to support the stadium proposal?

Response

The traffic studies based calculations on the peak sporting use of the park, with the tennis courts, bowling greens, indoor courts and ovals being used to capacity.

Questions and responses – George Sialmas

Question 1

What will happen to the courts at Orrong Romanis when the new netball courts are built at Percy Treyvaud?

Response

The courts will remain at Orrong Romanis.

Question 2

Is there any proposal in any way, shape or form that Orrong Romanis courts will be returned to Prahran as open space?

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Response  
No.

**Question 3**

Why should ratepayers foot the \$45 million bill when there are many other feasible options?

**Response**

The Masterplan for Percy Treyvaud Memorial Park would be an investment in community sport that creates much needed sporting facilities, as well as upgraded facilities for the Chadstone Bowls Club, Chadstone Lacrosse Club, Chadstone Tennis Club and East-Malvern Tooronga Cricket Club. Adoption of the Masterplan by Council would also provide upgrades for casual users of the park.

**Question 4**

Why is there no other park in Victoria that fits 11 sports into one location?

**Response**

We have not undertaken research to prove this assumption as fact or otherwise.

**Question 5**

Why are not other female sports in Stonnington being afforded the same opportunities as PNA? You seem to be happy to allocate \$64K per PNA player for a new stadium yet, according to the Stonnington website there are a multitude of parks and ovals in Stonnington that do not have even public toilets yet sporting groups play/ train there.

**Response**

Council has and will continue to invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

**Questions and responses – Kathy Healey**

**Question 1**

Why is there no Vic Roads report stating that the adjacent streets to Percy Treyvaud Park will be able to accommodate the additional traffic from all the extra sporting groups Mayor Stefanopoulos has invited?

**Response**

Two traffic studies were completed during the development of the Masterplan for Percy Treyvaud Memorial Park. These made use of VicRoads data where it was available and applicable.

**Question 2**

Where is the funding for girls/women's AFL and soccer if Council is so worried about inequality of money spent on female sports, as these two are more popular than netball (Australian Bureau of Statistics)?

**Response**

Council has, and will continue to, invest in other sporting facilities to increase participation opportunities for girls and women, our recently upgraded Gardiner Park, Glen Iris and Dunlop Pavilion in Darling Park, Malvern East are examples of this.

**Question 3**

What assurances have Council Staff and Councillors given to PNA regarding the proposed building of this stadium?

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Response

Outside of the general usage discussions in development of the functional design brief no specific assurances have been made to the Prahran Netball Association.

Question 4

Why are Council determined to use East Ward's open space to accommodate a desire for Netball courts in South Ward?

Response

Netball courts are required in Stonnington and the Percy Treyvaud Memorial Park is the site Council has chosen to accommodate this demand.

Questions and responses – Denis Wallish

Question 1

Of the over 50 sporting associations the Mayor wrote to regarding support for the proposed Indoor Stadium, which associations have pledged financial support and what amount have they pledged?

Response

No funding has been sought nor offered from external sporting groups.

Question 2

Which of the schools within and outside of Stonnington that the Mayor wrote to regarding support for the proposed indoor stadium have pledged financial support and what amount have they pledged?

Response

None.

Question 3

The Mayor is the Chair of the Steering Committee for the Masterplan of Percy Treyvaud Park and yet information he sent to schools and sporting associations contained quite substantial errors - was this deliberate or is he not aware of the detailed, public scope of the project?

Response

Shortly after becoming aware of the incorrect information, schools were contacted to clarify the information.

Question 4

If the Mayor's letters contained deliberate mistakes shouldn't he resign from the Mayoralty?

Response

No.

Question 5

If the Mayor's errors were not deliberate, given his position as Mayor and Chair of the Steering Committee, why isn't he across the details of the project?

Response

A mistake was made with some of the information provided, and shortly after becoming aware of this, schools were contacted to clarify that information.

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Questions and responses – Keith Louie

Question 1

Do you, as an elected Councillor, believe girls and young women have a right to publicly-funded sporting facilities reasonably-equal to that of boys and young men?

Response

Yes.

Question 2

If Council again votes to deny funding for any new netball courts in the City – this time by voting-down Council's own Percy Treyvaud Master Plan after a near two-year process – what is Council's alternative plan to fund facilities for our girls and young women equivalent to that provided for boys and young men?

Response

Council has been through an exhaustive process to identify a suitable site and to develop a Masterplan for the provision of additional indoor sporting facilities for the Stonnington community. Council will reconsider the Masterplan for Percy Treyvaud at its meeting on 6 May 2019.

Question 3

If Council has no alternative plan, what does Council suggest we say to our girls about equal rights, the opportunity to play the sport they love in our municipality, and the democratic process here in Stonnington?

Response

Council has been through an exhaustive process to identify a suitable site and to develop a Masterplan for the provision of additional indoor sporting facilities for the Stonnington community. Council will reconsider the Masterplan for Percy Treyvaud at its meeting on 6 May 2019.

For tonight's Ordinary Meeting of Council no Questions to Council have been received for response.

**G. Correspondence – (only if related to council business)**

Cr Klisaris tabled the following correspondence:

- 102 emails against the Percy Treyvaud Memorial Park Masterplan and proposed Multi-Purpose Stadium and 403 emails in support of the masterplan and stadium proposal (received since 1 April)

Cr Davis noted the following;

- With Mother's Day on 12 May 2019 it is important for all women, to look to their health and have a free Breast Screen for those over 50 years of age (and encouraged younger females to also consider this). To assist this Council has facilitated the location of the Breast Screen Victoria van (called Marjorie) at Princes Gardens (Malvern Road end) Prahran from 29 April to 17 May 2019 and encouraged women especially in the Prahran area, to take up this opportunity.

Cr Davis tabled the following correspondence:

- Email from the son of the late, former Councillor of Malvern, Percy Treyvaud responding to a number of questions raised by Cr Davis. Cr Davis read an extract from the letter that noted Mr Treyvaud was of the opinion that he thinks his father's achievements would be destroyed with the proposed stadium.

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Cr Griffin tabled the following correspondence:

- Noted that she, like all the Councillors, has received many emails in respect to the Percy Treyvaud Memorial park Masterplan
- Email from local concerned resident regarding the dilapidated state since their sale, of a significant house in St Georges Road Toorak (may have squatters also) and also a now vacant block in the street.
- Email from a local resident concerning the continuing noise from The Olsen
- Email from a concerned property owner in Toorak regarding the responses she has had in respect to questions on her property valuation.
- Email from Barrie a property owner in Hawksburn regarding on-going issues in respect to damage to his property in Evelina Rd Hawksburn from Council's street trees roots and the unsatisfactory response he has received from Council.
- Email from an interested resident outlining issues with Canterbury Rd reconstruction and traffic concerns and comparison with the streetscape in Beavan Ave Malvern and asking why this cannot also be done in Canterbury Rd
- Email from concerned resident asking Council to reconsider its decision and review to the number of dogs permitted for dog walkers.
- Email regarding trees in Cromwell Rd South Yarra with resident commending Council Officers on prompt action on this matter.
- Five emails in support of the closure of Victoria Terrace noting that the trial is working and their amenity in the Terrace much improved and hoping that this becomes permanent.
- Email string to/from affected resident of Selborne Rd Toorak expressing concern at the increasing size of Toorak Primary School student population and resulting impact on the local vehicle traffic and amenity and asking for a review of this situation.

Cr Atwell tabled the following correspondence:

- Flyer of matters that the Liberal Candidate for the Federal seat of Higgins - Katie Allen - and what she is proposing to commit to if elected but there was no commitment to funding for the Stadium. Cr Atwell noted he would ask Question of Officers regarding this funding.
- Details from Monash Council website of the Redevelopment of the Oakleigh Recreation Centre at a proposed cost of \$23.3m which is nearly half the cost proposed for the Stonnington stadium. He advised he would be asking Questions of Officers on this item.
- A letter from the Secretary of Stonnington Ratepayers Inc. expressing concern at the estimated costs for the proposed stadium and therefore advises that they do not support.
- Letters and/or emails from five user tenants of the Percy Treyvaud Memorial Park – being Chadstone Recreation & Civic Club; East Malvern Tooronga Cricket Club; Chadstone Tennis Club; Chadstone Bowls Club and Chadstone Lacrosse advising that they would be supportive of the proposed alternative recommendation if it is considered.

Cr Koce tabled the following correspondence:

- Email from the nephew of the late, former Councillor of Malvern, Percy Treyvaud, who resides in Stonnington commenting that he was of the view that his uncle would be commending Council on the masterplan for Percy Treyvaud Memorial Park and he thinks his uncle would have endorsed it.

Cr Stefanopoulos tabled the following correspondence:

- Emails of support for Percy Treyvaud Memorial Park masterplan and proposed stadium from Prahran High School Foundation Principal; South Yarra Primary School Principal; Malvern Central School Principal; Netball Victoria and a younger community member.
- Letter of thanks from Consul-General of Japan for dinner invitation with Councillors on 15 April 2019

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- 83 hand-written letters from children in support of a multi-purpose stadium from Malvern Central School

#### **H. Questions to Council Officers from Councillors**

##### 1. Article quoting Mayor on the Percy Treyvaud Memorial Park masterplan recently in School Newsletters

Cr Atwell referred to error in an article quoting the Mayor in recent School Newsletters and asked if it was true about two tennis courts also proposed to be used for netball and basketball? Cr Atwell asked could the Interim CEO Mr Thomas confirm categorically that the two hard courts are only used for tennis.

The Interim CEO Simon Thomas advised that yes there was an error in this information and the tennis courts are tennis specific in the Masterplan now. He further advised that he cannot say what any future Council may do.

##### 2. Proposed \$4m Federal Government Grant commitment to Proposed Stadium

Cr Atwell referred to the current Federal Government promise of \$4m to the proposed stadium at Percy Treyvaud Memorial Park and campaign pamphlet from Liberal Candidate for Higgins Katie Allen which does not even reference the \$4m – so if not funded who will fund?

Cr Atwell further asked if the funding cannot be delivered as nothing signed yet what will happen for this project.

The Interim CEO Simon Thomas advised that he and Mayor have spoken with the three main candidates – Liberal, Labor and Greens who all have assured them that they would keep the \$4m safe for this commitment.

The Interim CEO Simon Thomas further advised that the project is currently predicated on the \$4m grant so Council would have to reconsider what to do should the commitment not be retained.

##### 3. VCAT Hearing on FOI application for Stadium Proposal

Cr Davis asked about the FOI application review decision at VCAT on documents relating to the Percy Treyvaud Stadium project and asked what the costs to defend this were and were they factored into the project cost.

The Interim CEO Simon Thomas outlined the process since the application in May 2017 through to the review by the Office of the Victorian Information Commissioner and then to the Victorian Civil and Administrative Tribunal noting that Council was obliged to support its position at each level of review. He noted that the costs are privileged and commercial-in-confidence.

Cr Davis asked that a Confidential report be brought to Briefing and Mr Thomas advised a report would be prepared.

##### 4. Sporting Pavilions

Cr Davis referred to report that cited the number of sporting pavilions as 26 when it is 22 and asked what is needed to make these female Friendly change rooms and facilities as they are now required and has Council started works to install, to what extent, and are they unisex or separate. Cr Davis noted that with the growth of girls and women's AFL football especially, there is an increasing demand for such facilities at Council's pavilions.

The Interim CEO Simon Thomas spoke on Council's on-going program of up-grading pavilions which is continuing with a pavilion upgraded on average every two years and other works for female facilities that are currently under-way.

5. Monash Council – Redevelopment of the Oakleigh Recreation Centre

Cr Atwell referred to the document he tabled about cost of the Monash Council Oakleigh Recreation Centre upgrade that is proposed to only cost half of that of Stonnington's stadium at \$23.3m and is funded in part by Monash Council (\$17.2m) but with funds from State Government (\$3M), Waverley Gymnastics Club a major user group (\$1m and the federal Government (\$2.1m) towards the gymnastics facility. He noted that Stonnington Council only has a promise of \$4m and asked did Council pursue any other funding?

The Interim CEO Simon Thomas advised that it has been difficult to seek funding when the project has not yet been approved – initial contact has been made on the possible funding however if decision made then officers will further pursue other funding.

**I. Tabling of Petitions and Joint Letters**

Cr Chandler tabled a petition with two signatures from one property seeking rescission, review and community consultation of Council's change to the Council's General Local Law 2018 (No.1) on the number of dogs permitted to be exercised at one time.

Cr Davis tabled a number of documents totalling 2,192 signatures, of which 1675 signatures were in respect to a petition from local residents in surrounding streets opposed to the Percy Treyvaud Memorial Park Masterplan asking:

*“that Council abandon this proposal without delay and spend \$5million on a modest upgrade of existing facilities and Council commit to funding girls AFL, Soccer and Cricket at existing grounds”*

The second documents with 354 signatures and third documents with 163 signatures demanding:

*“that our open space & liveability isn't severely impacted and that the money is used across all of Stonnington to the Benefit of all ratepayers and residents. We request that Council abandon this proposal without delay and fund all existing facilities throughout the municipality.”*

Cr Davis tabled an additional page with 15 signatures submitted through another concerned resident requesting:

*“ that Council abandon this proposal without delay and spend \$5million on a modest upgrade of existing facilities and Council commit to funding girls AFL, Soccer and Cricket at existing grounds”*

Cr Stefanopoulos tabled a petition with 80 signatures requesting that:

1. *Speed humps of a substantial form be installed at regular intervals in Perth Street and Nottingham Street Prahran;*
2. *Signs warning/advising Speed Humps be prominently displayed to discourage non-residents from using the streets as shortcuts;*
3. *Street lighting be increased in Nottingham Street and Perth Street. At least the following additional lights be added (Pert St 6 extra lights, Nottingham St 6 extra lights)”*

Cr Stefanopoulos tabled a petition submitted in two parts A (with 1418 signatures) and part B with 899 signatures requesting Council to:

*“provide more indoor courts the nearly 3,000 registered netball players and more than 2,000 basketball players of Stonnington. We strongly support the Percy Treyvaud Reserve master Plan including four new courts and upgrades for the bowling, tennis, lacrosse and cricket clubs, which will create a strong community sports precinct, go some way to addressing the inequity in sport funding for girls sport in Stonnington , and will benefit the health and well-being of the community... your petitioners request that you vote to support the proposed Percy Treyvaud Master Plan.”*

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**PROCEDURAL MOTION: MOVED CR GLEN ATWELL      SECONDED CR MATTHEW KOCE**  
*That the tabled petitions be received.*

*Carried*

**J. Notices of Motion**

Nil

**K. Reports of Special and Other Committees**

The Interim Chief Executive Officer tabled the Assembly of Councillor Records for the following meetings:

- Cato Street Carpark – Steering Group meeting held on 20 March 2019
- Cato Street Carpark Redevelopment Steering Committee meeting held on 17 April 2019
- Strategic Communication & Engagement Advisory Committee meeting held on 29 April 2019
- Councillor Briefing held on 29 April 2019
- Summary of Planning Consultative meetings held in April 2019

**L. Reports of Delegates**

Nil

**M. General Business Including Other General Business**

**1      PERCY TREYVAUD MEMORIAL PARK MASTERPLAN - ADDITIONAL INFORMATION ON PROJECT COSTS**

**MOTION:              MOVED CR MATTHEW KOCE      SECONDED CR MELINA SEHR**

*That Council note the advice provided on financial aspects of the proposed project*

**A Division was called by Cr Koce:**

**For:                      Crs John Chandler, Melina Sehr, Jami Klisaris, Matthew Koce and Steven Stefanopoulos**

**Against:              Crs Marcia Griffin, Sally Davis, Glen Atwell and Judy Hindle**

**Absent:                Nil**

*Carried*

2 PERCY TREYVAUD MEMORIAL PARK - MASTERPLAN

MOTION: MOVED CR JAMI KLISARIS SECONDED CR MATTHEW KOCE

*That:*

- 1. The outcomes and feedback on the exhibition of the Percy Treyvaud Memorial Park Draft Masterplan and the associated engagement report be noted.*
- 2. The Draft Masterplan for Percy Treyvaud Memorial Park be adopted.*
- 3. A planning permit be sought for the removal of native vegetation on the site associated with the implementation of the project as required.*
- 4. The update on the property related matters be noted.*
- 5. The budget and draft program for the project be noted.*

All Councillors were given extended time to debate this item.

**A Division was called by Cr Koce:**

**For:** Crs John Chandler, Melina Sehr, Jami Klisaris, Matthew Koce and Steven Stefanopoulos

**Against:** Crs Marcia Griffin, Sally Davis, Glen Atwell and Judy Hindle

**Absent:** Nil

*Carried*

The Mayor Cr Stefanopoulos adjourned the meeting at 8.40pm in order to relocate to the Council Chambers at Malvern Town Hall. The meeting resumed at 8.50pm with Crs Atwell, Davis, Chandler and Hindle not yet returned.

3 PLANNING APPLICATION 0865/18 - 226 WILLIAMS ROAD TOORAK - CONSTRUCTION OF A MULTI DWELLING DEVELOPMENT IN A GENERAL RESIDENTIAL ZONE AND SPECIAL BUILDING OVERLAY

MOTION: MOVED CR MARCIA GRIFFIN SECONDED CR MATTHEW KOCE

*That a Notice of Refusal to Grant a Planning Permit No: 865/18 for the land located at 226 Williams Road Toorak be issued under the Stonnington Planning Scheme for the construction of a multi-dwelling development in a General Residential Zone and Special Building Overlay on the following grounds:*

- 1. The proposed development by virtue of excessive size and scale constitutes an overdevelopment of the land that fails to respond to the existing or preferred character of the area and is not in keeping with the Garden Suburban 1 Neighbourhood Precinct which calls for 1-2 storey development.*
- 2. The proposed design response fails to respect the neighbourhood character of the area and does not comply with the Neighbourhood Character objective (Clause 55.02-1) and the Design detail objective (Clause 55.06-1).*
- 3. The proposal will result in unreasonable traffic and parking impacts to the surrounding area. In particular, the proposal will detrimentally increase the volume of traffic in a precinct with a single entry/egress.*

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- 
4. *The proposal does not provide an adequate landscaping response.*
  5. *The proposed development may breach the restrictive covenant recorded on the certificate of title for the land.*

Cr Chandler returned to the meeting at 8.53pm.

Crs Atwell and Hindle returned to the meeting at 8.55pm.

**Carried**

Cr Davis returned to the meeting at 8.56pm.

**4 1 / 8 MOTHERWELL STREET SOUTH YARRA - VEHICLE CROSSING APPLICATION**

**PROCEDURAL MOTION: MOVED CR MARCIA GRIFFIN SECONDED CR MELINA SEHR**

*That Council defer consideration of the Vehicle Crossing Application for 1/8 Motherwell Street South Yarra to the meeting of Council to be held on 20 May 2019.*

**Carried**

**5 VCAT QUARTERLY REPORT - JANUARY 2019 - MARCH 2019 (1ST QUARTER)**

**MOTION: MOVED CR MARCIA GRIFFIN SECONDED CR JOHN CHANDLER**

*That Council receives and notes the VCAT Report (January 2019 - March 2019).*

**Carried**

Cr Koce left the Chamber at 8.58pm.

**6 AMENDMENT C282 - THE AVENUE PRECINCT EXTENSION AND THREE INDIVIDUAL PLACES - CONSIDERATION OF SUBMISSIONS**

**MOTION: MOVED CR JOHN CHANDLER SECONDED CR MELINA SEHR**

**That Council:**

1. *Requests the Minister for Planning appoint a Panel pursuant to Section 23 of the Planning and Environment Act 1987 to hear submissions and consider proposed Amendment C282 to the Stonnington Planning Scheme.*
2. *In its submission to the Panel Hearing, adopts a position in support of Amendment C282, generally in accordance with the officer's response to the submissions as contained in this report and Attachment 3.*
3. *Refers the submissions and any late submissions received prior to the Directions Hearing affecting Amendment C282 to the Panel appointed to consider Amendment C282.*

- 
4. ***Advises the submitters to the proposed Amendment C282 of Council's decision.***
  5. ***Authorises Council officers to make minor changes to Amendment documents (generally in accordance with the attachments).***

Cr Koce returned to the Chamber at 8.59pm

***Carried***

**7 TREE & PARKING ISSUES - BOWEN STREET, PRAHRAN**

**MOTION:            MOVED CR MELINA SEHR    SECONDED CR JAMI KLISARIS**

***That:***

1. ***Having regard to, the request from residents for removal and replacement of the street trees, the emerging issues concerning the impact of trees on the existing infrastructure in the street, the impact of street trees and tree roots on pedestrian and disability access along the footpaths, and feedback from the recent community survey, Council support the proposal to remove street trees in Bowen Street on the basis that tree replacement takes the form of large canopy tree species planted into the roadway, where tree height, spread, canopy cover and urban forest values can be maximised over time.***
2. ***A detailed tree removal and replacement plan be prepared, including large canopy trees planted into the roadway identifying any impact on parking.***
3. ***Consultation be undertaken with residents of Bowen Street on the tree removal and replacement plan.***
4. ***Consultation be undertaken with residents of Bowen Street on the proposal to install parking restrictions as follows:***
  - a. ***2-HOUR restrictions operating 10am to 6pm Monday, and 9am to 6pm Tuesday to Friday on the north side of Bowen Street; and***
  - b. ***2-HOUR restrictions operating 10am to 6pm Tuesday, and 9am to 6pm Monday, Wednesday to Friday on the south side of Bowen Street.***

***Carried***

Cr Chandler, having declared an Indirect Conflict of Interest – Other – Conflicting Personal Interest in Item 8 – Cato Street Car Park Development Site – Shortlisted Names noting that he had been advised that at one stage his name had been proposed for this new community space, left the Chamber at 9.01pm.

**8 CATO STREET CAR PARK DEVELOPMENT SITE - SHORTLISTED NAMES**

**MOTION:            MOVED CR MATTHEW KOCE    SECONDED CR MARCIA GRIFFIN**

***That:***

1. ***Council endorse for consultation the two shortlisted names for the new urban parkland and two-level underground car park currently under construction in Prahran as:***

- 
- (i) *Cato Square*  
(ii) *Prahran Square;*
2. *Community engagement on the shortlisted names be undertaken; and*  
3. *Following community engagement on the shortlisted names, a further report be presented to Council for council consideration on the permanent name for the square.*

*Carried*

Cr Chandler returned to the Chamber at 9.04pm

**9 GERMAN SHEPHERD DOG CLUB ALTERNATIVE LOCATION INVESTIGATION**

**MOTION: MOVED CR GLEN ATWELL SECONDED CR SALLY DAVIS**

***That:***

1. *Tooronga Park be retained in its current form for its existing uses.*
2. *Waverley Oval be confirmed as the new home of the German Shepherd Dog Club.*
3. *A further report be prepared on options for redevelopment/refurbishment of Bert Healey Pavilion to accommodate the needs of the new and existing users of Waverley Oval.*

*Carried*

**Other General Business**

Cr Klisaris advised that she had missed submitting an apology for the next Council meeting and sought leave on 20 May 2019.

**PROCEDURAL MOTION: MOVED CR JOHN CHANDLER SECONDED CR MARCIA GRIFFIN**

***That the apology received from Cr Klisaris for non-attendance at the meeting of Council to be held on 20 May 2019 be accepted and she be granted Leave of Absence.***

*Carried*

**N. Urgent Business**

Nil

**O. Confidential Business**

**PROCEDURAL MOTION: MOVED CR MELINA SEHR SECONDED CR MATTHEW KOCE**

***That the meeting be closed to the public to consider the following matters that are confidential in accordance with Section 89 (2) of the Local Government Act 1989 for the reasons specified: (9.10pm)***

*Confidential Matter*

*Reason for Confidentiality*

1. *Somers Avenue - Formal Review of Road - Road Segment Removal*      *89 (2)(d) contractual matters*

*Carried*

**COUNCIL MINUTES  
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**PROCEDURAL MOTION: MOVED CR JUDY HINDLE      SECONDED CR MELINA SEHR**  
***That the meeting be re- opened to the public.(9.13pm)***

***Carried***

There being no further business the meeting closed at 9.13pm.

Confirmed on Monday 20 May 2019

.....  
**CR STEVEN STEFANOPOULOS, MAYOR**

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**COUNCIL MINUTES**  
**MONDAY 6 MAY 2019**

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**ASSEMBLY OF COUNCILLORS RECORD**

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

**ASSEMBLY DETAILS:**

**Date:** 20 March 2019 **Name of Meeting:** Cato Street Carpark – Steering Group

**Time:** 4.30pm

**Assembly Location:** Committee Room Stonnington City Centre 311 Glenferrie Rd Malvern

**IN ATTENDANCE:**

**Councillors:**

Cr Stefanopoulos(Mayor), Cr Koce, Cr Chandler

Apologies: Cr Sehr

**Council Officers:**

Warren Roberts (CEO), Simon Thomas, Stuart Draffin, Rick Kwasek, Jane Lovell, Claire Richardson, Eddy Boscarol

Apologies: Cath Harrod

External: Alex Robbins – AECOM, Madelyn Eads-Dorsey AECOM

Apologies: Nil

**Matter/s Discussed:**

- Art Procurement Piece
- Opening of the Square – operation, management and security
- Naming of Square
- PSG Visit
- Public Art presentation
- Health and Safety Update
- Project Update
- Budget
- Program works update
- Key Issues – Naming of Square
  - Cato Activation Plan
- Design issues
- Risks
- Food & Beverage Tenant procurement
- Opening Stone

**CONFLICT OF INTEREST DISCLOSURES: including time left and returned to meeting**

**Councillors:**

Nil

**Council Officers:**

Nil

**Form completed by:** Rick Kwasek

**COUNCIL MINUTES  
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**ASSEMBLY OF COUNCILLORS RECORD**

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

**ASSEMBLY DETAILS:**

**Date:** 17 April 2019    **Name of Meeting:** Cato Street Redevelopment Steering Committee

**Time:** 4.30pm

**Assembly Location:** Committee Room Stonnington City Centre 311 Glenferrie Rd Malvern

**IN ATTENDANCE:**

**Councillors:**

Cr Stefanopoulos(Mayor), Cr Koce
Apologies: Cr Chandler, Cr Sehr

**Council Officers:**

Simon Thomas (Interim CEO), Stuart Draffin, Rick Kwasek, Cath Harrod Jane Lovell, Claire Richardson; Eddy Boscarol
Apologies: Nil
External: Madelyn Eads-Dorsey AECOM and Matthew Jones UTV

**Matter/s Discussed:**

- Health and Safety Update
- Project Update
- Budget
- Program – works on site over past month
  - upcoming milestones
- Key Issues – Cato Activation Plan – Launch Plan
  - Food and beverage tenant procurement update
- Design – opening stone – design, location and cost
- Risks

**CONFLICT OF INTEREST DISCLOSURES: including time left and returned to meeting**

**Councillors:**

Nil
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**Council Officers:**

Nil
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**Form completed by:** Abbey Marie

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**ASSEMBLY OF COUNCILLORS RECORD**

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

**ASSEMBLY DETAILS**

**STRATEGIC COMMUNICATION & ENGAGEMENT ADVISORY COMMITTEE**

Date and Time: Monday, 29 April 2019, 4pm

Assembly Location: Meeting Room 1.1, 311 Glenferrie Road, Malvern

**IN ATTENDANCE**

Councillors:

Cr Davis Cr Griffin	Cr Hindle Cr Atwell
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Council Officers:

Stuart Draffin, General Manager Planning & Amenity	Matt Clear, Manager Communications
Ashlee Harris, Acting EA to GM Planning & Amenity	

**Matter/s Discussed:**

Overview of progress on Communications Strategy.  
Strategy on a page.  
Other Business – website upgrade.

**CONFLICT OF INTEREST DISCLOSURES: including time left and returned to meeting**

Councillors:

None declared
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Council Officers:

None declared
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Form completed by: Ashlee Harris

**COUNCIL MINUTES**  
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**ASSEMBLY OF COUNCILLORS RECORD**

This Form MUST be completed by the attending Council Officer and returned IMMEDIATELY to Judy Hogan – Civic Support Officer

ASSEMBLY DETAILS

Date: Monday 29 April 2019

**Councillor Briefing**

Time: 6.30pm

Assembly Location: Committee Room, Level 2, 311 Glenferrie Road, Malvern

IN ATTENDANCE

Councillors:

Cr S Stefanopoulos (Mayor)	Cr G Atwell	Cr J Klisaris (left 7.59pm)
Cr J Chandler	Cr J Hindle	Cr M Griffin
Cr M Koce	Cr M Sehr (apology)	Cr S Davis

Council Officers:

Simon Thomas (Interim CEO)	Stuart Draffin	Hannah McBride – Burgess (left 7.29pm)
Rick Kwasek	Geoff Cockram	Fabienne Thewlis
Anthony DePasquale (left 9.07pm)	James Rouse (left 7.29pm, returned 8.33pm, left 9.21pm)	Hannah Morton (left 7.29pm)
Sean Ross (left 7.29pm)	Ian McLaughlan (8.33pm)	Simon Holloway (8.33pm, left 9.42pm)

Matter/s Discussed:

1. COUNCILLOR ONLY DISCUSSION
2. COUNCILLOR & EMT ONLY DISCUSSION
3. PLANNING APPLICATION 0979/18 - 1 SMYTH STREET TOORAK - CONSTRUCTION OF A MULTI-DWELLING DEVELOPMENT IN A GENERAL RESIDENTIAL ZONE
4. PLANNING APPLICATION 0865/18 - 226 WILLIAMS ROAD TOORAK - CONSTRUCTION OF A MULTI-DWELLING DEVELOPMENT IN A GENERAL RESIDENTIAL ZONE AND SPECIAL BUILDING OVERLAY
5. VCAT QUARTERLY REPORT - JANUARY 2019 - MARCH 2019 (1ST QUARTER)
6. AMENDMENT C282 - THE AVENUE PRECINCT EXTENSION AND THREE INDIVIDUAL PLACES - CONSIDERATION OF SUBMISSIONS
7. CONFIDENTIAL - SOUTH YARRA STATION MASTERPLAN
8. GERMAN SHEPHERD DOG CLUB ALTERNATIVE LOCATION INVESTIGATION
9. PERCY TREYVAUD MEMORIAL PARK MASTERPLAN - ADDITIONAL INFORMATION ON PROJECT COSTS
10. PERCY TREYVAUD MEMORIAL PARK - MASTERPLAN
11. CATO STREET CAR PARK DEVELOPMENT SITE - SHORTLISTED NAMES
12. TREE & PARKING ISSUES - BOWEN STREET, PRAHRAN
13. CONFIDENTIAL - SOMERS AVENUE - FORMAL REVIEW OF ROAD - ROAD SEGMENT REMOVAL
14. 1 / 8 MOTHERWELL STREET TOORAK - VEHICLE CROSSING APPLICATION

**COUNCIL MINUTES**  
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**CONFLICT OF INTEREST DISCLOSURES: including time left and returned to meeting**

Councillors:

Nil

Council Officers:

Nil

Form completed by: Fabienne Thewlis

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**COUNCIL MINUTES**  
**MONDAY 6 MAY 2019**

**ASSEMBLY OF COUNCILLORS REPORT**

**APRIL 2019**

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff, and the matter/s considered are intended or likely to be subject of a future decision of the Council; or subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee;
- An Advisory Committee of the Council where one or more Councillors are present – eg:-on-site inspections/meetings; planning or other consultative meetings;

DATE OF MEETING	MEETING NAME	WARD	COUNCILLORS ATTENDANCE	OFFICERS ATTENDANCE	CONFLICT OF INTEREST DISCLOSURES AND IF LEFT MEETING		MATTER/S DISCUSSED
					COUNCILLORS	OFFICERS	
17/4/19	Planning Consultative meeting	South	Cr Hindle Cr Stefanopoulos	Sheridan Harley	Nil	Nil	Planning Application No:0724/11-11-590 Orrong Road & 4 Osment Street Armadale
17/4/19	Planning Consultative meeting	South	Cr Stefanopoulos Cr Hindle	Katherine Petrentsis Phillip Gul	Nil	Nil	Planning Application No:0964/18 – 902 Malvern Road Armadale

Item 6  
Attachment 3 Attachment 3 - Table of Submissions

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**COUNCIL MINUTES  
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**AMENDMENT C282– THE AVENUE PRECINCT EXTENSION AND THREE INDIVIDUAL PLACES**

**RESPONSE TO SUBMISSIONS**

**Themes:**

- General Support
- Heritage Significance/Gradings/ Citation

THEME	SUMMARY OF MAIN ISSUES RAISED	OBJECTION /SUPPORT	COMMENT/ DISCUSSION	RECOMMENDATION
<b>Submission 1A &amp; 1B: 31-33 The Avenue, Windsor</b>				
Heritage Significance	<p><b>1A:</b></p> <p>The property has always, in the past, been described as “insignificant” from a heritage and cultural point of view and we will be making further submissions when we are notified by your department for the public exhibition in November 2018.</p> <p><b>1B:</b></p>		<p><b>1A:</b></p> <p><b>Comments from Council Officer:</b></p> <p>The <i>City of Prahran Character and Conservation Review 1993</i> notes that 31-33 The Avenue belongs to a precinct, identified for future investigation.</p> <p>Assessment undertaken by Bryce Raworth determined that the single storey Victorian villas at 31-33 The Avenue were significant to the precinct.</p> <p><b>1B:</b></p>	<b>No change required.</b>

**COUNCIL MINUTES**  
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	<p>1. An extension of the Precinct as proposed will lack the necessary cohesiveness given there is a mid-century block of flats and more modern townhouses immediately on the northern side of our client's property, between it and the Victorian era buildings further to the north. These intervening, non-period buildings make the precinct disjointed and not readily readable as an intact heritage precinct.</p>		<p><b>Comments from Council Officer:</b></p> <p>1. Bryce Raworth comments on the largely intact nature of the collection of late Victorian buildings within the Avenue Precinct in his memorandum of advice. He states that:</p> <p><i>Although the larger precinct would include some double-storey apartment blocks and townhouses – and would consequently not have the level of integrity and architectural distinction of the existing, more limited precinct – it would encompass both sides of the street and would be readily legible as a precinct of predominantly Victorian development</i></p>	
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**COUNCIL MINUTES**  
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	<p>2. Further, buildings on our client's site have been significantly altered, with newer additions joining the two buildings at the middle and rear, detracting from the heritage significance and consistency of the buildings when compared to the other Victorian era buildings that are affected by HO148.</p> <p>3. The Moonee Valley panel supported the comments in the Advisory Committee's report on Review of Heritage Provisions in Planning Schemes, 2007 concerning the criteria to be applied, noting that this provides some clarity around the definition of a precinct:</p> <p><i>Criteria for the definition of precincts should take into account:</i></p> <ul style="list-style-type: none"> <li>- <i>the geographic distribution of the important elements of the place, including buildings and works, vegetation, open spaces and the broader landscape setting</i></li> <li>- <i>whether the place illustrates historic themes or a particular period or type of development</i></li> </ul>		<p><b>2. Comments from Bryce Raworth Pty Ltd:</b></p> <p>We have inspected the buildings at 31 and 33 The Avenue once again, and have reviewed the submission as well as the 2018 citation for the extension to The Avenue precinct.</p> <p>Although the Victorian villas at 31 and 33 The Avenue have been adapted for use as medical consulting rooms – and have been linked to one another by a modern single-storey addition that is visible from the street – the two buildings remain readily legible to their Victorian form and contribute to the proposed The Avenue heritage precinct in terms of their period, form, scale and character.</p> <p>We believe they are of sufficient integrity and significance to warrant inclusion within the proposed extension to HO148.</p> <p><b>3. Comments from Bryce Raworth Pty Ltd:</b></p> <p>The memorandum by Bryce Raworth provides the Strategic justification for applying the Heritage Overlay to the area.</p> <p>Since the introduction of the first municipal heritage conservation studies in the 1970s, there have been numerous attempts to define an appropriate means of categorising sites of significance in terms of levels of significance. Nonetheless, it is clear that a broad range of factors can contribute to making a place significant. In accordance with the recommendations of the Review of Heritage Provisions in Planning Schemes Advisory Committee Consultation Paper (March 2007), the following factors should be considered when determining whether a precinct meets the threshold of significance for inclusion in the Heritage Overlay:</p> <ul style="list-style-type: none"> <li>• rarity in the local context</li> </ul>	
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	<ul style="list-style-type: none"> <li>- whether it is a defined part of the municipality recognised by the community</li> <li>- whether non-built elements such as the subdivision pattern contribute to its significance</li> </ul> <p><i>With regard to the proportion of significant (or significant and contributory) buildings that is desirable within precincts, we consider that the stress on built fabric inherent in this question is misleading. Precincts need to be coherent, thematically and/or in terms of design and need to be justifiable in relation to protection of significant components. It is neither possible nor desirable to set hard and fast rules about percentages. (p.54)</i></p> <p>The Moonee Valley Panel noted further, at p.25, that:</p> <p><i>In addition to these useful tests, an element of “ground truthing” is required. The Panel concurs with Mr Raworth in that a key test for the credibility of a precinct is whether the layperson is able to recognise a particular precinct, that is, that the collection of buildings, its subdivision pattern and elements within the public realm provide a distinct feeling that the place is different to its surroundings. It is critical that the</i></p>		<ul style="list-style-type: none"> <li>• degree of intactness</li> <li>• aesthetic value</li> <li>• ability to demonstrate historic themes and patterns of development as documented in the Thematic and Environmental History</li> </ul> <ul style="list-style-type: none"> <li>• The Advisory Committee Report went on to define heritage precincts as being areas which:             <ul style="list-style-type: none"> <li>• contain buildings that derive considerable cultural significance from their context and/or relationship with others in the area;</li> <li>• have largely intact or visually cohesive streetscapes, creating precincts of historic and/or architectural integrity;</li> <li>• contain a large number of substantially intact buildings;</li> <li>• contain buildings that contribute to the historic or architectural significance of the area as a whole;</li> <li>• may contain historically or botanically contributory gardens, reserves and specimens.</li> </ul> </li> </ul> <p>This process is essentially a comparative one within the local area. There are, however, no definitive guidelines governing what constitutes a precinct. Nor is there an established minimum percentage of contributory places required to warrant a heritage control. That said, it is fair to say that a heritage precinct should be coherent, stylistically and thematically legible, largely intact, and contain a high proportion of</p>	
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	<p><i>precinct's 'feel' relates directly back to a clearly defined Statement of Significance and the historical theme that underpins it. This essentially goes to the question of integrity.</i></p> <p>And went to note, at 26, that:</p> <p><i>Overall, a key question for the Panel to consider in relation to the proposed new precincts is, while the exact reason the place is important does not have to be readily apparent, the layperson should be able to sense that they are in a precinct, which relates back to the cohesiveness of the grouping, integrity of buildings and identifiable precinct boundaries.</i></p>		<p>contributory fabric.</p> <p>We believe that the extension to The Avenue precinct contains an appropriately high proportion of contributory buildings, even in its extended state. The area of the proposed extension demonstrates one of the existing precinct's key periods of developments. The dwellings in the recommended precinct extension – including the Victorian villas at 31 and 33 The Avenue – share many of the attributes listed in the existing statement of significance for HO148, including the generally uniform front and side setbacks, the largely consistent scale of built form, pitched roofs, and palette of materials.</p> <p>Although, as noted earlier, the larger The Avenue precinct would include some double storey apartment blocks and townhouses – and would consequently not have the level of integrity and architectural distinction of the existing, more limited precinct – it would encompass both sides of the street and would be readily legible as a precinct of predominantly Victorian development. In reality, the proportion of non-contributory infill introduced as a result of the precinct extension would remain comparatively low, even including the double storey buildings at 35 and 37 The Avenue.</p> <ul style="list-style-type: none"><li>• Despite that fact there is some double storey non-contributory infill development between the Victorian villas at 31 and 33 The Avenue and the balance of the proposed precinct extension to the north, it is the sharp transition to larger four-storey built form at 29, 27A and 27 The Avenue (on the western side of the street), and The Avenue hospital at 40 The Avenue (on the eastern side), that demarcates the streetscape and creates a readily legible southern boundary to the proposed The Avenue</li></ul>	
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heritage overlay precinct.

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	<p>4. The current HO148 precinct (42-56 The Avenue, Windsor) contains mostly unaltered late Victorian and Federation example buildings. On the western side of The Avenue, the buildings at 39-45 present as largely unaltered late Victorian dwellings. On one view, it might plausibly argued that the extension of HO148 to the properties at 39 - 45 would make sense. However, by including the properties at 31-33, 35 and 37 The Avenue, and the buildings at 47 and 49 The Avenue (also not Victorian/Federation buildings) the precinct would lack the level of consistency in theme, legibility and integrity and architectural distinction of the current precinct, particularly given the intervening non-period buildings at 35, 37, 47 and 49 The Avenue make no contribution and the alterations made to the buildings at 31-33 The Avenue detract from its importance. In these circumstances, it is submitted that that the extension of HO148 as proposed would not be a readily legible and cohesive heritage precinct and would not meet the criteria identified above.</p>		<p><b>4. Comments from Bryce Raworth Pty Ltd:</b></p> <p>With the exception of the heavily altered Victorian villa at 47 The Avenue and the non-contributory elements within the streetscape, most of the Victorian and Federation buildings are largely intact to their original form, and contribute to the significance of the late nineteenth century precinct. On this basis, we believe that the western section of The Avenue from 31 to 53 (odd numbers) is of sufficient historical and aesthetic significance to warrant inclusion within HO148.</p> <p><b>Final Recommendations from Bryce Raworth Pty Ltd:</b></p> <p>Having regard for the above, we maintain that the buildings at 31-33 The Avenue are significant elements within the broader proposed The Avenue heritage overlay precinct. The two buildings share many of the attributes listed in the existing statement of significance for HO148, including the generally uniform front and side setbacks, the largely consistent scale of built form, pitched roofs, and palette of materials.</p>	
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**Submission 2: 44 Murphy Street, South Yarra**

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<p>General Support</p> <p>Heritage Significance</p>	<ol style="list-style-type: none"> <li>1. The property is clearly 'significant'. I also note that there are no controls recommended for internal alteration, tree, fence or outbuildings. OK. Distinguished Melbourne architect Robert Bell Hamilton's brick front fence and bay seating at the front of the premises must also be included on the control. The actual entrance gates are newer additions and are beyond control</li> <li>2. You may receive some opposition that must be negotiated between your panel of experts and owners who may not wish to have this heritage proposal applied.</li> <li>3. A decrease in property values is often put forward, but this is a nonsense proposition and has no bearing as the passing of generations and time has clearly evidenced. It also has no bearing on heritage controls and the significance behind amendments for heritage protection.</li> <li>4. I again submit my heritage recommendations in the attached research report that I compiled last year, when the proposal was first documented and disseminated to owners. <b>(Please see attached report)</b></li> </ol>	<p>Support</p>	<ol style="list-style-type: none"> <li>1. <b>Comments from Bryce Raworth Pty Ltd:</b> <p>The citation already makes reference to the brick walls at the driveway entrance with integrated seating being an original element. The citation also includes the modern driveway gates in the list of later additions of no significance. The statement of significance could nonetheless be amended to include the brick walls and integrated seating at the driveway entrance as elements that contribute to the significance of the place.</p> <p>No internal controls proposed. Internal alteration controls typically only apply to interiors of particular note and significance. The threshold of integrity and significance is high, and very few buildings within Stonnington warrant such a control. The decision not to recommend internal alteration controls is consistent with Planning Practice Note 1: Applying the Heritage Overlay (August 2018):</p> <p><i>Internal alteration controls over specified buildings can be applied in the schedule by including a 'yes' in the Internal Alteration Controls Apply? column. This provision should be applied sparingly and on a selective basis to special interiors of high significance.</i></p> </li> <li>2. Noted.</li> <li>3. <b>Comments from Bryce Raworth Pty Ltd:</b> <p>There have been a range of Australian studies that have sought to quantify the value of heritage places. Quantification studies</p> </li> </ol>	<p><b>Citation to be amended to recognise brick front fence and bay seating as significant elements.</b></p> <p><b>No internal controls proposed.</b></p>
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			<p>(i.e. those studies looking beyond social impacts) have generally sought to identify the degree to which heritage values contribute to the price of residential properties, and whether or not listing such properties (i.e. seeking to ensure the maintenance of the heritage characteristics) affects property values.</p> <p>On the whole – and rebutting the common perception perpetuated by the media – the residential and commercial studies have demonstrated that property values have not been negatively affected by heritage listing (i.e. the impact has been neutral or positive). This reflects the view that it is the collective heritage ambience, created by a systematic listing strategy, that is the attraction rather than the benefits created by the protection of a specific residential or commercial place.</p> <p>4. Noted.</p>	
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	<p>5. You will see that I also recommend that the stained glass windows are treated as a part of the heritage control due to their rarity and significance and must never be wilfully removed. The interior common property entrance areas of the apartments and stairwells also need protection as these areas retain the character of the entire Tudor Village structure, built by Hamilton in 1933 and also include significant, bricking, metal work and stained glass windows.</p> <p><b>Photos and report are attached.</b></p>		<p><b>5. Comments from Bryce Raworth Pty Ltd:</b></p> <p>It is not practicable to list all of the elements of the building which might be original and significant. The citation adopts a standard format which identifies original materials and details as significance. Amending the citation to provide a more comprehensive list of all elements of significance creates a risk that any original items not on that list may be considered not significant. With respect to the interior common areas, refer comments above regarding internal alteration controls.</p> <p><u>Final Recommendations from Bryce Raworth Pty Ltd:</u></p> <p>Make minor amendments to the citation to include the brick walls and integrated seating at the driveway entrance in the list of elements the contribute to the significance of the place. The description can be amended to make reference to the metal work and stained glass as mentioned in the submitter's report.</p>	
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**Submission 3: 47-47A The Avenue, Windsor**

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<p>Heritage Significance</p>	<p>We request that the property at 47-47A The Avenue, Windsor be removed from the heritage Overlay for the following reasons.</p> <p>1. The external and internal Victorian features of the houses at 47 and 47A The Avenue were modified/alterd at least 55 years ago to the then-modern look to such an extent that no Victorian features have been left whatsoever, neither externally nor internally.</p> <p><b>Photos are attached.</b></p>	<p>Objection</p>	<p><b>Comments from Bryce Raworth Pty Ltd:</b></p> <p>We have inspected the site at 47 and 47A The Avenue once again, and have reviewed the submission relating to this building as well as the 2018 citation for the extension to The Avenue precinct.</p> <p>1. It is acknowledged that the Victorian villa at 47 The Avenue has undergone numerous unsympathetic alterations over the years and has been denuded of much of its Victorian detailing. For example, the original verandah has been removed and replaced with a small porch, the original front windows have been removed and the openings enlarged, and the original roof cladding replaced with roofing tiles. In addition, the facade has been rendered, and two of the three chimneys have been altered: only the chimney deepest within the site retains its Victorian detailing. The building was identified as being a 'contributory' heritage place in the 2018 citation – the equivalent of a C grading – on account of the unsympathetic alterations to its front facade (it should be noted that internal alterations have no bearing on whether a dwelling is considered to be contributory to its streetscape unless these are expressed externally). However, upon reconsideration, the order of change is such that the building's contributory status is marginal, and it may be better considered a non-contributory element within the streetscape.</p> <p>Nonetheless, non-contributory dwellings are typically included within the extent of heritage overlay areas because future development of these sites has the potential to undermine the significance of the broader heritage overlay area. In general, demolition of a non-contributory dwelling is not an issue subject to an appropriate replacement design. Council's heritage policy at set out at Clause 22.04 of the Stonnington Planning Scheme</p>	<p><b>47-47A The Avenue, Windsor, should be identified as a non-contributory element within the broader extended The Avenue heritage overlay precinct, HO148.</b></p>
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	<p>2. A series of properties on the western side of the Avenue have been vastly modified or re-developed quite a number of years ago to be regarded as heritage buildings.</p> <p>3. If the property is not removed from the heritage List, it will bring about enormous problems to us.</p>		<p>encourages infill development that is compatible in scale, siting, massing, design, form and materials with the character of the broader heritage place or precinct</p> <p>2. With the exception of the heavily altered Victorian villa at 47 The Avenue and the non-contributory elements within the streetscape, most of the Victorian and Federation buildings are largely intact to their original form, and contribute to the significance of the late nineteenth century precinct. On this basis, we believe that the western section of The Avenue from 31 to 53 (odd numbers) is of sufficient historical and aesthetic significance to warrant inclusion within HO148.</p> <p>The western side of The Avenue from 31 to 53 (odd numbers) is of sufficient historical and aesthetic significance to warrant inclusion within HO148.</p> <p><b>3. Comments from Council Officer:</b></p> <p>The Heritage Overlay is one component for regulating land use and development via the Planning Scheme, which is a long established and accepted practice in Victoria. The Heritage Overlay, in most circumstances, does not prevent redevelopment, restoration and sympathetic additions and may not have significant impact to owners.</p> <p><b>Comments from Bryce Raworth Pty Ltd:</b></p> <p>Heritage controls aim to help prevent inappropriate development in heritage places. They are concerned with preserving heritage and ensuring that future development is appropriately sympathetic to the qualities of the heritage place. It is generally understood and accepted at all levels of</p>	
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			<p>Government that there is value in protecting heritage places. Under the Planning and Environment Act (1987), it is incumbent upon the various authorities 'to conserve and enhance those buildings, areas and other places which are of scientific, aesthetic architectural or historic interest, or otherwise of special cultural value.' Under current state policy, responsible authorities such as the City of Stonnington are obliged to identify, conserve and protect places of cultural value from inappropriate development.</p> <p>Heritage planning controls that are prepared by local government may restrict development as it relates to heritage items including:</p> <ul style="list-style-type: none"><li>• The size or extent of extensions.</li><li>• Potential for demolition and the construction of new buildings.</li><li>• The size and scale of new buildings.</li></ul> <p>Heritage controls do not, however, prevent development as such. Nor do they prevent subdivision. Rather, they aim to manage future development to help ensure that it is appropriately sympathetic to the qualities of the heritage place. Heritage controls would generally limit the potential to demolish a contributory dwelling in a Heritage Overlay area. They may also limit the size or extent of extensions, although they do not prohibit land owners from extending their dwellings. Considered works can achieve levels of comfort and amenity</p>	
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			<p>sufficient to satisfy contemporary lifestyle expectations while maintaining the integrity of heritage buildings and areas.</p> <p>With respect to the concern that the proposed Heritage Overlay will devalue the property, there have been a range of Australian studies that have sought to quantify the value of heritage places. Quantification studies (i.e. those studies looking beyond social impacts) have generally sought to identify the degree to which heritage values contribute to the price of residential properties, and whether or not listing such properties (i.e. seeking to ensure the maintenance of the heritage characteristics) affects property values.</p> <p>On the whole – and rebutting the common perception perpetuated by the media – the residential and commercial studies have demonstrated that property values have not been negatively affected by heritage listing (i.e. the impact has been neutral or positive). This reflects the view that it is the collective heritage ambience, created by a systematic listing strategy, that is the attraction rather than the benefits created by the protection of a specific residential or commercial place.</p> <p>Studies of the impact of listing on general property values need to be interpreted cautiously when extrapolating the results to determine the impact on individual properties. Studies which focus on residential areas, where neighbourhood amenity is valued and development pressures are low, have tended to find evidence of a positive impact of listing on market values. The City of Stonnington distinguished between the impact of an individual property listing and the listing of a group of properties within a heritage precinct or area:</p> <p style="text-align: center;"><i>Heritage overlay controls over historic streetscapes (in which the value of the heritage place derives from the</i></p>	
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*cumulative significance of a group of early dwellings) can provide financial rewards to owners. The Gascoigne Estate in East Malvern for example, has enjoyed disproportionately high growth in property values in recent years. It was the first Urban Conservation Area in the former City of Malvern and has subsequently achieved sale prices which outstrip those of similar suburbs nearby which have been allowed to evolve in response to market forces. Heritage Victoria has spent some time and effort tracking property values in areas of this type and has produced an authoritative paper confirming that this is the case more generally. The Heritage Victoria paper contradicts the frequently-heard assertion that heritage overlay controls exert downward pressures on property values.*

However, the available evidence suggests that some buildings of individual significance (as opposed to those under a broader precinct control) may be less likely to benefit financially from heritage controls. There are suggestions that some property values can suffer where development or subdivisional opportunities are blocked by heritage controls.

**Final Recommendations from Bryce Raworth Pty Ltd:**

Having regard for the above, we recommend that the building at 47-47A The Avenue, Windsor, should be identified as a non-contributory element within the broader extended The Avenue heritage overlay precinct, HO148.

The western side of The Avenue from 31 to 53 (odd numbers) is of sufficient historical and aesthetic significance to warrant

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inclusion within HO148.

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<b>Submission 4: Department of Transport</b>				
General Support	DoT has no objection to the proposed.	Support	Noted	<b>No change required.</b>

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