



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL**

HELD ON 27 JANUARY 2009

at 7.30 pm

**Council Chambers
293 Springvale Road,
Glen Waverley**

**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON TUESDAY 27 JANUARY 2009 AT 7.30 PM.**

PRESENT: Councillors P Klisaris (Mayor), C Baines (Deputy Mayor), J Banerji, M Drieberg, G Lake, J Lo, G Male, D McGill OAM, T Morrissey JP, S Perri

APOLOGIES:

Cr S Dimopoulos

DISCLOSURES OF INTEREST

Cr G Male: Item 5.4.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 16 DECEMBER 2008**

Moved Cr Morrissey,

Seconded Cr Lo

That the minutes of the Ordinary Meeting of the Council held on 16 December 2008, be taken as read and confirmed.

CARRIED

**RECEPTION AND READING OF PETITIONS, JOINT LETTERS &
MEMORIALS**

Nil

PUBLIC QUESTION TIME

The Mayor advised that no questions had been received.

OFFICERS' REPORTS

1. CUSTOMER SERVICES

1.1 Clayton Community Strengthening Project

Moved Cr Banerji,

Seconded Cr McGill

That Council

- 1. Notes the report.*
- 2. Consider a Community Action Plan for Clayton later this year.*

Cr McGill commended the project and encouraged the local community to continue its involvement.

Cr Perri said that it was an exciting project that would focus on enhancing Clayton's strengths and encouraged the local community and community groups to support the project and become involved.

CARRIED

1.2 Annual collection of Green Organics and Hard Rubbish

Moved Cr Klisaris,

Seconded Cr McGill

- 1. That the Tender submitted by WM Waste Management Services Pty Ltd to collect the Annual Green Organics (Prunings) and Hard Rubbish for an initial two-year period at a total estimated cost of \$780,463 for the two years (inclusive of GST), be accepted.*
- 2. That contract extension options for years 2011/2012, 2012/2013 and 2013/2014 be noted, and are subject to satisfactory performance for the preceding period and negotiations on the scope of the work and CPI increases.*
- 3. The Chief Executive Officer be authorised to execute the options in the contract, subject to satisfactory performance and agreement with the Contractor.*
- 4. That Council authorises the Chief Executive Officer to sign and seal the contract documents.*

CARRIED

2. HUMAN RESOURCES & ADMINISTRATION

Nil

3. CORPORATE PLANNING & FINANCE

3.1 2008/2009 Capital Works Program Progress Report

Moved Cr McGill

Seconded Cr Perri

That Council, in relation to the 2008/2009 Capital Works Program:

- 1. Notes budget, 2007/08 carry forward adjustments and program progress to 31 December 2008;*
- 2. Notes the intention to carry forward funding for those 2008/2009 projects not completed and which require carry forward funding into 2009/2010;*
- 3. Approves the commencement of new projects, projects requiring extra funding and other funding transfers as referred to in Schedule A, B1 and B2; and*
- 4. Approves the transfer of external funds budgeted but not expended in 2008/09 to the 2009/10 Capital Works Budget*

CARRIED

3.2 Review of Council Rating Strategy

Moved Cr Klisaris,

Seconded Cr Lo

It is recommended that Council:

- Conducts a review of Council's Rating Strategy to enable any agreed changes to the Rating System to occur in the 2010/11 financial year*
- Notes the engagement of MacroPlan Australia Pty Ltd to assist in the conduct of the review;*
- Determines the appropriate consultation processes to be undertaken that ensures robust community debate and input following consideration of the findings of the initial stages of the review.*

The Mayor noted that the Council was responding to the community concerns about the rating system and would engage in a lengthy and full consultation process with the Monash community to deliver the best outcome. He encouraged the community to become actively involved in the consultation process.

CARRIED

3.3 Future Direction of Rating Authority Valuations in Victoria

Moved Cr Morrissey,

Seconded Cr Klisaris

That Council endorses the response to the Valuer General Victoria (VGV) proposal to “Centralise Rating Authority Valuations in Victoria” citing the issues and concerns raised within this report and seek a response to those concerns by the VGV.

CARRIED

3.4 Contract for Supply of Shelf Ready Library Books

Moved Cr Male,

Seconded Cr Drieberg

That Council:

- 1. Appoints the nominated suppliers listed in Attachment A, to a Panel for the Supply of Shelf Ready Library Books, Audio Visual Media, Periodicals, Subscription and Related Services for a two (2) year period for the schedule of rates submitted with their respective tenders (Estimated annual expenditure of \$385,000 GST inclusive) with options for two extensions of one year each;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement; and*
- 3. Authorises the Chief Executive Officer at his discretion to approve the extension options in the contract agreement subject to satisfactory performance.*

CARRIED

3.5 2008/2009 Management Accounts Report

Moved Cr Drieberg,

Seconded Cr Perri

That Council notes the Financial Reports for the period ending 31 December 2008.

CARRIED

4. INFRASTRUCTURE SERVICES

4.1 Contract for Arterial Roads Vegetation Maintenance

Moved Cr McGill,

Seconded Cr Banerji

That Council:

- 1. Awards Contract No 2008214 Arterial Road Vegetation Maintenance, to Insight Horticultural Services Pty Ltd, for the lump sum price of \$92,380, per annum and submitted schedule of rates (GST inclusive). (Estimated annual expenditure is \$101,760, GST inclusive).*
- 2. Notes that the contract is awarded on the basis of an initial term of one year with options for two extensions of two years, subject to the CPI All Group Melbourne rise and fall.*
- 3. Authorises the Chief Executive Officer to execute the options in the contract subject to satisfactory performance.*
- 4. Authorises the appropriate contract documentation be signed and sealed.*

CARRIED

4.2 Supply and Delivery of Two, Twelve Seat Buses

Moved Cr Lo,

Seconded Cr Perri

That Council:

- 1. Awards Patterson Cheney Pty Ltd, trading as Knox Star Mercedes, the contract for the supply and delivery of two, twelve seat buses for the sum of \$177,020.00 (inclusive of GST and Stamp Duty).*
- 2. Authorises the Chief Executive Officer to execute the contract agreement.*

CARRIED

4.3 Supply and delivery of one Drain Jetting Truck

Moved Cr Morrissey,

Seconded Cr Banerji

That Council:

1. *Awards DCS Manufacturing Pty Ltd the contract for the supply and delivery of one (1) DCS-3440 High Pressure Drain Jetting system mounted on Hino 500 series cab-chassis for the sum of \$254,903 (inclusive of GST excluding stamp duty).*
2. *Authorises the Chief Executive Officer to execute the contract agreement.*

CARRIED

5. CITY DEVELOPMENT

5.1 721-733 Springvale Road & 287-293 Wellington Road, Mulgrave – Extension of Time for Office Park development

Moved Cr Perri,

Seconded Cr Klisaris

*That Council having considered all the matters required under Section 60 of the Planning and Environment Act 1987, decides to **grant the extension of time** for Planning Permit TPA/27515 under the provisions of the Monash Planning Scheme in respect of the land known and described as 721-733 Springvale Road & 287-293 Wellington Road MULGRAVE for Office Park Development and extend the permit date until 13 December 2009 and 13 December 2011 for completion.*

CARRIED

5.2 3,5&7 Dixon Street and 6-8 Murray Street Clayton – Extension of time for an apartment building (68 dwellings) in two and three storey buildings including semi-basement car park

Moved Cr McGill,

Seconded Cr Perri

*That Council having considered all the matters required under Section 60 of the Planning and Environment Act 1987, decides to **grant the extension of time** for Planning Permit TPA/30590 under the provisions of the Monash Planning Scheme in respect of the land known and described as 3, 5 & 7 Dixon Street and 6-8 Murray Street, CLAYTON for use and development of an apartment building (comprising 68 dwellings) in two and three storey buildings including semi-basement car park and extend the permit date until 31 December 2009 and 31 December 2011 for completion.*

CARRIED

5.3 2-10 Richard Street, Glen Waverley – A four storey apartment building comprising 62 dwellings with basement car park and partial dispensation from the car parking requirement

Moved Cr Banerji,

Seconded Cr Male

*Council having caused notice of planning application No. 36732 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to **refuse** the application for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 2-10 Richard Street, Glen Waverley, for the construction of a 4 storey apartment building comprising 62 dwellings with basement car park and partial dispensation from the car parking requirements of Clause 52.06 of the Monash Planning Scheme on the following grounds:*

- 1. The proposed development is out of character with the existing development in the area, in particular having regard to excessive mass, bulk, scale, and pays little respect to the context that it is proposed to be placed in.*
- 2. The proposed development as submitted is considered to constitute an overdevelopment of the site.*
- 3. The proposed development will have an adverse impact on the amenity of nearby properties, in particular with regard to inappropriate visual impact.*
- 4. The proposed development does not pay due regard to the Garden City policies within the Monash Planning Scheme and will result in the loss of mature trees on the site.*

and directs that the Applicant and each objector be given a notice of the Council's decision to refuse the permit.

CARRIED

5.4 57 Kinnoull Grove, Glen Waverley – A Two Storey Apartment Building For 7 Dwellings With Basement Car Park For 14 Vehicles And Variation Of Carriageway Easement

NOTE: Cr Male disclosed an indirect interest in this item as a member of the community action group opposed to the application. He left the Council Chamber at 7.45 pm, before the Council considered the matter and returned at 7.50 pm, after the Council had considered and voted on the matter.

Moved Cr Lake,

Seconded Cr Banerji

*The Council having caused notice of planning application No. 36744 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to grant a planning permit and issue a **Notice of Decision** to grant a permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 57 Kinnoull Grove Glen Waverley, for the development of a two storey apartment building for 7 dwellings together with associated basement car park for 14 vehicles and variation of carriageway easement, generally in accordance with the plans submitted with the application dated 12 November 2008 No. 36744 subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council 16 September 2003:*

- 1. Before the development and use starts, three copies of plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit.**

The plans must be generally in accordance with the plans submitted with the application, but modified to show:

- a) Increase in the minimum setback of the central portion of the upper floor along the western façade to provide for a minimum setback of 3.6 metres from the rear boundary, subsequent internal rearrangement of dwellings 6 and 7, deletion of balconies in this section and change in materials to improve articulation;*
- b) Conversion of dining room window of dwelling 7 to a highlight window;*
- c) Substitution of external louvred screens instead of obscure glazing to windows that require screening;*
- d) Reduction in size of balcony for dwelling 5 to provide for greater articulation at the upper level to reduce the impact of the building from the south and reduction in the bulk of the front entry portico;*
- e) Appropriate transition of the southern boundary fence to provide adequate site distance into the public pathway;*
- f) Extension of the pedestrian path into Avendon Reserve to connect with the existing pedestrian pathway;*
- g) The ramp and car parking areas designed in accordance with the Australian Standard for Off-Street Parking, AS/NZS 2890.1-2004;*

6. *Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:*
- a) *measures to control noise, dust and water runoff;*
 - b) *prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
 - c) *the location of where building materials are to be kept during construction;*
 - d) *site security;*
 - e) *maintenance of safe movements of vehicles to and from the site during the construction phase;*
 - f) *on-site parking of vehicles associated with construction of the development;*
 - g) *wash down areas for trucks and vehicles associated with construction activities;*
 - h) *cleaning and maintaining surrounding road surfaces;*
 - i) *a requirement that construction works must only be carried out during the following hours:*
 - *Monday to Friday (inclusive) – 7.00am to 6.00pm;*
 - *Saturday – 9.00am to 1.00pm;*
 - *Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)*
7. *Before the development starts, the owner must prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:*
- a. *the method of collection of garbage and recyclables for use;*
 - b. *designation of methods of collection including the need to provide for private services or utilisation of council services;*
 - c. *appropriate bin storage on site and areas for bin storage on collection days;*
 - d. *measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;*
 - e. *litter management.*
- A copy of this plan must be submitted to and approved by the Responsible Authority.*
8. *The amenity of the area must not be detrimentally affected by the use or development, through the:*
- a) *transport of materials, goods or commodities to or from the land;*

- b) *appearance of any building, works or materials;*
- c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or*
- d) *presence of vermin.*
9. *Provision must be made for a waste storage area of sufficient size to contain all rubbish receptacles.*
10. *No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public, except for immediately prior to collection and immediately after collection time and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.*
11. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on the adjoining land.*
12. *Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1*
13. *Before occupation all buildings and works specified in this permit must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when all construction and works are completed to enable the site to be inspected.*
14. *The construction works associated with the development hereby permitted must only be carried out during the following hours:*
- *Monday to Friday (inclusive) – 7:00am to 6pm;*
 - *Saturday – 9am to 1pm;*
 - *Saturday – 1pm to 5pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)*
- Unless otherwise approved in writing by the Responsible Authority.*
15. *Before occupation of the building hereby permitted, areas set aside for parked vehicles and access lanes shown on the endorsed plans must be:*
- a) *constructed to the satisfaction of the Responsible Authority;*
 - b) *properly formed to such levels that they can be used in accordance with the plans;*
 - c) *surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;*
 - d) *drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;*
 - e) *line-marked to indicate each car space and all access lanes to the*

satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

16. *A landscape plan prepared by a Landscape Architect or a suitable qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. The plan must show the proposed landscape treatment of the site including the area located within the carriageway easement including:*

- *The location of all existing trees and other vegetation to be retained on site*
- *Provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development and setbacks from roads*
- *Advice on the sustainability of species selected for a low water use environment*
- *Planting to soften the appearance of hard surface areas such as driveways and other paved areas*
- *Details of any planter boxes including growing medium and drainage*
- *A schedule of all proposed trees, shrubs and ground covers, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*
- *The location and details of all fencing*
- *The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
- *Details of all proposed hard surface materials including pathways, patio or decked areas*

When approved the plan will be endorsed and will then form part of this permit.

17. *Before occupation of the building allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*

18. *No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed in writing by the Responsible Authority.*

19. *The electrical supply meter boxes must be located within the buildings or behind the setback alignment of the buildings or in compliance with Council's "Guide to Electricity Supply Meter Boxes in Monash".*

20. *Prior to commencement of any buildings and works on the site, temporary fencing must be constructed along the western property boundary.*

Construction activity must not occur beyond this point.

21. *All existing trees potentially affected by excavation works located on the adjoining site or within Council's Reserve must be identified and verified by an authorised officer of the City of Monash. The excavation works must be supervised by an Arborist who must ensure that the works are done in a manner that minimises any damage to those trees.*
22. *Written confirmation by the supervising Arborist that the works have been carried out in a satisfactory manner must be provided to the Responsible Authority within one month of project completion.*
23. *The proposed crossing is to be constructed in accordance with the City of Monash Standards.*
24. *The redundant vehicle crossing must be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of the Responsible Authority.*
25. *Six street trees (Eucalyptus meliodora) are required to be planted in Kinnoull Grove at the cost of the owner/developer to the satisfaction of the Responsible Authority, the City of Monash.*
26. *The extension of the public pathway from the subject site to the west into the adjoining Council Reserve must be constructed at the cost of the owner/developer to the satisfaction of the Responsible Authority, the City of Monash.*
27. *Prior to the commencement of the development a statement of liability indemnity, (Use of Easement Approval), related to the works in respect to the overhanging balcony extending over the existing easement on the site shall be provided to the satisfaction of the City of Monash.*

Approval will be given subject to:

- *Council & Yarra Valley Water approval being obtained;*
 - *The registration of a Section 173 Agreement on Title between the owners and Council, protecting Council's future drainage maintenance rights. The cost of the preparation or review of the Section 173 Agreement and its registration on the title to the land must be borne by the owner of the land.*
28. *All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from the driveway onto the footpath. Such a system may include either:*
 - a) *a trench grate (175mm minimum width) located within the property; and/or;*
 - b) *shaping the driveway so that water is collected in a grated pit on the property; and/or*
 - c) *another Council approved equivalent.*

29. *Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.*
- The plans must show a drainage scheme providing for the conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is to the north-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the rear easement to be constructed to Council Standards.*
30. *Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park. Approval of any detention system is required from the City of Monash, the Responsible Authority, prior to works commencing.*
31. *Roadworks and drainage must be constructed in accordance with plans and specifications to the satisfaction of the Responsible Authority. Three copies of the plans must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans must include:*
- a) *details of the proposed concrete footpath within the carriageway easement with a thickness of 125mm and exposed aggregate to the satisfaction of the Council;*
 - b) *location and details of the path extension into the Reserve to match the existing pathway to the satisfaction of the Council and details of any trees within the Reserve which may need to be pruned/lopped or removed due to the construction of the path;*
 - c) *underground drains.*

NOTES:

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *A drainage contribution will not be accepted in lieu of a detention system.*
3. *Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.*
4. *Prior to any work being carried out on the site the owner is to confirm the precise location of the point of discharge. If the point of discharge cannot be located then the City of Monash Engineering Division must be notified immediately of the discrepancy so that the issue can be resolved.*
5. *Engineering permits must be obtained for new or altered vehicle crossings and for new connections to Council's pits and these works are to be inspected by Council (telephone 9518 3410).*
6. *Tree planting should be kept clear of the drainage easement.*

Expiry of Permit

In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:

- *The development and use are not started within two years of the date of this permit.*
- *The development is not completed within four years of the date of this permit.*

In accordance with section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

and directs that the Applicant and each objector be given a notice of the Council's decision to grant the permit.

Cr Lake acknowledged the concerns of local residents but said that he had carefully considered all the issues and could not justify voting against the application, given the conditions proposed to be imposed on the application. He said that he had a responsibility, in his considerations, to balance the interests of all parties concerned.

CARRIED

5.5 310-366 Springvale Road, Glen Waverley – Extension to the existing industry use including ancillary offices, construction of road works within a road zone and a reduction in the front setback.

Moved Cr Banerji,

Seconded Cr Lo

*The Council having caused notice of planning application No. 36725 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to grant a planning permit and issue a **Notice of Decision** to grant a permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 310-366 Springvale Road, Glen Waverley, for the purpose of buildings and works comprising extension to the existing industry use including ancillary offices, construction of road works within a Road Zone and a reduction in the front setback under the Design and Development Overlay provisions generally in accordance with the plans submitted with the application and subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council 16 September 2003:*

1. *Before the development and use starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit.*

The plans must be generally in accordance with the plans submitted with the application, but modified to show :

- a) *Location of gas and water meters. These facilities should be designed to*

- minimise their visual prominence if located within the front setback area;*
- b) Elevation details of the Quad Suction /Booster Assembly Cabinet and measures to minimise its visual prominence;*
 - c) A schedule of building colours and materials. The building envelope design and materials as detailed at Table 6, Page 8 of the report prepared by Marshall Day Acoustics, dated 31 October 2008, must be incorporated into the design of Building A;*
 - d) The erection of a 2m high acoustically effective barrier constructed surrounding the substation site, in accordance with the recommendations of the report prepared by Marshall Day Acoustics, dated 31 October 2008.*
 - e) The deletion of the internal chain wire fencing along the perimeter of the two new car park areas, unless otherwise agreed to by Responsible Authority. This does not include the replacement fencing along the Springvale and Wilson Road property boundaries.*
 - f) The retention of those trees located adjacent to the bicycle shelter, at the north-east corner of the southern car park. The pathway at this point will require modification.*
 - g) The provision of advanced specimens, having a height of 1.5m at time of planting, of Corymbia citriodora (Lemon-scented Gum) trees through-out the Springvale Road front setback and along the northern side of the widened central driveway.*
- 2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
 - 3. The occupier of the premises must ensure that any noise emanating from the premises must not exceed the standards of the State Environmental Protection Policies No. N1 and must on request provide evidence to the Responsible Authority of compliance with the policy.*
 - 4. Acoustic protection measures in accordance with the recommendations outlined in the Acoustic report dated 31 October and prepared by Marshall Day Acoustics must be strictly adhered to. Specifically,*
 - a) No truck movements should occur at the eastern loading bay of Building A during the night period.*
 - b) All roller doors are to be kept shut during the night period.*
 - c) Acoustic treatment to the electrical substation;*
 - d) Detailed assessment of the proposed mechanical services of the fan stacks mounted on Building A conducted during the detailed design stage of the project to determine what treatment is required, and subsequent implementation of this treatment.*
 - e) Building envelope design and construction of Building A; and,*
 - f) The acoustic design of the motor generator of Building E.*
 - 5. No electrical or gas utility installations may be located within the front*

landscape setback of any road.

6. *The amenity of the area must not be detrimentally affected by the use or development, through the :*
 - a) *transport of materials, goods or commodities to or from the land;*
 - b) *appearance of any building, works or materials;*
 - c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;*
 - d) *presence of vermin.*
7. *The construction works associated with the permitted development must only be carried out during the following hours:*
 - *Monday to Friday (inclusive) – 7:00am to 6pm;*
 - *Saturday – 9am to 1pm;*
 - *Saturday – 1pm to 5pm (only activities associated with the erection of buildings);*

unless otherwise approved in writing by the Responsible Authority.
8. *Tree protection measures in accordance with the recommendations outlined in the Aboricultural report dated December 2008 and prepared by Treed Environs must be strictly adhered to.*
9. *L6 – Prior to works, trees marked.*
10. *L7 – Works supervised, dripline*
11. *L9 – No material near trees*
12. *L10 -- No vehicle near trees*
13. *Any pruning that is required to be done to the canopy of any trees affected by the development is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS 4373 1996, Australian Standards.*
14. *All excavations potentially affecting trees to be retained must be supervised by an Arborist who must ensure that the works are done in a manner that minimises any damage to those trees.*
15. *Written confirmation by the supervising Arborist that the works have been carried out in a satisfactory manner must be provided to the Responsible Authority within one month of project completion.*
16. *A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-*
 - *the location of all existing trees and other vegetation to be retained on site*

- *provision of canopy trees with spreading crowns located throughout the site, in particular the front setback of the site and the southern side of the widened central driveway*
- *planting to soften the appearance of hard surface areas such as driveways and other paved areas*
- *a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*
- *the location and details of all fencing*
- *the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
- *details of all proposed hard surface materials including pathways, patio or decked areas*

When approved the plan will be endorsed and will then form part of the permit.

17. *Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*
18. *Before the use permitted is commenced, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be :*
 - a) *constructed to the satisfaction of the Responsible Authority;*
 - b) *properly formed to such levels that they can be used in accordance with the plans;*
 - c) *surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;*
 - d) *drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;*
 - e) *line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.*
 - f) *Parking areas and access lanes must be kept available for these purposes at all times.*
19. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.*
20. *The redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of the City of Monash. The footpath and naturestrip are to be reinstated to the satisfaction of Council.*
21. *New crossings are to have a minimum 1 metre clearance from any services in the naturestrip.*
22. *The access ramp for people with disabilities should be designed in*

accordance with the Australian Standard for Design for Access and Mobility, AS1428.

23. *All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such system may include either:
 - a) *a trench grate (175mm minimum internal width) located within the property; and/or*
 - b) *shaping the driveway so that water is collected in a grated pit on the property; and/or*
 - c) *another Council approved equivalent.**
24. *Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing.*
25. *Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.
The plans must show a drainage scheme providing for the conveying of the stormwater to the nominated point of discharge. Direct the entire sites stormwater drainage to the north-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the nature strip via the existing property connection to Council Standards.*

Note: If the point of discharge cannot be located then notify Council's Engineering Division immediately.
26. *The driveway and parking area should be designed in accordance with the Australian Standard for Off-Street Parking, AS/NZS 2890.1-2004 apart from the dimensions of car parking spaces and associated accessways which must be in accordance with the provisions of Clause 52.06-3 of the Monash Planning Scheme.*
27. *Any new drainage work within the road reserve requires the approval of the Council's Engineering Division prior to the works commencing. Three copies of the plans for the drainage works must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.*
28. *Adequate provision shall be made for the private storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.*
29. *No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.*
30. *No bin or receptacle or any form of rubbish or refuse shall be located within the front setbacks of the site, nor allowed to remain in view of the public and*

no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

31. *The loading and unloading of goods from vehicles must only be carried out on the land. The use hereby permitted must at all times be conducted in a manner that ensures that the residential amenity of nearby residential properties is not detrimentally affected.*
32. *The collection of rubbish from the premises on the site must only be conducted between the hours of 7.00am and 6pm Mondays to Fridays (inclusive).*
33. *No form of public address system may be installed so as to be audible from outside the building/site.*
34. *No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.*
35. *Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.*
36. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*

Conditions 37 – 41 required by VicRoads

37. *Sight distance must be checked for the proposed main car park access to Springvale Road to ensure landscaping and electricity pole/s will not be in conflict.*
38. *All car parks shall have boom gates remain open for 30 minutes before and after the morning (7:10 am) and afternoon (3:40 pm) shift changes to facilitate efficient entry of traffic.*
39. *All medium rigid or larger commercial vehicle movements shall be completed outside peak hours and preferably during the night time period.*
40. *The edges of the vehicular crossovers must be angled at 60 degrees to the road reserve boundary, to improve entry and exit conditions, to the satisfaction of the Responsible Authority.*
41. *Redundant vehicle crossovers to Springvale Road must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.*

NOTES:

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *A drainage contribution will not be accepted in lieu of a detention system.*
3. *Detention System requirements are as follows:*
 - *Minimum storage + 252 cubic metres*
 - *Maximum discharge rate + 432 litres per second*
 - *Minimum orifice diameter if using orifice pit + 90mm, otherwise install a Phillips multi cell or similar to control outflow.*
4. *Stormwater detention requirements may be obtained from the Council prior to the design of any stormwater detention system.*
5. *Engineering permits must be obtained for new or altered vehicle crossings and for new connections to the Council pits and these works are to be inspected by Council (telephone 9518 3690).*

and directs that the Applicant, each objector and VicRoads be given a notice of the Council's decision to grant the permit.

Expiry of permit:

In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:

- *The development and use are not started within two years of the date of this permit.*
- *The development is not completed within four years of the date of this permit.*

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permits expires, or within three months afterwards.

CARRIED

5.6 Town Planning Schedule

Moved Cr Klisaris,

Seconded Cr McGill

That the report containing the Town Planning Schedules be noted.

CARRIED

6 CHIEF EXECUTIVE OFFICER'S REPORTS

6.1 Council Representation On Organisations/Committees

Moved Cr Baines,

Seconded Cr Banerji

That Council

1. Appoints the Council representatives to the various organisations and committees for 2009 as detailed in this report.

2. Notes a correction to the membership of the Senior Citizens Forum, with Cr McGill's name to replace Cr Male's.

CARRIED

6.2 Council Website Quarterly Report

Moved Cr Morrissey,

Seconded Cr McGill

That Council notes the Quarterly Website Report and in particular the following features:

1. Visits to the site during the period have averaged 13,353 a week.

2. Pages accessed during the period have averaged 48,609 a week.

CARRIED

7. COMMITTEE REPORTS

Nil

8. NOTICES OF MOTION

8.1 Translations of Monash Bulletin

Moved Cr Perri,

Seconded Cr Lo

That Council endorse an extension of the translations of the Monash Bulletin to include Italian in addition to the current Greek and Chinese translations.

Cr Perri noted that municipality has a significant Italian population and the proposal would greatly benefit that section of the community.

CARRIED

URGENT BUSINESS

Nil.

COUNCILLORS' REPORTS

Cr Lo informed the Council of his attendance at the recently held Chinese Professionals Association of Australia Chinese New Year function, on behalf of the Mayor.

PERSONAL EXPLANATIONS

Nil.

MATTERS OF COUNCIL IMPORTANCE

Nil.

CONFIDENTIAL BUSINESS

Moved Cr Baines

Seconded Cr Perri

That as the Confidential Business item concerns a contractual matter, the meeting be closed to the public for consideration of this item, in accordance with Section 89 (2) of the Local Government Act 1989.

CARRIED

Accordingly, at 7.57 pm, the Council moved into Confidential Business.

RETURN TO OPEN COUNCIL

The Council moved back into Open Council at 8.05 pm.

The Mayor declared the meeting closed at 8.06 pm

MAYOR:

DATED THIS DAY OF 2009