



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 29 OCTOBER 2019**

at 7.00 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 29 OCTOBER 2019 AT 7.00 PM.**

PRESENT: Councillors S McCluskey (Mayor), B Little (Deputy Mayor), R Davies, J Fergeus, S James, G Lake, P Klisaris, R Paterson, L Saloumi, MT Pang Tsoi, T Zographos

APOLOGIES:

Nil.

PROCEDURAL MOTION

Moved Cr McCluskey,

Seconded Cr James

That the Council accepts the advice received from the Chief Operating Officer that the explanations provided to the Chief Executive Officer, by Crs Davies and Zographos was that Cr Davies was absent from the 24 September 2019 Ordinary Meeting of Council due to personal matters and Cr Zographos was absent from the 24 September 2019 Ordinary Meeting of Council as he was on holidays.

CARRIED

DISCLOSURES OF INTEREST

Nil.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 24 SEPTEMBER 2019**

Moved Cr Klisaris

Seconded Cr Pang Tsoi

That the minutes of the Ordinary Meeting of the Council held on 24 September 2019, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil.

PUBLIC QUESTION TIME

The Mayor advised that one question had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Review of Delegations to Council Staff

Moved Cr James,

Seconded Cr Fergeus

That Council makes the delegations and authorisations to the Council staff, as detailed in this report.

AMENDMENT

Moved Cr Lake,

Seconded Cr Zographos

That the following words be added to the motion, after the word "report":

with the following modification to Settling VCAT appeals:

The Director City Development is delegated the power to settle VCAT appeals of planning decision except where the settlement proposal involves:

- 1. Approving a proposed development which has been refused by a resolution of Council; or*
- 2. Varying the substance of a condition which has been imposed by a resolution of Council in addition, or as a variation, to the conditions proposed in the Officer recommendation when the application was considered and determined by Council.*

CARRIED

SUBSTANTIVE MOTION

The motion as amended was put to the vote and declared carried.

CARRIED

1.2 71-73 Beddoe Avenue, Clayton - Use and Development of A Four Storey Building For A Rooming House (Student Accommodation) and Convenience Shop

Moved Cr Pang Tsoi,

Seconded Cr Little

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/49980) for the use and development of the land for a four storey building for a rooming house (student accommodation) and convenience shop, at 71-73 Beddoe Avenue, Clayton subject to the following conditions:

Amended Plans Required

- 1. Before the development starts, 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 to Council after public notification (TP099 Revision G; TP100 Revision J; TP101 Revision G; TP102 & 103 Revision H; TP120 Revision F; TP200, 201, 202 Revision H; TP300 & 301 Revision F; TP350 Revision G all dated 17 September 2019), but modified to show:***
 - a) The basement plan corrected to read 'total 29 car parking spaces' with location of the car stackers.***
 - b) Details of the proposed car stackers including sections of the car stackers.***
 - c) Allocation of the car parking space for the convenience shop.***
 - d) Dimensions to show all units to be minimum 3 metres in width.***
 - e) Deletion of the fence along the front (east) boundary and the gate;***
 - f) Details and elevation of fencing fronting Beddoe Avenues setback 2.5 metres from the front boundary enclosing the private courtyards.***
 - g) Sliding doors or external doors to access the private courtyards/ terraces/ balconies from the units.***
 - h) Provision of laundry facilities on the ground level including drying facilities. This could be achieved by redesigning the 'store' room and concierge to accommodate a laundry room within the building.***
 - i) Obscured glazing to habitable rooms to be 'obscure glazed (non openable and not film) up to 1.7 metres above finished floor levels' to prevent overlooking.***
 - j) Details of all retaining walls within the subject site.***
 - k) A schedule of construction materials, external finishes and colours.***
 - l) All common boundary fences to be a minimum of 1.8 metres above the finished ground level. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.***
 - m) Location of signage to:***

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- *Direct cyclists to the bicycle parking spaces;*
 - *Notify drivers that cyclists will be entering and exiting the site using the ramp access and sharing the car park at the entry to the car park on the ground level and within the car park;*
 - n) *Details of any required fire services, electricity supply, gas and water meter boxes. These services are to be located and/or screened to compliment the development. The fire booster and pole substation are to be relocated to be less visible to the street and less impact to adjoining properties.*

A notation must be provided on the plans to confirm the locations of these services have been approved/ certified by the relevant Service Engineer/s or relevant Authorities.

- o) *Tree Protection Measures for Trees No. 11 and 13, and changes required in the Tree Management Plan (required under Condition 8); and a notation to note Conditions 9 and 11.*
- p) *Changes required to satisfy requirements in the Sustainability Management Plan under condition 17 of this permit.*
- q) *The five north facing and five south facing self-contained student rooms on Level 2 to be setback a minimum of 4.5m from the respective side boundaries*

All to the satisfaction of the Responsible Authority.

No Alteration or Changes

- 2. *The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.*

S173 Agreement

- 3. *Prior to the endorsement of plans referred to in Condition 1 the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:*
 - *That no person may reside in the building unless that person is a bona fide student or academic whether part time, full time, short term or resides there in a supervisory, management or caretaker capacity;*
 - *Car parking spaces are only permitted to be used by the occupants of the units, their visitors and the convenience shop operator.*
 - *Car spaces must not be individually subdivided, on-sold or leased to any other person other than an owner or occupant of the premises.*
 - *Residents of the units will not be entitled to car parking permits for on street car parking.*
 - *Should the land cease to be used for student housing, a new planning permit may be required for an alternative use. It should be noted that any dispensation for on-site car parking given to the student accommodation development is not transferable to any proposed alternative use of the land. Any subsequent use*

will be assessed in accordance with the car parking requirements of the Monash Planning Scheme;

- *The student accommodation premises must be managed by a single entity.*
- *A management plan prepared and implemented to the satisfaction of the Responsible Authority.*
- *The cost of the preparation and review of the Section 173 Agreement and its registration on the title of the land must be borne by the owner of the land.*

Landscaping

4. *Concurrent with the endorsement of any plans pursuant to Condition 1, 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. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Concept Plan dated March 2019, Prepared by Zenith Concepts except that the plan must show:*
 - (a) *Amended building layout in accordance with the amended development plan (version J) dated 17 September 2019, and changes required under Condition 1 of this permit.*
 - (b) *Details of the proposed 'feature paving', 'concrete paving' and proposed permeable driveway.*
 - (c) *Location of external lighting (if any);*
 - (d) *The location of Tree Protection Zones of Trees 11 and 13 and Tree Protection Fencing required as outlined in the Tree Management Plan;*
 - (e) *Details of retaining walls.*
5. *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.*
6. *All landscaping works shown on the endorsed landscape plan(s) must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.*
7. *An in-ground, automatic watering system linked to rainwater tanks on the land must be installed to the main garden areas to the satisfaction of the Responsible Authority.*

Tree Management Plan

8. *Prior to the endorsement of plans, a Tree Management Plan by a suitably qualified arborist must be submitted to and approved by the Responsible Authority, to ensure neighbouring trees to be retained are protected.*

Once approved the Tree Management Plan will be endorsed to form part of the permit.

Tree Protection

9. *Prior to the commencement of any works on the site (including demolition works) that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by a qualified landscape architect or horticulturist.*
10. *No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.*
11. *All works (including demolition works) within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.*

Waste Management Plan

12. *Concurrent with the endorsement of plans, a Waste Management Plan must be submitted and approved by the Responsible Authority. Once approved the Waste Management Plan will be endorsed to form part of the permit. The Waste Management Plan shall provide for:*
 - a) *The time and method of collection of garbage and recyclables from uses;*
 - b) *Designation of methods of collection by the private contractor;*
 - c) *Appropriate areas for bin storage on site and areas for bin placement on collection days;*
 - d) *Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;*
 - e) *The timing collection of all waste so as not to cause disruption to traffic and amenity of the area; and*
 - f) *Bins not to obstruct car parking or traffic movement.*
13. *No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public (except on collection day/s) and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.*
14. *Collection of waste must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:*
 - *Monday to Saturday: 7:00am to 6:00pm*
 - *Public Holidays: 9:00am to 6:00pm*
 - *Sunday: No collection allowed*

To the satisfaction of the Responsible Authority.

Construction Management Plan

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- 15. Prior to the commencement of any site works (including demolition and excavation), a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:**
- a) **Hours for construction activity in accordance with any other condition of this permit;**
 - b) **Measures to control noise, dust and water and sediment laden runoff;**
 - c) **Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;**
 - d) **Measures relating to removal of hazardous or dangerous material from the site, where applicable;**
 - e) **A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;**
 - f) **Cleaning and maintaining surrounding road surfaces;**
 - g) **A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;**
 - h) **Public Safety and site security;**
 - i) **A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;**
 - j) **A Traffic Management Plan showing truck routes to and from the site;**
 - k) **Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;**
 - l) **Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;**
 - m) **Contact details of key construction site staff;**
 - n) **Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.**
 - o) **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 that does not exceed the EPA guidelines).**

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16. *The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

Sustainable Design Assessment (SDA)

17. *Concurrent with the endorsement of any plans, a Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:*
- a) *Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Monash Planning Scheme.*
 - b) *Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.*
 - c) *Document the means by which the appropriate target or performance is to be achieved.*
 - d) *Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.*
 - e) *Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.*

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainability Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

18. *Prior to the occupation of any of the dwellings approved under this permit, a report from the author of the endorsed Sustainability Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to the relevant completed stage of the building ready for occupation) all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.*

Car Parking

19. *All car parking spaces are to remain in common property for the communal use of residents.*

Convenience Shop Use

20. *The convenience shop may operate only between the hours of 6:00am to 10:00pm Monday to Sunday, unless the Responsible Authority gives consent in writing.*

21. 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 products;**
- (d) presence of vermin.**

22. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.

Drainage and Stormwater

23. Plans for the drainage and civil works must be submitted to and approved by the Monash City Council Engineering Department 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.

Boundary Fencing

24. prior to the occupancy of the development, all fencing must be constructed in accordance with the endorsed plans and in a good condition to the satisfaction of the Responsible Authority.

25. In the event of excavation causing damage to an existing boundary fence, the owner of the development site must (at their own) cost repair or replace the affected fencing to the satisfaction of the Responsible Authority.

Plant / Equipment or features on roof and balconies

26. 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.

27. No air conditioning units are to be located on the balconies unless with the written consent of the Responsible Authority.

Completion of Buildings and Works

28. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Street Tree Removal

29. The existing street tree *Allocasuarina turolosa* will be removed and replaced by Council at the cost of the developer.

Time for Starting and Completion

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

- (a) The development is not started before two (2) years from the date of issue.***
- (b) The development is not completed before four (4) years from the date of issue.***

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:

- (i) within six (6) months afterwards if the development has not commenced; or***
- (ii) within twelve (12) months afterwards if the development has not been completed.***

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

Permit Notes

Building Approval

- A. Building Permit approval must be obtained prior to the commencement of the above approved works***

- B. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.***

Street Tree Removal

- C. Payment of \$22,488.61 is required prior to the commencement of the development.***

Note- This amount is valid for 6 months from the date of issue of the permit.

Car Parking and Driveways

- D. Approval of the proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.***

- E. The proposed crossing is to be constructed in accordance with the City of Monash standards.***

- F. The existing redundant crossing in Beddoe Avenue is to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.***

- G. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.***

- H. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.***

Drainage

- I. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.***
- J. The nominated point of stormwater connection for the site is to the south-east corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the 450mm Council drain in the naturestrip via a Council approved saddle adaptor to be constructed to Council Standards.***
Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.
- K. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$2,000 is to be paid prior to the drainage works commencing.***
- L. Detention system requirements for above property are as follows:***
- Minimum storage = 12.61 m³***
 - Maximum discharge rate = 11.28 l/s***
 - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.***
- M. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.***
- N. A licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.***

Underground services not to impact trees

- O. All excavations associated with drainage works or the provision of underground services must not be carried out in a manner that will adversely impact on the health of trees on adjoining land or to be retained on the subject land. Please refer to development and landscaping plans for further details.***

Street Numbering

- P. The lot/unit numbers on the "Endorsed Plan" are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council's Valuation Team on 9518 3615 or 9518 3210.***

Variation to Planning Permit

Q. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.

CARRIED

1.3 73-75 Kingsway, Glen Waverley - Development and Use of A Six (6) Storey Building (Plus Basement) Comprising Restaurants, Place of Assembly and Offices and Reduction In the Car Parking Requirement To Zero

Moved Cr Fergeus,

Seconded Cr James

That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/50168) for the development and use of a six (6) storey building (plus basement) comprising restaurants, place of assembly and offices; and reduction in the car parking requirement to zero at 73-75 Kingsway, Glen Waverley subject to the following grounds:

- 1. The proposal does not satisfy the design guidelines of the Design and Development Overlay Schedule 12 in relation to building height, and activated laneways.*
- 2. The dominant upper form (the tower) that eclipses the lower base (the podium) is inconsistent with the built form expected in the Glen Waverley Major Activity Centre Structure Plan.*
- 3. The design response does not demonstrate architectural excellence envisaged in the Glen Waverley Major Activity Centre Structure Plan.*
- 4. The design does not maintain a human scale to the public realm and retain the fine-grain character of Kingsway.*
- 5. The proposal fails to satisfy the purpose of Clause 52.06 of the Monash Planning Scheme in relation to the provision of appropriate on site car parking spaces, safety and traffic movement in the area.*
- 6. The proposal will have a detrimental impact to the amenity of the locality.*
- 7. The proposal is considered to be an inappropriate design response.*

CARRIED

1.4 1555 Centre Road, Clayton - Construction of Buildings And Works, Use Of Land For Offices, Display of Illuminated Business Signs and Alteration of Access To A Road Zone Category 1

Moved Cr Little,

Seconded Cr Paterson

That Council resolves to issue a Planning Permit (TPA/49358) for the construction of buildings and works, use of land for offices, display of illuminated business signs and alteration of access to a road in a Road Zone Category 1, at 1555 Centre Road, Clayton subject to the following conditions:

Amended Plans Required

1. *Before the development starts, 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 to Council dated 12 July 2019 (TP 004 Revision D; TP 005 Revision C; TP 006 & TP 007 Revision B; TP 011 and TP 012 Revision C) but modified to show:*
 - (b) *Details of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development.*
 - (c) *Details of the proposed formalisation of the 405 space car park at the north-western corner of the site. This should include parking space and access aisle dimensions, provision of accessible spaces, footpaths and landscaping as well as details of any footpath/gate connections to the southern portion of the site.*
 - (d) *The layout of the development to follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below:*
 - *Minimum requirements for car park dimensions to be in accordance with the design standards in Table 2 of Clause 52.06-9 of the Monash Planning Scheme.*
 - *Clearance to car parking spaces to be in accordance with Diagram 1 of Clause 52.06-9 of the Monash Planning Scheme, in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.*
 - (e) *The accessible parking spaces designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm.*
 - (f) *The access aisle width of the relocated entrance to the existing south-western 252 space car park to be minimum 6.4 metres.*
 - (g) *A corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres) extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*
 - (h) *Details of bicycle parking facilities which generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.*

All to the satisfaction of the Responsible Authority.

No Alteration or Changes

2. *The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.*
3. *The location and details of signs shown on the endorsed plans must not be altered without the written consent of the responsible Authority.*

Landscaping

4. *Concurrent with the endorsement of any plans pursuant to Condition 1, 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. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Concept Plan dated 19 July 2019, Prepared by GbLA Landscape Architects except that the plan must show:

- a) landscape details of the formalised northwest 405 spaces car park;*
- b) the location of all existing trees and other vegetation to be retained on site and on the nature strip;*
- c) canopy trees within the front landscape setback to enhance the landscaping image of the industrial area;*
- d) adequate planting of canopy trees, landscaping and other treatments that reduce the visual impact of large paved areas and driveways;*
- e) 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;*
- f) the location and details of all fencing;*
- g) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;*
- h) details of all proposed hard surface materials;*

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

- 5. Before the 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.*
- 6. All landscaping works shown on the endorsed landscape plan(s) must be completed, maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.*
- 7. An in-ground, automatic watering system linked to rainwater tanks on the land must be installed to the main garden areas to the satisfaction of the Responsible Authority.*

Construction Management

- 8. Prior to the commencement of any site works (including demolition and excavation), a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:*
 - a) Hours for construction activity in accordance with any other condition of this permit;*
 - b) Measures to control noise, dust and water and sediment laden runoff;*

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- c) *Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
 - d) *Measures relating to removal of hazardous or dangerous material from the site, where applicable;*
 - e) *A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;*
 - f) *Cleaning and maintaining surrounding road surfaces;*
 - g) *A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;*
 - h) *Public Safety and site security;*
 - i) *A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;*
 - j) *A Traffic Management Plan showing truck routes to and from the site;*
 - k) *Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;*
 - l) *Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;*
 - m) *Contact details of key construction site staff;*
 - n) *Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.*
 - o) *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 that does not exceed the EPA guidelines).*
9. *The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

Sustainable Design Assessment (SDA)

10. *Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:*
 - a) *Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Monash Planning Scheme.*

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- b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.*
 - c) Document the means by which the appropriate target or performance is to be achieved.*
 - d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.*
 - e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.*

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainable Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

- 11. Prior to the occupation of any of the dwellings approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to those relevant completed dwellings ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.*

Car Parking and Driveways

- 12. Prior to occupation of any new premises hereby permitted, a Car Parking Management Plan detailing the management and allocation of car parking on the site must be submitted to and approved by the Responsible Authority.*

The Car Parking Management Plan must be generally in accordance with the approved parking provision, but modified to detail:

- a) Provision and adequacy of car parking to service all land uses undertaken on the land (including existing land use) in accordance with the car parking rates specified by Clause 52.06-5;*
- b) Equitable allocation and management of car parking of car parking throughout the development*

The Car Parking Management Plan may be amended with the written consent of the Responsible Authority. When approved the Car Parking Management Plan will be endorsed to form part of this permit.

- 13. Car parking must be provided prior to the commencement of the use and within the designated spaces to the satisfaction of the Responsible Authority as shown on the endorsed plans under this permit and/or within the designated car parking spaces approved under other Planning Permits for this land.*

-
14. *Before the development permitted is completed, 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.*

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

15. *The loading and unloading of goods from vehicles must only be carried out on the land.*
16. *A formal amendment application to this planning permit is required for any proposed opening of the internal access road from the southern side of the subject site into the formalised north-west 405 space car park.*

Drainage and Stormwater

17. *All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.*
18. *The nominated point of stormwater connection for the site is to the existing internal drainage system/ existing property connection.*

Amenity

19. *No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.*
20. *No bin or receptacle or any form of rubbish or refuse shall be 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.*

Signage

21. *Signs must not contain any flashing light.*
22. *Signage must not distract drivers due to its colouring, be mistaken for a traffic signal, be able to be mistaken as an instruction to drivers or constitute a road safety hazard in any way.*
23. *Signage must not obstruct the view of motorists, obscure traffic signals or constitute a road safety hazard in any way.*

-
24. *The intensity of the light in the signs must be limited so as not to cause glare or distraction to motorists, or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.*

Plant / Equipment or features on roof and balconies

25. *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.*

Completion of Buildings and Works

26. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*

VicRoads Conditions (Ref: 26153/18)

27. *Unless otherwise agreed in writing by VicRoads, before the development starts, a Functional Layout Plan (FLP) showing access arrangement must be submitted to and approved by the Roads Corporation (VicRoads). When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the Proposed Site Plan (Drawing No. TP004, Revision C prepared by Peddle Thorp) appended to the planning application but modified to show:*
- a) *Right-turn ban at the existing western access point along Centre Road, located approximately 90 meters East of the McNaughton Road intersection, facilitated by means of signage and pavement linemarking;*
 - b) *Signage and line marking plan associated with the above changes;*
28. *Prior to the commencement of the use of the development hereby approved, all works required by VicRoads must be completed, generally in accordance with approved Functional Layout Plan (FLP) to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads;*
29. *Vehicles must enter and exit the land in a forward direction at all times.*
30. *Within 6 months from the commencement of the use of the permitted development, the permit holder is to undertake a traffic study and submit to the Roads Corporation (VicRoads) for review and approval. The Study must address the following matters:*
- a) *Traffic volumes using the site access locations and travelling through the Centre Road and McNaughton Road intersection prior to the commencement of the use of the permitted development for weekday AM and PM peak hours;*
 - b) *Traffic volumes using the site access locations and travelling through the Centre Road and McNaughton Road intersection for a period of no sooner than 3 months after the commencement of the use of the permitted development Weekday AM and PM peak hours;*

-
- c) Changes in the operation of the Centre Road/ McNaughton Road intersection and differences in vehicle turning movements at all site access locations between the scenarios specified in (a) and (b) of this condition for the Weekday AM and PM peak hours. These differences must be compared with the estimated changes as documented in the permit application documents (August 2018);*
- d) Any mitigation works that will be required to restore the level of service for the Centre Road/ McNaughton Road intersection. If the increase to the back of queue length attributable to development traffic is found to be more than 15 metres for the existing right turn lane at the Centre Road/ McNaughton Road intersection (east), extension of the right turn lane to cater for the additional right turn demand will be required.*
- 31. Any mitigating works identified, required and agreed by VicRoads, must be delivered and completed by the permit holder/ operator of the subject site, to the satisfaction of and at no costs to VicRoads, within a timeframe prescribed by VicRoads. Functional layout plans and detailed design including Road Safety Audit must be prepared to the satisfaction of VicRoads prior to the commencement of the works.*
- 32. Unless otherwise agreed in writing by VicRoads, the conditions for a further traffic study will not take effect in the following scenarios:*
- a) if there is another planning permit approved for the land, provided the application for the land considers the traffic generated by development approved under this permit (prior to when the Study is required to be submitted) which materially changes the traffic and / or vehicle access arrangements at the site to the satisfaction of VicRoads and the Responsible Authority, or*
- b) if VicRoads or another party elects to or is required to undertake roadworks on Centre Road (between Westall Road and McNaughton Road) or on McNaughton Road which materially changes the traffic and / or vehicle access arrangements to the site to the satisfaction of the Responsible Authority.*
- 33. Unless otherwise agreed in writing by VicRoads, the following must be completed to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads:*
- a) Where any mitigating roadworks impact on the subject land, a widening of the road reserve will be required, at no cost to VicRoads. The permit holder must engage a licensed surveyor to prepare a Plan of Subdivision and submit to the Responsible Authority for certification under the Subdivision Act 1988 to show:*
- i. Any land set aside as Road must be labelled "ROAD" on the plan of subdivision.*
- ii. All land to be vested as road or reserve, for which the Roads Corporation is to be responsible, must be vested in the name of the ROADS CORPORATION (not VicRoads) upon certification of the Plan of Subdivision, without any encumbrances.*

-
- b) *The permit holder must reimburse VicRoads and the Responsible Authority with all the costs associated with the declaration of the land as arterial road pursuant to the provisions of the Road Management Act 2004 and the rezoning of the land to Road Zone Category 1 (RDZ1) pursuant to the provisions of the Planning and Environment Act 1987.*

- *VicRoads Conditions End -*

Time for Starting and Completion

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

- a. *The development is not started before two (2) years from the date of issue.*
- b. *The development is not completed before four (4) years from the date of issue.*

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 six (6) months afterwards if the development has not commenced; or*
- *within twelve (12) months afterwards if the development has not been completed.*

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

35. *This permit as it relates to use will expire if the use does not commence within six (6) months after the completion of the approved development.*

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of period referred to in this condition.

36. *Signage approved under this permit will expire 15 years from the date of issue.*

Permit Notes

Building Approval

A. *Building Permit approval must be obtained prior to the commencement of the above approved works.*

Drainage

B. *One copy of the plans for the drainage and civil works must be submitted to and approved by the Monash City Council Engineering Department 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.*

Variation to Planning Permit

-
- C. *Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.*
- D. *Unless no permit is required under the planning scheme other signs must not be constructed or displayed without a further permit.*

Vehicle access

- E. *All new or modified crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process. Approval of the relevant electricity company for the power pole relocations is required. The poles are to be relocated to the satisfaction of the Responsible Authority.*

VicRoads

- F. *The Plans of subdivision under Section 35 of the Subdivision Act must not be used to vest land as road or reserve in the Roads Corporation.*
- G. *Subsequent to the registration of the plan of subdivision, the permit holder must ensure that the original Certificates of Title that issues in the name of the Roads Corporation, are posted to VicRoads (C/o Manager Survey & Declaration, 4th Floor, South Building, 60 Denmark Street KEW, 3101).*
- H. *No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.*

CARRIED

1.5 426-452 Highbury Road, Mount Waverley - Extension of Time - Development of Land For 118 Dwellings and Subdivision

Moved Cr Little,

Seconded Cr Paterson

That Council resolves to issue an extension of time to Planning Permit No. TPA/24806/J for development of land for 118 dwellings together with associated earthworks and landscaping and subdivision generally in accordance with the plans at 426-452 Highbury Road, Mount Waverley, pursuant to the provisions of Section 69 of the Planning and Environment Act 1987.

The permit expiry dates extended as follows:

- *The development is not completed before 25 January 2021.*

CARRIED

1.6 Town Planning Schedules

Moved Cr Little,

Seconded Cr Pang Tsoi

That the report containing the Town Planning Schedules be noted.

CARRIED

1.7 Monash Medical Centre – Proposed Road Discontinuance

Moved Cr James,

Seconded Cr Little

That Council:

- 1. Acting under section 17(4) of the Road Management Act 2004 (Vic), resolves that the road reserve shown hatched in Attachment 2 to this report, with an area of approximately 347m², being part of the land contained in certificate of title volume 11551 folio 791 ('Road') be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the reasons set out in the report;*
- 2. Pursuant to Clause 3 of Schedule 10 and section 189(4) of the Local Government Act 1989 ('the Act') resolves to commence the statutory procedures to consider discontinuing the Road and transferring the land from the discontinued Road to Monash Health to facilitate the Monash Medical Centre Emergency Department Expansion and Traffic Improvement Project ('the Proposal');*
- 3. Pursuant to Sections 207A and 223 of the Act, directs that public notice of the proposed discontinuance and transfer of the discontinued Road, be given in the local newspaper and on Council's website;*
- 4. Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter ('Appointed Officer');*
- 5. Appoints a Committee of Council, comprising Oakleigh Ward Councillors, to consider any submissions received under section 223 of the Act at the Civic Centre at a time and date to be fixed;*
- 6. Directs that following any hearing of submissions by the Committee of Council, or if no submissions are received by Council's Appointed Officer, a report is to be received by Council to consider whether to proceed with the proposed road discontinuance and transfer of the discontinued Road referred to at points (2) and (3) above.*
- 7. Notes that should the road discontinuance proceed as referred to in recommendation 6 above, that Monash Health intend to enter into an*

agreement with Council to facilitate the creation of the new road for public access as part of their plan of subdivision process.

CARRIED

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Report on Mulgrave Library Extended Hours Trial October 2018 – August 2019

Moved Cr McCluskey,

Seconded Cr Klisaris

That Council:

- 1. Notes the benefits to the community that have resulted from the trial of extended hours at Mulgrave Library in particular the opportunities to increase lifelong learning, enhance literacy skills and develop social connections; and*
- 2. Considers the continuation of these additional opening hours (13 hours per week) and the provision of programs at the Mulgrave Library on an ongoing basis from October 2019 at the cost of \$50,000 per annum.*

CARRIED

2.2 Tender For Active Monash Service Improvement Program

Moved Cr McCluskey,

Seconded Cr Little

That Council:

- 1. Awards the tender from Bon Golf Pty Ltd trading as Bon Leisure for Active Monash Service Improvement Program, Contract No. 2020030 for an annual fixed Lump Sum of \$110,000 for the initial three year term with an estimated total contract value of \$660,000 inclusive of all available extension options (plus an annual CPI indexation);*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract initial term will commence on 1 November 2019 and end on 31 October 2022 and that the contract has one extension option of three years and authorises the Chief Executive Officer to approve the extension option subject to satisfactory performance; and*
- 4. Notes that the estimated initial three year cost is \$338,318.75 and that the estimated additional three year option cost is \$364,332.29 based on a CPI increases of 2.5% per annum.*

*(*Please note that all dollar figures are GST Inclusive unless stated otherwise)*

CARRIED

2.3 Amended Reporting Cycle For Council's *A Healthy & Resilient Monash: Integrated Plan 2017 - 2021*

Moved Cr Little,

Seconded Cr Fergeus

That Council notes the change in month for the annual evaluation summary report of 'A Healthy and Resilient Monash: Integrated Plan 2017-2021.'

CARRIED

2.4 Monash Community Grants Program Policy & Terms of Reference

Moved Cr Pang Tsoi,

Seconded Cr Little

That Council:

- 1. Adopts the 2020/21 Monash Community Grants Program Policy, noting the service improvements; and*
- 2. Adopts the Terms of Reference for the 2020/21 Monash Community Grants Evaluation Panel.*

CARRIED

3. CORPORATE SERVICES

3.1 Audit & Risk Committee Membership – Reappointment of Independent Member and Recruitment of Independent Chairperson

Moved Cr Paterson,

Seconded Cr Fergeus

That the Council:

- 1. Having noted that the first term of independent Audit & Risk Committee member Ms Katie Baldwin will expire in June 2020, and given her interest to continue in the position, resolves to reappoint Ms Katie Baldwin as an independent member of Council's Audit & Risk Committee for a 3 year period ending 30 June 2023;*
- 2. Having noted that the second and final term of independent Chairperson of Council's Audit & Risk Committee, Mr Geoff Harry, will conclude in June 2020 resolves to commence the recruitment and selection process for appointment of an independent Chairperson member;*
- 3. Resolves that a public expression of interest process be undertaken to appoint the new independent Chairperson member with the selection panel to comprise the current Chairperson, Mr Geoff Harry, the Mayor and one other Councillor (a representative of the Audit & Risk Committee as nominated during the annual process to decide on Council representatives on organisations and committees);*

-
4. *Resolves that in the case that an existing independent Committee member nominates for Chairperson, and is subsequently selected for the position of Chairperson, requests the selection panel identify a replacement independent member from their shortlist; and*
 5. *Receives a further report in 2020 from the selection panel regarding a recommendation for appointment of an independent Chairperson to the Committee and, in the case of a consequent vacancy, provide a recommendation on a replacement independent Committee member.*

CARRIED

4. INFRASTRUCTURE

Nil.

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Assembly of Councillors Record

Moved Cr Fergeus,

Seconded Cr Little

That Council notes the Assembly of Council records submitted as part of the requirements of the Local Government Act 1989.

CARRIED

5.2 2020 Council Meetings Schedule

Moved Cr McCluskey,

Seconded Cr Paterson

That the schedule for the Ordinary Meetings of Council be adopted for 2020, as follows, with the meetings to be held at the Civic Centre, Glen Waverley and to commence at 7.00 pm:

28 January

25 February

31 March

28 April

26 May

30 June

28 July

25 August

29 September

20 October

24 November

15 December

CARRIED

5.3 Tender for Asset Management Information System

Moved Cr Pang Tsoi,

Seconded Cr Little

That Council:

- 1. Awards the tender to Pitney Bowes Australia Pty Ltd for Software as a Service Asset Management Information System Contract No. 2019212 for an estimated contract value of \$1,657,945 (comprising of a tendered fixed lump sum of \$1,313,895 and an estimated \$344,050 for professional services) for the initial five-year term with an estimated total contract value of \$4,983,709 inclusive of all available extension options (assuming 2% CPI for each year of any approved extension period);*
- 2. Authorises the Chief Executive Officer to execute the contract agreement subject to any required negotiations;*
- 3. Notes that the contract will commence on 11 November 2019, with an initial term of five years and the contract has two separate extension options of five years each and authorises the Chief Executive Officer to approve these extension options subject to satisfactory performance;*

*(*Please note that all dollar figures are GST Inclusive unless stated otherwise)*

CARRIED

5.4 Monash Council's 2018/2019 Annual Report

Moved Cr McCluskey,

Seconded Cr Paterson

That Council adopts the Annual Report for the 2018/2019 year, in accordance with the Local Government Act 1989.

CARRIED

5.5 Method of Voting for 2020 Council Elections

Moved Cr Paterson,

Seconded Cr Klisaris

That the Council resolves that the voting method for the 2020 Council elections will be full postal voting.

AMENDMENT

Moved Cr Zographos,

Seconded Cr Fergeus

- 1. That the Council resolves to invite feedback from the community on which of the two voting methods (full postal or attendance) are best placed to be used in the October 24 2020 Monash council election.*
- 2. Publish this invitation for feedback in the Monash Bulletin.*
- 3. Report the finding and any responses to the December council meeting.*

POINT OF ORDER

Cr James raised a Point of Order, saying that the proposed amendment was a direct negative to the motion before Council.

The Mayor did not uphold the Point of Order, advising that the amendment did not seek to remove postal voting from Council's consideration.

LOST

As part of the discussion, Cr Paterson, as the mover of the motion, exercised her right of reply.

The motion was put to the vote and declared carried.

CARRIED

DIVISION

A Division was called.

For: Crs Lake, James, Davies, McCluskey, Little, Klisaris, Paterson, Pang Tsoi

Against: Crs Zographos, Fergeus, Saloumi

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications - Mayor

Moved Cr McCluskey,

Seconded Cr Little

That Council resolves to approve the following application for funding from the Council's Discretionary Expenditure Fund:

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Hindi Niketan</i>	<i>Requesting hall hire for community</i>	<i>\$685.00 GST</i>

<i>Incorporation Festival of Lights (Diwali)</i>	<i>festival.</i>	<i>excl.</i>
<i>Housing First Ltd</i>	<i>Christmas Celebration 05/12/2019. Requesting donation</i>	<i>\$500</i>
<i>Young Life Australia</i>	<i>Trivia Night 08/2020 & Weekly Drop-in Space/CLUB for local teens.</i>	<i>\$1,000</i>
<i>Mazenod Old Collegians Football Club ANZAC Day Reunion, 2nd Field Ambulance</i>	<i>Requesting hall hire</i>	<i>\$689.04 excl. GST</i>
<i>Lions Club of Wheelers Hill</i>	<i>Second-hand book sale 27/07/2019 – 28/07/2019. Requesting donation</i>	<i>\$228.80</i>
<i>River Chinese Band</i>	<i>Autumn Festival Concert 13/10/2019. Requesting donation</i>	<i>\$478 excl. GST</i>

CARRIED

6.2 Improving Transparency – Developer Contact

Moved Cr Fergeus,

Seconded Cr Saloumi

That Council:

1. *Re-affirms its commitment to the highest levels of transparency.*
2. *Directs Officers to provide advice to Council on the development of a policy addressing Councillor contact with developers.*
3. *Requests that in developing this advice, Officers take into consideration the success or otherwise of the approaches taken by the City of Bayswater, City of Adelaide, City of Vincent, Town of Bassendean, City of Rockhampton, and other Councils which have implemented such a policy.*

That this advice is presented by the April 2020 meeting of Council.

As part of the discussion, Cr Fergeus, as the mover of the motion, exercised his right of reply.

LOST

DIVISION

A Division was called.

For: Crs Fergeus, Saloumi

Against: Crs Lake, James, Davies, McCluskey, Little, Klisaris, Paterson, Pang Tsoi, Zographos

6.3 Documentary Screening at Clayton Theatrette

Moved Cr Fergeus,

Seconded Cr Saloumi

That Council:

- 1. Notes that the Clayton Theatrette has no bookings for the 16th November 2019;*
- 2. Waives hire fees for the 16th November 2019 from 6-9pm to allow for a free community screening of the award-winning documentary 'Dominion';*
- 3. Publicises this free event through Council communications.*

As part of the discussion, Cr Fergeus, as the mover of the motion, exercised his right of reply.

POINT OF ORDER

Cr Lake raised a point of order, stating the meeting procedures local law provided for a 2 minute speaking time for a right of reply and that this time limit had now passed.

The Mayor upheld the point of order and requested Cr Fergeus to end his right of reply.

LOST

7. COMMITTEE REPORTS

7.1 Monash Gallery of Art: Recommendations For Committee of Management Member

Moved Cr McCluskey,

Seconded Cr Little

That Council:

- 1. Approves the tenure of Mr Matt Soulsby to the Monash Gallery of Art Committee of Management for a term of three years from 31 October 2019 to 31 October 2022; and*
- 2. Approves Ms Natasha Bowness' appointment as Chair of the Monash Gallery of Art Committee of Management for a further term from 31 October 2019 to 31 August 2022.*

CARRIED

DIVISION

A Division was called.

For: Crs Lake, James, Davies, McCluskey, Little, Klisaris, Paterson, Pang Tsoi, Zographos

Against: Nil.

Abstain: Cr Saloumi

Note: Cr Fergeus was absent from the Chamber at the time of the division.

8. URGENT BUSINESS

Moved Cr Lake

Seconded Cr Little

That the matter of changes to the 2020/21 Monash Community Grants Program Policy be admitted as an Item of Urgent Business.

POINT OF ORDER

Cr Zographos raised a point of order, stating that this matter had already been dealt with by the Council

The Mayor did not uphold the point of order, saying that this was a new motion, that there was no precedence for this situation and the meeting procedures local law did not address such a situation.

In response to statements by Cr Davies, the Mayor reiterated that motion before Council was a new motion.

Moved Cr Lake

Seconded Cr Klisaris

That Council make the following changes to the 2020/21 Monash Community Grants Program Policy:

- a) the Positive Ageing category maximum allocation is maintained at \$5,000 consistent with previous years;*
- b) no maximum cap is to be applied to Arts and Cultural Projects Hall Hire consistent with previous years;*
- c) if a group submits multiple applications in one category they will be asked to resubmit one application for the category; and*
- d) the proposed printing formula to remain consistent with previous years;*

AMENDMENT

Cr James moved a motion to amend parts b and c of the motion.

This lapsed for want of a seconder.

The motion was put to the vote and declared carried.

CARRIED

DIVISION

A Division was called.

For: Crs Lake, Little, McCluskey, Klisaris, Paterson, Pang Tsoi

Against: Crs Zographos, James, Fergeus, Saloumi

Abstain: Cr Davies

9. CONFIDENTIAL BUSINESS

Moved Cr Little,

Seconded Cr McCluskey

That Council, having reviewed and considered the certificates in relation to the matters listed for confidential business, and being satisfied that it is appropriate and necessary to consider these matters at a closed meeting, resolves to close the meeting to the public in accordance with section 89(2) of the Local Government Act 1989 for the reasons specified in the certificates.

CARRIED

NOTE: Before the Council moved into Confidential Business, Cr Paterson stated that she had determined that she had a conflict of interest in Item 9.2 of the Confidential Business agenda, as she had a child enrolled in a kindergarten with the service provider under discussion.

The Council moved into Confidential Business at 9.10 pm and returned to Open Council at 10.29 pm.

10. PERSONAL EXPLANATIONS

Cr Saloumi made a personal explanation in regard to the comments made under item 7.1, concerning the Monash Gallery of Art, by Cr Lake and the Mayor about her and the MGA.

11. COUNCILLORS' REPORTS

The Mayor thanked Councillors and officers for the support that he had received during his term of office.

The Mayor declared the meeting closed at 10.40 pm

MAYOR:

DATED THIS DAY OF 2019