



**CITY OF
MONASH**

**MINUTES OF THE MEETING OF
COUNCIL
HELD ON 30 JUNE 2020**

at 7.00 pm

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

**MINUTES OF THE MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 30 JUNE 2020 AT 7.00 PM.**

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

APOLOGIES:

Cr R Paterson

DISCLOSURES OF INTEREST

Nil.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 26 MAY 2020 & 9 JUNE 2020**

Moved Cr Little,

Seconded Cr Tsoi

That the minutes of the Ordinary Meeting of the Council held on 26 May 2020 and 9 June 2020, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil

PUBLIC QUESTION TIME

The Mayor advised that 6 questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 6 Ashwood Drive, Ashwood Extension of Time - Construction of Two Double-Storey Dwellings

Moved Cr Tsoi,

Seconded Cr Little

That Council resolves to issue an Extension of time to Planning Permit No. TPA/43409 for the construction of two double storey dwellings with basement and associated car parking and landscaping at 26 Ashwood Drive, Ashwood, pursuant to the provisions of Section 69(2) of the Planning and Environment Act 1987:

- That in accordance with Section 69(2) of the Planning and Environment Act 1987, the time for the commencement of the development be extended for a further 2 years. Accordingly, the development must be commenced by 8 April 2022 and completed by 2024.*
- That the applicant be advised that a further request for extension of time may not be granted given the time that has elapsed since the permit was granted.*

CARRIED

1.2 155 Wanda Street, Mulgrave Extension of Time - Construction of Two (2) Dwellings On A Lot (New Double Storey Dwelling To Rear Of Existing)

Moved Cr McCluskey,

Seconded Cr Zographos

That Council resolves to refuse an extension of time to Planning Permit No. TPA/42175 for construction of two (2) dwellings on a lot (new double storey dwelling to rear of existing) at 155 Wanda Street, Mulgrave, pursuant to the provisions of Section 69(2) of the Planning and Environment Act 1987.

The grounds of refusal are as follows:

- 1. The approved development is inconsistent with the Monash Housing Strategy and planning policy requirements adopted by Amendment C125 – Part 2 to the Monash Planning Scheme.*
- 2. The total elapse time is considered more than sufficient to have enabled commencement of the development.*
- 3. The development fails to comply with the garden area requirements of Clause 32.08-4 of the Monash Planning Scheme.*
- 4. It is unlikely that a permit would be issued should a fresh application be made.*

CARRIED

1.3 55-63 High Street Road and 8-10 Harrold Street, Ashwood Extension To An Existing Residential Aged Care Facility

Moved Cr McCluskey,

Seconded Cr Little

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/51123) for the construction of buildings and works (extension to an existing residential aged care facility), removal of vegetation in a vegetation protection overlay, removal of an easement, alter access to a Road Zone Category 1 and a reduction of the standard bicycle parking requirement, at 55-63 High Street Road and 8-10 Harrold Street, Ashwood, subject to the following conditions:

Amended Plans Required

1. *Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed they will then form part of the Permit. The plans must be generally in accordance with the decision plans prepared by CHT Architects, Revision D dated 26 February 2020 but modified to show:*
 - a) *The retention of all street trees adjacent to the site.*
 - b) *The provision of three additional street trees on Harold Street adjacent to No.55 High Street Road in accordance with Condition 15 of this Permit.*
 - c) *Front fencing to Harold Street (including adjacent to 61-63 High Street Road) amended to be a palisade (black metal) fence with a maximum height of 1.2 metres. All other front fencing is to be removed (including existing fencing to the eastern side of the landscaped planter fronting Harold Street associated with 61-63 High Street Road).*
 - d) *Height and detail of fencing dividing the proposed courtyard areas fronting Harold Street. Any fencing should not exceed the height of the proposed planter / retaining wall.*
 - e) *Alteration of the enclosure to the existing gas meter within the Harold Street frontage, to be reduced in height as much as possible and to utilise a material which is similar to the proposed front fencing if permissible by the relevant service authority.*
 - f) *The proposed retaining wall to Harold Street to be lowered by 500mm to be a height of 1.9m above the courtyard level.*
 - g) *A minimum headroom clearance of 3.35 metres to be provided to accommodate loading and waste vehicle access within the lower ground area.*
 - h) *Provision of a 1m blind aisle extension at the north end of both aisles of the car park (bay 15, 16, 32 and 33).*

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- i) *Provision of a 1m blind aisle extension at the south end of aisle of the car park (bay 25 and 42).*
 - j) *The designation of any visitor car spaces are to be within the car parking area within the existing building with appropriate signage.*
 - k) *Landscape plan in accordance with Condition 3 of this Permit.*
 - l) *Tree Management Plan in accordance with Condition 4 of this Permit.*

Layout not to be altered

- 2. *The development, use and removal of easement as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*

Landscape Plan

- 3. *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 Plan prepared by Urbis, dated 21 February 2020, except that the plan must show:*
 - a) *Three street trees on Harold Street to be planted and maintained by Council;*
 - b) *Landscaping introduced to the proposed second floor balconies fronting Harold Street, allowing the landscaping to cascade down the balustrade; and*
 - c) *Any changes as required by Condition 1 of this Permit.*

Tree Management Plan

- 4. *Concurrent with the submission of amended plans required by Condition 1 and prior to any demolition or site works, a Tree Management Plan (TMP) must be submitted to and approved by the Responsible Authority. The TMP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of Tree Nos. 56 (as identified in the Arborist Report submitted with the application, prepared by Galbraith & Associates) and all street trees adjoining the site.*

The TMP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of the site. The TMP must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:

- a) *A Tree Protection Plan drawn to scale that shows:*
 - i. *Tree protection zones and structural root zones of all trees to be retained,*
 - ii. *All tree protection fenced off areas and areas where ground protection systems will be used;*
 - iii. *The type of footings within any tree protection zones;*
 - iv. *Any services to be located within the tree protection zone and a notation stating all services will either be located outside of the tree protection zone,*

bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and

- v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones.
- b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.
- c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and
- d) Any remedial pruning works required to be performed on tree canopies located within subject site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

Construction Management Plan

- 5. 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-contractors/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;

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- m) Contact details of key construction site staff;*
 - n) Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.*
 - o) Except with the prior written consent of the Responsible Authority, 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;*
 - No works are permitted on Sundays or Public Holidays.*

Ongoing Plan Requirements

- 6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan, Waste Management Plan, Tree Management Plan and Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

Use and Operation

- 7. The amenities and other communal facilities must only be used by residents and their guests or by members of staff, to the satisfaction of the responsible authority.*
- 8. Prior to the occupation of the buildings approved by this Permit, a Manager (or suitably authorised delegate) must be present on the land at all times.*
- 9. Lighting must be provided to the satisfaction of the Responsible Authority to ensure that car park areas and pedestrian accessways are adequately illuminated during evening periods without any loss of amenity to occupiers of nearby land to the satisfaction of the Responsible Authority.*
- 10. 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;*
 - e) others as appropriate.*

To the satisfaction of the Responsible Authority.

Condensers

- 11. No air-conditioning or cooling units, condensers and the like are to be located on roofs, external walls or on balconies without the prior written consent of the Responsible Authority.*

Waste Collection

- 12. Waste collection only to be carried out within hours prescribed by EPA guidelines.*

Landscaping and Trees

- 13. 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.*
- 14. 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.*
- 15. Prior to the occupation of the buildings allowed by this Permit, the provision of three street trees must be planted to the satisfaction of Council. Please contact Council's Horticulture Department to arrange planting and establishment of trees.*
- 16. All trees specified in the endorsed Tree Management Plan are to be protected and maintained in accordance with the recommendations set out in the report, to the satisfaction of the Responsible Authority.*
- 17. Before any development (including demolition) starts on the land, a tree protection fence must be erected around the Street Trees located adjacent to 57-59 High Street and 10 Harold Street and Tree No. 56 to define a "Tree Protection Zone" as detailed in the endorsed Tree Management Plan. The fence must be constructed as specified in the endorsed Tree Management Plan. The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority.*
- 18. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained as detailed in the endorsed arborist report and are advised of any obligations in relation to the protection of those trees.*
- 19. All buildings and works within the Tree Protection Zone and Critical Root Zone as specified in the endorsed Tree Management Plan must be supervised by a suitably qualified and experienced arborist, to the satisfaction of the Responsible Authority.*
- 20. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained during the construction period of the development hereby permitted without the prior written consent of the Responsible Authority.*

Car Parking and Driveways

- 21. Before the occupation of any buildings approved by this Permit, 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;*

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- 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.*
22. *Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.*
23. *No less than 74 car spaces must be provided on the land to the satisfaction of the Responsible Authority prior to the occupation of the development.*
24. *All loading and unloading of vehicles must be carried out within the boundaries of the land/ designated loading bay and must be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.*

Ongoing Architect Involvement

25. *As part of the ongoing consultant team, CHT Architects or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:*
- a) *oversee design and construction of the development; and*
 - b) *ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.*

Department of Transport Conditions (ref: 31719/19)

26. *Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to Head, Transport for Victoria.*
27. *Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.*
28. *Vehicles must enter and exit the land in a forward direction at all times.*
29. *The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.*

Yarra Valley Water Conditions (ref: 431431)

30. *The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services.*
31. *The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.*

Stormwater

32. 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.
33. All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing.

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 has not commenced before two (2) years from the date of issue;
or
 - b) The Plan of Removal of Easement is not certified within two (2) years from the date of the Planning Permit.
or
 - c) The development is not completed before four (4) years from the date of issue; or
 - d) The Plan of Removal of Easement is not registered within five (5) years of the date of Certification.

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 the plan has not been certified; 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.

NOTES:

- A. The starting of a subdivision (removal of easement) is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under Section 6 of the Subdivision Act 1988. Completion is regarded as the registration of the subdivision.
- B. This is not a Building Permit. Building approval must be obtained prior to the commencement of the above approved works.
- C. This is not approval under the Health Act. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act before occupation and will require approval.
- D. The nominated point of stormwater connection for the site is to the north-east corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the Council pit in the easement to be constructed to Council standards. (A new pit is to be constructed to Council standards if a pit does not exist, is in poor condition or

is not a Council standard pit). Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.

- E. The provision of new street trees is to be arranged and planted by Council's Horticulture Department. A contribution payment may be required for this planting.*
- F. The northern boundary easement of 57 and 59 High Street Road, the western boundary easement of 61 and 63 High Street Road and the eastern boundary easement of 8 and 10 Harold Street are to be expunged. The existing stormwater pipe infrastructure in these easements will no longer be maintained by the Council.*
- G. One copy of the plans for the drainage and civil works must be submitted to and approved by the 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.*
- H. Department of Transport Note: 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 2017, and any other relevant acts or regulations created under those Acts.*

CARRIED

1.4 Town Planning Schedules

Moved Cr McCluskey,

Seconded Cr Tsoi

That the report containing the Town Planning Schedules be noted.

CARRIED

1.5 Environmentally Sustainable Development (ESD) Memberships and Policy Development Towards Carbon Neutral In Planning Schemes Project

Moved Cr Little,

Seconded Cr Saloumi

That Council:

- 1. Resolves to continue membership of the Council Alliance for a Sustainable Built Environment (CASBE) through signing a three year Memorandum of Understanding with the Municipal Association of Victoria (MAV).*
- 2. Delegates authority to the Chief Executive Officer to sign the Memorandum of Understanding to formalise the membership over its three year term.*

3. *Notes that becoming a member of CASBE will enable Council access to the Built Environment Sustainability Scorecard (BESS) tool to enable Environmentally Sustainable Design assessments of planning applications, in compliance with the Environmentally Sustainable Development Policy of the Monash Planning Scheme.*
4. *That officers write to the Moreland City Council to advise that Monash City Council supports their initiative in undertaking of Stage 2 revision of the Environmental Development Policy (ESD2.0), to address and achieve zero carbon (carbon neutrality impacts) in the planning scheme and look forward to being informed of its progress but is unable at this time to actively collaborate through either financial or resource support.*
5. *That officers update Council of the progress of the project through the Environmental Advisory Committee.*

AMENDMENT

Moved by Cr Fergeus: 'Remove all words in point 4 after "progress" and replace them with "and commits to making a financial contribution of \$5,000 to this work upon agreement of a Memorandum of Understanding.'

The amendment lapsed for want a seconder.

The motion was put to the vote and declared carried.

CARRIED

PROCEDURAL MOTION

Moved Cr James,

Seconded Cr Little

That the Confidential Business agenda be brought forward as the next items of business on the meeting agenda.

CARRIED

CONFIDENTIAL BUSINESS

Moved Cr Tsoi,

Seconded Cr James

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 66(2) of the Local Government Act 2020 for the reasons specified in the certificates.

CARRIED

The meeting moved into Confidential Business at 7.25 pm and returned to Open Council at 7.27 pm, at the conclusion of the Council's consideration of the items on the Confidential Business agenda.

1.6 Oakleigh Recreation Centre - Proposed Lease To Waverley Gymnastics Centre Inc

Moved Cr James,

Seconded Cr Tsoi

That Council:

- 1. Negotiate a lease with Waverley Gymnastics Centre Inc. (WGC) for part of the Oakleigh Recreation Centre incorporating the following terms and conditions:
 - a. Premises: Part of Oakleigh Recreational Centre, 2a Park Road, Oakleigh*
 - b. Tenant: Waverley Gymnastics Centre Inc.*
 - c. Term: 21 Years*
 - d. Rent: \$15,000 per annum years 1 -3 and \$69,074 per annum from year 4*
 - e. Rent Reviews: Rent will be adjusted annually by CPI on the anniversary of the commencement date from the commencement of the 5th Year of the term*
 - f. Outgoings: WGC responsible for all services and outgoings including all utilities that relate to the premises**
("the Proposal")
- 2. Give public notice of the Proposal in accordance with Section 190 of the Act, in a newspaper and on Council's website from Thursday 9 July 2020 and invite submissions on the Proposal.*
- 3. 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 respect of the Proposal ('Appointed Officer').*
- 4. Appoint a Committee of Council comprising the Oakleigh Ward Councillors and the Mayor to hear any submitters requesting to be heard and consider any submissions received under Section 223 of the Act.*
- 5. Consider and determine the outcome of the section 223 process on the Proposal at the Ordinary Meeting of Council on a date and time to be fixed.*

CARRIED

3. **COMMUNITY DEVELOPMENT AND SERVICES**

2.1 **Draft Monash Loneliness Framework**

Moved Cr Fergeus,

Seconded Cr James

That Council endorses the release of the Draft Monash Loneliness Framework 2020 – 2025 for public comment for a period of three (3) weeks.

CARRIED

2.2 **Community Sports Infrastructure Stimulus Program**

Moved Cr Little,

Seconded Cr McCluskey

That:

1. Council endorses, submits and agrees to fund the required Council contribution to the following projects as outlined in this report to the Victorian Government's Community Sports Infrastructure Stimulus Program:

- Community Activation – Playgrounds*
- Sportsground Activation – Lighting*
- Recreational Pathways*

CARRIED

2.3 **Tender for Supply of Home Maintenance & Modification Services**

Moved Cr McCluskey,

Seconded Cr Little

That Council:

- 1. Awards the tender from A J Grant Building Pty Ltd T/as HomeCare Repair Australia for Home Maintenance & Modifications Services, Contract No. 2020132 for a schedule of rates based contract with an estimated annual contract value of \$368,372 and an estimated total contract value of \$1,865,369, including CPI of 1.5% and inclusive of all available extension options.;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement; and*
- 3. Notes that the contract will commence on 1 August 2020, with an initial term of 1 year and 11 months and three extension options of one year each, and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance.*

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

CARRIED

3. CORPORATE SERVICES

3.1 Proposed Annual Budget 2020/2021 Incorporating the Strategic Resource Plan

Moved Cr James,

Seconded Cr Little

That Council:

- 1. approves the proposed Annual Budget 2020/21 incorporating the Strategic Resource Plan, as presented, for the purpose of giving public notice in accordance with Sections 125 and 129 of the Local Government Act 1989 (the Act);*
- 2. adopts the Schedule of Fees & Charges, as detailed in the Annual Budget 2020/21, to be effective from 1 July 2020 (except as otherwise indicated);*
- 3. applies differential rating using Capital Improved Value (CIV) as the basis of valuation to all rateable land to raise rates by 2.0 per cent in 2020/21;*
- 4. recognising that ratepayers receiving pensions should be given assistance to remain in their homes, maintains the Council funded \$50 rate rebate to assist eligible pensioners with their Council rates;*
- 5. applies a service charge under Section 162 of the Act, Recycling & Waste Charge of \$27 per rateable property (Net income \$1,899,000); and also provide a \$27 waiver under Section 171 of the Act for eligible pensioners towards the Recycling & Waste Charge. (estimated cost \$310,000);*
- 6. in recognition of the adverse impacts of COVID-19 across the whole municipality, and to promote short term economic viability, applies a 10% waiver under Section 171(1)(b) of the Act to all rateable properties on the 2020/21 declared rate as at 1 July 2020, noting that this is in recognition of the impact of COVID-19 on the Monash community and is a gesture of support from us to our community who are hurting, including businesses and vulnerable ratepayers, many who now are without jobs;*
- 7. notes that in order to comply with Section 129 of the Act, public notice of the preparation of the proposed budget will be published in The Age;*
- 8. notes that at the time of publication of the public notice, the information contained in the public notice and the requirements for statutory information set out in the Local Government (Planning and Reporting) Regulations 2014 will be available for public inspection between 2 July and 30 July 2020 (both dates inclusive), during normal business hours at the following locations:*
 - Civic Centre 293 Springvale Road, Glen Waverley;*
 - Oakleigh Service Centre, Atherton Road, Oakleigh;*
 - Oakleigh Library, Drummond Street, Oakleigh;*
 - Clayton Branch Library, Cooke Street, Clayton;*
 - Mount Waverley Library, 41 Miller Crescent, Mt Waverley;*
 - Wheelers Hill Library, 860 Ferntree Gully Road, Wheelers Hill;*
 - Glen Waverley Library, Kingsway, Glen Waverley;*
 - Mulgrave Library, Mackie Road, Mulgrave; and*
 - on Council's web site: www.monash.vic.gov.au.*

9. *appoints a Committee of Council, in accordance with Section 223 of the Act, comprising all Councillors to consider submissions received on the Draft Annual Budget 2020/21, and determines that the meeting of the Committee shall be held at the Council Chambers at the Civic Centre, 293 Springvale Road Glen Waverley, at 7.30pm on Tuesday 11 August 2020;*
10. *directs that any written submissions on any proposal contained in the proposed Draft Annual Budget 2020/21 received by the Council by close of business, 30 July 2020, in accordance with Section 129 of the Act, be considered by the Committee;*
11. *directs that any requests for verbal submissions received in accordance with Section 223 of the Act be heard by the Committee; and*
12. *subject to the consideration of any written or verbal submissions received in accordance with Sections 125, 129 and 223 of the Act and any recommendations of the Committee appointed pursuant to Part 7 of this resolution, adopts the Annual Budget 2020/21 and at its meeting on 25 August 2020.*

During his contribution on this item, Cr Zographos sought extra time to speak on it, via a procedural motion.

PROCEDURAL MOTION

Moved Cr Zographos,

Seconded Cr James

That Cr Zographos be granted an extra 1 minute of time to speak on this matter.

CARRIED

The motion was put to the vote and declared carried.

CARRIED

DIVISION

A division was called.

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

Against: Saloumi

Abstain: Cr Fergeus

3.2 2020/2021 Fees and Charges

Moved Cr Lake,

Seconded Cr Tsoi

That Council adopts the Schedule of Fees & Charges, as detailed in the attachment to this report, to be effective from 1 July 2020 (except as otherwise indicated), to be reviewed as part of Council's adoption of the 2020/21 Budget.

CARRIED

3.3 Tender For Office Products and Workplace Consumables (Procurement Australia)

Moved Cr Tsoi,

Seconded Cr Little

That Council:

- 1. Awards the tender from Winc Australia P/L for Provision of Office Products and Workplace Consumables, Contract No. 2020100 for a schedule of rates based contract with an estimated annual contract value of \$100,000 and an estimated total contract value of \$400,000 inclusive of all available extension options.;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement; and*
- 3. Notes that the contract will commence shortly after award, with an initial term ending 30/6/2021 and the contract has two extension options of one years each and authorises the Chief Executive Officer to approve extension options subject to Procurement Australia extending the contract and satisfactory performance.*

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

CARRIED

3.4 Interim 2020/2021 Capital Works Program

Moved Cr Little,

Seconded Cr Tsoi

That in response to the impacts of COVID-19 and consequent delay in adopting the 2020/21 Budget, Council approves expenditure up to the amount detailed in the tables below to enable the continuing capital works projects and ongoing renewal programs to proceed through July and August 2020.

CARRIED

4. INFRASTRUCTURE

4.1 Tender For Ashwood Hall – Balcony Upgrade

Moved Cr Tsoi,

Seconded Cr Little

That Council:

- 1. Awards the tender from Simbuilt Pty Ltd for Ashwood Hall – Balcony Upgrade, Contract No. 2020150 for a fixed Lump Sum of \$500,456.00 with an extra \$75,068.40 for Contingencies and \$1,100.00 for Provisional Items*

(executable at Council's option);

- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract will commence on 13 July 2020 and the expected completion date is 13 November 2020; and*
- 4. Notes that the total budget including the fixed Lump Sum, Contingencies and Provisional Items is \$608,908.30.*

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

CARRIED

4.2 Atherton Road, Oakleigh – Stage 2 Road Reconstruction & Streetscape Enhancement

Moved Cr Zographos,

Seconded Cr James

That Council:

- 1. Notes and supports the additional funding of of \$227,594.74 (GST Excl.) for works generated from latent conditions & construction issues and variations to the Council approved and revised contract CF2018193 (Atherton Road - Stage 2 Road Reconstruction & Streetscape Enhancement).*
- 2. Notes that these works were approved by the CEO as provided in the Procurement policy (clause 2.4.2.2) which relates to exceptional circumstances and allows for CEO approval of works to complete the project. The required works only became known during the project completion.*
- 3. Notes the overall anticipated project expenditure of \$6,858,134.46 (GST excl.) which includes the revised contract amount for ACE Landscape Services Pty Ltd and all additional project costs outside of the contract.*

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Advisory Committees' Meetings Records and Councillors' Meetings Records

Moved Cr Tsoi,

Seconded Cr Little

That Council notes the Advisory Committees meetings records and records of meetings of Councillors.

CARRIED

5.2 Tender For Cloud Disaster Recovery Services

Moved Cr Fergeus,

Seconded Cr McCluskey

That Council:

- 1. Awards the tender from PERFECT Pty Ltd for State Purchase Contract, Contract No. 2020020 for cloud disaster recovery, implementation and support for a schedule of rates based contract with an estimated annual contract value of \$225,000 and for the estimated total contract value of \$ 675,000;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement*
- 3. Notes that the contract will commence from 1 July 2020, with a term of 3 years.*

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

CARRIED

5.3 Advisory Committees

Moved Cr McCluskey,

Seconded Cr Tsoi

That Council resolves to continue to appoint advisory committees, as required, and retains its current advisory committees.

CARRIED

5.4 Draft Governance Rules

Moved Cr James,

Seconded Cr Little

That:

- 1. The draft Governance Rules, including the Election Period Policy, be released for public consultation, for a period of 28 days.*
- 2. A committee of the whole Council be appointed by Council to consider submissions received on the Governance Rules, including the Election Period Policy and to hear any submitters requesting in writing to be heard in support of their submission, at 7.00 pm, in the Council Chamber on Tuesday 18 August 2020.*

CARRIED

6. NOTICES OF MOTION

6.1 The Monash Leader

Moved Cr Fergeus,

Seconded Cr Zographos

That Council:

- 1. Notes the recent decision by News Corp to close over 100 print papers in suburban and regional Australia;*
- 2. Notes that the Monash Leader will no longer be printed;*
- 3. Writes to Leader Newspapers to express disappointment at this decision, highlighting concerns about a lack of coverage of local issues and the disproportionate impact this decision will have on vulnerable people including older residents.*

LOST

DIVISION

A division was called.

For: Cr Fergeus

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

6.2 A Climate Positive Stimulus For Victorian Local Governments

Moved Cr Fergeus,

Seconded Cr Little

That Council:

- 1. Notes that Council and other local governments are on the frontline of two monumental challenges – the COVID-19 pandemic and climate change;*
- 2. Notes that the risks climate change poses to local government have not gone away and that climate change impacts nearly every aspect of Council's core business across multiple service areas;*
- 3. Writes to the Federal Treasurer and the Victorian Treasurer in support of the Victorian Greenhouse Alliances 'Climate Positive Stimulus' package.*

CARRIED

6.3 Black Lives Matter

Moved Cr Fergeus,

Seconded Cr James

That Council:

- 1. Recognises the importance of the Black Lives Matter movement in addressing significant issues of injustice and disadvantage;*
- 2. Stands in solidarity with Aboriginal and Torres Strait Islander people and people from the African diaspora against racism and injustice;*
- 3. Reaffirms its support for the 'Racism – It Stops With Me' campaign;*
- 4. Writes to the Federal Minister for Indigenous Australians, the Federal Attorney-General, the Victorian Minister for Aboriginal Affairs, the Victorian Attorney-General, and all local State and Federal Members of Parliament calling for a complete audit of the recommendations from the 1991 Royal Commission into Aboriginal Deaths in Custody and a clear plan for their implementation.*

AMENDMENT

Moved Cr Saloumi

Seconded Cr Davies

That parts 1 and 3 of the motion be deleted.

LOST

AMENDMENT

Moved Cr Davies

Seconded Cr Zographos

That part 4 of the motion be deleted.

During his contribution on the amendment, Cr Davies sought extra time to speak, via a procedural motion.

PROCEDURAL MOTION

Moved Cr Davies,

Seconded Cr James

That Cr Davies be granted an extra 2 minutes of time to speak on this matter.

CARRIED

The amendment was put to the vote and declared lost.

LOST

The motion was put to the vote and declared carried.

CARRIED

DIVISION

A division was called.

For: Crs Saloumi, McCluskey, Klisaris, James, Tsoi, Lake, Fergeus

Against: Crs Davies, Little, Zographos

6.4 Protecting Our Community From Gambling Harm

Moved Cr Fergeus,

Seconded Cr James

That Council:

- 1. Notes the work of the Alliance for Gambling Reform in preparing for a COVID-19 recovery which prioritises public health over profit;***
- 2. Writes to the Premier of Victoria requesting that the State Government follows the advice of public health experts by ensuring that pokies machines are only re-opened in a manner that addresses the harm that it causes.***

CARRIED

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

This part of the agenda was dealt with earlier in the meeting.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Cr Little noted that he had received his FOGO caddy.

Cr Zographos noted that the COVID-19 testing centre in Chadstone had changed its location from Chadstone Shopping Centre to Waverley Road, near Holmesglen TAFE.

The Chairperson noted that the new location was at Golfers Drive, Gate 4 of the multi-deck car park, level 2, with entry via Waverley Road.

The Mayor declared the meeting closed at 9.13 pm

MAYOR: 

DATED THIS 28 DAY OF FEB 22 ~~2020~~