

CITY OF
MONASH

MINUTES OF THE
MEETING OF COUNCIL
HELD ON 28 JUNE 2022

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 28 JUNE 2022 AT 7.00 PM.

PRESENT:

Councillors S James (Mayor), T Samardzija (Deputy Mayor), P Klisaris, G Lake, B Little, N Luo, S McCluskey, T Zographos

APOLOGIES

Councillors A de Silva, J Fergeus, R Paterson

DISCLOSURES OF INTEREST

Nil.

CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD ON 31 MAY 2022

Moved Cr Samardzija

Seconded Cr Luo

That the minutes of the Meeting of the Council held on 31 May 2022, be taken as read and confirmed.

CARRIED

PUBLIC QUESTION TIME

The Mayor advised that three questions had been received.

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

PETITION

Cr James tabled a petition of 192 signatures from ACE Chinese Swimming Group noting the City of Monash has decided that the group cannot continue to hire space at the Monash Aquatic and Recreation Centre (MARC) to run their activities and are calling on Council to reconsider the decision.

Moved Cr James

Seconded Cr Zographos

That the petition be received.

CARRIED

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Town Planning Schedules

Moved Cr McCluskey

Seconded Cr Luo

That the report containing the Town Planning Schedules be noted.

CARRIED

1.2 26 Ashwood Drive, Ashwood – Extension of Time - Construction of two double-storey dwellings with basement and associated car parking and landscaping

Moved Cr McCluskey

Seconded Cr Samardzija

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.

1. 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 2024 and completed by 8 April 2026.

2. That the applicant be advised that it is unlikely a further extension of time will be granted given the time that has passed since the permit was granted.

CARRIED

1.3 718-724 High Street Road Glen Waverley - Construction of a five (5) storey apartment development

Moved Cr McCluskey

Seconded Cr Luo

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/52977) for the construction of a five (5) storey apartment development with basement car parking, construction of a front fence and create and alter access to a road in a Transport Zone 2, at 718-724 High Street Road, Glen Waverley subject to the following conditions:

Amended Plans Required

- 1. Before the development starts, amended plans drawn to scale and correctly 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 on 22 March 2022, prepared by Jesse Ant Architects (TP06- TP18, Revision B dated 2 March 2022 but modified to show:*
 - a) A minimum parapet height of 1.5 metres to be provided on the northern and southern sides of the rooftop terrace;*
 - b) The fifth storey to be finished in a light external colour and a non-reflective finish;*
 - c) Details of the location, height and construction materials of the safety balustrade to the roof top. Any balustrades greater than the height of the building parapet should be set back from the edge of the building to reduce visibility from the street and adjoining properties;*
 - d) A notation on the plans that the roof top pergola is to remain unroofed;*
 - e) A notation on the plan that the door to the south of the lift on the roof is for access to roof services only;*
 - f) The internal layout of Apartment G.06 reconfigured to delete bedroom 2 and improve internal amenity.*
 - g) The secluded open space to apartments G.12 and G.13 redesigned to provide for a minimum dimension of 3 metres with direct access from the living room;*
 - h) The length of the balconies associated with Apartments 1.12 and 1.13 increased in length from 5 metres to 6 metres, and the balconies associated with Apartments 2.10 to 2.11 increased from 5 metres to 5.5 metres;*
 - i) Balconies associated with Apartments 1.11 and 1.14 to be no less than 50% clear to the sky;*
 - j) The design to demonstrate compliance with Standard D29 to provide for at least 40% of the dwellings with effective cross ventilation;*
 - k) Details of screening to be provided to all south facing habitable room windows and balconies on the first, second and third floors within 9 metres of the rear boundary to avoid unreasonable overlooking into adjoining properties;*
 - l) Details of height and materials of construction for all internal fencing to private open space areas;*
 - m) Fencing between private open space areas within the front setback of the site reduced in height to match the proposed front fence;*

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- n) Decorative screen fencing to replace the timber fencing to the ground floor apartments facing the central courtyard;*
 - o) A passing area at least 6.1m wide and 7m long provided at the entrance of the property in accordance with the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme;*
 - p) The location of vehicle electrical charging facilities and associated infrastructure in the basement;*
 - q) A corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 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;*
 - r) Provision for a decorative screen wall with details of shrub planting to screen the gas meter enclosure in the secluded open space ground floor apartment G.03. This is to include an elevation specifying height, materials and decoration;*
 - s) An amended landscaping plan showing the deletion of the electrical substation in the property frontage and provided with an additional canopy tree and landscaping to be consistent with the development plans;*
 - t) A reduction in the extent of paving provided in the front setback, particularly around the main pedestrian entrance to the building and landscaping provided on both sides of the entrance extended to the front boundary;*
 - u) A reduction in the paving at the front of apartment G.06 by relocation of the visitor bicycle spaces to be integrated into the front entrance area of the building. Additional landscaping be provided along the frontage and within the open space area.*
 - v) All windows and glazed doors to apartments facing High Street Road to be provided with double glazing;*
 - w) A notation on the site plan to require reinstatement of the nature strip of three existing crossovers to be removed.*
 - x) An external lighting plan in accordance with the requirements of conditions 6;*
 - y) Changes required in accordance with the Waste Management Plan as requested in condition 8;*
 - z) Changes required to satisfy the Sustainable Management Plan in accordance with Condition 9; and*
 - aa) Changes required to satisfy the Wind Assessment in accordance with Condition 10.*
 - bb) All changes required by the Department of Transport and the Suburban Rail Loop Authority in accordance with Conditions 27 to 39.*

All to the satisfaction of the Responsible Authority.

Layout not to be Altered

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

Landscaping Plan

- 3. Concurrent with the endorsement of any plans requested 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. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by John Patrick Architects (Revision B) dated 3 August 2021 except that the plan must show:**
- a) The revised building layout in accordance with the amended development plan (TP06- TP18, Revision B dated 2 March 2022) and any changes required under condition 1 of this permit;**
 - b) The landscaping details for all upper floor balconies including details of planting to achieve a cascading effect over the balconies;**
 - c) A reduction in the extent of paving provided in the front setback, particularly around the main pedestrian entrance to the building with and landscaping provided on both sides of the entrance extended to the front boundary.**
 - d) A reduction in the paving at the front of apartment G.06 by relocation of the visitor bicycle spaces to be integrated into the front entrance area of the building. Additional landscaping be provided along the frontage and within the open space area.**
 - e) Deletion of the electrical substation at the western end of the frontage and the area replaced with and an additional canopy tree and surrounded by landscaping;**
 - f) Deletion of the pedestrian pathway along the western side of the building and replaced with landscaping;**
 - g) Provision for a decorative screen wall with details of shrub planting to screen the gas meter enclosure in the secluded open space ground floor apartment G.03;**
 - h) Details of all proposed paving;**
 - i) Details of all rain gardens (as identified within the Sustainability Management Plan) and any associated green infrastructure to the roof top garden; and**
 - j) The provision of an in-ground, automatic watering system linked to rainwater tanks on the land servicing the main garden areas.**
- all to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit.**
- 4. Before the use starts, 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 thereafter.**

Street Tree Removal & Replacement

- 5. The existing street tree (Acer species) at the eastern end of the frontage will be removed and replaced by Council at the cost of the developer prior to the commencement of the development.**

Lighting Plan

- 6. Concurrent with the endorsement of any plans requested pursuant to Condition 1, a Lighting Plan prepared by a suitably qualified or experienced Lighting**

Engineer must be submitted to and approved by the Responsible Authority. The Lighting Plan must show:

- a) Location of any external lighting;***
- b) Intensity of lighting limited so as not to cause any loss of amenity to occupiers of nearby land and/or excessive light spill to public open space conservation areas to the satisfaction of the Responsible Authority.***

When approved, the plans will be endorsed and then form part of the Permit.

- 7. All external lighting must be designed, baffled, located and maintained to prevent light spill from the site causing any unreasonable amenity or environmental impacts on the locality, to the satisfaction of the Responsible Authority.***

Waste Management Plan

- 8. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan must be approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design, dated 4 March 2022 but revised to show the:***

- a) Sufficient areas for the anticipated waste volumes, including organics recycling;***
- b) Increased area of the waste room; and***
- c) Provision of scaled plans detailing the proposed waste collection process including; bin collection areas, the strategy for bin transfer from storage area to collection point & transfer routes and gradients; and plans for hard waste and e-waste collection and disposal.***

to the satisfaction of the Responsible Authority

When approved, the plans will be endorsed and then form part of the Permit. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

- 9. Prior to the commencement of any site works (including any demolition, vegetation removal and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. Once approved, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:***

- a) Pedestrian and cyclist access through and around the construction site including ongoing connections to the adjoining shared user path network;***
- b) Appropriate measures to control noise, dust and water and sediment laden runoff;***
- c) Appropriate measures to prevent silt or other pollutants from entering into the Council's drainage system or onto the road network;***
- d) Appropriate measures relating to removal of any hazardous or dangerous material from the site, where applicable;***

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- e) *A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network or drainage system;*
- f) *A program for the regular cleaning and maintenance of the 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) *Measures to provide for public safety and 24 hour site security;*
- i) *A plan showing the location of parking areas for all construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to the surrounding location. 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) *A swept path analysis, using the largest truck anticipated on site, demonstrating the ability of trucks to enter and exit the site in a safe and timely manner.*
- l) *Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;*
- m) *The provision of 24 hour contact details of key construction site staff; and*
- n) *Restriction on hours of work on site, including demolition, excavation or general construction works, to 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)*
 - *No works are permitted on Sundays or Public Holidays.*
- Unless prior written consent is provided by the Responsible Authority these hours cannot be varied.*

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

Sustainable Management Plan (SMP)

10. *Concurrent with the endorsement of plans requested pursuant to Condition 1, a Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the SMP prepared by Low Impact Development Consulting Dated 23 December 2021, except that the plan must be modified to show:*
- a. *Any changes required by Condition 1 of this planning permit;*

Upon approval the Sustainable Management Plan 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.

Pedestrian Wind Level Assessment

11. Concurrent with the endorsement of plans requested pursuant to Condition 1, a pedestrian wind level assessment must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Desktop Pedestrian Level Wind Assessment prepared by Global Wind Technology Services Pty Ltd Dated 4 May 2022, except that the plan must be modified to show:

a) Any changes required by Condition 1 of this planning permit;

Upon approval the Pedestrian Wind Level Assessment will be endorsed as part of the planning permit and the development must incorporate the recommendations to the satisfaction of the Responsible Authority.

Tree Protection

12. All existing vegetation shown on the endorsed plans marked to be retained, must not be removed, destroyed or lopped without the further written consent of the Responsible Authority.

13. Prior to the commencement of any works permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, must be marked and provided with a protective barricade to ensure the retention. The installation and maintenance of these barriers must be verified by a qualified landscape architect or horticulturist.

14. All work within the dripline of any tree to be retained (including trees on site and adjoining properties) 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.

15. No building material, demolition material earthworks, machinery or vehicles shall be parked, stored or stockpiled under the canopy line of any tree identified as "to be retained" during the construction period of the development hereby permitted.

Car Parking and Accessways

16. On site visitor parking spaces are to clearly marked.

17. Before the uses start, 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; and*
 - 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.

- 18. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.*
- 19. Car parking within the development must be allocated as follows:*
 - (a) Provision of no less than 1 car space to each one or two bedroom dwelling.*
 - (b) Provision of no less than 2 car spaces to each three or more bedroom dwelling.*
 - (c) Provision of residential visitor car parking in accordance with clause 52.06.*

Any future subdivision of the development must provide for car parking in accordance with the above-mentioned requirement on Title to the satisfaction of the Responsible Authority.

Privacy screens

- 20. Prior to the occupation of the building, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority. Note: The application and use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.*

Services and Plant Equipment

- 21. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.*
- 22. 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.*
- 23. 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.*

Drainage & Stormwater

- 24. The site must be drained to the satisfaction of the Responsible Authority.*

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- 25. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.**

Satisfactory Continuation

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

Department of Transport Conditions (Ref: PPR:37218/21-A)

- 27. Prior to the occupation of the development, all disused or redundant vehicle crossings must be removed, and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.**

- 28. Prior to the occupation of the development, the crossover and driveway are to be constructed to the satisfaction of the Responsible Authority at no cost to the Head, Transport for Victoria.**

- 29. The level of the footpath must not be lowered or altered in any way to facilitate access to the site.**

- 30. Vehicles must enter and exit the site in a forward direction at all times.**

Suburban Rail Loop Authority Conditions (SCO15/2022/04)

- 31. Unless otherwise agreed in writing with Suburban Rail Loop Authority, before the development starts (including demolition and excavation), detailed design drawings must be submitted to the satisfaction of Suburban Rail Loop Authority. When approved, the plans will be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions, be generally in accordance with the plans by Jesse Ant Architects, date stamped 2 March 2022 but modified to show:**
- a) all excavation and footing details in accordance with the Engineering Report required by Condition 32 (Engineering Report) below.**
 - b) excavation depths for all buildings, structures and retaining walls (including excavation required for services and utilities) to be shown at Australian Height Datum (AHD) on floor plans and elevations;**
 - c) foundations and footing designs of all buildings, structures and retaining walls, (including pile designs and associated loadings if applicable).**
- 32. Unless otherwise agreed in writing with Suburban Rail Loop Authority, before the development starts (including demolition and excavation) and before the submission of plans under Condition 31 (Amended Plans), an Engineering Report from a suitably qualified engineer must be submitted to and approved by Suburban Rail Loop Authority. The report must outline the design, management and construction techniques to be implemented prior, during and following**

construction to prevent any impact on Suburban Rail Loop East and associated infrastructure. Once approved, the Engineering Report will form part of the planning permit. All relevant structural and geotechnical issues must be considered, and the report must demonstrate the following:

a) that the building footings will not compromise the structural integrity of, or damage or displace Suburban Rail Loop East and associated infrastructure. In this case, demonstrating that the increase in unfactored loading from the footings and piles, if adopted, at RL 95.2 m AHD beneath the south western corner of the building does not exceed 50 kPa would be considered to satisfy this requirement (unloading from basement excavations should not be included in this assessment);

b) any hold points that will require an inspection by Suburban Rail Loop Authority (in accordance with Condition SC4 (Inspection by SRLA) (below) and approval prior to releasing the hold points;

c) that the development and construction methods will appropriately manage and mitigate any impacts from construction vibration on Suburban Rail Loop East and associated infrastructure.

- 33. All design, excavation and construction must be undertaken in accordance with the Engineering Report approved under Condition 32 (Engineering Report) (above), unless alterations or modifications are approved in writing by Suburban Rail Loop Authority.*
- 34. The permit holder must contact Suburban Rail Loop Authority to arrange inspections of the development during the construction of the development at the hold points identified in the Engineering Report.*
- 35. Where any alterations or modifications to the plans endorsed under Condition 30 (Amended Plans) are not consistent with the Engineering Report prepared in accordance with Condition 32 (Engineering Report) (above), the prior written consent of Suburban Rail Loop Authority must be obtained.*
- 36. Piled foundations used for the development must not intrude below RL 110 m AHD into land affected by Special Control Overlay SCO15 unless otherwise agreed in writing by Suburban Rail Loop Authority.*
- 37. Unless otherwise agreed in writing with Suburban Rail Loop Authority, before development starts (including demolition and bulk excavation), a Demolition and Construction Management Plan must be submitted to the satisfaction of Suburban Rail Loop Authority. The Demolition and Construction Management Plan must include details of (but not be limited to) management proposals to minimise impacts to Suburban Rail Loop East and associated infrastructure during demolition and construction, and must set out objectives and performance and monitoring requirements for:*
- a) the demolition and construction program;*
- b) any demolition, excavation or construction mitigation measures identified in the Engineering Report (or approved in accordance with Condition 31 (Engineering Report)).*

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- c) management of drainage, effluent, material stockpiles, fencing and hoardings to ensure Suburban Rail Loop Authority area land or Suburban Rail Loop East and associated infrastructure is not used for, or impacted by these activities;*
 - d) measures to ensure that all works on the land will be carried out in accordance with the Demolition and Construction Management Plan.*

- 38. All demolition and construction works must be carried out in accordance with the Demolition and Construction Management Plan. The Demolition and Construction Management Plan must be implemented at no cost to Suburban Rail Loop Authority.*
- 39. Unless otherwise agreed in writing with Suburban Rail Loop Authority, the permit holder must ensure that no Suburban Rail Loop East infrastructure, assets or services are damaged or altered as a result of the development. Any damage must be rectified to the satisfaction of Suburban Rail Loop Authority, at the full cost of the permit holder*

Time for Starting and Completion

- 40. 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.**

NOTES

- A. This is not a Building Permit. Building Permit approval must be obtained prior to the commencement of the above approved works.*
- B. Council's Horticultural Department must be contacted regarding the removal of the street tree proposed.*
- C. Any residents of the approved development will not be entitled to car parking permits for on street car parking.*
- D. A detailed plan of the vehicle crossing/traffic island access arrangement to High Street Road must be submitted to the Responsible Authority for approval. A Road Opening Permit, with associated refundable security bond, will be required from Council's Engineering Department prior to the roadworks commencing.*

- E. 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.*
- F. 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 is to be detained on site to the predevelopment level of peak stormwater discharge.*

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. Approval of any detention system is required by the City of Monash prior to works commencing.

- G. The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:*
- a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or*
 - shaping the internal driveway so that stormwater is collected in grated pits within the property; and or*
 - another Council approved equivalent.*
- H. 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 Department of Transport pit in the nature strip 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.

- I. 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.*
- J. The existing side entry pit is to be converted to a junction pit with a medium duty cast iron frame and lid. A new side entry pit is to be constructed 1.0 metre away from the edge of the modified crossing to Council/Department of Transport standards.*
- K. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be*

constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.

- L. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.*
- M. Any works within the road reserve must ensure the footpath and nature strip are to be reinstated to Council standards.*
- N. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.*
- O. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.*

Notes required by Department of Transport

- P. The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.*
- Q. The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact DoT (Roads) prior to commencing any works.*

Notes required by Suburban Rail Authority

- R. Please contact Suburban Rail Loop Authority on 1800 105 105 or infrastructure.protection@srla.vic.gov.au when 'as-constructed' details of the building's footings (and if piled, the piling records) are available, to ensure they are considered as part of the detailed design of Suburban Rail Loop East.*
- S. Should the development be constructed at the same time as Suburban Rail Loop East (in this area), communication between the permit holder and Suburban Rail Loop Authority is critical to coordinate the logistics of both projects. Please contact the Suburban Rail Loop Authority on 1800 105 105 or infrastructure.protection@srla.vic.gov.au.*

CARRIED

1.4 1-131 Wellington Road, Clayton - Part demolition and construction of alterations and additions to an existing building in a Heritage Overlay

Moved Cr Little

Seconded Cr Samardzija

That Council resolves to Grant a Planning Permit (TPA/53725) for part demolition and construction of alterations and additions to an existing building in a Heritage Overlay, at 1-131 Wellington Road, Clayton subject to the following conditions:

Amended Plans

1. *Before the development starts, plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application by Lyons Architecture Revision 1-3 dated September 2021, but modified to show:*
 - a) *Details of replacement for triple paned windows;*
 - b) *Details of the surface finish of all replacement window frames;*
 - c) *A methodology for the removal, storage and safe reinstatement of the timber batten ceilings to the colonnade;*
 - d) *A design proposal which respects the character of the building must be supplied for the pressed cement panel to be installed at the north façade lift shaft;*
 - e) *A revised exterior paint colour scheme to be closely matching the historical colour scheme;*
 - f) *Sight line diagrams for roof works to the north and south wing parapets.*

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.*

Archival Record

3. *Prior to any demolition works commencing on the site, an annotated photographic heritage record of the elements of the Menzies Building to be demolished or altered must be prepared to the satisfaction of the Responsible Authority. A copy of the study must be submitted to the Responsible Authority. The study must include:*
 - a) *Views of each elevation of the building; and*
 - b) *Architectural design detailing of the building.*

Images must be presented to a high quality and resolution to the satisfaction of the Responsible Authority.

Structures above the roof.

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- 4. No additional 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

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

Permit Expiry

- 6. 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 2 years from the date of issue.**
 - b) The development is not completed before 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

- A. Building Permit approval for the works must be obtained prior to the commencement of the approved works**
- B. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.**
- C. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.**

CARRIED

1.5 8-20 King Street, Oakleigh – Amendment to an existing permit for office development to provide for additional basement storage and car parking

Moved Cr McCluskey

Seconded Cr Luo

That Council resolves to Grant an Amendment to Planning Permit (TPA/52498) for buildings and works to construct ten (10) buildings and a basement car park for the use of office, caretaker's dwelling and food and drink premises in the Industrial 1 Zone and Design and Development Overlay Schedule 1 and reduction of on-site car parking provision, at 8-20 King Street, Oakleigh subject to the following changes to permit conditions (changes underlined or deleted):

Amended Plans Required

1. *Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by Jam Architects Pty Ltd, dated 21 June 2021 (Revision B) but modified to show:*
 - a) *The car stacker systems split to have no more than 14 spaces per stacker system while maintaining the total number of parking spaces;*
 - a) *A notation referring to the tree protection measures to the street tree on King Street (east of the western vehicle crossover) in accordance with condition 20 of this permit.*
 - b) *Provision of a 2m long by 2.5m deep pedestrian sight line on the west side of the proposed crossover on King Street;*
 - c) *The street tree closest to the vehicle crossover in King Street and the street tree in Edward Street marked and notated 'to be removed by Council';*
 - d) *The required fire services, electricity supply, gas and water meter boxes; and*
 - e) *An amended Landscape Plan prepared in accordance with Condition 3.*

All to the satisfaction of the Responsible Authority.

Layout not to be altered

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

Landscaping Plan

3. *Concurrent with the endorsement of any plans requested 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. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by John Patrick (Revision A) dated 1 July 2021 but modified to show:*
 - a) *the most eastern street tree closest to the eastern vehicle crossover in King Street marked to be removed;*
 - b) *any required fire services, electricity sub-station, gas, electricity and water meter boxes discreetly screened and integrated into the landscaping.*

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- c) The closest street tree to the east of the western vehicle crossover annotated 'to be retained and protected' in accordance with condition 20 of this permit.*

All to the satisfaction of the Responsible Authority

Waste Management Plan

- 4. The provisions, recommendations and requirements of the endorsed Waste Management Plan prepared by One Mile Grid Pty Ltd dated 10 August 2021 must be implemented and complied with to the satisfaction of the Responsible Authority.*

Car Park Management Plan

- 5. Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:*
- a) The number and location of car parking spaces allocated to each tenancy;*
 - b) Any tandem parking spaces allocated to a single tenancy;*
 - c) The number and location of car spaces for shared use, including time of shared use;*
 - d) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;*
 - e) The Car Parking Management Plan must detail any barrier mechanisms within public parking areas;*
 - f) Details of way-finding, cleaning and security of end of trip bicycle facilities;*
 - g) Policing arrangements and formal agreements;*
 - h) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;*
 - i) The collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by this Permit; and,*
 - j) Details regarding the management of loading and unloading of goods and materials.*

Construction Management Plan

- 6. Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) 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 CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:*
- a) Appropriate measures to control noise, dust and water and sediment laden runoff;*
 - b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*

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- c) *Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;*
 - d) *A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network;*
 - e) *A program for the cleaning and maintaining surrounding road surfaces;*
 - f) *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;*
 - g) *Measures to provide for public Safety and site security;*
 - h) *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;*
 - i) *A Traffic Management Plan showing truck routes to and from the site;*
 - j) *A 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;*
 - k) *Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;*
 - l) *The provision of contact details of key construction site staff; and*
 - m) *Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or 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)*
 - *No works are permitted on Sundays or Public Holidays.*

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

Sustainability Management Plan

7. *The provisions, recommendations and requirements of the endorsed Sustainability Management Plan prepared by Sustainable Development Consultants, dated March 2021 must be implemented and complied with to the satisfaction of the Responsible Authority.*

Amenity of Area

8. *The amenity of the area must not be detrimentally affected by the use or development, through the:*
 - a) *transport of materials, goods or commodities to or from the land;*
 - b) *appearance of any building, works or materials;*

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- c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and*
 - d) *presence of vermin.*

All to the satisfaction of the Responsible Authority.

Car Parking and Accessways

- 9. *Before the use starts or any building is occupied, 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.

- 10. *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.*

Services and Plant Equipment

- 11. *All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.*
- 12. *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.*
- 13. *Any required fire services, electricity supply, gas and water meter boxes must be discreetly located and/or screened to compliment the development to the satisfaction of the Responsible Authority. Any required services must be clearly detailed on endorsed plans forming part of this permit.*
- 14. *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.*

Drainage and Stormwater

- 15. *The site must be drained to the satisfaction of the Responsible Authority.*
- 16. *No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.*

- 17. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash prior to works commencing, or any alternate system.**

Caretaker's Residence

- 18. The caretaker's residence must only be occupied by a bona fide employee in a supervisory, management or caretaker capacity of the approved uses undertaken on the land to the satisfaction of the Responsible Authority.**

Food and Drink Premises

- 19. Except with the prior written consent of the Responsible Authority, the food and drink premises located within Building J may operate only between the hours of 6:00am to 10:00pm Monday to Sunday.**

Tree Protection

- 20. The closest street tree to the east of the western vehicle crossover is to be protected and maintained by carrying out the following:**
- a. Hand excavation only must be carried out at the crossover edge, closest to the tree.**
 - b. Any roots encountered larger than 30mm diameter must be cut cleanly. They must not be broken off with machinery or left jagged.**
 - c. The balance of crossover preparation can be completed as per normal methods after the initial work above**
 - d. Photographic evidence of the above preparation work is to be provided to Council officers to confirm compliance with the above, alternatively arrangement for a Council officer to inspect and confirm compliance must be made.**
 - e. If two or more roots are encountered at the initial excavation line, are greater than 80mm diameter, work is to be put on hold until a Council arborist can attend to determine the degree of critical impact; alternatively hydro excavation inspection prior commencement of any works could be implemented to help determine any necessary requirements**

Satisfactory Continuation

- 20. 21Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**

Time for Starting and Completion

- 21. 22 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 started before 2 years from the date of issue.**
 - b) The development is not completed before 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:**

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- (i) within six (6) months afterwards if the use or 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.*

NOTES:

- A. This is not a Building Permit. Building Permit approval must be obtained prior to the commencement of the above approved works.*
- B. Council's Horticulture Department must be contacted regarding the removal of the street tree proposed.*
- C. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council's Engineering Department.*
- D. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.*
- E. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.*
- F. The proposed vehicle crossing is to be constructed in accordance with the City of Monash standards.*
- G. All new 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.*
- H. All service pits and service infrastructure (including power poles) near or within existing and proposed vehicle crossings are to be relocated or modified to the satisfaction of the Responsible Authorities.*
- I. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.*
- J. Unless no permit is required under the planning scheme any signs must not be constructed or displayed without a further permit.*
- K. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.*

L. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.

CARRIED

1.6 554-558 High Street Road, Mount Waverley - Construction of a six storey building to be used as affordable housing

Moved Cr Luo

Seconded Cr Klisaris

That Council:

- 1. Notes the submission from Urbis in relation to the development of a multi-level residential development under the Victorian Big Housing Build stimulus at 554-558 High Street Road, Mount Waverley.*
- 2. Directs the Director City Development to write to the applicant in response to the submission generally stating:*
 - a. That it is Council's view that the proposal is generally consistent with the provisions of Clause 52.20 of the Monash Planning Scheme and the approved development under Planning Permit TPA/49751A;*
 - b. There are a number of minor concerns with the proposed development as outlined in this report including: balcony sizes, lack of double glazing, visual bulk, materials and ground floor activation; and*
 - c. That a number of conditions are recommended for approval to alleviate these concerns as follows:*
 - i. The reconfiguration of apartments on the ground floor fronting High Street Road, with integration of a food and drinks premise and communal space to activate this frontage*
 - ii. An increase in the setback of Level 6 to the southern property boundary from 7.396 to 9.1 metres, addressing visual bulk to the south.*
 - iii. A revision of fenestration and application of materials to provide for a higher quality built form outcome.*
 - iv. An increase in the size of balcony areas on levels 1, 3 and 4 to comply with Clause 52.20-7.10.*
 - v. The size of storage cages within the basement to be provided on plans to comply with in Clause 52.20-7.11.*
 - vi. The use of double glazing to windows, as recommended in the Sustainability Management Plan*

CARRIED

1.7 Monash Boulevards – Release draft UDF for consultation

Moved Cr Samardzija

Seconded Cr Luo

That Council:

- 1. Notes the content and actions in the Draft Monash Boulevards Urban Design Framework appended to this report.*
- 2. Release the Draft Monash Boulevards Urban Design Framework for community consultation in accordance with the consultation program set out in this report.*
- 3. Notes that a further report will be presented to Council upon the completion of the community consultation.*

CARRIED

1.8 Draft Student and Shared Accommodation Guidelines and Policy

Moved Cr Samardzija

Seconded Cr Luo

That Council:

- 1. Notes the content and recommendations of the Draft Monash Student and Shared Accommodation Guidelines and Policy.*
- 2. Notes that broad community consultation on the revised Student and Shared Accommodation Guidelines and Policy is proposed to be undertaken jointly as part of the formal planning scheme amendment process.*
- 3. Request the Minister for Planning to authorise Council, pursuant to Section 8A of the Planning and Environment Act, to prepare Amendment C171*
- 4. Authorise the Director City Development to prepare and finalise the planning scheme amendment documentation in accordance with this report.*
- 5. Upon receiving authorisation from the Minister for Planning, prepare Amendment C171 and exhibit the Amendment in accordance with Section 19 of the Planning and Environment Act (1987).*

CARRIED

1.9 Bogong Car Park Extension Project

Moved Cr Zographos

Seconded Cr Luo

That Council:

- 1. Notes that this report and Council's consideration contained within is as an owner of land within the Glen Waverley Activity Centre and not as the Responsible Authority for the Monash Planning Scheme.*

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- 2. Notes the 2 schematic design options prepared by Katz Architecture for the upgrade and extension of the existing multi-level car park at 1-5 Bogong Avenue, Glen Waverley (Site) as shown in Attachment 2.*
 - 3. Notes that Option 2 provides the opportunity to fully optimise the existing site and maximise the extension capacity of the existing car parking building by providing for 518 additional car spaces with a completed total capacity of 1,032 car parking spaces.*
 - 4. Notes that the construction of this carpark will partly meet Council's obligation for replacement/additional car spaces within the Activity centre and there is a reliance on the Suburban Rail Loop Authority to provide for the remaining replacement car parking spaces.*
 - 5. Resolves that Option 2 – inclusive of a 4 level extension, is the preferred option to deliver on Council's obligation to provide replacement and additional car parking in the Glen Waverley Activity Centre.*
 - 6. Notes that under the Monash Planning Scheme the site is within a Commercial 1 Zone and subject to the Glen Waverley Major Activity Centre - Design and Development Overlay Schedule 12 (Area E), and that a planning permit is required for construction of the car park upgrade and extension.*
 - 7. Notes that the Glen Waverley Activity Centre Structure Plan was prepared in 2014.*
 - 8. Notes that the Suburban Rail Loop Authority in their role as Planning Authority within their legislation, have indicated that they will be reviewing the Glen Waverley Activity Centre Structure Plan as part of the Station Precinct Planning Project for the SRL Project.*
 - 9. Notes that the average building height of Option 2 is 19.5 metres, (18.9 metres at its lowest point and 20.2 metres at its highest point) (excluding the architectural blades/mesh covering and services), noting that the Glen Waverley Major Activity Centre - Design and Development Overlay Schedule 12 (Area E) identifies a preferred discretionary height of 15 metres further noting that:
 - a. The precinct land immediately to the north of the site has a preferred height limit of 29 to 36 metres, with one building constructed and another in the process of being constructed (noting that works have stopped on that site for the time being).*
 - b. land on the southern side of Bogong Avenue has a preferred height of 13.5 metres and future and further development intensity is anticipated through the SRLA Precinct Planning process.*
 - c. the Site is also impacted, in part, by a proposed Specific Control Overlay 15 – Infrastructure Protection associated with the Suburban Rail Loop Authority's Project in the Glen Waverley Activity Centre.**
 - 10. Resolves that:
 - a. Option 2 (a 4 level extension) is the preferred design option outcome.**

b. Option 2 will form the proposal submitted for the planning permit application.
c. Council consents to Council's consultant Architect, Katz Architecture, lodging the planning permit application with Council.

- 11. Notes that once the planning permit application is lodged it will be considered by Council in its capacity as the Responsible Authority for the Monash Planning Scheme and this planning permit process will include a formal statutory public notification period for the permit application.*
- 12. Notes that prior to and independently of any planning permit application notification process, Council will be undertaking an information session to engage with the Glen Waverley Traders Association and local residents on the Bogong Car Parking proposal and other activities and issues associated with the Suburban Rail Loop project.*
- 13. Notes that, subject to Council approval, this independent community engagement will include Option 2 (a 4 level extension) of the existing Bogong Avenue carpark will also form part of the community consultation and engagement process focusing on the SRLA project and its broader impacts on the Activity Centre (as resolved by Council at its 31 May 2022 Council meeting as recommended by the Glen Waverley Activity Centre Steering Committee) which is scheduled to occur on 13 July 2022.*

CARRIED

2. COMMUNITY SERVICES

Nil.

3. CORPORATE SERVICES

3.1 Report on Submissions for Draft Budget 2022/23

Moved Cr McCluskey

Seconded Cr Luo

That Council:

- 1. receives the report from the Committee of Council (the Committee) on the submissions received for the proposed Budget 2022/23; and*
- 2. having considered the Committee Report, endorses the recommendations of the Committee:*
 - a. no other changes be made to the Adopted Budget 2022/23 resulting from the submissions; and*
 - b. each submitter, be thanked for their submission to the Budget and be advised of the outcome of the reports to adopt the Budget, in writing.*

CARRIED

3.2 Proposed Annual Budget 2022/23

Moved Cr James

Seconded Cr Samardzija

That Council having prepared and given public notice of the proposed 2022/23 Annual Budget in accordance with Section 94 of the Local Government Act 2020 (the Act), and having conducted a consultative process, including having received and considered submissions, resolves:

- 1. to adopt 2022/23 Annual Budget, in accordance with Section 94 of the Local Government Act 2020 in the same form as the proposed 2022/23 Annual Budget of which Council gave public notice (with minor adjustments as outlined in this report);*
- 2. to apply differential rating using Capital Improved Value (CIV) as the basis of valuation to all rateable land to raise rates by 1.75 per cent in 2022/23 and the estimated amount it intends to raise by way of General Rate income is \$136,818,639, comprising:
 - a) an amount of \$135,428,796 which is intended to be raised by the General Rates;*
 - b) an estimated amount of \$1,133,220 of supplementary rate income growth*
 - c) an amount of \$256,623 in lieu of rates in accordance with the Cultural and Recreational Lands Act 1963;**
- 3. to recognise that ratepayers receiving pensions should be given assistance to remain in their homes, maintains the Council funded \$50 rate rebate to assist eligible pensioners ("eligible pensioners" within the meaning of the State Concessions Act 2004) with their Council rates;*
- 4. to apply a service charge under Section 162 of the Act, Recycling & Waste Charge of \$46 per rateable property; and also provide a \$46 waiver under Section 171 of the Local Government Act 1989 for eligible pensioners towards the Recycling & Waste Charge;*
- 5. that rates will be raised by the application of Differential Rates:
 - a) the General Residential Rate of 0.00132475 cents in the dollar applied to the Capital Improved Value (CIV) of all residential rateable land;*
 - b) the General Non-Residential Rate of 0.00153235 cents in the dollar applied to the Capital Improved Value (CIV) of all non-residential rateable land;**
- 6. that the declaration of the General Residential Rate and General Non-Residential Rate will contribute to the equitable and efficient carrying out of its functions. The Rates will be applied to all rateable properties;*
- 7. that the Rates will be separately levied in respect of each portion of rateable land for which Council has as separation valuation (unless Council has determined a charge in lieu of rate in accordance with the Cultural and Recreational Lands Act 1963);*
- 8. that Council provides a concession of 60% of the relevant rate for qualifying properties in accordance with the Cultural and Recreational Lands Act 1963 (CRLA);*
- 9. in accordance with Section 167 of the Local Government Act 1989, declares the rates and charges must be paid:
 - a) in a lump sum on or before 15 February 2023; or*
 - b) by 4 instalments on or before:
* 30 September 2022**

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- * 30 November 2022
 - * 28 February 2023
 - * 31 May 2023; or
- c) by 10 instalments on or before:
- * 01 September 2022
 - * 01 October 2022
 - * 01 November 2022
 - * 01 December 2022
 - * 03 January 2023
 - * 01 February 2023
 - * 01 March 2023
 - * 01 April 2023
 - * 02 May 2023
 - * 01 June 2023

10. will apply interest to overdue rates and charges payments in accordance with Section 172 of the Local Government Act 1989, noting that the rate of the interest is payable on the rates and charges which have not been paid by the dates declared, is fixed in accordance with Section 2 of the Penalty Interest Rates Act 1983;
11. allows for overdue non-instalment payers, an additional 21 days from the 15 February to pay any overdue rates, before the application of the interest referred to in part 11 of this resolution; and
12. give public notice of its decision to adopt the 2022/23 Annual Budget in accordance with the Act.

AMENDMENT

Moved Cr Luo

Seconded Cr Little

Adds a point that Council allocate the funding of \$65,000 provisionally to the Glendi festival for a moon festival to be held in the second half of the year of 2022 on a once off basis noting that the organising committee for the Glendi event has advised they will not be staging this event in 2022.

The amendment was acceptable to the mover, seconder and all Councillors and became the substantive motion.

CARRIED

SUBSTANTIVE MOTION

AMENDMENT

Moved Cr Little

Seconded Cr McCluskey

Adds a point that Council allocates \$45,000 for activities during seniors month in October of this year and especially to include a new event which will be a seniors expo to be held on Sunday 30 October 2022.

The amendment was acceptable to the mover, seconder and all Councillors and became the substantive motion.

CARRIED

SUBSTANTIVE MOTION

PROCEDURAL MOTION

Moved Cr James

Seconded Cr Samardzija

That Cr James be allowed to move an amendment.

CARRIED

AMENDMENT

Moved Cr James

Seconded Cr Zographos

Adds a point that \$100,000 in funding is allocated for the completion of detailed design work to the proposed shared use path between Jordanville Station and Mount Waverley Station, otherwise known as the Waverley Rail Trail.

The amendment was acceptable to the mover, seconder and all Councillors and became the substantive motion.

CARRIED

SUBSTANTIVE MOTION

The substantive motion was debated and put to the vote and declared carried.

CARRIED

4. INFRASTRUCTURE & ENVIRONMENT

4.1 Kerbside Collection Contract Variation

Moved Cr McCluskey

Seconded Cr Luo

That Council:

- 1. Notes that on 19 May 2022, the CEO approved a variation to 2019113 Kerbside Collection Contract, by Rico Enterprises Pty Ltd (Solo Resource Recovery) in the amount of \$317,152, being 10% or \$100,000 greater than the original contract sum awarded;*

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2. *Notes that the Procurement Policy Item 2.4.2.2 authorises the Chief Executive Officer to authorise variations greater than 10% or greater than \$100,000 of the original contract sum, where Exceptional Circumstances exist;*
 3. *Notes that “Exceptional Circumstances” are defined in Item 1.2 of the Procurement Policy as “Where the health and safety of people, the integrity of assets is compromised, or there is a risk of financial exposure due to a delay in works, unless immediate action is taken”; and*
 4. *Notes that the revised contract value is now \$93,542,117.*

CARRIED

4.2 Clayton South Regional Landfill User Group Budget 2022/23

Moved Cr Samardzija

Seconded Cr Luo

That Council, as a member of the Clayton South Regional User Group, note the Clayton South Regional Landfill User Groups Management Committee’s recommended Management, Rehabilitation and Monitoring works Budget for 2022/23 year and the future projected cash flow.

CARRIED

4.3 Tender for Eastern Transport Coalition Consultancy Services

Moved Cr James

Seconded Cr Luo

That Council:

1. *Awards the tender from The Agenda Group for the Eastern Transport Coalition – Consultancy Services Contract No. 2022110 for an initial period of four (4) years for a fixed Lump Sum of \$330,000*
2. *Authorises the Chief Executive Officer or their delegate to execute the contract agreement;*
3. *Notes that the contract will commence on 1 July 2022 and the expected completion date is 30 June 2026 and that the contract has two extension options of two years each and authorises the Chief Executive Officer or their delegate to approve extension options subject to satisfactory performance; and*
4. *Notes that the total budget (ETC provided) including the contract fixed Lump Sum, Provisional Items and Contingencies is \$660,000 for eight years.*

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

CARRIED

4.4 Local Area Traffic Management Study – Hughesdale Area

Moved Cr James

Seconded Cr Samardzija

That Council:

endorses the traffic management plan and treatments identified in the Local Area Traffic Management (LATM) study of Hughesdale area (LATM 18);

endorses the priority list of traffic management treatments to be undertaken in stages; and

notes the implementation of the recommended LATM plan for the Hughesdale area (LATM 18) is estimated at \$849,000 (ex GST) and will be constructed in stages from 2023 to 2025, subject to budget availability.

CARRIED

4.5 Community Engagement - Cycling Connection - Scotchmans Creek to Djerring Trail, Oakleigh

Moved Cr James

Seconded Cr Little

That Council:

Acknowledges the community feedback on the initial proposal for a 1.4km cycling connection between Scotchmans Creek Trail and the Djerring Trail in Oakleigh

Directs officers to undertake further investigation into issues raised through the community engagement process, and refine the design options and route alignment if required to ensure best outcomes in terms of safety and functionality

Directs officers to report back to Council with the final design in December 2022 for endorsement prior to construction tendering

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Councillors' Meeting Records

Moved Cr McCluskey

Seconded Cr Luo

That Council notes the record of Committee Meetings and Informal Councillors' Meetings.

CARRIED

5.2 Tender for the Provision of Smart Cities Products and Services

Moved Cr Samardzija

Seconded Cr Little

That Council:

- 1. Approves access to the Municipal Association of Victoria, Contract NPN2.18 - Smart Cities Connected Communities for provision of Smart Cities, Products and Services, under Council Contract No. 2022169 for a schedule of rates based contract with an estimated annual contract value of \$505,000 and an estimated total contract value of \$1,515,000 inclusive of all available extension options;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreements or purchase orders; and*
- 3. Notes that the current contracts initial term ends on 21/07/2023 and the contract also has one (1) extension option of two (2) years and authorises the Chief Executive Officer to approve the extension option subject to the Municipal Association of Victoria extension approval and satisfactory performance for the City of Monash.*

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

CARRIED

6. NOTICES OF MOTION

6.1 Council's Discretionary Expenditure Fund Applications – Mayor

Moved Cr James

Seconded Cr Luo

That Council resolves to not approve the following applications for funding from the Council's Discretionary Expenditure Fund:

APPLICANT	PURPOSE	AMOUNT REQUESTED
<i>Syndal Preschool Association</i>	<i>The school would like 3 basic iPads for their new learning program ELLA.</i>	<i>\$1,497.00</i>
<i>Glen Waverley Traders Association</i>	<i>Engaging a contractor to restring the fairy lights in Kingsway.</i>	<i>\$1,000.00</i>
<i>The Indian Performing Arts Convention 2022 – Australia</i>	<i>Contribution request for a support partner on the delivery of the inaugural Indian Performing Arts Convention (IPAC).</i>	<i>\$12,000.00</i>

CARRIED

6.2 Permanent Outdoor Dining - Mayor

Moved Cr James

Seconded Cr Little

That Council

- 1. Sees the value in exploring options for additional outdoor dining areas, whether they be permanent, semi-permanent and/or seasonal.*
- 2. Acknowledges that there has not yet been consultation with traders within Activity Centres to understand their views on any such initiative, including the loss of car spaces, nor has there been any opportunity for the community to share their views.*
- 3. Undertakes trader and broader consultation to understand their views on additional enhanced outdoor dining/trading opportunities and reports back to Council on the outcome of the consultation at or before the September 2022 Council meeting. This will enable Council to consider whether it proceeds with developing a policy for additional enhanced outdoor dining/trading areas (where appropriate) including consideration of:*
 - Agreement or otherwise to the loss of carparking spaces*
 - How any additional enhanced outdoor dining/trading area could be provided.*
 - What other businesses other than hospitality businesses could utilise enhanced outdoor areas.*
 - The look and standard of what additional enhanced outdoor dining areas should deliver, should they be implemented, including, but not limited to, matters such as footpath expansion with realigned kerb and channels and the*

types of additional structures that could be considered to enhance our Activity Centres.

4. That Council includes an allocation of \$50,000 in its 2022/23 budget to facilitate this work.

CARRIED

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

9.1 Bad Debts 2021/22

Moved Cr Samardzija

Seconded Cr McCluskey

That Council, having reviewed and considered the certificate in relation to the matters listed for confidential business, and being satisfied that it is appropriate and necessary to consider this matter at a closed meeting

CARRIED

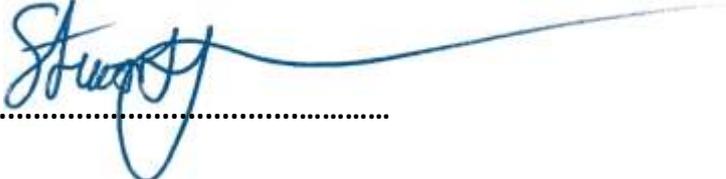
10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Nil.

The Mayor declared the meeting closed at 7:30pm.


MAYOR:

DATED THIS 26TH DAY OF JULY 2022