



CITY OF
MONASH

MINUTES OF THE MEETING OF

COUNCIL

HELD ON 28 MARCH 2023

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 MARCH 2023 AT 7.00 PM.**

MEMORIAL BY THE MAYOR

At the start of the meeting, the Mayor, Cr T Samardzija offered her condolences on behalf of her fellow Councillors and the Monash team, to the family and friends of Russell Hannan, former Councillor for the then City of Waverley 1980-1995. He was elected Mayor in 1985 and 1991. He retired when the City of Waverley was amalgamated into the City of Monash in 1995. Our thoughts are with Russell's family and friends.

PRESENT:

Councillors: T Samardzija (Mayor), N Luo (Deputy Mayor), A de Silva, J Fergeus, B Little, P Klisaris, S James, S McCluskey, T Zographos

APOLOGIES

Councillors: G Lake, R Paterson

DISCLOSURES OF INTEREST

Nil.

CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD ON 28 FEBRUARY 2023

Moved: Cr McCluskey

Seconded: Cr Luo

That the minutes of the Meeting of the Council held on 28 February 2023, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Moved Cr Samardzija

Seconded Cr Little

The Mayor, Cr Samardzija, tabled a petition from 75 proponents in the Mount Waverley Ward regarding the changes to the Damper Creek Off Leash Dog Walking area endorsed by Council at Council meeting of 22 November 2022.

CARRIED

Cr Zographos added his condolences regarding the passing of Russell Hannan. He was someone who was very committed to the City of Monash and the City of Waverley and the community they represent and more broadly Victoria and Australia. Cr Zographos thanked Russell for his service to Monash.

Cr Little acknowledged the passing of Amy Duncan at 89. She fought for women's rights, was part of a grandmothers' group and lead protests as part of her commitment to her family and community.

PUBLIC QUESTION TIME

The Mayor advised that twelve (12) questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 TOWN PLANNING SCHEDULES

Moved Cr Little

Seconded Cr Luo

That the report containing the Town Planning Schedules be noted.

CARRIED

1.2 374 - 384 BLACKBURN ROAD, GLEN WAVERLEY - AMENDMENT TO PERMIT ISSUED FOR THE DEVELOPMENT AND USE FOR THE PURPOSE OF A PLACE OF WORSHIP, ALTERATION OF ACCESS TO A TRANSPORT ZONE AND A REDUCTION IN THE STANDARD CAR PARKING RATE

Moved Cr McCluskey

Seconded Cr Little

That Council resolves to issue a Notice of Decision to Grant an Amended Planning Permit (TPA/48008/A) for the development and use for the purpose of a Place of Worship ~~(demolition of existing building and construction of a new building,~~ alteration of access to a ~~Road Zone Category 1~~ Transport Zone and a reduction in the standard car parking rate, at 374 - 384 Blackburn Road, Glen Waverley subject to the following changes to conditions:

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

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

- a) External walls of the building to be of brick, brick veneer or stone (as required by covenants C812500, C900483 and C726109 registered on titles to the land).*
- ~~b) Deletion of the pedestrian path extending along the eastern setback to the building.~~*
- ~~c) The eastern line of car parking spaces and retaining wall setback an additional 700mm from the eastern title boundary in accordance with EKIST Ref: TPA03 Revision 2 titled "EKIST MARKUP 07.05/2018.~~*
- ~~d) Removal of car space in front setback to Stableford Avenue (adjacent to access way) and replacement with soft landscaping to the satisfaction of the Responsible Authority.~~*
- ~~e) Splaying of north west corner of carpark (deletion of adjacent car space required) and its replacement with soft landscaping to the satisfaction of the Responsible Authority in accordance with EKIST Ref: TPA03 Revision 2 titled "EKIST MARKUP 07.05/2018.~~*
- ~~f) North east and north west corners of buildings recessed to 7.1 metres from the Stableford Avenue title boundary in accordance with the plan prepared by EKIST Ref: TPA04 Revision 1 titled "EKIST MARKUP 07.05/2018.~~*
- ~~g) Details of the proposed landscaping and fencing of the outdoor infant play area fronting Blackburn Road.~~*
- ~~h) Deletion of note to relocate bus stop. The existing bus stop must be retained in its current position and its location shown on the site plan.~~*
- ~~i) Screening along the eastern boundary to a height of not less than 2 metres above the finished floor level opposite the ground floor office~~*
- j) b) Access arrangements to Blackburn Road in accordance with condition 25 and 26.*
- k) c) Provision of 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 each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*
- l) d) A minimum of 2 accessible car parking spaces provided on site. The accessible parking spaces should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 289 0.6. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm. The headroom above each dedicated space and adjacent shared area shall be a minimum of 2500mm.*

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- ~~m) Deletion of any section of the proposed brick retaining wall within the easement along the eastern boundary.~~
- n) e) Details of proposed security measures for the site and carpark outside of operating hours
- o) f) Details of the proposed lighting measures for the site. All lighting must be baffled and located so as not to cause nuisance to adjoining and nearby residential properties.
- g) The location of the bollard in the shared area adjacent to the accessible spaces is to be amended in accordance with AS 2890.6 2009.
- h) Compliance with the car parking dimensions of table 2 of Clause 52.06-9 of the Monash Planning Scheme for the two parallel parking bays
- i) Correlation between the number of carparking spaces shown on the plans and the numerical figure of carparking spaces shown on the plans.
2. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*
 3. *Before the occupation of the buildings allowed by this permit, landscaping 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.*
 4. *The total number of persons on site must not exceed ~~390~~ 300 persons excluding Christmas and Easter services (and other significant holy days on the Christian Calendar) where not more than ~~590~~ 400 persons may be onsite at any one time unless otherwise approved in writing by the Responsible Authority.*
 5. *The total number of persons attending weekday activities (other than church services) must not exceed 250 unless otherwise approved in writing by the Responsible Authority.*
 6. *Unity Services and Youth Group must cease activities by no later than 10.00 pm and the premises vacated by 10.30 pm, unless further approved in writing by the Responsible Authority.*
 7. *Prior to the use commencing, a traffic management plan must be submitted and endorsed by the Responsible Authority. The plan must address traffic management measures to manage traffic and car parking when significant patron numbers are expected on Special Holy Days (e.g. Christmas and Easter services).*
 8. *A minimum of ~~10~~ 4 bicycle parking spaces must be provided on site. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme*

9. *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;*
10. *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.*
11. *Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.*
12. *Any waste storage rooms must be constructed so to prevent the entrance of vermin and must be able to be easily cleaned. The floor must be graded to a sewer connection located within the waste storage room.*

Traffic

13. *Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:*
 - a) *constructed to the satisfaction of the Responsible Authority;*
 - b) *properly formed to such levels that they can be used in accordance with the plans;*
 - c) *surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;*
 - d) *drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;*
 - e) *line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.*

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

14. *The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme as detailed below: The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme as detailed below:*
 - a. *Driveway to provide at least 2.1m headroom beneath overhead obstructions.*

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- b. *Driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.*
 - c. *Ramp grades (except within 5 metres of the frontage) to be designed as follows:*
 - i. *Maximum grade of 1 in 4.*
 - ii. *Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).*
 - d. *A passing area at least 6.1m wide and 7m long provided at the Blackburn Road entrance of the property.*

~~*Vic Roads Conditions*~~ *Transport for Victoria conditions*

15. *Unless otherwise agreed in writing by ~~VicRoads~~ Head, Transport for Victoria, before the development starts, amended plans must be submitted to and approved by the Roads Corporation (~~VicRoads~~). When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plan must be generally in accordance with the Proposed Site Plan (Job No. 14P0710, Rev 2 Drawing TPA03 dated 15 July 2017), ~~and annotated as~~ but modified to include:*
 - a. *Clearly dimensioned plans showing the proposed access point on Blackburn Road;*
 - b. *Traffic splitter island showing left-in/ left-out access point;*
 - c. *Signage and line marking plan to reinforce turning movements out of the site*
- ~~16. *Prior to the commencement of use of the development hereby approved, a sealed access crossover, angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road must be constructed to the satisfaction the Responsible Authority (RA) and at no cost to VicRoads.*~~
16. *Prior to the commencement of the use, the new crossover and driveway is to be constructed to the satisfaction of and at no cost to the Head, Transport for Victoria.*
17. *Prior to the occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads.*
18. *Prior to the commencement of the use of the development hereby approved, the access crossover and associated works must be provided and available for use.*
19. *Vehicles must enter and exit the land in a forward direction at all times.*
20. *The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.*

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21. *The accessible parking space must be designed in accordance with the Australian Standards for off-Street Parking for people with disabilities, AS/NZS 2890.6.*
 22. *The loading and unloading of goods from vehicles must only be carried out on the land.*

Transport for Victoria conditions

23. *The permit holder must take all reasonable steps to ensure that disruption to bus operation along Blackburn Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing customerservice@ptv.gov.au*
24. *The existing bus stop and associated infrastructure on Blackburn Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction, is to be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.*
25. *Access via the existing crossover (to Blackburn Road) is to remain exit only.*
26. *Access at the southern crossover must be restricted to left in/left out only.*

Drainage conditions

~~25.~~

27. *All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from driveways onto the footpath. Such a system may include either:-*
 - a) *trench grates (150mm minimum internal width) located within the property; and/or*
 - b) *shaping the driveway so that water is collected in a grated pit on the property; and/or*
 - c) *another Council approved equivalent.*
- ~~26.~~
28. *Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge.*
- ~~27.~~
29. *The design of the stormwater system must direct the entire site's stormwater drainage to the north-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the nature strip to be constructed to Council Standards. (A new pit is to be constructed if a pit does not exist or is not a standard Council pit.) If the point of discharge cannot be located then notify Council's Engineering Division immediately.*

~~28.~~

30. *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.*

~~29.~~

31. *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 cleared detailed on endorsed plans forming part of this permit.*

Construction Management Plan

~~30.~~

32. *Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:*

- a) measures to control noise, dust and water runoff;*
- b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
- c) the location of where building materials are to be kept during construction;*
- d) site security;*
- e) maintenance of safe movements of vehicles to and from the site during the construction phase;*
- f) on-site parking of vehicles associated with construction of the development;*
- g) wash down areas for trucks and vehicles associated with construction activities;*
- h) cleaning and maintaining surrounding road surfaces;*
- i) a requirement that construction works must only be carried out during the following hours:*
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;*
 - Saturday – 9.00am to 1.00pm;*
 - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).*

~~31.~~

33. *The owner and management of the premises must ensure that any noise emanating from the premises, during and post construction, must not exceed the standards of the State Environment Protection Policies No. N1 and must on request provide evidence to Council of Compliance with the policies.*

~~32.~~

~~34.~~ *Air-conditioning and other plant and equipment installed on or within the buildings must be so positioned and baffled that any noise emitted complies with the appropriate Australian Standards and EPA requirements.*

~~33.~~

~~35.~~ *At the immediate request of the Responsible Authority noise testing must be taken to demonstrate compliance with EPA noise requirements. Noise testing is to be undertaken at no cost to the Responsible Authority.*

~~34.~~

~~36.~~ *Motors for equipment and air-conditioning/heating units to be located where no noise nuisance created to neighbours or insulated/sound proofed*

~~35.~~

~~37.~~ *This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:*

- *The development is not started before 2 years from the date of issue.*
- *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 within six months of the permit expiry date,

NOTES:

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

B. *No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.*

C. *Unless no permit is required under the Monash Planning Scheme, no sign must be constructed or displayed without a further written approval from the Responsible Authority.*

D. *Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.*

E. *Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*

F. *Any new drainage connections onto a Council easement drain and work within the road reserve requires the approval of the City of Monash's*

Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.

- G. Engineering permits must be obtained for new or altered vehicle crossings and civil works within the road reserve and these works are to be inspected by Council (tel. 9518 3690).*
- H. Any redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council.*
- I. One printed copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage requirements of this permit.*
- J. An on-site detention system for storm events up to the 1% AEP event is to be retained on-site for the basement car park. The detention system for the basement is to be separate from the detention system for the property, which is to be at ground level and discharge by gravity.*
- K. 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.*

CARRIED

1.3 CLOSED LANDFILLS AND THE PLANNING SCHEDULES

Moved Cr Little

Seconded Cr Luo

That Council:

1. *Notes Council will engage the services of EHS Support to undertake landfill gas risk assessments of sites adjacent and nearby to all closed landfill sites in order to assist in determining appropriate site-specific buffer distances and planning requirements based on the actual level of assessed risk. This work will include, but is not limited to:*
 - *risk assessment based on the age, size and fill type of the landfill, and that considers design and operational measures; and*
 - *evaluation demonstrating the environment would be protected and amenity not adversely affected.*
2. *Notes Council will engage the services of Nick Simmons (previously EPA's Principal Landfill Expert) at Australian Environmental Auditors to peer review the work done by EHS Support in the first instance and make appropriate recommendations with regard to appropriate buffer distances based on the actual level of assessed risk as opposed to the arbitrary requirements set by the EPA. Further notes that this is stage 1 of the assessment work.*
3. *Notes that it may be necessary following discussion with the EPA for officers to engage the services of an EPA-appointed auditor to peer review the work done by EHS Support and Nick Simmons. Further notes that this would be stage 2 of the assessment works (if required).*
4. *Endorses the approach recommended in this resolution aimed at establishing accurate and appropriate landfill buffer areas around former landfill sites (if required), and that these should be based on actual assessment of the associated risk as opposed to adopting the arbitrary buffer distances identified by the EPA.*
5. *Notes that until this work is completed and agreed to by the EPA, Council will continue to require land fill gas assessments, or certificates of environmental audit (as may be relevant) for affected developments, consistent with the EPA BEPM guidelines.*
6. *Makes available \$100,000 in the current budget and \$500,000 in its 2023/24 budget to undertake this work – Stage 1 as identified in point 2 of this recommendation.*
7. *Notes that the budget allocation identified in point 6 above is an estimate. The total cost (stage 1) of the work will be known when fee proposals for the work are sought and returned. If the fee proposals for stage 1 exceed the*

estimated costs, or if further work (stage 2) is required, the revised cost(s) will be presented to Council for consideration.

- 8. Notes that officers will present reports to a future Council meeting on this work, its recommendations and outcomes of the work identified.*

CARRIED

1.4 MOUNT WAVERLEY STRUCTURE PLAN (MWSP) IMPLEMENTATION – AMENDMENT C167 POST AUTHORISATION CHANGES

Moved Cr Little

Seconded Cr Luo

That Council:

- 1. Notes the Minister for Planning's conditions of Authorisation for Amendment C167.*
- 2. Endorses the changes to Amendment C167 to the Monash Planning Scheme C167 as outlined in this report and as shown in Attachment 1.*
- 3. Notes that the changes that officers propose in response to the Authorisation conditions is no guarantee that the Department of Transport and Planning will agree with the proposed changes and, although unlikely the Department of Transport and Planning may ask for further changes.*

CARRIED

1.5 FOOTPATH ENHANCEMENTS FOR OUTDOOR DINING IN PORTMAN STREET, OAKLEIGH

Moved Cr James

Seconded Cr Fergus

That Council:

- 1. Notes that the further planning and design work has been completed for the two design options (brick infill or granite pavement) to maximise the width of pavements to facilitate outdoor dining in Portman Street between Eaton Mall and Station Street (Project).*
- 2. Notes that updated cost estimates for the construction of the Project has resulted in a much smaller gap between the two design which were initially around a \$900k but are now closer to a \$500k difference, owing to increased drainage works that must be undertaken with the brick paving option. The estimated cost of the granite option has not altered significantly.*

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3. *Endorses that the granite option (Option 2) is the preferred option to proceed to community consultation as it:*
 - (a) *Is the superior outcome compared to Option 1 as it offers the best long-term treatment for the public realm; and*
 - (b) *Delivers a high-quality material outcome like that in Eaton Mall and Atherton Rd and is consistent with what is envisaged for the Oakleigh Activity Centre as a whole.*
 - (c) *Means that the outcome is of the highest modern standard and consideration of further improvements (and cost) in years to come to make it consistent with Eaton Mall would not have to be considered by Council.*
 4. *Notes that the schematic design proposes a flush pavement outcome featuring spoon drains rather than raised kerbs and channel for enhanced pedestrian accessibility, subject to the final recommendations of the flood modelling study currently underway.*
 5. *Directs officers to proceed with community consultation on Option 2 with the granite pavement material, with the outcome of the consultation to be reported to Council along with the proposed way forward on the proposal.*

CARRIED

1.6 DOG CONTROL ORDER

Moved Cr McCluskey Seconded Cr Luo

That Council:

1. *Notes that at its meeting of 29 November 2022 resolved to authorise officers to bring Council's decision regarding approved changes to off-leash areas by adopting an Order made under Section 26 of the Domestic Animals Act 1994 and publish the Order in the Government Gazette and in a newspaper circulating in the Monash municipal district (effective from 1 July 2023)*
2. *Revokes Dog Control Order – Number 5 adopted by Council on 28 May 2019 and adopts Dog Control Order – Number 6 under the provisions of Section 26 (2) of the Domestic Animals Act 1994 in the form described in Attachment One.*
3. *Notes that the commencement date for Dog Control Order – Number 6 is 1 July 2023.*
4. *Directs Council Officers to cause Dog Control Order – Number 6 to be published in the Victorian Government Gazette and in a newspaper circulating in the Monash municipal district.*

CARRIED

1.7 FUTURE OF SCHOOL CROSSING SUPERVISOR PROGRAM

Moved Cr Luo

Seconded Cr Fergeus

That Council:

1. *Calls for tenders for the provision of School Crossing Supervision for an initial period of one year from 1 January 2024 to 31 December 2024 with an option for four, one-year extensions.*
2. *Notes the update on the ongoing School Crossing Advocacy project, undertaken in collaboration with a number of other Councils and the Municipal Association of Victoria.*
3. *Notes there are currently five crossings that are not receiving subsidies from the School Crossings Subsidy Scheme, and one further crossing that is currently not receiving subsidies from the School Crossings Subsidy Scheme, but this crossing will be included in the next application round for funding as it has been assessed as meeting the relevant requirements for funding.*
4. *Notes the low utilisation rates of five crossings that are currently not receiving subsidies from the School Crossings Subsidy Scheme, as detailed in the report.*
5. *Notes that whilst utilisation rate and failure to meet the relevant criteria for the five crossings was identified in 2019/20, the pandemic-related school closures prevented further assessments of utilisation rates, and with Council considering the tendering of a new school crossing contract (as recommended in this report) it is timely to assess and determine whether these crossings should continue to be supervised or decommissioned.*
6. *Notes, that with the five school crossings that are not receiving subsidies from the School Crossings Subsidy Scheme, it is proposed that:*
 - a) *Officers write to and meet with the affected schools whose students utilise these crossings advising them that as the Vic Roads funding no longer covers these crossings and Council is considering no longer providing crossing supervisors at these locations.*
 - b) *Schools and parents are given time to write to Council with their thoughts and any concerns for consideration by officers prior to a decision being made as to whether some, or all of these crossings should remain supervised or be decommissioned.*
 - c) *A further report for noting will be presented to Council on the outcome of this process, and should officers determine that a crossing(s) should*

be decommissioned, the report will include detail of the implications of any such decision as well as outline the timing and a planned approach to decommissioning these crossings in consultation with the Department of Education, the Department of Roads and Road Safety, and the affected schools and the recommended timing.

- 7. Notes despite efforts to address the persistent labour shortage and backfill shifts based on risk and officer availability, an analysis of crossing supervision in 2022 revealed that roughly 20% of crossings remained unsupervised due to staff shortages and that this highlights the ongoing challenge of maintaining sufficient staffing levels to ensure supervision at all crossings.*

CARRIED

PROCEDURAL MOTION

Moved Cr James

Seconded Cr McCluskey

That this item be deferred until the next Strategy meeting to discuss and analyse the Program in more details.

CARRIED

1.8 DRAFT HUNTINGDALE PRECINCT PLAN IMPLEMENTATION AND AMENDMENT C173

Moved Cr Luo

Seconded Cr James

That Council:

- 1. Notes that officers have held several discussions with landowners and their consultants in Area 7.*
- 2. Notes that throughout these discussions, representations and written reports the landowners have not demonstrated the need to change the zone to include residential development in order to encourage the future development and rejuvenation of this area with a focus on employment consistent with the principles of the precinct plan.*
- 3. Notes the content of the Huntingdale Precinct Plan Implementation Plan 2022-2028.*
- 4. Request the Minister for Planning to authorise Council, pursuant to Section 8A of the Planning and Environment Act 1987, to prepare Amendment C173.*
- 5. Authorise the Director City Development to prepare and finalise Amendment C173 documentation in accordance with this report.*

6. *Upon receiving authorisation from the Minister for Planning, exhibit Amendment C173 in accordance with Section 19 of the Planning and Environment Act 1987.*

CARRIED

PROCEDURAL MOTION

Moved Cr James Seconded Cr Little

That Cr T Zographos be granted an extension of time of one (1) minute to speak about the motion.

CARRIED

2. COMMUNITY SERVICES

2.1 DRAFT MONASH PUBLIC ART POLICY & FRAMEWORK

Moved Cr McCluskey Seconded Cr Zographos

That Council endorses the Draft Public Art Policy & Framework to proceed to public exhibition for community feedback for the period 29 March – 14 April 2023.

CARRIED

2.2 SOUTH EAST MELBOURNE MANUFACTURERS ALLIANCE (SEMMA) & AUSTRALIAN CHINA BUSINESS COUNCIL (ACBC) MEMBERSHIP REVIEW

Moved Cr Samardzija Seconded Cr McCluskey

That Council resolves not to renew its South-East Manufacturers Alliance (SEMMA) and Australian China Business Council (ACBC) memberships.

CARRIED

2.3 2022/23 MONASH QUICK RESPONSE GRANTS PROGRAM RECIPIENTS

Moved Cr McCluskey Seconded Cr Fergeus

That Council notes the successful applications that have been funded through the Quick Response Grant program during the period 20 December 2022 – 1 March 2023 to a total of \$10,138.04.

CARRIED

**2.4 REGIONAL LOCAL GOVERNMENT HOMELESSNESS & SOCIAL HOUSING GROUP
CHARTER ANNUAL REPORT**

Moved Cr Fergeus

Seconded Cr De Silva

*That Council notes Regional Local Government Homelessness & Social Housing Group
Charter Annual Report*

CARRIED

3. CORPORATE SERVICES

3.1 TENDER FOR KINDERGARTEN ENROLMENT AND REPORTING SOFTWARE

Moved Cr McCluskey

Seconded Cr Little

That Council:

- 1. Awards the tender from Open Office Holdings Pty Ltd for the provision of Kindergarten Enrolment and Reporting Software, Contract No. 2023041 for a schedule of rates-based contract with an estimated contract value of \$243,968 for the initial term and an estimated total contract value of \$ 641,325 inclusive of all available extension options.*
- 2. Approves an additional \$32,066 for contingency.*
- 3. Authorises the Chief Executive Officer or her delegate to execute the contract agreement.*
- 4. Notes that the contract will commence on 01 July 2023, with an initial term of three (3) years and the contract has two (2) extension options of three (3) years each and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance; and*
- 5. Notes that the estimated contract costs for each of the extension terms stated above are also subject to an annual increase as per the contract.*

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

CARRIED

3.2 TENDER FOR PLANNING, BUILDING AND ENGINEERING, ANNOTATION SOFTWARE

Moved Cr McCluskey

Seconded Cr Klisaris

That Council:

- 1. Approves access to the Victorian Government Department of Premier and Cabinet (DPC) Contract eServices for the provision of Planning, Building and Engineering Annotation Software, under Council contract 2023059 and awards the tender from Objective Corporation Limited for a schedule of rates-based contract with an estimated total contract value of \$199,966 for the initial term.*
- 2. Notes that the contract has an estimated total contract value of \$510,311 inclusive of all available extension options, software subscription, software maintenance & support, Trapeze modules, and professional services.*
- 3. Authorises the Chief Executive Officer or her delegate to execute the contract agreement.*
- 4. Notes that the contract will commence on 01 April 2023 with an initial term of three (3) years. 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.*

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

CARRIED

4. CITY SERVICES

4.1 TENDER FOR DESIGN SERVICES – DORRINGTON DRIVE, WARD AVENUE AND ASHWOOD MEMORIAL EARLY YEARS CENTRES

Moved Cr B Little

Seconded Cr A De Silva

That Council:

- 1. Awards the tender from AOA Christopher Peck Pty Ltd, for Design Services - Dorrington Drive, Ward Avenue & Ashwood Memorial Early Years Centres, Contract No. 2023120 for a fixed Lump Sum of \$761,105.26 with an extra \$77,000 for Contingencies.*
- 2. Authorises the Chief Executive Officer to execute the contract agreement.*
- 3. Notes that the anticipated project expenditure including the fixed Lump Sum, Contingencies, and Project Management / Delivery Fees is \$864,505.*

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

CARRIED

4.2 SOLAR SAVERS MEMBERSHIP

Moved Cr Fergeus

Seconded Cr De Silva

That Council:

- 1. Supports the continuation of its membership to Solar Savers in 2023-24 and 2024-25 to enable eligible residents and small businesses to access solar advice and support for the installation of rooftop solar through the Solar Savers Scheme service, led by the Eastern Alliance for Greenhouse Action (EAGA).*
- 2. Authorises the Manager Sustainable Monash to execute the relevant membership documents.*

CARRIED

4.3 PROJECT C01592 – 2021-22 AVENDON ESTATE CYPRESS WINDROW REPLACEMENT PROGRAM STAGE 9 - PROJECT BUDGET VARIATION EXCEEDING CEO DELEGATION

Moved Cr Little

Seconded Cr Klisaris

That Council:

- 1. Approves an increase to the Project Budget for Project C01592 – Avendon Estate Cypress Windrow Replacement Program Stage 9 in the amount of \$99,685;*
- 2. Notes that the revised project budget will be \$209,000; and*
- 3. Notes that the additional funding required for this project will be managed within delivery of the overall 2022/23 Capital Works Program.*

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

CARRIED

**4.4 TENDER FOR AVENDON ESTATE CYPRESS WINDROW REPLACEMENT PROGRAM
STAGE 10 – CIVIL WORKS**

Moved Cr Little

Seconded Cr Samardzija

That Council:

- 1. Awards the tender from United Civil Construction Pty Ltd for Avendon Estate Cypress Windrow Replacement Program Stage 10 - Civil Works, Contract No. 2023149 for a fixed Lump Sum of \$565,180 with an extra \$55,000 for Contingencies, and \$25,580 for Project Management Fees;*
 - 2. Authorises the Chief Executive Officer to execute the contract agreement;*
 - 3. Notes that the contract is anticipated to commence on 10 April 2023 and the expected completion date is 30 June 2023;*
 - 4. Notes that the anticipated project expenditure including the fixed Lump Sum, and Project Management/ Delivery Fees is \$591,030 with \$55,000 for Contingencies; and*
 - 5. Approves additional funding of \$227,040 required for this project.*
- (*Please note that all dollar figures are GST Inclusive unless stated otherwise).*

CARRIED

**4.5 PROJECT C09456 – COLUMBIA PARK ELC EXTENSION – PROJECT BUDGET VARIATION
EXCEEDING CEO DELEGATION**

Moved Cr McCluskey

Seconded Cr Luo

That Council:

- 1. Approves an increase to the Project Budget for Project C09456 – Columbia Park ELC Extension by an additional \$44,274;*
- 2. Notes that the current approved budget is \$176,243;*
- 3. Notes the revised project budget is \$220,517.*

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

CARRIED

4.6 2022/23 MONASH TENDER FOR DUERDIN STREET BRIDGE REHABILITATION WORKS

Moved Cr Little

Seconded Cr James

That Council:

- 1. Awards the tender from Jaydo Construction Pty Ltd for Duerdin Street Bridge Rehabilitation Contract No. 2023089 for the fixed Lump Sum Price of \$1,447,519.70 with an extra \$185,980.30 for Contingencies and \$4,400.00 for Provisional Items;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract is anticipated to commence on 15 April 2023 and the expected completion date is 29 September 2023; and*
- 4. Notes that the anticipated project expenditure including the fixed Lump Sum, Project Management & Delivery Fees, Utility/Authority fees and Provisional Items is \$1,552,019.70 with \$185,980.30 for Contingencies; and*
- 5. Approves additional funding of \$253,000 required for this project.*

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

CARRIED

4.7 TENDER FOR HUGHESDALE KINDERGARTEN REFURBISHMENT

Moved Cr Zographos

Seconded Cr Little

That Council:

- 1. Awards the tender from Domain National Pty Ltd for Hughesdale Kindergarten Refurbishment, Contract No. 2023150 for a fixed Lump Sum of \$624,443.60 with an extra \$60,500 for Contingencies;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract is anticipated to commence on 7 April 2023 and the expected completion date is 26 June 2023;*
- 4. Notes that the anticipated project expenditure including the fixed Lump Sum, Project Management/Delivery Fees and Provisional Items is \$654,060 with a further allocation of \$60,500 for Contingencies; and*
- 5. Approves additional funding of \$249,600 required for this project.*

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

CARRIED

4.8 MAROONDAH COUNCIL MAV MOTIONS – HARDSHIP SUPPORT

Moved Cr Samardzija Seconded Cr McCluskey

That Council:

- *resolves to support Maroondah Council's MAV State Council Motions as follows:*
 - *Requests the Essential Services Commission reviews service charges for gas, electricity and water to reflect the usage amounts.*
 - *That the Victorian Government considers a one-off payment for our older community to off-set these higher service charges*
- *notes Council officers will contact Maroondah Council by 29 March 2023 to advise them of this support.*

CARRIED

**4.9 RECORD OF COMMITTEE MEETINGS AND INFORMAL COUNCILLORS' MEETINGS:
JANUARY 2023 - MARCH 2023**

Moved Cr McCluskey Seconded Cr James

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

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

Nil.

6. NOTICES OF MOTION

6.1 COUNCIL'S DISCRETIONARY EXPENDITURE FUND APPLICATIONS

Moved Cr McCluskey Seconded Cr Luo

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

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Individual Applicant</i>	<i>Seeking financial support for living expenses and relocation to London while undertaking a two-year Artist Masters Performance scholarship</i>	<i>NIL</i>

CARRIED

RESCISSION MOTION

Moved Cr James Seconded Cr Little

That the original motion be rescinded as it was submitted in error and not be dealt with.

CARRIED

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

8.1 ALGA MOTION – MAYORAL TASKFORCE FOR PEOPLE SEEKING ASYLUM

Moved Cr De Silva Seconded Cr James

That Council accepts the matter of the ALGA Motion – Mayoral Taskforce for People Seeking Asylum as an item of Urgent Business.

CARRIED

8.2 ALGA MOTION – MAYORAL TASKFORCE FOR PEOPLE SEEKING ASYLUM

Moved Cr De Silva

Seconded Cr James

That Monash City Council be a joint mover of the following Motion to the ALGA National General Assembly in June as an Executive Member of the Local Government Mayoral Taskforce for People Seeking Asylum:

MOTION

That the Australian Local Government Association (ALGA) and this National General Assembly:

1. *acknowledges and welcomes the Federal Government’s pathway to permanency for over 19,000 Temporary Protection Visas and Safe Haven Enterprise Visas holders;*
2. *acknowledges the contrasting Federal Government policy towards the remaining 12,000 people who have been failed by, or are still subjected to the ‘Fast Track’ Refugee Status Determination (RSD) process;*
3. *acknowledges Greater Dandenong City Council as secretariat of the Local Government Mayoral Taskforce Supporting People Seeking Asylum on behalf of the following Councils that are members:*
 1. *Executive Members – Brimbank City Council, Casey City Council, Darebin City Council, Hobsons Bay City Council, Hume City Council, Kingston City Council, Monash City Council, Moreland City Council, Yarra City Council;*
 2. *General Members – Ballarat City Council, Banyule City Council, Bendigo City Council, Blue Mountains City Council, Canterbury Bankstown City Council, Cardinia Shire Council, Hawkesbury City Council, Inner West City Council, Leeton Shire Council, Maribyrnong City Council, Melbourne City Council, Moonee Valley City Council, Nillumbik Shire Council, Port Phillip City Council, Randwick City Council, Wagga City Council, Whittlesea City Council, Wyndham City Council; and*
 3. *Supporter Councils – Bass Coast Shire Council, Greater Geelong City Council, Hobart City Council, Launceston City Council, Macedon Ranges Shire Council, Maroondah City Council, Mornington Peninsula Shire Council, Borough of Queenscliffe, Wellington Shire Council, and Whitehorse City Council; and*
4. *calls on the Federal Government for a consistent approach and to:*
 1. *replace the existing ‘Fast Track’ system with a single Refugee Status Determination RSD process and an independent, timely and fair merits review; and*

-
2. *continue to invest resources to urgently clear the backlog of asylum applications/appeals in order to create an efficient system.*

CARRIED

9. CONFIDENTIAL BUSINESS

Nil.

10. PERSONAL EXPLANATIONS

Cr Zographos cleared up a misunderstanding of his comments regarding outdoor dining around the Oakleigh Activity Centre. While he is concerned about the cost and the lack of support from the businesses, he fully supports the project and appreciates the work that is done by Council and reiterates that his comments were in no way contradictory.

Cr James apologised to Cr Zographos for the misunderstanding and that his comments were not intentional.

11. COUNCILLORS' REPORTS

Cr Zographos attended the Monash Children's Hospital Foundation Annual Gala along with Cr Luo and Cr Little.

On 14 March 2023, Cr Zographos attended the Mazenod Panthers Football Club 2023 Season launch and wished them success in the future.

On 18 March 2023, Cr Zographos attended the memorial service on the Greek Independence Day at Melbourne's Shrine of Remembrance.

On Saturday 25 March 2023, Oakleigh united to host a Greek Independence Day with various activities of music and dances which Cr Zographos hopes will continue in the future.

Cr Little attended the Live Warrawee Music 2023 event attended by approximately 3,500 people. He acknowledged the hard work of Russell Hopkins, Director Community Services and his team and everyone who helped put the event together.

Cr McCluskey highlighted three events he attended along with the Mayor and some of the Councillors, the first being the opening of the new Nellie Melba Retirement Village at Wheelers Hill.

Cr McCluskey acknowledged and thanked the many people and user groups who were involved in the opening of the Mulgrave Reserve Pavilion in Wheelers Hill this project with a particular mention of Russell Hopkins, Director Community Services and his

team; and Jarrod Doake, Director City Services and his team for their commitment. He also mentioned the positive feedback from the families of the club members for a great facility.

Along with the Mayor, Cr McCluskey also attended the Mackie Road Neighbourhood House Open Day.

Cr James echoed Cr Little's appraisal of the Live Warrawee Music event with further thanks to Russell Hopkins and his Community Services team.

Cr James acknowledged the success of the LGBTQIA+ Launch event on Sunday 26 March 2023 at the Oakleigh Recreational Centre which he attended with the Mayor and Deputy Mayor. He looks forward to the implementation of the Action Plan in 18-24 months.

Cr N Luo attended a few events including the Neighbourhood Watch Safe Plate at Bunnings, Notting Hill, attended by RACV, Victoria Police Neighbourhood House CEO and Manager.

Cr N Luo also attended the Art & Craft Extravaganza at Mount Street Neighbourhood House.

On Saturday 25 March 2023, Cr N Luo attended the Active Pride Event, Launch of the LGBTIQ+ and the Action Plan Launch at the Oakleigh Recreation Centre.

The Mayor declared the meeting closed at 8.31pm.



MAYOR:

DATED 30 May 2023