



CITY OF
MONASH

MINUTES OF THE MEETING OF

COUNCIL

HELD ON 26 APRIL 2023

at 7.18 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 26 APRIL 2023 AT 7.18 PM.**

PRESENT:

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

APOLOGIES

Nil.

DISCLOSURES OF INTEREST

Cr Paterson declared a General Conflict of Interest for:

- Item 1.7: Future of School Crossing Supervision Program
- Item 6.2: NOM No. 2-2023 – Advocating for Mandatory Cashless Gambling

Cr Paterson left the meeting prior to discussion and voting on these items.

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

The Minutes of the Meeting of the Council held on 28 March 2023 will be tabled at the next Council meeting on 30 May 2023.

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil.

PUBLIC QUESTION TIME

The Mayor advised that fifty nine (59) questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 TOWN PLANNING SCHEDULES

Moved Cr McCluskey

Seconded Cr James

That the report containing the Town Planning Schedules be noted.

CARRIED

1.2 NOS. 6 & 8 BELMONT AVENUE, CLAYTON - CONSTRUCTION OF A FOUR STOREY APARTMENT BUILDING WITH BASEMENT CAR PARKING

Moved Cr James

Seconded Cr Fergeus

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/54253) for the construction of a four-storey apartment building with basement car parking, at 6 and 8 Belmont Avenue, Clayton 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 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 Pitard Group (Revision 3 dated 10 March 2023) but modified to show:
 - a) All habitable room windows on the south elevation screened in accordance with the Overlooking objective of Clause 55.04-6. The screening measures must be clearly annotated on the elevations and floor plans.*
 - b) Fencing on the eastern side of Apartment G01, to be located a minimum of 500mm behind the front wall of the building to enclose the secluded private open space area.*
 - c) Location of the substation/ electricity supply discreetly screened from the street by landscaping.*
 - d) Inclusion of a notation on the ground floor plan to read 'a tree protection fence must be erected around all trees that are to be retained, including street trees and trees on neighbouring properties. The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority'.**

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- e) Notation on the ground floor and landscape plan to read 'all trees to be retained (street trees and trees on neighbouring properties) shall be protected in accordance with the protection measures in the arborist report prepared by Glenn Waters (Version 2).*
 - f) A Landscape Plan in accordance with Condition 3.*
 - g) An amended Waste Management Plan in accordance with Condition 7.*
 - h) An amended Sustainability Management Plan in accordance with Condition 9.*
- 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 Species Landscape Architecture, date 21 March 2023 except that the plan must show:
 - a) The electricity supply incorporated into the landscape setting;*
 - b) Detail of the proposed paving;*
 - c) The location of external lighting (if any); and*
 - d) 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.**
- 4. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*
- 5. All landscaping works shown on the endorsed landscape plan(s) must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.*
- 6. An in-ground, automatic watering system linked to rainwater tanks on the land must be installed and maintained to the common garden areas to the satisfaction of the Responsible Authority.*

Waste Management Plan

7. **Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan prepared by Urban Waste Environmental Consultants Revision 1 dated 16 February 2022 but modified to show:**
- a) **The purpose of the Waste Management Plan in accordance with the Monash Guidelines;**
 - b) **Description of the development to include street access and existing land use;**
 - c) **Correct waste volume calculation to include food organics;**
 - d) **Correct calculation of glass waste;**
 - e) **Correct calculations of bins requirement, including for food organics and glass waste;**
 - f) **Bin cleaning equipment, clean washing details and bin storage areas within the basement in the Waste Management Plan;**
 - g) **Accessibility for the collection truck, supported with swept path within the basement in the Waste Management Plan;**
 - h) **Hard waste, e-waste and clothing textile waste storage and collection point, including a coloured legend indicating each bin type in the basement storage area; and**
 - i) **A communication strategy for occupiers.**

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

8. **Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the CMP 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;**
 - 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;**

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- 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 except with the prior written consent of the Responsible Authority.

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 (SMP)

- 9. Concurrent with the endorsement of plans requested pursuant to Condition 1, an amended Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by EW Environment dated 20 December 2022 but modified to show the development layout in accordance with the amended plans prepared by Pitard Group (Revision 3 dated 10 March 2023).***

Tree Protection

- 10. All street trees and trees on neighbouring properties trees specified in the arborist report prepared by Glenn Waters (Version 2) and dated 20 April 2022 are to be protected and maintained in accordance with the recommendations set out in the report, to the satisfaction of the Responsible Authority.**
- 11. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained as detailed in the submitted arborist report and are advised of any obligations in relation to the protection of those trees.**
- 12. All buildings and works within the Tree Protection Zone and Critical Root Zone of any street tree or neighbouring tree, as specified in the submitted arborist report must be supervised by a suitably qualified and experienced arborist, to the satisfaction of the Responsible Authority.**
- 13. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained during the demolition, excavation and construction period of the development hereby permitted without the prior written consent of the Responsible Authority.**
- 14. No vehicle access or parking within the Tree Protection Zone of any tree to be retained.**

Car Parking and Accessways

- 15. Before the use starts or any part of the building is occupied, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:**
 - a) Fully constructed.**
 - b) Properly formed to such levels that they can be used in accordance with the plans.**
 - c) Surfaced with an all-weather sealcoat.**
 - d) Drained, maintained and not used for any other purpose.**
 - e) Line-marked to indicate each car space and all access lanes.****all to the satisfaction of the Responsible Authority.**

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

- 16. Any modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.**

Privacy screens

17. *Prior to the occupancy of the development, 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.*

Services and Plant Equipment

18. *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.*
19. *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.*
20. *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.*

Drainage & Stormwater

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

Satisfactory Continuation

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

Time for Starting and Completion

23. *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.*
- (c) The use is not started 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*

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- (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.** *Engineering permits must be obtained for new or altered vehicle crossings works within the Road Reserve and for stormwater connections and these works are to be inspected by Council.*
- C.** *A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of any works. The plans are to show sufficient information to determine that the drainage and civil works will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on www.monash.vic.gov.au*
- D.** *Stormwater is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to any stormwater drainage works commencing.*
- E.** *The design parameters for the internal detention system are to be obtained from Council's Engineering Department (mail@monash.vic.gov.au). In some circumstances a drainage contribution may be accepted in lieu of a detention system. This drainage contribution is based on the proposed hard surfaced areas and is calculated at the time of the drainage plan approval.*
- F.** *Stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled onto adjoining properties or the road reserve.*
- G.** *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.*
- H.** *An onsite 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.*
- I.** *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.*

- J. All disused or redundant vehicle crossovers must be removed; and the area reinstated with footpath, nature strip, kerb and channel to the satisfaction of the Responsible Authority.*
- K. Any works within the road reserve must ensure the footpath and nature strip are to be reinstated to Council standards.*
- 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. 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 the affected service authorities is required as part of the vehicle crossing application process.*
- N. Tree planting should be kept clear of any drainage easement.*
- O. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.*
- P. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.*
- Q. Any residents of the approved development will not be entitled to car parking permits for on street carparking.*

CARRIED

1.3 31-33 HIGH STREET ROAD, ASHWOOD - USE AND DEVELOPMENT OF LAND FOR THE PURPOSE OF A FOUR STOREY MEDICAL CENTRE, THE REMOVAL OF TWO RESTRICTIVE COVENANTS, DISPLAY OF SIGNAGE, REMOVAL OF VEGETATION AND ALTERATION OF ACCESS TO A TRANSPORT ZONE SCHEDULE 2

Moved Cr Samardzija

Seconded Cr James

That the application be withdrawn and be presented at a future Council Meeting as the applicant has lodged a Section 57(a) Amendment on Monday 24 April 2023 which must be dealt with before Council reconsiders the application.

CARRIED

1.4 12-14 JOHNSON STREET & 1 MILL ROAD, OAKLEIGH - BUILDINGS AND WORKS TO CONSTRUCT A SEVEN (7) STOREY BUILDING WITH BASEMENTS, USE OF LAND FOR ACCOMMODATION AND A REDUCTION IN THE STANDARD CAR PARKING REQUIREMENT

Moved Cr James

Seconded Cr Fergeus

That Council resolves to issue a Notice of Decision to Grant an Amended Planning Permit(TPA/51498/A) for construction of mixed use development including office and retail, use of land for accommodation and a reduction in the standard car parking requirement, at 12-14 Johnson Street & 1 Mill Road Oakleigh VIC 3166 subject to the following conditions (changes underlined):

Amended Plans Required

1 Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed, they will then form part of the Permit. The plans must be generally in accordance with the plans prepared by Bruce Henderson Architects, dated ~~12 February 2021~~ 15 March 2023, Plan nos. TP-203 – TP-212, TP-204 – TP-211, TP-301 – TP-305, TP-306 and TP-401 – TP-402 TP-501 but modified to show:

- (a) A Waste Management Plan in accordance with Condition 4 of this Permit.*
- (b) A Sustainable Design Assessment to be prepared in accordance with Condition 8 of this Permit.*
- (c) The east facing bedroom window of Apartment 605 screened to prevent overlooking, to the satisfaction of the Responsible Authority.*
- (d) The basement car park to comply with the requirements in Diagram 1 of Clause 52.06-9 of the Monash Planning Scheme.*
- (e) Further details of stop line locations and management of the ramp to the basement car park.*
- (f) An acoustic report in accordance with condition 32 and changes in accordance with the recommendation of the acoustic report.*
- (g) A wind impact assessment in accordance with condition 33 and changes in accordance with the recommendation of the assessment.*

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.

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

Waste Management Plan

4 **Concurrent with the endorsement of any plans pursuant to Condition 1, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the plan prepared by RB Waste Consulting Service dated ~~12 February 2021~~ 3 November 2022, but showing to the satisfaction of the Responsible Authority:**

~~(a) The purpose as stated in the City of Monash MUD and Commercial Developments WMP Guide for Applicants.~~

~~(b) Calculation method of waste generation to be described.~~

~~(c) Retail waste generation rate to assume seven days of trading (not five).~~

(a) The TPA number and streets address in the development description.

(b) Correct waste volume calculation and total waste generated per waste stream.

(c) Waste collection and bin numbers detailed.

(d) Bin storage equipment insides premises.

(e) Waste collection process supported by scaled plans in the Waste Management plan.

(f) Details of responsibility for the operation of the waste management system outlined.

(g) Waste management communications strategy for occupiers outlined.

~~(d)~~ (h) Management of food waste recycling described.

~~(e)~~ (i) The management of separate glass recycling to be planned for and addressed.

~~(f)~~ (j) Inclusion of e-waste management details and provision within the waste storage area.

~~(g)~~ (k) Reference to the legislated ban to landfill for e-waste to inform the site operator and tenants of their obligations to prevent e-waste entering the garbage waste system.

~~(h)~~ (l) Bin colours.

~~(i)~~ (m) Reference to EPA guidelines and City of Monash Local Law for permitted waste collection hours.

~~(j)~~ (n) Further clarification of how waste is to be managed within tenancies.

~~(k)~~ (o) Detail of how cleaners will know how to handle waste correctly, and who will monitor this.

~~(l)~~ (p) A scale drawing to be included within the plan, showing bin storage areas, equipment and features, access routes, strategy for bin transfer and swept path analysis for collection vehicles.

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

Green Travel Plan

- 6** *Before the development commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:*
- (a) A description of the location in the context of alternative modes of transport.*
 - (b) Details of end of trip facilities provided.*
 - (c) Education and awareness initiatives and incentives for users of the building to encourage more sustainable modes of travel to/from the site.*
 - (d) Management practices identifying sustainable transport alternatives.*
 - (e) Consider the provision of electric vehicle charging facilities.*
 - (f) Details of bicycle spaces for staff.*
 - (g) Employee packs (ie myki cards for new workers).*
 - (h) An obligation to update the plan not less than every five years.*
 - (i) Details of when and how this travel plan will be available for new staff.*
 - (j) Any other relevant matters.*
- 7** *The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

~~Sustainable Design Assessment (SDA) Sustainability Management Plan (SMP)~~

- 8** *Concurrent with the endorsement of any plans pursuant to Condition 1, an amended ~~Sustainable Design Assessment~~ Sustainability Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared ~~by SBE dated 17 July 2020~~ the Green Factory dated 31 May 2022 but modified to include or show:*
- (a) any requirements specified in Condition 1 of this Permit.*
 - (b) the amended development layout in accordance with the amended plans prepared by Bruce Henderson Architects, dated 15 March 2023.*
- 9** *The provisions, recommendations and requirements of the endorsed ~~Sustainable Design Assessment~~ Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

Construction Management Plan

- 10** *Prior to the commencement of any site works (including demolition and excavation), a Construction Management Plan must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the*

Construction Management Plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:

- (a) Hours for construction activity in accordance with any other condition of this permit.*
- (b) Measures to control noise, dust and water and sediment laden runoff.*
- (c) Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network.*
- (d) Measures relating to removal of hazardous or dangerous material from the site, where applicable.*
- (e) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site.*
- (f) Cleaning and maintaining surrounding road surfaces.*
- (g) A site plan showing the location of any site sheds, onsite amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council's road reserves.*
- (h) Public Safety and site security.*
- (i) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-contractors/tradespersons upon completion of such areas, without delay.*
- (j) A Traffic Management Plan showing truck routes to and from the site.*
- (k) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction.*
- (l) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan.*
- (m) Contact details of key construction site staff.*
- (n) Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.*
- (o) Except with the prior written consent of the Responsible Authority, a requirement that construction works must only be carried out during the following hours:*
 - i Monday to Friday (inclusive) – 7.00am to 6.00pm*
 - ii Saturday – 9.00am to 1.00pm*
 - iii Saturday – 1:00pm to 5:00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)*
 - iv No works are permitted on Sundays or Public Holidays.*

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

Boundary Walls

- 12** *The walls on the boundary of adjoining properties shall be cleaned and finished in a manner to the satisfaction of the Responsible Authority.*

Ongoing Architect Involvement

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

Plant / Equipment or features on roof

- 14** *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 except as shown on the plans endorsed pursuant to Condition 1 unless otherwise agreed to in writing by the Responsible Authority.*

Service Location

- 15** *Any required fire services, electricity supply, gas and water meter boxes must be discreetly located and/or screened to complement the development to the satisfaction of the Responsible Authority. Any required services must be clearly detailed on endorsed plans forming part of this permit.*

Hours for Waste Collection

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

No Waste Bin in View

- 17** *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.*

Car Parking and Accessways

- 18** *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.

- 19 *Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.*

Bike provision on public land

- ~~20 *No less than 22 bicycle parking spaces are to be provided on the land. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two (2) bike racks must be installed in accordance with the endorsed plans:*~~
- ~~(a) *at the permit holder's cost; and*~~
- ~~(b) *in a location and manner*~~
- ~~*to the satisfaction of the Responsible Authority.*~~

Drainage and Stormwater

- 21 *The site must be drained to the satisfaction of the Responsible Authority.*
- 22 *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.*
- 23 *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.*
- 24 *A plan detailing the drainage works must be submitted to 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.*
- 25 *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.*

Privacy screens

- ~~26 *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 within three years from the date of issue.*~~
- ~~(b) *The development is not completed within five 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*~~
- ~~(c) *within six (6) months afterwards if the development has not commenced; or*~~

~~(d) 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.~~

Prior to the occupancy of the development, 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. The 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

- 27 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.
- 28 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 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.
- 30 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.

Acoustic Report

- 31 Concurrent with the endorsement of plans pursuant to Condition 1, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must demonstrate that the development meets the following noise levels in accordance with Standard D16 of Clause 58.04-3:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from

industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

Wind Impact Assessment

32 Concurrent with the endorsement of any plan requested pursuant to Condition 1, a Wind Impact Assessment prepared by a suitably qualified Wind Engineer must be submitted to and approved by the Responsible Authority to ensure no unreasonable wind effects occur around and between buildings on and adjacent to the site.

Ongoing Wind Assessment Requirement

33 The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Time for Starting and Completion

26 34 *In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:*

- (a) The development is not started within three years from the date of issue.*
- (b) The development is not completed within five 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

- (c) within six (6) months afterwards if the development has not commenced; or*
- (d) 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. A Building Permit approval for the works must be obtained prior to the commencement of the approved works.
- B.** Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.

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- C. 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.
- D. An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The basement detention system is to be separated from the storm water detention system for the property.
- 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. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.
- H. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit is to be paid prior to any drainage works commencing.
- I. A plan detailing the drainage works must be submitted to the Engineering Division prior to the commencement of works for approval. The plans are to show sufficient information to determine that the drainage works will meet all drainage requirements of this permit.
- J. 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.
- K. 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.
- L. Any works within the road reserve must ensure the footpath and nature strip are to be reinstated to Council standards.
- M. 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.
- 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. Residents of the approved development will not be entitled to car parking permits for on-street carparking.

CARRIED

PROCEDURAL MOTION

Moved by: Cr Samardzija

Seconded by: Cr James

That the meeting be adjourned for fifteen (15) minutes due to disorder in the Chamber.

CARRIED

The Meeting was adjourned at 8.16pm and resumed at 8.31pm.

1.5 MONASH BOULEVARDS UDF IMPLEMENTATION AND AMENDMENT C172

Moved Cr Little

Seconded Cr Zographos

That Council:

- 1. Notes the content of the Monash Boulevards Urban Design Framework Implementation Plan 2023.***
- 2. Requests the Minister for Planning to authorise Council, pursuant to Section 8A of the Planning and Environment Act 1987, to prepare Amendment C172.***
- 3. Authorises the Director City Development to prepare and finalise Amendment C172 documentation in accordance with this report.***
- 4. Upon receiving authorisation from the Minister for Planning, exhibits Amendment C172 in accordance with Section 19 of the Planning and Environment Act 1987.***

CARRIED

1.6 SPEEDING VEHICLES – OAKLEIGH ACTIVITY CENTRE

Moved Cr James

Seconded Cr Fergeus

That Council:

1. *Notes the results of the traffic survey monitoring program.*
2. *Directs officers to continue to work with Victoria Police to provide detailed survey information in order to further identify focus times for enforcement.*
3. *Directs officers to conduct additional traffic counts over the next 12 months in the Oakleigh Activity Centre.*
4. *Notes the cost to conduct these additional counts will occur within the 2023/24 annual traffic survey program.*

CARRIED

1.7 FUTURE OF SCHOOL CROSSING SUPERVISOR PROGRAM

Cr Paterson declared a General Conflict of Interest and left the meeting at 8.51pm before discussion and voting on this item.

The Substantive Motion was moved and seconded but not voted on therefore no decision was made.

ALTERNATE MOTION

Moved by: Cr James

Seconded by: Cr McCluskey

That the Recommendation submitted by the officer be removed and replaced by the following:

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 several Councils and the Municipal Association of Victoria.*
3. *Notes there are several crossings that are not receiving subsidies from the School Crossings Subsidy Scheme and directs officers to conduct comprehensive and up-to-date counts for these crossings.*

4. *Directs officers to work with the Municipal Association of Victoria to pivot the School Crossing Advocacy campaign towards a primary focus of getting the State Government to deliver on its 2016 commitment to fully review the School Crossing Supervisor program to deliver the best safety outcomes for children as soon as possible.*
5. *Directs officers to put together, and report to Council on, a consultation plan for engaging with schools where crossings are not currently receiving subsidies, and the up-to-date counts confirm low usage.*
6. *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

Cr Paterson returned to the meeting at 8.56pm.

1.8 PROPOSED ROAD DISCONTINUANCE AND SALE – PART OF RAILWAY PARADE NORTH, GLEN WAVERLEY

Moved Cr James

Seconded Cr Zographos

That Council:

1. *Receives this report from the Committee established by Council pursuant to Section 223 of the Local Government Act 1989 (S.223 Committee) to hear and consider any submissions received to Council's public notice in respect of the proposal to discontinue a 671m² parcel of Railway Parade North, Glen Waverley as shown hatched in Attachment 1 to this report being part of the Road on LP13583 contained in certificate of title volume 6527 folio 374 (Road) and selling the land from the Road to the Suburban Rail Loop Authority (SRLA) conditional upon reaching agreement with the SRLA on the terms of sale for the land.*
2. *Notes that the S.223 Committee met as scheduled at 6:30 pm on Tuesday 14 March 2023 in the Council Chambers, however the committee decided to defer consideration of the matter until 6:30 pm on Tuesday 11 April 2023, having accepted a late submission from Victorian Rail Track (VicTrack) in order to be able to consider it prior to making a recommendation to Council on the matter. VicTrack's submission was subsequently withdrawn meaning there were no valid submissions to consider.*
3. *Accepts the S.223 Committee's recommendation as follows:*

-
- “That Council proceed with the discontinuance of the Road and the transfer of the discontinued Road to the SRLA (or its nominee), conditional upon:*
- a. Council and the Suburban Rail Loop Authority (SRLA) entering into a binding contract for the sale of the land; and*
 - b. SRLA (or its nominee) entering into a binding agreement to purchase the adjoining land owned by Victorian Rail Track, unless Victorian Rail Track will retain that land and be nominated by SRLA as purchaser of the discontinued Road.”*
- 4. Notes the response from Yarra Valley Water and Council’s Engineering Department regarding requirement for an easement to protect existing assets and that the plan to be used for the road discontinuance has been updated to reflect this (refer Attachment 2).*
 - 5. Pursuant to clause 3 of Schedule 10 to the Local Government Act 1989, authorise the CEO (or her delegate) to:*
 - a. negotiate with SRLA to sell the discontinued Road to SRLA for its market value as determined by and independent valuer and such other terms as reasonably agreed between the parties; and*
 - b. subject to Council entering into a binding agreement with SRLA to sell the discontinued Road to the SRLA (or its nominee) and the SRLA (or its nominee) entering into a binding agreement to purchase the adjoining land owned by Victorian Rail Track (unless SRLA has confirmed in writing that Victorian Rail Track will retain ownership of its adjoining land and be nominated as purchaser of the discontinued Road by SRLA):*
 - i. publish a Notice of Road Discontinuance in the Victorian Government Gazette (using the Title Plan in Attachment 2) pursuant to Clause 3(a) of Schedule 10 of the Local Government Act 1989 noting Council’s decision to discontinue the Road and retain or sell the land to the SRLA (or its nominee); and*
 - ii. prepare and execute all documents required in connection with, and to give effect to, the discontinuance of the Road and transfer of the land to the SRLA (or its nominee), or the retention of the land if Council and the SRLA are unable to reach an agreement regarding the sale of that land to the SRLA.*

CARRIED

2.1 2022/23 MONASH QUICK RESPONSE GRANTS PROGRAM RECIPIENTS

Moved Cr James

Seconded Cr Fergeus

That Council notes the successful application that has been funded through the Quick Response Grant program during the period 2-22 March 2023 to a total of \$2,468.00.

CARRIED

3.1 AUDIT and RISK COMMITTEE MEETING MINUTES - March 2023

Moved Cr Samardzija Seconded Cr McCluskey

That Council:

1. *notes the unconfirmed minutes of the 15 March 2023 Audit and Risk Committee (the Committee); and*
2. *notes that the minutes will be confirmed by the Chair of the Committee at the next Committee meeting; and any substantive changes to the unconfirmed minutes will be reported to the next Council meeting.*

CARRIED

3.2 PROCUREMENT POLICY UPDATE

Moved Cr James Seconded Cr Little

That Council adopts the proposed Procurement Policy (attached), in accordance with the Local Government Act 2020 and places a copy on Council's website.

CARRIED

3.3 APPOINTMENT OF AN INDEPENDENT MEMBER TO THE AUDIT & RISK COMMITTEE

Moved Cr James Seconded Cr Samardzija

That Council:

1. *Endorses the appointment of Ms Binda Gokhale as an independent member of the Audit and Risk Committee for a period of three years ending 30 June 2026; and*
2. *Notes that all other applicants will be advised of Council's decision and thanked for their interest in the position.*

CARRIED

4.1 TENDER FOR MONASH OPERATIONS CENTRE FIRE SERVICE UPGRADE

Moved Cr Little

Seconded Cr Luo

That Council:

- 1. Awards the tender from Kennedys Group Services Pty Ltd for the Monash Operations Centre Fire Service Upgrade, Contract No. 2023100 for a fixed Lump Sum of \$735,053 with an extra \$84,700 for Contingencies, PM fees of \$16,500 and \$27,500 for Design Fees;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract is anticipated to commence on 1 May 2023 and the expected completion date is 20 September 2023;*
- 4. Approves the additional budget required in 2023/24 of \$363,000 to complete the project and that this is included in the adoption of the 2023/24 Budget; and*
- 5. Notes that the anticipated project expenditure including the fixed Lump Sum, Project Management/Delivery Fees and Provisional Items is \$785,954.40 with a further sum of \$84,700 for Contingencies.*

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

CARRIED

4.2 PROJECT C09431 – INTERSECTION MODIFICATIONS: O’SULLIVAN ROAD KINGSWAY /SNEDDEN DRIVE, GLEN WAVERLEY – PROJECT BUDGET VARIATION EXCEEDING CEO DELEGATION

Moved Cr Little

Seconded Cr Luo

That Council:

- 1. Approves a budget increase of \$60,000 for Project C09431 – Intersection modifications- O’Sullivan Road/Kingsway/Snedden Drive, Glen Waverley;*
- 2. Notes that the original project budget was \$100,000; and*
- 3. Notes the required project budget to enable successful delivery is \$160,000 inclusive of contingencies and all project delivery fees.*

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

CARRIED

4.3 TENDER FOR EUNEVA CARPARK, PERIMETER FENCE (LEVEL 6) & MESH ENCLOSURE (LEVEL 2)

Moved Cr Little

Seconded Cr Luo

That Council:

- 1. Awards the tender from GV Security Fencing Pty Ltd for Euneva Carpark, Perimeter Fence (Level 6) & Mesh Enclosure (Level 2), Contract No. 2023168 for the fixed Lump Sum Price of \$473,440 with an extra \$47,300 for Contingencies and \$61,600 for Provisional Items;***
- 2. Authorises the Chief Executive Officer to execute the contract agreement;***
- 3. Notes that the contract is anticipated to commence on 1 May 2023 and the expected completion date is 28 July 2023; and***
- 4. Notes that the anticipated project expenditure including the fixed Lump Sum, Project Management/ Delivery Fees and Provisional Items is \$549,340 with a further allocation of \$47,300 for Contingencies.***

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

CARRIED

4.4 TENDER FOR SUPPLY AND DELIVERY OF DRAINAGE PIT LIDS AND SURROUNDS

Moved Cr Fergeus

Seconded Cr James

That Council:

- 1. Awards the tender from SVC Products Pty Ltd for Supply and Delivery of Drainage Pit Lids and Surrounds, Contract No. 2023095 for a schedule of rates- based contract with an estimated contract value of \$592,878; for the initial term and an estimated total contract value of \$1,778,634 inclusive of all available extension options;***
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement;***
- 3. Notes that the contract will commence as soon as possible, with an initial term of three (3) years and the contract has three (3) extension options of two (2) years each; and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance; and***

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4. *Notes that the estimated schedule of rates contract values stated above are also subject to an annual CPI indexation at the end of the initial term and every year thereafter as per the contract.*

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

CARRIED

4.5 RECORD OF COMMITTEE MEETINGS AND INFORMAL COUNCILLORS' MEETINGS: APRIL 2023

Moved Cr de Silva Seconded Cr Luo

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

CARRIED

4.6 GOVERNANCE RULES AMENDMENTS

Moved Cr McCluskey Seconded Cr Luo

That Council adopts the proposed Governance Rules amendments as outlined in Attachment One.

CARRIED

AMENDMENT MOTION

Moved Cr James Seconded Cr Little

That the word 'recommendation' be inserted after 'alternative' in section 23(s) of the Governance Rules (page 399) of the Agenda.

CARRIED

4.7 2021136 - MULGRAVE RESERVE PAVILION REDEVELOPMENT – CONTRACT VARIATIONS EXCEEDING OFFICERS DELEGATION (EXCEPTIONAL CIRCUMSTANCES) AND ADDITIONAL PROJECT FUNDING

Moved Cr McCluskey Seconded Cr Luo

That Council:

1. *Approves additional funding for the Mulgrave Reserve Pavilion Redevelopment Project in the amount of \$233,001.29;*

-
2. *Notes that the final project cost including construction cost, design and project management fees is \$4,802,571.29;*
 3. *Notes that on 18 April 2023, the CEO approved a variation to Contract 2021136 - Mulgrave Reserve Pavilion Redevelopment awarded to Simbuilt Pty Ltd in the amount of \$493,781.19, being 10% or \$100,000 greater than the amended and approved contract sum;*
 4. *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;*
 5. *Notes that “Exceptional Circumstances” are defined under 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*
 6. *Notes that the revised contract value will be \$4,423,071.29.*

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

CARRIED

5.1 2021087 RECRUITMENT, TRAINING & ASSOCIATED SERVICES (VIA PROCUREMENT AUSTRALIA) – VARIATIONS EXCEEDING OFFICERS DELEGATION CIRCUMSTANCES

Moved Cr Little

Seconded Cr Luo

That Council:

1. *Notes that within Council’s Contract Management rules, the Chief Executive Officer is authorised to approve a schedule of rates contract volume change up to her financial delegation of \$450,000;*
2. *Notes that the 2021087 Recruitment, Training & Associated Services contract is a Schedule of Rates contract and that the Chief Executive Officer has approved a volume change of \$450,000.*
3. *Approves a further volume change to the 2021087 Recruitment, Training & Associated Services contract in the amount of \$2,200,000; and*
4. *Notes that the revised contract value for the initial term of 2 years and 9 months increases from \$8,250,000 to \$10,900,000 (inclusive of the \$450,000 approved by the Chief Executive Officer and the additional \$2,200,000 requested to be approved by Council).*

CARRIED

5.2 RESULTS OF 2023 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY

Moved Cr James

Seconded Cr Little

That Council notes the findings of the 2023 Monash Community Satisfaction Survey and that specific areas have been identified for further attention or improvement.

CARRIED

6. NOTICES OF MOTION

6.1 NOM NO.1-2023: UPGRADES TO THE MOUNT WAVERLEY STATION PEDESTRIAN UNDERPASS

Moved Cr Little

Seconded Cr Paterson

That Council:

1. *Notes that the Mount Waverley Activity Centre Structure Plan identifies upgrading the pedestrian underpass at the Mount Waverley Station as a priority project.*
2. *Notes that residents, traders and users have provided feedback to Council over many years about feeling unsafe and uncomfortable using the underpass.*
3. *Notes that the existing underpass does not contribute to a sense of connection between the northern side of the railway line and the Hamilton Place section of the activity centre, creating a barrier that limits the community's utilisation of these spaces which sit only moments apart.*
4. *Writes to both the Minister for Transport Infrastructure and VicTrack advocating for and requesting that upgrading of the Mount Waverley Station pedestrian underpass, including reviewing the type of connections between the two sides of the railway line and whether an underpass is the best method of access, in line with the vision of the Structure Plan to provide greater engagement with all parts of the activity centre and greater sense of place in the community be prioritised and seeks to work closely with them on any designs to review and upgrade the space.*
5. *Writes to local members of parliament advising of the above and requesting their support to obtain the improvements to the underpass and creating better connections between the North and South of the railway line.*

CARRIED

6.2 NOM NO. 2-2023 - ADVOCATING FOR MANDATORY CASHLESS GAMBLING - MOTION

Cr Paterson declared a General Conflict of Interest and left the Chamber at 9.21pm before discussion and voting on this item.

Moved Cr Fergeus

Seconded Cr de Silva

That Council:

- 1. Notes the letter from seven Victorian Councils: Casey, Darebin, Greater Dandenong, Hume, Monash, Whittlesea, Wyndham, on 24 February 2023 to Premier Daniel Andrews, describing their deep concerns at the harm being experienced throughout the community from gambling, and calling on the Premier to support mandatory cashless gambling.***
- 2. Notes the motion from the City of Brimbank which was unanimously supported on 21 February, "That Council writes to the Victorian State Premier, the Victorian Minister for Casino, Gaming and Liquor Regulation, the Victorian Leader of the Opposition and Brimbank State Members of Parliament, in light of recent announcements by the NSW and Tasmanian governments, calling for a bipartisan approach in introducing reforms that utilise mandatory pre-commitment systems and cashless cards to reduce the harms of electronic gambling on working and vulnerable people in the West."***
- 3. Notes that the Tasmanian Government has committed to rolling out mandatory cashless gambling by December 2024.***
- 4. Notes the Alliance for Gambling Reform has released a policy on mandatory cashless gambling and how it can be used to reduce harm from gambling.***
- 5. Notes the growing discussion in the media across February 2023 regarding mandatory cashless gambling.***
- 6. Notes that as an Alliance for Gambling Reform Leadership Council, we have given our support to the Alliance for Gambling Reforms' campaign drawing the attention of the Victorian State Premier, the Victorian Minister for Casino, Gaming and Liquor Regulation and the Victorian Leader of the Opposition, to the escalating losses from poker machines in Victoria and asking them to give their support for mandatory cashless gambling with binding and default limits here in Victoria in the current term of government.***
- 7. Writes to our local lower and upper house State Members of Parliament asking for their support for mandatory cashless gambling to help protect our local community from gambling harm.***
- 8. Communicates with our community regarding this advocacy through our communication channels.***

CARRIED

For the Motion: Councillors: T Samardzija (Mayor), N Luo (Deputy Mayor), A de Silva, J Fergeus, B Little, G Lake, P Klisaris, S James (called for division), S McCluskey

Against the Motion: Councillor T Zographos

Cr Paterson returned to the meeting at 9.21pm.

6.3 NOM NO. 3-2023 - RESPONDING TO THE AUSTRALIAN CHILD MALTREATMENT STUDY (ACMS)

Moved Cr Fergeus

Seconded Cr de Silva

That Council:

- 1. Notes the alarming findings of the Australian Child Maltreatment Study (ACMS)1;***
- 2. Considers that all levels of government must urgently respond in order to help prevent and reduce child maltreatment across Australia;***
- 3. Distribute key findings of the ACMS to all Council Officers, noting that this is a subject which is likely to require especially sensitive communication;***
- 4. Requests that the Chief Executive Officer gives due consideration to the ACMS report "The prevalence and impact of child maltreatment in Australia" and provide recommendations to Council regarding a suitable response. This may include community education, communications, practice and policy changes, and projects.***

CARRIED

For the Motion: Councillors: T Samardzija (Mayor), N Luo (Deputy Mayor), A de Silva (called for division), J Fergeus, B Little, G Lake, P Klisaris, R Paterson, S James, S McCluskey, T Zographos

Against the Motion: None
(This Motion was carried unanimously)

6.4 COUNCIL'S DISCRETIONARY EXPENDITURE FUND APPLICATIONS

Moved Cr Samardzija

Seconded Cr McCluskey

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>The individual has been selected to compete at the Australian Women's Baseball Championship and the funds would go towards uniform, accommodation, food and drinks during the tournament.</i>	<i>\$500.00</i>

CARRIED

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

Nil.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Councillor James acknowledged the ANZAC Dawn service at the Oakleigh Cenotaph including the speech by the RSL President and the hard work by the Oakleigh RSL. He also passed on some words of thanks from the RSL members to Council staff involved in Traffic & Road Management.

Councillor Zographos attended a number of events including:

- 23 April 2023 - laid a wreath at the Glen Waverley Civic Centre outside the cenotaph.
- 25 April 2023 - the Dawn Service at Clayton RSL on ANZAC Day.
- 23 April 2023 - the Mount Waverley Rotary Club Trivia Night.
- 23 April 2023 -the Glen Waverley Bowling Club Awards Presentation.
- The Monash Business Award breakfast for Securing Mums a not-for-profit organisation for the babies of the mothers who are struggling to meet their needs.

On 7 May 2023, he will be attending the Monash Run for Kids at Jells Park.

Councillor Fergeus thanked Council officers for the work they had done in the last month, particularly Library and Customer Service staff; the CEO Dr Diamond for her leadership and her team.

The Mayor declared the meeting closed at 9.36pm.



MAYOR:

DATED 30 May 2023