



**CITY OF
MONASH**

MINUTES

**MEETING OF COUNCIL
HELD ON**

TUESDAY 29 SEPTEMBER 2026

at 7:00 PM

COUNCIL CHAMBER

CIVIC CENTRE, 293 SPRINGVALE ROAD, GLEN WAVERLEY

TABLE OF CONTENTS

1	ACKNOWLEDGEMENT OF COUNTRY	4
2	PRESENT AND APOLOGIES	4
3	DISCLOSURES OF INTEREST.....	4
4	CONFIRMATION OF MINUTES.....	4
5	RECEPTION AND READING OF PETITIONS, JOINT LETTERS AND MEMORIALS	5
6	PUBLIC QUESTION TIME	5
7	OFFICERS' REPORTS.....	5
7.1	City Development.....	5
7.1.1	Town Planning Schedule.....	5
7.1.2	TPA/57779- 1816-1832 Dandenong Road, Clayton - Construct buildings and works for a four (4) storey data centre, display of business identification signs and reduction of car parking requirements	5
7.1.3	TPA/57727 - Units 1-6 and common property of 7 White Street, Oakleigh East	16
7.1.4	TPA/47359E - 62-94 Jacksons Road Mulgrave.....	26
7.1.5	DEP-21 Council response to Department of Transport and Planning Notice of Application for Planning Permit - 55-61 Atherton Road, Oakleigh	40
7.1.6	Planning Scheme Review - update and response to advisory note requirements	40
7.1.7	Update on 65a Power Ave, Chadstone.....	42
7.2	Community Services	44
7.2.1	Draft Creative Monash Strategy 2026-2031	44
7.2.2	2024206 Active Monash Health Club Equipment - Variation	44
7.2.3	Civic Support Fund Recommendations - September 2026	45
7.3	Corporate Services	45
7.3.1	Informal Meeting of Councillors Records	45
7.3.2	Insurance Renewal FY26/27	45
7.3.3	S6 Instrument of Delegation from Council to Council Staff.....	46

7.3.4 Councillor Gifts, Benefits and Hospitality Policy.....	46
7.3.5 Councillor Expenses and Facilities Policy	47
7.4 City Services	48
7.4.1 2026129 - Princes Highway Reserve, Gladeswood Reserve, Queens Parade Reserve - Playground Constructions.....	48
7.4.2 Asset Management Policy	49
7.4.3 2026124 - Gardiners Reserve Pitch 3 & Larpent Reserve Sportsground Construction.....	49
7.4.4 2026126: 2026 - 2027 Drainage Package to Various Sites	50
7.4.5 2027005: Atherton Road / Atkinson Street Intersection - Traffic Signal & Civil Construction Works	51
7.5 Chief Executive Officer	51
8 NOTICES OF MOTION	51
8.1 Notice of Motion- Federal Decision regarding Shelving of Mandatory National Packaging Standards and Plastics Recycling	51
9 URGENT BUSINESS	52
10 CONSIDERATION OF WRITTEN REPORTS OF COMMITTEES.....	52
11 PERSONAL EXPLANATIONS.....	52
12 COUNCILLORS' REPORTS.....	52
13 CONFIDENTIAL BUSINESS	53
14 MEETING CLOSURE.....	53

1 ACKNOWLEDGEMENT OF COUNTRY

Monash Council acknowledges the Traditional Owners of the lands on which we meet, the Wurundjeri Woi Wurrung and Bunurong People, and recognises their continuing connection to the land and waterways.

We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

2 PRESENT AND APOLOGIES

PRESENT

Councillors: S James (Mayor), E Lee (Deputy Mayor), A de Silva, J Fergeus, G Lake, B Little, C Little, N Luo, S McCluskey, R Paterson.

Officers: T Scicluna, V Blackman, J Doake, I Kelly, G Talbot, M Barbante, S Wickes, A Sapolu, D Ganeshan, C Aslanidis, G Budhiraja.

APOLOGIES

Councillor: P Klisaris

3 DISCLOSURES OF INTEREST

Nil.

4 CONFIRMATION OF MINUTES

Moved: Cr B Little

Seconded: Cr C Little

MOTION

That the minutes of the following meeting be taken as read and confirmed:

- **Meeting of Council held on 25 August 2026**

CARRIED

5 RECEPTION AND READING OF PETITIONS, JOINT LETTERS AND MEMORIALS

Nil.

6 PUBLIC QUESTION TIME

The Mayor advised that no questions had been received.

7 OFFICERS' REPORTS

7.1 City Development

7.1.1 TOWN PLANNING SCHEDULE

Moved: Cr Lee

Seconded: Cr B Little

MOTION

That Council notes the report containing the Town Planning Schedules.

CARRIED

7.1.2 TPA/57779- 1816-1832 DANDENONG ROAD, CLAYTON - CONSTRUCT BUILDINGS AND WORKS FOR A FOUR (4) STOREY DATA CENTRE, DISPLAY OF BUSINESS IDENTIFICATION SIGNS AND REDUCTION OF CAR PARKING REQUIREMENTS

Moved: Cr Lake

Seconded: Cr James

MOTION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/57779) for the development of a four (4) storey building (data centre), display of business identification signage, alteration of access to a road in a Transport Zone 2 and reduction of car parking at 1816-1832 Dandenong Road CLAYTON VIC 3168 subject to the following conditions:

Amended Plans Required

- 1. Before the development starts, amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans prepared by HDR Pty Ltd (Revision A) dated 15 December 2025, but modified to show:**
 - a) A notation and 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) on both sides from the edge of the exit lane of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road;**
 - b) A notation to read 'all existing trees (including street trees and neighbouring trees) are to be protected in accordance with the recommendations in the arboricultural report prepared by Tree Logic dated 9 February 2026 (or updated versions)'.**
 - c) A notation to Tree 5, that it is to be pruned in accordance with the recommendations in the arboricultural report prepared by Tree Logic dated 9 February 2026 (or updated versions).**
 - d) Rainwater tank details in accordance with the Sustainability Management Plan required under Condition 9;**
 - e) A landscape plan in accordance with Condition 4;**
 - f) A waste management plan in accordance with Condition 7;**
 - g) A Sustainability Management Plan in accordance with Condition 9; and**
 - h) A green travel plan in accordance with Condition 10.**

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.**

Compliance with Documents Approved under this Permit

- 3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority.**

Landscaping Plan

- 4. 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 show:

- a) A planting schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), pot / planting size, location, botanical names and quantities;
- b) Planting to soften the appearance of hard surface areas such as driveways and other paved areas;
- c) The location of any retaining walls associated with the landscape treatment of the site;
- d) Details of all proposed surface finishes including pathways, accessways, patio or decked areas;
- e) 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;
- f) The location of external lighting (if any);

all to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit.

5. Before occupation of the development, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority thereafter.
6. All external lighting must be designed, baffled, located and maintained to prevent light spill from the site causing any unreasonable amenity impacts on the locality, 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 (WMP) must be approved by the Responsible Authority. The plan must provide details of a regular private waste (including recyclables) collection service for the subject land and be prepared in accordance with the Multi-Unit and Commercial Developments Waste Management Plan Guide for Applicants. The plan must include the following:
 - a) The method and location of collection of all waste from the land;
 - b) Waste volume calculation and total waste generated per waste stream;
 - c) Frequency of Waste collection and permitted collection times;
 - d) Plans showing the location of bin storage areas, required bin storage equipment and features, number of bins and location of temporary bin storage at collection point(s);
 - e) Provision of bin cleaning equipment, washing facilities and sewer disposal within the waste storage area;

- f) **Type / Size of private waste vehicles;**

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

Construction Management Plan

8. **Prior to the commencement of any site works (including any demolition, vegetation removal and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. Once approved, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:**
- a) **Pedestrian and cyclist access through and around the construction site including ongoing connections to the adjoining shared user path network;**
 - b) **Appropriate measures to control noise, dust and water and sediment laden runoff;**
 - c) **Appropriate measures to prevent silt or other pollutants from entering into the Council's drainage system or onto the road network;**
 - d) **Appropriate measures relating to removal of any hazardous or dangerous material from the site, where applicable;**
 - e) **A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network or drainage system;**
 - f) **A program for the regular cleaning and maintenance of the surrounding road surfaces;**
 - g) **A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;**
 - h) **Measures to provide for public safety and 24 hour site security;**
 - i) **A plan showing the location of parking areas for all construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to the surrounding location. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;**
 - j) **A Traffic Management Plan showing truck routes to and from the site;**
 - k) **A swept path analysis, using the largest truck anticipated on site, demonstrating the ability of trucks to enter and exit the site in a safe and timely manner.**
 - l) **Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;**
 - m) **The provision of 24 hour contact details of key construction site staff; and**

n) **Restriction on hours of work on site, including demolition, excavation or general construction works, to the following hours:**

- **Monday to Friday (inclusive) – 7.00am to 6.00pm;**
- **Saturday – 9.00am to 1.00pm;**
- **Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)**
- **No works are permitted on Sundays or Public Holidays.**

Unless prior written consent is provided by the Responsible Authority these hours cannot be varied.

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

Sustainability Management Plan (SMP)

9. **Concurrent with the endorsement of plans requested pursuant to Condition 1, the Sustainability Management Plan prepared by HDR (Issue 2) dated 12 December 2025 will be endorsed and then form part of the Permit.**

The development must incorporate the sustainable design initiatives outlined in the endorsed Sustainable Management Plan to the satisfaction of the Responsible Authority.

Green Travel Plan

10. **Concurrent with the endorsement of plans requested pursuant to Condition 1, a Green Travel Plan (in accordance with Clause 15.01-2L-02- Environmentally sustainable development policy) 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) **Education and awareness initiatives and incentives for residents and visitors to encourage more sustainable modes of travel to/from the site;**
 - c) **Management practices identifying sustainable transport alternatives;**
 - d) **Consider the provision of electric vehicle charging facilities;**
 - e) **Entry / common areas of building to include real time information of train, tram and bus services;**
 - f) **Details of bicycle spaces for residents and visitors;**
 - g) **An obligation to update the plan not less than every 5 years;**

- h) Details of when and how this travel plan will be available for new occupants;
- i) Any other relevant matters.

The Green Travel Plan must be provided to the management and residents of the building to the satisfaction of the Responsible Authority. This plan may only be amended with the prior written consent of the Responsible Authority.

Car Parking and Accessways

11. Before occupation of the development, 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; and
 - e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

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

12. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.

Ongoing Architect Involvement

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

Services and Plant Equipment

14. 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.
15. 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.

Loading and Unloading

16. All loading and unloading of vehicles must be carried out within the boundaries of the land and designated loading bays and must be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

Noise

17. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

Noise protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

Storage of Goods

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

Signage

19. The location, layout, dimensions, structures and features of the approved signs shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
20. All signs must be constructed and maintained to the satisfaction of the Responsible Authority.
21. All signs must be located wholly within the boundary of the land.
22. No flashing, intermittent or changing colour light is permitted to be displayed, except with the prior written consent of the Responsible Authority.
23. Signs must not be illuminated by external lights without the written consent of the Responsible Authority.
24. The sign must not obstruct the view of motorists, obscure traffic signals or constitute a road safety hazard in any way.
25. The sign must not:
 - a) Dazzle or distract drivers due to its colouring;
 - b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles;

- c) Be able to be mistaken as an instruction to drivers.

to the satisfaction of the Responsible Authority.

Drainage & Stormwater

- 26. The site must be drained to the satisfaction of the Responsible Authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.
- 27. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.

Satisfactory Continuation

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

Department of Transport Conditions (Ref: PPR 51376/26)

- 29. Prior to the commencement of the use the works shown on the endorsed plans for the Dandenong Road (Service Road) access must be completed to the satisfaction and at no cost to the Head, Transport for Victoria.
- 30. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety to the satisfaction of the Head, Transport for Victoria.
- 31. All vehicles must always enter and exit the site in a forward direction to the satisfaction of the Head Transport for Victoria.

Victorian WorkCover Authority (Ref: DOC/26/122767)

- 32. At least one month prior to the commencement of construction (except for preliminary site works that will not be affected by the outcome from any fire-related hazard assessment), the applicant must develop, implement, maintain and communicate written plans for dealing with any emergency associated with the storage and handling of dangerous goods onsite. The plans must include:
 - a) A 'preliminary' emergency management plan for the operational phase of the full site development, capable of being handed over to any future owner/occupiers. As a minimum the emergency plan assessment is required for the high-risk fire-related hazards associated with dangerous goods storage and handling. The plan must consider offsite impacts of an incident involving this site's dangerous goods on surrounding properties.

- b) Consultation with the relevant fire authority's Dangerous Goods Unit. Consultation must be documented and included with the 'preliminary' emergency management plan. The fire protection system design must be amended, if required, to comply with any recommendations made by the fire authority.

Preliminary Pre-Incident Plans (PIPs) must be developed for the high-risk fire related incidents in line with Fire Rescue Victoria's Fire Safety Guideline *GL-52: Development of Pre-Incident Plans at Major Hazard Facility and Dangerous Goods Sites*.

- 33. The applicant must apply all proposals so far as reasonably practicable, made in the "Clayton Data Centre Hazard & Risk Assessment" prepared by SLR Consulting Australia Pty Ltd dated 18 December 2025, or subsequent updated reports.
- 34. The emergency response must consider the nearby businesses in the event of an incident. The applicant/owner/occupier must consult with the neighbouring occupiers regarding action in the event of an incident, to be documented in the emergency management plan.

Fire Rescue Victoria (FRV)

- 35. A Fire Safety Study (FSS) prepared in accordance with the FRV Guideline GL-54 (or updated regulations) to address on-site fire protection system, emergency response arrangements and firewater management. The FSS is to be submitted and approved by the FRV.

Department of Health

- 36. Unless otherwise approved in writing by the Department of Health and the Responsible Authority, prior to the commencement of any development (including any demolition or excavation) where cranes and associated construction equipment are to be used, a Flight Path Crane Construction Management Plan must be submitted to and approved by the Department of Health and by the Responsible Authority. The Flight Path Crane Construction Management Plan must:
 - a) Include measures to avoid any impact of the construction of the building on the safe and unfettered operation of the Monash Medical Centre and Victorian Heart Hospital Helicopter Landing Sites by:
 - i) Identify the location, type, reach and maximum elevation (in AHD) of cranes and any other construction equipment.
 - ii) ensure that the crane or other equipment does not penetrate the Victorian Heart Hospital Helicopter Flight Path Obstacle Limitation Surface limit at 157.4m AHD.
 - iii) include communication methodology for recall of the cranes within five (5) minutes advanced notification, should the jib be proposed to operate within the Monash Medical Centre Hospital Helicopter Flight Path Obstacle Limitation Surface limit at 115.4m AHD.
 - iv) detail the measures used to retain cranes and construction equipment outside of the Monash Medical Centre Hospital Helicopter Flight Path Obstacle Limitation Surface limit at 115.4m AHD out of hours.

- v) demonstrate that cranes and any other construction equipment will be lit in accordance with AAV specified crane lighting requirements in accordance with the table below, when within 1 km of a major Helicopter Landing Site.

Cranes	Lighting Requirements	
	Day	Night
Top of Crane	Medium intensity white obstruction light	Medium intensity red obstruction light
End of Jib	Medium intensity white obstruction light	Medium intensity red obstruction light
Along Jib	Line of white LED lights (Weather proof emergency lights with minimum 90 minute battery back-up) on a PE cell along the full length of the jib.	
Tower Section	Stairway lights or spot lights attached to the top of the tower pointing down and onto the tower	

The Flight Path Crane Construction Management Plan must be implemented during the construction of the building to the satisfaction of the Department of Health and the Responsible Authority.

37. Prior to the installation of any solar panel, a solar glare hazard assessment must be prepared to the satisfaction of the Department of Health and Responsible Authority, including any measures to ensure the safety of aircraft operations.

Time for Starting and Completion

38. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
- The development is not started before three (3) years from the date of issue.
 - The development is not completed before five (5) years from the date of issue.
 - The approved signs are not displayed within three (3) years from the completion of the development.

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

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

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

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 stormwater connections are to be inspected by Council's Engineering Department.
- C. 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 the Council's Engineering Department before any stormwater drainage works commencing.
- D. A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department before 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.
- E. 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.
- F. The full cost of reinstatement of any Council assets affected by the demolition, building or construction works, must be met by the permit applicant or any other person responsible for such works, to the satisfaction of the Responsible Authority.
- G. Unless no permit is required under the planning scheme any signs must not be constructed or displayed without a further permit.

Notes required by Department of Transport

- H. The development seeks to create or alter access to Dandenong Road. Before works start, separate approval/s under the Road Management Act 2004 will be required from the Head, Transport for Victoria for works within the road reserve. The development may require major works (such as electricity and water supply) within the Head, Transport for Victoria's road reserves. Any proposed works within the arterial road reserves will require separate approval from the Head Transport for Victoria under the Road Management Act 2004.

LOST

ALTERNATIVE MOTION

Moved: Cr Paterson Seconded: Cr Lee

That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/57779) for the development of a four (4) storey building (data centre), display of business identification signage, alteration of access to a road in a Transport Zone 2 and reduction of car parking, at 1816-1832 Dandenong Road, Clayton VIC 3168 for the following reasons:

1. The scale, intensity and operational nature of the proposed development would result in an unacceptable intensification of the data centre use on the land that is not in the net community benefit.

2. The scale, intensity and operational characteristics of the proposal, including its ongoing energy demands, requisite wider infrastructure footprint such as 66kv powerlines and associated environmental impacts, would result in an unacceptable adverse effect on the natural environment and ecological values of the site and surrounding area, contrary to Clause 12 of the Monash Planning Scheme (Environmental and Landscape Values).
3. The proposal does not represent an acceptable planning outcome when assessed against the decision guidelines of Clause 65 of the Monash Planning Scheme, which requires consideration of the environmental effects of the proposal and whether the use and development appropriately respond to the natural environment and surrounding context.

CARRIED

7.1.3 TPA/57727 - UNITS 1-6 AND COMMON PROPERTY OF 7 WHITE STREET, OAKLEIGH EAST

Moved: Cr Lee

Seconded: Cr B Little

MOTION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit TPA/57727 for use and development of the land for a purpose-built student accommodation facility (residential building) and removal of canopy trees at units 1 – 6 and common property of 7 White Street, Oakleigh East subject to the following conditions:

1. Before the development starts, amended plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans prepared by Parallel Workshop Architects, Revision A (dated 14.04.2026) but modified to show:
 - a) An increase in the rear setback of the building, where required, to achieve no additional overshadowing to the adjoining secluded open space areas at 3/8 and 4/8 Greta Street (to the rear) at 9am and 10am on 22 September. Shadow diagrams must demonstrate that the shadow cast by the development is less than or equal to that currently cast by the existing conditions. Any consequential changes required to achieve this:
 - i) must not reduce the minimum setbacks of the building from other boundaries or the dimensions of the ground floor outdoor communal courtyard.
 - ii) must maintain the overlooking screening treatment of all west facing upper floor windows (as shown on the advertised plans).
 - iii) must provide screening treatment, in accordance with the requirements of Clause 55.04-4 Standard B4-4 (Overlooking) of Clause 55 of the Monash Planning

Scheme, if required, to the upper floor north facing windows within 9m of the secluded open space area to the north-west.

- iv) must maintain a maximum building height of less than 11 metres above natural ground level on all elevations.**
- b) A minimum internal floor area of 24m² square metres for all units, which must be measured to the interior rather than exterior of the rooms and party walls. The internal dimensions of each unit must be clearly annotated on the plans and show any consequential internal changes and they:**
 - i) must not reduce the size of the ground floor outdoor communal courtyard.**
 - ii) must not reduce the size of ground or first floor common areas.**
 - iii) must retain at least 56m² of common area at second floor level.**
- c) Shading devices to north facing windows serving the first-floor gym/lounge and second floor quiet area/study and ambulant room, as required by Clause 55.05-4 Standard B5-4.**
- d) Notations showing the following:**
 - i) minimum sill heights of 1.7 metres above finished floor level to west facing windows within first and second floor common areas.**
 - ii) a maximum transparency of 25% to the perforated vertical metal panes provided to upper level east facing windows serving the gym and ambulant rooms.**
- e) The removal of the three (3) clotheslines abutting the west (rear) boundary and their relocation to an alternate position, to improve planting space along the rear boundary.**
- f) A notation that all units must be provided with independent heating and cooling.**
- g) The location and Tree Protection Zones of the four (4) nature strip trees.**
- h) An amended Landscape Plan prepared in accordance with Condition 4.**
- i) An amended Waste Management Plan prepared in accordance with Condition 6.**
- j) An amended Sustainability Management Plan prepared in accordance with Condition 7.**
- k) A Tree Protection Plan prepared in accordance with Condition 12.**
- l) Notations (if required) in relation to construction requirements set out in the Tree Management Plan.**

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.**

Compliance with documents approved under this permit

- 3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.**

Landscape Plan

- 4. 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. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by John Patrick Landscape Architects dated 14.04.2026 (Revision A) except that the plan must be a detailed Landscape Plan that includes:**
 - a) Any changes required by Condition 1 of the permit;**
 - b) Deletion of any trees to be removed.**
 - c) The number of plants to be provided in each location.**
 - d) A planting schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), pot / planting size, location, botanical names and quantities;**
 - e) Screen/hedge type planting in proximity to the rear boundary, which must reach a minimum mature height of 3 metres and comprise a mixture of evergreen and deciduous species. The species must be selected to not impact on assets within the rear easements;**
 - f) The location of any fencing internal to the site;**
 - g) The location of any retaining walls associated with the landscape treatment of the site;**
 - h) Details of all proposed surface finishes including pathways, accessways, patio or decked areas;**
 - i) The location of Tree Protection Zones and Tree Protection Fencing, including for the four (4) street trees;**
 - j) An in-ground, automatic watering system, which must be installed to maintain to the common garden areas to the satisfaction of the Responsible Authority;**
 - k) The location of external lighting;**

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

- 5. Before the occupation of any 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 thereafter maintained to the satisfaction of the Responsible Authority.**

Waste Management Plan

6. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan, prepared by Traffix Group, dated 20/03/2026 and labelled Issue D, except that the plan must be modified to show:

a) Any changes required by Condition 1 of this Planning Permit.

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

Sustainability Management Plan

7. Concurrent with the endorsement of plans requested pursuant to Condition 1, a Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by Melbourne Sustainability Consultants dated 11 November 2025, except that the plan must be modified to show:

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

Upon approval the Sustainable Management Plan will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined 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 and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:

- a) Appropriate measures to control noise, dust and water and sediment laden runoff;
- b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
- c) Appropriate measures to protect existing drainage pits.
- d) Appropriate 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 so as to prevent material leaving the site and being deposited on Council's road network;
- f) A program for the cleaning and maintaining surrounding road surfaces;

- g) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;
- h) Measures to provide for public Safety and site security;
- i) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
- j) A Traffic Management Plan showing truck routes to and from the site;
- k) 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;
- l) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- m) The provision of contact details of key construction site staff; and
- n) 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;
 - No works are permitted to occur on Sundays or Public Holidays.

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

Section 173 Agreement

9. Prior to the endorsement of plans referred to in Condition 1 the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:
- a) That no person may reside in the building unless that person is a bona fide student or academic whether part time, full time, short term or resides there in a supervisory, management or caretaker capacity of the facility;
 - b) Car parking spaces are only permitted to be used by the occupants of the units and their visitors;
 - c) Car spaces must not be individually subdivided, on-sold, leased, rented or made available to any other person other than an owner or occupant or visitor of the premises;

- d) Clearly note and acknowledge that should the land cease to be used for student housing, a new planning permit may be required for an alternative use. It should be noted that any dispensation for on-site car parking given to the student accommodation use is not transferable to any proposed alternative use of the land.
- e) Any subsequent use will be assessed in accordance with the car parking requirements of the Monash Planning Scheme;
- f) That the student accommodation premises must be managed by a single entity with responsibility for all aspects of the use; and
- g) An operational management plan prepared and implemented to the satisfaction of the Responsible Authority in accordance with Condition 10 of this permit.

All costs of preparation, execution and registration of the agreement must be borne by the owner of the land, or the future Owners Corporation, including those costs incurred by the Responsible Authority.

Operational Management Plan

10. Prior to the commencement of the student accommodation use, an Operational Management Plan must be submitted to and approved by the Responsible Authority. The Plan should detail but not limited to:
- a) Induction of residents to be familiar with the behaviour requirements of the Management Plan;
 - b) A log for recording residents and visitor details;
 - c) Student accommodation units managed and under the control of a single operator responsible for the operation and maintenance of the entire premises for the life of the use as student accommodation;
 - d) The 24 hour contact details for the management of the premises displayed in a manner and location that it is visible to any person entering the site. This information is to be updated as required immediately following any change to the nominated responsible management contact person;
 - e) A resident on-site manager must be on the premises at all times.
 - f) All issues or complaints that arise must be recorded and must include details of actions taken to address the issue or complaint;
 - g) Appropriate management of the car park including access arrangements;
 - h) Appropriate maintenance of buildings and grounds, including all landscaped areas;
 - i) Waste Disposal, including management of bins, in accordance with the waste management conditions of this permit;
 - j) Landscaping maintenance; and
 - k) Goods must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.

- l) A requirement that residents of all units must be notified in writing as part of any lease or rental agreement that they will not be entitled to car parking permits for on street car parking;**

When approved, the Operational Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority.

Green Travel Plan

- 11. Prior to the commencement of the student accommodation use, 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 residents and visitors 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) Lobby areas of building to include real time information of train, tram and bus services;**
 - g) Details of bicycle spaces;**
 - h) An obligation to update the plan not less than every 5 years;**
 - i) Details of when and how this travel plan will be available for new residents.**
 - j) Any other relevant matters.**

The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Tree Protection

- 12. Concurrent with the submission of amended plans required by Condition 1 and prior to any demolition or site works, a Tree Protection Plan (TPP) must be submitted to and approved by the Responsible Authority. The TPP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of tree numbers 1, 11, 12, 13, 23, 24, 25 and 26, as identified in the Arboricultural Report submitted with the application, prepared by John Patrick Landscape Architects and dated 27 February 2026. This plan must also show the location of the four (4) street trees within the front nature strip.**

The TPP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of the site. The TPP must make specific recommendations in accordance with the Australian Standard AS4970:2025 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:

- a) A Tree Protection Plan drawn to scale that shows:
 - i) Tree protection zones (TPZ), Notional root zones (NRZ) and structural root zones (SRZ) of all trees to be retained,
 - ii) All tree protection fenced off areas and areas where ground protection systems will be used;
 - iii) The type of footings within any tree protection zones;
 - iv) Any services to be located within the notional root zone and a notation stating all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and
 - v) A notation to refer to the Tree Protection Plan for specific details on what actions are required within the tree protection zones.
- b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.
- c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and
- d) Any remedial pruning works required to be performed on tree canopies located within the subject site. The pruning comments must reference Australian Standards 4970:2025, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

The recommendations contained in the approved Tree Protection Plan must be implemented to the satisfaction of the Responsible Authority.

- 13. All Monash City Council trees must be protected from construction and works activities in accordance with Australian Standard AS 4970-2025 Protection of trees on development sites to the satisfaction of the Responsible Authority.
- 14. Tree protection fencing must be installed around all street trees prior to any machinery or materials being brought onto the site and before commencement of works including demolition, as per AS 4970-2025 - Protection of trees on development sites, to the satisfaction of the Responsible Authority.
- 15. Roots within the TPZ of street trees must not be 'pruned' or removed with machinery such as backhoes or excavators. Hand methods must be used to locate, expose, and cleanly remove any roots on the line of excavation. No roots are to be cut or pruned within the SRZ (AS 4970-2025 Protection of trees on development sites) to the satisfaction of the Responsible Authority.

Drainage

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

Plant / Equipment and Pipe Concealment

- 17. 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.**
- 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.**

Car Parking and Access

- 19. 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.**
 - f) parking areas and access lanes must be kept available for these purposes at all times.**
- 20. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.**

Vehicle Crossings

- 21. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.**
- 22. The existing redundant vehicle crossover is to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of the Responsible Authority.**

Privacy screens

- 23. 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 ongoing to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent glass or windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

Amenity of Area

- 24.** 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) overspill of car parking onto the street network;
 - e) presence of vermin;

To the satisfaction of the Responsible Authority.

Time for Starting and Completion

- 25.** In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
- a) The development has not started before 3 years from the date of issue.
 - b) The development is not completed before 5 years from the date of issue.
 - c) The use is not started within 3 years from the completion of the development.

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

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

Notes

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

- C. Any residents of the approved development will not be entitled to car parking permits for on-street car parking.**
- D. An Asset Protection Permit may be required (and if required, must be obtained prior to works commencing) from Council's Engineering Department for the protection of public assets and infrastructure prior to any works commencing on the land.**
- E. No work can commence on site without first obtaining an asset protection permit and paying the applicable bond.**
- F. Building Over Easement approval is required from Council's Engineering Department.**
- G. The design parameters for the internal detention system are to be obtained from the Council's Engineering Department (mail@monash.vic.gov.au). In some circumstances, a drainage contribution may be accepted instead 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.**
- H. Prior to the commencement of any site works (including demolition and excavation), a plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department. The plans must show sufficient information to determine that the drainage and civil work will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on www.monash.vic.gov.au. Once approved, the plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority.**
- I. The site must be drained to the satisfaction of the Responsible Authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties, including the road reserve.**
- J. Stormwater is to be detained on-site to the predevelopment level of peak stormwater discharge to the satisfaction of the Responsible Authority. The design of any internal detention system is to be approved by the Council's Engineering Department before any stormwater drainage works commencing.**
- K. Engineering permits must be obtained for new or altered or removal of vehicle crossings, works within the Road Reserve and stormwater connections, and these works are to be inspected by the Council.**
- L. No work must be commenced in, on, under or over the road reserve without having first obtained 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.**
- M. The full cost of reinstatement of any Council assets affected by the demolition, building or construction works, must be met by the permit applicant or any other person responsible for such works, to the satisfaction of the Responsible Authority.**
- N. Tree planting should be kept clear of any drainage easement.**

CARRIED

7.1.4 TPA/47359E - 62-94 JACKSONS ROAD MULGRAVE

Moved: Cr McCluskey Seconded: Cr Lee

MOTION

That Council resolves to issue Amended Planning Permit TPA/47359E for the staged development of the land for purpose of a Retirement Village and Residential Aged Care Facility, alteration of access to a Transport Zone 2, removal of native vegetation at 62-94 Jacksons Road, Mulgrave subject to the following conditions:

1. Prior to the commencement of the development approved by this amended permit, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed they will then form part of the Permit. The plans must be generally in accordance with the decision plans prepared by Telha Clarke Architecture & Design, Plan no. TP00-00 – TP92-13 dated 2 June 2026 and but modified to show:
 - a) A pedestrian gate and pathway providing access from the open space at the rear of the site to Gladeswood Reserve and to include a sign stating private access only.
 - b) A notation indicating that the supply and installation of the bus shelter to be in accordance with Council's current bus shelter contract.
 - c) Any changes to the development as a result of the Functional Layout Plan prepared in accordance with Condition 34.
 - d) All car parking spaces dimensioned to comply with the design standards specified in Clause 52.06-9.
 - e) The accessible parking spaces designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6.
 - f) Removal of the reference to proposed easement.
 - g) Removal of the reference to the extension of easement E-4.
 - h) The substation and services area along the access way from Jacksons Road to be shown on the plan as constructed.
 - i) An amended Waste Management Plan prepared in accordance with Condition 4.
 - j) A Sustainable Management Plan prepared in accordance with Condition 5.
 - k) A Stormwater Management Strategy in accordance with Condition 6.
 - l) An amended Car Parking Management Plan in accordance with Condition 7.
 - m) A Tree Management Plan prepared in accordance with Condition 8.
 - n) An amended Landscape Plan in accordance with Condition 11.
 - o) An amended Landscape Masterplan generally in accordance with the Landscape Masterplan submitted with the application (prepared by Papworth Design, dated

03/06/26, Rev Tp2) but modified to show the removal of the proposed easement, removal of the extension of easement E-4, and the substation and services area as constructed.

all to the satisfaction of the Responsible Authority.

2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. As part of the ongoing consultant team, Telha Clarke Architecture & Design or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:
 - a) Oversee design and construction of the development; and
 - b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Management and Landscaping Plans

Waste Management Plan

4. The Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan (WMP) must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan prepared by LID Consulting, dated 19 March 2026, except that the plan must be modified to show:
 - a) Details of bin storage on scale plans marked up to indicate Amenity (screening, odour and noise), cleaning/washing, drainage to sewer, accessibility, bin maneuverability and all waste streams.
 - b) Reference to cleaning/washing facilities and drainage to sewer to be described in terms of “must” not “should”.
 - c) Describe the actual designed ventilation solution for this development regarding garage storage of bins.
 - d) The provision of an on-site clothing recycling bin.
 - e) Drainage to sewer and tap required in internal bin storage areas.
 - f) An aerial site plan showing the location of bins/access routes/transfer routes for the Villas.

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

Sustainable Management Plan

5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan prepared by 9 November 2022 (and accompanying addendum dated 27 February 2026) must be implemented and complied with to the satisfaction of the Responsible Authority.

Stormwater Management Strategy

6. The provisions, recommendations and requirements of the endorsed Stormwater Management Strategy prepared by Adams Consulting Engineers dated 19 March 2026 must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Park Management Plan

7. Concurrent with the endorsement of any plans pursuant to Condition 1, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must be generally in accordance with the car park management plan, prepared by Traffix Group Pty Ltd, dated March 2026 and must address, but not be limited to, the following:
 - a) The Staff Parking regulatory signs to be shown in the Signage Plan in Appendix C and designed in accordance with Australian Standards AS1742.11.
 - b) Table 4 corrected to remove the word “angled”.

Tree Management Plan

8. The provisions, recommendations and requirements of the endorsed Tree Management Plan prepared by Axiom Tree Management Pty Ltd dated 20 March 2026 must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

9. Prior to the commencement of any further site works, a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the Construction Management Plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority.

The plan must address the following issues:

- a) Hours for construction activity in accordance with any other condition of this permit;
- b) Measures to control noise, dust and water and sediment laden runoff;
- c) Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
- d) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
- e) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
- f) Cleaning and maintaining surrounding road surfaces;

- g) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;
- h) Public Safety and site security;
- i) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
- j) Detail regarding car parking availability for residents once buildings are occupied for earlier stages and for construction workers for remaining stages to demonstrate that construction parking demand can be accommodated wholly on the site;
- k) A Traffic Management Plan showing truck routes to and from the site;
- l) 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;
- m) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- n) Contact details of key construction site staff;
- o) Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.
- p) Except with the prior written consent of the Responsible Authority, a requirement that construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) - 7.00am to 6.00pm;
 - Saturday — 9.00am to 1.00pm;
 - 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.)

No works are permitted on Sundays or Public Holidays.

Landscape Plan

10. Before the commencement of each stage of development, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Masterplan Plan prepared by Papworth Design Pty Ltd dated 3 June 2026, except that the plan must show:
- a) Provision for a gate and pathway showing rear access to Gladeswood Reserve
 - b) Details of pavement materials / finishes.

- c) Schedule of all proposed trees, shrubs, creepers and ground cover, (including quantities) which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material.
- d) Provision of suitable replacement canopy trees, throughout the development including within common areas, within open space areas along property boundaries.
- e) Provision of appropriate species suited to low water use and low ongoing maintenance.
- f) Detail of growing medium, irrigation and drainage of planter boxes and planting within confined spaces; and
- g) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site. All to the satisfaction of the responsible authority.

Amended Landscape Plan for Completed Stages

11. Before the commencement of any further stage of development, an amended landscape plan for the completed stages of the development must be submitted and approved by the Responsible Authority. The plans must be prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned and when endorsed, the plan will form part of the Permit. The amended Landscape Plan must be generally in accordance with the approved landscape plans for the site, prepared by Papworth Design Pty Ltd and endorsed by Council on 12 September 2024 and 13 June 2025, as well as generally in accordance with the Landscape Masterplan Plan prepared by Papworth Design Pty Ltd dated 19 March 2026, except that the plan must detail:
- a) The location of all trees that have been removed from the site as a result of storm damage and or site works.
 - b) The suitable provision of replacement planting of native species, in a similar location to the location of trees that have been removed.
 - c) Schedule of all other proposed trees, shrubs, creepers and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material.
 - d) Provision of appropriate species suited to low water use and low ongoing maintenance.
- all to the satisfaction of the responsible authority.
12. The provisions, recommendations and requirements of the above endorsed Management Plans related to in Conditions 4 to 11 inclusive must be implemented and complied with to the satisfaction of the Responsible Authority.

General Conditions

Use Conditions

13. Prior to the use commencing, the owner of the land at 62-94 Jacksons Road, Mulgrave, must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to provide that the Independent Living Villa and Units as shown on the plans prepared by Telha Clarke Architecture and Design dated 2 June 2026 must only be used for the purpose of a retirement village in accordance with the *Retirement Villages Act 1986 (Vic)* or future legislation which may supersede this Act. The agreement must be registered on title and the cost of the preparation and execution of the Agreement is to be paid by the owner.
14. The Retirement Village must be operated and managed in accordance with the *Retirement Villages Act 1986 (Vic)* or future legislation which may supersede this Act.
15. The amenities and other communal facilities must only be used by residents and their guests or by members of staff, to the satisfaction of the responsible authority.
16. The temporary village centre is to be removed from the site upon completion of Stage 7.

Car Parking Conditions

17. No less than 261 car spaces must be provided on the land to the satisfaction of the Responsible Authority prior to the occupation of the last stage of the development.
18. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.
19. Concrete kerbs or other suitable barriers must be provided to prevent damage to fences and/or landscaped areas and to prevent direct vehicle access to and from the site other than by the nominated access, to the satisfaction of the Responsible Authority.
20. All loading and unloading of vehicles must be carried out within the boundaries of the land and must be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

Construction of Bus Shelter and Public Footpaths

21. Details of the proposed bus shelter and bus stop are required to be submitted to Council's Engineering Department for approval prior to the works commencing. The full cost of the provision of the bus shelter is to be funded by the developer and is to be arranged in consultation with Council.
22. Plans for the proposed shared path on Jacksons Road are to be submitted to Council's Engineering department for approval. The proposed shared path is required to be constructed to Council standards.

Landscaping and Tree Retention

23. 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.
24. Prior to the completion of any stage of the development allowed by this permit, landscaping and urban design works as shown on the endorsed plans forming part of the that stage of the development must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.
25. Lighting must be provided to the satisfaction of the Responsible Authority to ensure that car park areas and pedestrian accessways are adequately illuminated during evening periods without any loss of amenity to occupiers of nearby land to the satisfaction of the Responsible Authority.
26. 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.

Stormwater Drainage

27. The site must be drained to the satisfaction of the Responsible Authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.

On-Site Detention of Stormwater

28. 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 the Council's Engineering Department before any stormwater drainage works commencing.

Sediment Laden Stormwater Run-off

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

Engineering Approval Required

30. A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department before 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.

Other

31. 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.
32. Any required fire services, electricity supply, gas and water meter boxes as shown on the endorsed plans must be installed in the location as specified on endorsed plans to the satisfaction of the Responsible Authority.

Section 55 Referral Conditions**Department of Transport Conditions (Ref: 21526/17-1)**

33. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the commencement of any works, a revised Functional Layout Plan (FLP) must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The revised FLP must be generally in accordance with Functional Layout Plan (Drawing number: V160019T-TR-DG-2501, Revision 5 dated 17 May 2018 prepared by Cardno) but modified to show:
 - a) Signage and linemarking.
 - b) Swept path analysis for all movements associated with the proposed access point, including the largest design vehicle that could be reasonably anticipated to access the site.
 - c) Functional Stage Road Safety Audit.
 - d) Any revisions as which result from the findings of the Road Safety Audit.
 - e) Shared User Path
 - f) Bus shelter which is DDA compliant, including associated seating and walkways in plan and cross section form, and allocated space for wheelchairs
 - g) Bus stop identification linemarking on Jacksons Road
 - h) The proposed substation to be fully contained within the site
34. Subsequent to the approval of the Functional Layout Plan and prior to the commencement of any roadworks, the applicant must submit the detailed engineering design plans along with a detailed design stage Road Safety Audit to the Head, Transport for Victoria for review and approval. The detailed design plans and any traffic signal modification plan must be prepared generally in accordance with the approved Functional Layout Plan and functional stage Road Safety Audit.
35. Prior to the occupation of the development, all roadworks as per the approved Functional Layout Plan must be completed and available for use.
36. Prior to the occupation of the development, all land to be vested as road or reserve, for which the Head, Transport for Victoria is to be responsible, must be vested in the name of the Head, Transport for Victoria.

37. Prior to the occupation of the development, any disused or redundant vehicle crossings on Jacksons Road must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
38. The demolition and construction of the development must not disrupt bus operations on Jacksons Road without the prior written consent of the Head, Transport for Victoria.
39. Prior to the occupation of the development, all bus stop works must comply with the Disability Discrimination Act 1992 (Cth) and the Disability Standards for Accessible Public Transport 2002 to the satisfaction of the Head, Transport for Victoria.
40. Prior to the occupation of the development, the Head, Transport for Victoria must be provided with GPS co-ordinates of the bus stop(s) and high-resolution photos (300dpi) of the bus stop (streetscape perspective including the entire stop) to the satisfaction of the Head, Transport for Victoria.

Department of Environment, Land, Water and Planning Conditions (Ref: PP/LA/03/0109 & SP461389)

41. Before works start, the permit holder must advise all persons undertaking the vegetation removal and works on site of all relevant conditions of this permit.
42. Before works start, native vegetation protection fencing must be erected around all patches of native vegetation and scattered trees to be retained on site. This fencing must be erected around the patches at a minimum distance of 2 metres from retained native vegetation and at a radius of 12x the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the scattered trees.
43. The protection fencing must be constructed to the satisfaction of the responsible authority. The protection fencing must remain in place at least until all works are completed to the satisfaction of the responsible authority. Except with the written consent of the responsible authority, within this area:
 - a) No vehicular or pedestrian access, trenching or soil excavation is to occur,
 - b) No storage or dumping of tools, equipment or waste is to occur,
 - c) No entry and exit pits for underground services are to be constructed.
44. In order to offset the removal of 1.452 hectares of native vegetation and one scattered tree approved as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements and is in accordance with the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*: The general offset must:
 - Contribute gain of 263 General Habitat Units,
 - Be located within the Port Phillip and Westernport Catchment Management Authority boundary or Monash municipal district.
 - Have a strategic biodiversity score of at least 0.131.
45. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. This offset must meet the offset

requirements set out in this permit and be in accordance with the requirements of *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*. Offset evidence can be either:

- A security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan, which is to include the ongoing management regime in perpetuity. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification.
 - A credit register extract from the Native Vegetation Credit Register.
46. Within two months of the date of this permit or otherwise agreed to by the responsible authority, the Native Vegetation Removal Report (NVRID 348_20260727_1H3) showing the additional native vegetation that is permitted to be removed, destroyed or lopped under this permit must be approved and endorsed by the responsible authority.
47. Within two months of the date of this permit or otherwise agreed to by the responsible authority, the permit holder must secure a native vegetation offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* [Version 1.1] to account for the additional losses shown in NVRID 348_20260727_1H3 approved under this permit.

The offsets secured must be:

- A general offset of 0.0050 general habitat units:
 - located within the Melbourne Water Catchment Management boundary or Monash City area
 - with a minimum strategic biodiversity value of at least 0.1600.
48. Within two months of the date of this permit, or otherwise agreed to by the responsible authority, evidence that the required offset for the additional native vegetation removal has been secured in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* [Version 1.1] must be provided to the satisfaction of the responsible authority.

This evidence must be one or both of the following:

- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site.
- credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

Once approved, a copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

49. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning and Environment Assessment at the Department of Energy, Environment and Climate Action at pe.assessment@deeca.vic.gov.au

AusNet Conditions (Ref: 40110-2 and Ref: 40110-3)

50. No part of the proposed buildings, including eaves, awnings, canopies, shelters and the like, is permitted on AusNet Transmission Group's easement. This excludes removeable umbrella shades and garden sheds up to 3 metres in height.
51. The proposed car park must be used only by domestic and small commercial vehicles not exceeding 3.5 metres in height. Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on the easement with the exception of waste management activities.
52. The use of vehicles and equipment involved in construction work on the easement must not exceed 3 metres operating height without prior written permission from AusNet Transmission Group Pty Ltd. The cleaning, washing down, or maintenance of large vehicles is not to be carried out on the easement.
53. Any lighting poles erected on the easement must not exceed 3 metres in height and must be designed so as to allow lanterns to be lowered to ground level for servicing. Higher poles may be permitted subject to available conductor to ground clearances at this site. Power to lighting poles must be installed underground.
54. Scaffolding is not permitted on the easement.
55. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.
56. The storage of flammable materials, including that within waste bins, is not permitted on the easement. Storage of small quantities of fuel is permitted within the garden sheds for domestic use only.
57. Natural ground surface levels on the easement must not be altered by the stockpiling of excavated materials or by landscaping within prior written approval from AusNet Transmission Group.
58. All services traversing the easement must be installed underground.
59. The use of construction equipment including cranes that have the ability to extend into the easement are not permitted.
60. All future works within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

Time for Starting and Completion

61. Once the development has started, the approved development must be continued and completed to the satisfaction of the Responsible Authority.
62. This Permit will expire if one of the following circumstances applies:

- The first stage of development has not commenced within 3 years of the date of this Permit; or
- The first stage of development is not completed within 2 years from commencement of the first stage; or
- Subsequent stages of development are not completed within 6 years from the completion of the first stage of development.

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

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

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

NOTES

- A. The preparation of the functional layout plan, detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current DoT/VicRoads policy, procedures and standards and at no cost to the Head, Transport for Victoria. In order to meet the requirements for these tasks the applicant will be required to comply with the requirements documented as “Standard Requirements - Externally Funded Projects” and any other requirements considered necessary depending on the nature of the work.
- B. The Functional Layout Plan may need to be amended to accommodate any changes that may arise during the detailed design stage review, in response to the Road Safety Audit, in relation to services and their relocation, vegetation, drainage, treatment of hazards within clear zones and other matters.
- C. The proposed development requires works within in the road reserve. Separate approval under the *Road Management Act 2004* may be required from the Head, Transport for Victoria. Please contact DoT (Roads) prior to commencing any works.
- D. The detailed engineering design plans may need to be amended to accommodate any changes that may arise during the detailed design stage review; in response to the road safety audit; in relation to services and their relocation; vegetation; drainage; treatment of hazards within clear zones and other matters.
- E. Road Safety Audits must be undertaken by an independent VicRoads prequalified road safety auditor and be conducted in accordance with Austroads – Road Safety Audit (Second Edition 2002) requirements. Any identified issues must be addressed to VicRoads ‘satisfaction.
- F. No work must be commenced in, on, under or over the road reserve until all necessary approvals under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts have been obtained. Please contact VicRoads prior to commencing any works.

- G. This is not a Building Permit. Building approval must be obtained prior to the commencement of the above approved works.
- H. This is not approval under the Health Act. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act before occupation and will require approval.
- I. The lot/unit numbers on the “Endorsed Plan” are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council’s Valuation Team on
- J. 9518 3615 or 9518 3210.
- K. Please apply via Council’s online application for permits that are required for any premises within facility that require registration under the Public Health and Wellbeing Act or Food Act. The online application can be found at this link www.monash.vic.gov.au/Business/Starting-or-Buying-a-Business
- L. The design and fit out of the food premises must comply with Food Standard Australia New Zealand’s ‘Food Safety Standard 3.2.3 -- Food Premises & Equipment’.
- M. The premises must not create a nuisance under the Public Health and Wellbeing Act and must comply in all respects with EPA noise legislation.
- N. The private on-site drainage system must prevent stormwater discharge from the internal roads and parking over the footpath and into the road reserve. The internal drainage system may include either:
- a trench grate (minimum internal width of 150 mm) located within the property boundary; and/or
 - shaping the internal roads and parking so that stormwater is collected in grated pits within the property; and or
 - another Council approved equivalent.
- O. All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council’s Engineering Department prior to drainage works commencing.
- P. The nominated point of stormwater connection for:
- Stage 1 of the development is to the north-west corner of 62-94 Jacksons Road where the stormwater drainage must be collected and free drained via a pipe to the existing side entry pit in the nature strip at the south-western corner of 1 Andleigh Drive.
 - Stage 2: To direct the entire site's stormwater drainage to the north-east corner of the property where it must be collected and free drained via a pipe to the Council pit in the easement via a 900 mm x 900 mm junction pit to be constructed to Council Standards. (A new pit is to be constructed to Council Standards if a pit does not exist, is in poor condition or is not a Council standard pit). Note: If the Point of Connection cannot be located then notify Council's Engineering Department immediately. Please note, since this stage is discharging into an easement through other neighbours – the drainage design is to cater for a 1 in 100 year storm event.

- Stage 3, 4 & 5: To direct the entire site's stormwater drainage to the north-west corner of 62 - 94 Jacksons Road where the stormwater drainage must be collected at a newly constructed junction pit at the north-western corner of the property. (Within the property boundary)

- Q. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$55,000 is to be paid prior to the drainage works commencing.
- R. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.

Ausnet Notes:

- S. It should be noted that there are restrictions on development of the AusNet easement, including buildings, structures, earthworks, roads, services and trees, and that vehicle access is required by AusNet at all times.
- T. Details of any proposed use of the easement must be submitted to and approved by Ausnet before work is commenced on site, Further information is available from AusNet on request.

CARRIED

7.1.5 DEP-21 COUNCIL RESPONSE TO DEPARTMENT OF TRANSPORT AND PLANNING NOTICE OF APPLICATION FOR PLANNING PERMIT - 55-61 ATHERTON ROAD, OAKLEIGH

Moved: Cr James

Seconded: Cr B Little

MOTION

That Council

1. Notes that Council has received Notice of an Application for a Planning Permit pursuant to Clause 53.22 of the Monash Planning Scheme for buildings and works associated with the construction of a mixed-use apartment development and the use of land for accommodation, lodged with the Minister for Planning (Department of Transport and Planning Reference: PA2604453).
2. Notes that the Minister for Planning is the Responsible Authority for the application.
3. Notes the written submission prepared by Council officers and provided to the Minister for Planning in relation to the proposed development.

CARRIED

7.1.6 PLANNING SCHEME REVIEW - UPDATE AND RESPONSE TO ADVISORY NOTE REQUIREMENTS

Moved: Cr B Little

Seconded: Cr Lee

MOTION

That Council

1. Notes that the State government has made significant changes to the Monash planning scheme over the last 3 years through:
 - a) a new State-based Municipal Planning Strategy introduced in May 2024,
 - b) Plan for Victoria,
 - c) Activity Centres Program,
 - d) SRL East Structure Plans; and
 - e) the Planning Reform Program.
2. Notes that the Minister for Planning advised Council in January this year that the Monash Planning Scheme *“will be likely to have sufficient capacity to meet its housing target.”*
3. Notes that the Minister for Planning provided additional guidance for the review of planning schemes through the release of the *Planning Scheme Reviews Advisory Note - March 2026*.
4. Notes that, given the matters set out in points 1 to 3 above, the Monash Planning Scheme is closely aligned with State policy, and the planning scheme review has a more *“housekeeping”* focus, aimed at identifying inconsistencies, redundancies and gaps.
5. Notes the analysis and findings of the review of the Monash Planning Scheme as set out in this report and the attached Monash Planning Scheme Review Report 2026 (the *‘Report’*).
6. Adopts the *Report* in accordance with section 12B (1) of the *Planning and Environment Act 1987* and submits the Report to the Minister for Planning in accordance with section 12B (5) of the Act.
7. Notes that the *Report* identifies strategic projects and other actions that are outside the scope of this Planning Scheme Review and will be considered through Council’s standard budget, community engagement and project planning processes.

CARRIED

7.1.7 UPDATE ON 65A POWER AVE, CHADSTONE

Moved: Cr Paterson

Seconded: Cr B Little

MOTION

That Council

1. Notes the outcome of officers' investigations in affordable housing options for 65a Power Ave, Chadstone, including the consultant report included at Attachment 1 of this paper.
2. Notes that the report concludes that delivery of 100% social housing at 65A Power Avenue is highly unlikely to be feasible under a lease model due to current government funding settings and
3. Notes that the alternative options identified in the report are outside the scope of Council's intentions for 65A Power Avenue and are not captured in any existing Council strategy.
4. Resolves to not progress any further work at 65A Power Avenue for the provision of affordable housing at this time, recognising that the site may form part of future considerations should circumstances change.

Moved: Cr Paterson

Seconded: Cr B Little

PROCEDURAL MOTION

That the speaking time for Cr Paterson be extended.

CARRIED

Moved: Cr Fergeus

Seconded: Cr de Silva

AMENDMENT

That Council

1. Notes the outcome of officers' investigations in affordable housing options for 65a Power Ave, Chadstone, including the consultant report included at Attachment 1 of this paper.
2. Notes that the report concludes that delivery of 100% social housing at 65A Power Avenue is highly unlikely to be feasible under a lease model due to current government funding settings and
3. Notes that the alternative options identified in the report are outside the scope of Council's intentions for 65A Power Avenue and are not captured in any existing Council strategy.

4. Resolves to not progress any further work at 65A Power Avenue for the provision of affordable housing at this time, recognising that the site may form part of future considerations should circumstances change.
5. Writes to member organisations of the Eastern Homelessness Network to:
 - a) outline Council's position; and
 - b) invite them to propose innovative uses for the site which could provide housing for people in need for further investigation, distinct from traditional affordable housing models.
6. Notes that Council will be briefed on any proposals received in due course.

CARRIED

AMENDED MOTION

That Council

1. Notes the outcome of officers' investigations in affordable housing options for 65a Power Ave, Chadstone, including the consultant report included at Attachment 1 of this paper.
2. Notes that the report concludes that delivery of 100% social housing at 65A Power Avenue is highly unlikely to be feasible under a lease model due to current government funding settings and
3. Notes that the alternative options identified in the report are outside the scope of Council's intentions for 65A Power Avenue and are not captured in any existing Council strategy.
4. Resolves to not progress any further work at 65A Power Avenue for the provision of affordable housing at this time, recognising that the site may form part of future considerations should circumstances change.
5. Writes to member organisations of the Eastern Homelessness Network to:
 - a) outline Council's position; and
 - b) invite them to propose innovative uses for the site which could provide housing for people in need for further investigation, distinct from traditional affordable housing models.
6. Notes that Council will be briefed on any proposals received in due course.

CARRIED

7.2 Community Services

7.2.1 DRAFT CREATIVE MONASH STRATEGY 2026-2031

Moved: Cr Paterson

Seconded: Cr McCluskey

MOTION

That Council approves the Draft Creative Monash Strategy 2026-2031 for the purpose of public exhibition.

CARRIED

7.2.2 2024206 ACTIVE MONASH HEALTH CLUB EQUIPMENT - VARIATION

Moved: Cr B Little

Seconded: Cr McCluskey

MOTION

That Council

1. Approves a variation to lease contract 2024206 Active Monash Health Club Equipment, with Life Fitness Australia Pty Ltd in the amount of \$172,026, being greater than 10% of the original contract sum awarded.
2. Notes that a variation increase to the value of \$33,109 was approved under Officer Delegation and applied to the contract in July 2025.
3. Notes that the total revised contract value, inclusive of the awarded contract sum, previously approved Officer variation and this pending variation increases from \$989,018 to \$1,194,153 and
4. Notes that the increased contract value resulting from this pending approval remains within the existing approved and adopted Active Monash Budget.

Please note that all values in this report are GST exclusive unless stated otherwise.

CARRIED

7.2.3 CIVIC SUPPORT FUND RECOMMENDATIONS - SEPTEMBER 2026

Moved: Cr Paterson

Seconded: Cr McCluskey

MOTION

That Council

- Notes the following applications are received for September 2026 under Civic Support Fund.

	ORGANISATION/ NAME	DESCRIPTION	AMOUNT REQUESTED
A	Lilia Cajar-Robinson	2026 Karate Championships	\$1000
B	Waverley Scale Model Club	"Interclub" Model Exhibition Day – hall hire fees	\$500
C	Ana Iyengar-Natt	Endurance Walk – community seed fund to RCH fundraising and logistics and trail safety for walk	\$950
D	Gabriel Cajar-Robinson	2026 Karate Championships	\$1000

- Notes the officer's recommendation to approve Application B for funding in accordance with the Civic Support Fund Policy.
- Resolves to approve Application B for \$325 hall hire only.

CARRIED

7.3 Corporate Services

7.3.1 INFORMAL MEETING OF COUNCILLORS RECORDS

Moved: Cr B Little

Seconded: Cr Lee

MOTION

That Council notes the records of Informal Meetings of Councillors as attached to this report.

CARRIED

7.3.2 INSURANCE RENEWAL FY26/27

Moved: Cr B Little

Seconded: Cr Lee

MOTION

That Council notes the report.

CARRIED

7.3.3 S6 INSTRUMENT OF DELEGATION FROM COUNCIL TO COUNCIL STAFF

Moved: Cr Paterson

Seconded: Cr McCluskey

MOTION

In the exercise of the powers conferred by the legislation referred to in the attached Instrument of delegation, Monash City Council resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
2. The common seal may be affixed to the Instrument, and the Instrument comes into force immediately after the common seal of Council is affixed to the Instrument.
3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

7.3.4 COUNCILLOR GIFTS, BENEFITS AND HOSPITALITY POLICY

Moved: Cr B Little

Seconded: Cr Lee

MOTION

That Council adopts the Councillor Gifts, Benefits and Hospitality Policy as per attachment 1.

Moved: Cr Lake

Seconded: Cr McCluskey

AMENDMENT

That Council adopts the Councillor Gifts, Benefits and Hospitality Policy as per attachment 2.

CARRIED

AMENDED MOTION

That Council adopts the Councillor Gifts, Benefits and Hospitality Policy as per attachment 2.

CARRIED

7.3.5 COUNCILLOR EXPENSES AND FACILITIES POLICY

Moved: Cr Paterson

Seconded: Cr Lee

MOTION

That Council

1. Adopts the Councillor Expenses and Facilities Policy as per attachment 1.
2. Revokes the Policy for Reimbursement of Expenses to Councillors and Members of Delegated Committees and Resources and Facilities for Councillors (adopted on 28 July 2020).
3. Revokes the Councillors' Attendance at Conferences – Policy on Reporting Back to Council (adopted by Council on 25 August 2020).

CARRIED

AMENDMENT

That Council

1. Adopts the Councillor Expenses and Facilities Policy as per attachment 1.
2. Revokes the Policy for Reimbursement of Expenses to Councillors and Members of Delegated Committees and Resources and Facilities for Councillors (adopted on 28 July 2020), but resolves that any expenses incurred prior to adoption of the new policy will continue to be processed in accordance with the procedures under the former policy.
3. Revokes the Councillors' Attendance at Conferences – Policy on Reporting Back to Council (adopted by Council on 25 August 2020).

Meeting Note:

- Cr Lake proposed an amendment. In accordance with Governance Rules 23 (e) and (f) the Amendment was accepted with the consent of Council.

DIVISION

For: Cr James, Cr Lee, Cr B Little, Cr C Little, Cr Lake, Cr Luo and Cr McCluskey

Against: Cr de Silva, Cr Fergeus and Cr Paterson

Abstained: Nil

AMENDED MOTION

That Council

1. Adopts the Councillor Expenses and Facilities Policy as per attachment 1.
2. Revokes the Policy for Reimbursement of Expenses to Councillors and Members of Delegated Committees and Resources and Facilities for Councillors (adopted on 28 July 2020), but resolves that any expenses incurred prior to adoption of the new policy will continue to be processed in accordance with the procedures under the former policy.
3. Revokes the Councillors' Attendance at Conferences – Policy on Reporting Back to Council (adopted by Council on 25 August 2020).

CARRIED

7.4 City Services

7.4.1 2026129 - PRINCES HIGHWAY RESERVE, GLADESWOOD RESERVE, QUEENS PARADE RESERVE - PLAYGROUND CONSTRUCTIONS

Moved: Cr McCluskey Seconded: Cr Lee

MOTION

That Council

1. Awards the tender from Warrandale Industries Pty Ltd for Princes Highway Reserve, Gladeswood Reserve and Queens Parade Reserve - Playground Construction, Contract No. 2026129, for a Fixed Lump Sum of \$2,726,786.59, with an extra \$270,000 for Contingencies.
2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement.
3. Notes that the contract will commence on 12 October 2026 and the expected completion date is 31 May 2027.
4. Notes that the anticipated combined project expenditure including the fixed Lump Sum, Provisional Items and Project Management Fees is \$2,889,786.59 with an extra \$270,000 for Contingencies and
5. Notes that there is a combined forecast surplus of \$210,513.41 across the three projects which will be returned to the Capital Works Budget following award of the tender.

Please note that all dollar figures are GST exclusive unless stated otherwise.

CARRIED

7.4.2 ASSET MANAGEMENT POLICY

Moved: Cr Paterson

Seconded: Cr B Little

MOTION

That Council

1. Notes that review of the Asset Management Policy 2026 has been completed and supersedes the current policy previously approved by Council.
2. Approves the Asset Policy 2026.

CARRIED

7.4.3 2026124 - GARDINERS RESERVE PITCH 3 & LARPENT RESERVE SPORTSGROUND CONSTRUCTION

Moved: Cr B Little

Seconded: Cr C Little

MOTION

That Council

1. Awards the tender from Hendriksen Contractors Pty Ltd for Gardiners Reserve Pitch 3 & Larpent Reserve Sportsground Construction, Contract No. 2026124 for a fixed Lump Sum of \$931,647.15 with an extra \$94,000 for Contingencies;
2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement;
3. Notes that the contract commencement date is 5 October 2026 and the expected completion date is 31 March 2027; and
4. Approves a budget increase of \$25,314.25 for Project C10210 – Gardiners Reserve Pitch 3 Construction which will be funded from the identified surplus from Project C10211 – Larpent Reserve Pitch Construction;
5. Notes that the anticipated project expenditure including the fixed Lump Sum and Project Management Fees is \$992,147.15 with an extra \$94,000 for Contingencies;
6. Notes that there is a forecast surplus of \$113,852.85 which will be returned to the Capital Works Budget following award of the tender.

Please note that all dollar figures are GST exclusive unless stated otherwise.

CARRIED

7.4.4 2026126: 2026 - 2027 DRAINAGE PACKAGE TO VARIOUS SITES

Moved: Cr McCluskey Seconded: Cr Paterson

MOTION

That Council

1. Awards the tender from TDM Earthworks Pty Ltd for Contract No. 2026126A, 2026-2027 Drainage Package to Various Sites, Part A: Emerald Street, Mount Waverley for a Fixed Lump Sum of \$428,287 with an extra \$45,000 for Contingencies.
2. Awards the tender from Markon Infrastructure Pty Ltd for Contract No. 2026126B, 2026-2027 Drainage Package to Various Sites, Part B: 10 Toolang Court, Mount Waverley and Part D: 6 Sheringham Drive, Wheelers Hill for a Combined Fixed Lump Sum of \$311,185 with an extra \$39,000 for Contingencies.
3. Awards the tender from Comar Constructions Pty Ltd for Contract No. 2026126C, 2026-2027 Drainage Package to Various Sites, Part C: 38-41-47A Hillview Avenue, Chadstone for a Fixed Lump Sum of \$204,302.50 with an extra \$22,000 for Contingencies.
4. Authorises the Chief Executive Officer or their delegate to execute the contract agreement;
5. Notes that TDM Earthworks Pty Ltd will commence their contract on 19 October 2026 and the expected completion date is the end of February 2027.
6. Notes that Markon Infrastructure Pty Ltd will commence their contract on 19 October 2026 and the expected completion date is the end of February 2027.
7. Notes that Comar Constructions Pty Ltd will commence their contract on 19 October 2026 and the expected completion date is December 2026.
8. Notes that the total anticipated project expenditure for Parts A-D including the contract Fixed Lump Sum, Project Management fees and Service Relocations is \$1,031,774.50 with an extra \$106,000 for Contingencies.

Please note that all dollar figures are GST exclusive unless stated otherwise.

CARRIED

7.4.5 2027005: ATHERTON ROAD / ATKINSON STREET INTERSECTION - TRAFFIC SIGNAL & CIVIL CONSTRUCTION WORKS

Moved: Cr Fergeus

Seconded: Cr B Little

MOTION

That Council

- 1. Awards the tender from Prestige Paving Pty Ltd for Atherton Road / Atkinson Street Intersection - Traffic Signal & Civil Construction Works, Contract No. 2027005 for a Fixed Lump Sum of \$874,075.64 with an extra \$80,000 for Contingencies.**
- 2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement.**
- 3. Notes that the contract will commence on 30 September 2026 with a completion date of 18 November 2026.**
- 4. Notes that the anticipated project expenditure including the Fixed Lump Sum, Service Authority Alterations, DTP - PROM & Controller Costs, Design and Project Management Fees is \$1,083,075.64, with an extra \$80,000 for Contingencies.**

Please note that all dollar figures are GST exclusive unless stated otherwise.

CARRIED

7.5 Chief Executive Officer

Nil.

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION- FEDERAL DECISION REGARDING SHELVING OF MANDATORY NATIONAL PACKAGING STANDARDS AND PLASTICS RECYCLING

Moved: Cr B Little

Seconded: Cr James

MOTION

That Council

- 1. Writes to the Prime Minister of Australia, the Hon. Anthony Albanese MP, expressing Monash City Council's extreme disappointment at the Federal Government's decision to shelve the introduction of mandatory national packaging standards, including minimum recycled content requirements and packaging design standards.**
- 2. Writes to the Minister for the Environment and Water, the Hon. Murray Watt MP, urging the Federal Government to honour the commitments made by Australian Environment**

Ministers in 2023 to introduce national packaging regulation and mandatory packaging design requirements. These commitments included:

- a) Mandatory packaging design obligations;
 - b) Minimum recycled content requirements;
 - c) Restrictions on harmful chemicals in packaging; and
 - d) Nationally consistent measures to support a circular economy and reduce packaging waste.
3. Calls on the Australian Government to:
- a) Reconsider its decision not to proceed with a national mandatory packaging regulatory scheme during the current term of government;
 - b) Provide a clear timetable for the implementation of mandatory packaging standards;
 - c) Deliver nationally consistent regulation that provides certainty for industry and investors; and
 - d) Support the growth of Australia's recycling and remanufacturing sectors through policies that increase demand for recycled materials.
4. Distributes internally any responses from the Prime Minister and Minister for the Environment and Water.

CARRIED

9 URGENT BUSINESS

Nil.

10 CONSIDERATION OF WRITTEN REPORTS OF COMMITTEES

Nil.

11 PERSONAL EXPLANATIONS

Nil.

12 COUNCILLORS' REPORTS

Cr McCluskey provided comments on:

- The Mazenod Panthers Presentation Night

13 CONFIDENTIAL BUSINESS

13.0 MOVE INTO CONFIDENTIAL SESSION

Moved: Cr Lee

Seconded: Cr B Little

PROCEDURAL MOTION

That Council resolves to close the meeting to the public in accordance with section 66(2) of *the Local Government Act 2020* for the reasons specified in the certificates.

CARRIED

The Council moved into Confidential Business at 8.09PM.

RETURN TO OPEN COUNCIL

The Council returned to open Council at 8.11PM.

14 MEETING CLOSURE

The Mayor declared the meeting closed at 8.11PM.



MAYOR:

DATED: XX