MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 18 DECEMBER 2012

at 7.30 pm

Council Chambers
293 Springvale Road,
Glen Waverley
MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY ON TUESDAY 18 DECEMBER 2012 AT 7.30 PM.

PRESENT: Councillors M Drieberg (Mayor), J Lo (Deputy Mayor), R Davies, P Klisaris, G Lake, B Little, T Morrissey, K Nolan, B Pontikis, T Zographos

APOLOGIES: Cr Dimopoulos

DISCLOSURES OF INTEREST
Nil.

CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 NOVEMBER 2012

Moved Cr Klisaris, Seconded Cr Morrissey

That the minutes of the Ordinary Meeting of the Council held on 27 November 2012, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS
Nil

PUBLIC QUESTION TIME

The Mayor advised that no questions had been received.
1. **COMMUNITY SERVICES**

   Nil

2. **HUMAN RESOURCES**

   Nil

3. **CORPORATE PLANNING & FINANCE**

   3.1 **LASF Defined Benefits Shortfall**

   Cr Lake informed the Council that he was on the Board of Trustees of Vision Super, which manages the superannuation fund. He said that considered that this did not constitute a conflict of interest in this instance as the Council was not making a decision that would impact on the fund and that meeting the shortfall was a requirement that the Council had to meet, as all other Councils did as well.

   Moved **Cr Klisaris**,  
   Seconded **Cr Zographos**

   **That Council:**

   - Resolves to pay the unfunded superannuation liability of $12,319,576 by 1 February 2013; and
   - Commits to funding the unfunded superannuation through a mix of savings of the order of a minimum $500K p.a. borrowings over four years, fee and rate increases; and
   - Finalises its funding mix as part of its 2013/14 budget process. In so doing, Council recognises that liquidity and financial ratios will be impacted and resolves to address this as a priority in its Long-term Financial Plan (LTFP).

   Cr Davies commended the proposal, noting that it would save the Council money.

   Cr Lake noted that it was a difficult decision for the Council to make regarding how it would fund the shortfall. But he emphasised that the Council had planned for this and was in a better position than other Councils.

   Cr Zographos supported the motion, saying that it was the correct decision and thanked Council officers for the amount and quality of information they had provided to Councillors regarding the matter.
The Mayor noted that the shortfall was a Sector-wide issue and that the Council was in a good position to deal with it.

**CARRIED**

4. **INFRASTRUCTURE SERVICES**

4.1 **Tender For Comprehensive Lift Maintenance Services**

Moved Cr Morrissey, Seconded Cr Little

*That Council:*

1. **Accepts the tender from Schindler Lifts Australia Pty Ltd to provide Comprehensive Lift Maintenance Services, for a period of three years with two, three year extensions for the annual sum of up to $48,280 including GST and an annual contingency sum of $15,000, with a total estimated expenditure over the nine year contract term of $569,520;**

2. **Authorise the Chief Executive Officer to execute the contract agreement;**

3. **Authorise the Chief Executive Officer to approve each of the two extension option(s), subject to satisfactory performance.**

**CARRIED**

4.2 **Tender For Wellington Reserve Pavilion Amenities Upgrade**

Moved Cr Klisaris, Seconded Cr Davies

*That:*

1. **Council accept the Wellington Reserve Pavilion Amenities Refurbishment sum Tender price of $305,453.10 inclusive of GST, submitted by Easternway Construction P/L to undertake the Refurbishment of Accessible Amenities for Wellington Reserve Pavilion.**

2. **The anticipated project expenditure of $334,579.09 for the refurbishment, design, documentation and supervision be noted.**

3. **The Chief Executive Officer be authorised to sign and seal the contract documentation.**

4. **The Chief Executive Officer be authorised to approve any contract variations that are contained within the anticipated project expenditure.**

5. **Council approve delaying major works to the Ashwood Reserve Soccer Pavilion to a future Major Capital works budget pending a detailed report and further**
analysis of structural requirements and community need. It is proposed to only provide a minor upgrade to the toilet/changerooms this financial year

Cr Klisaris noted that pavilions played an important part in the services Council provides and was eager to say a programmed maintenance approach used to update those pavilions that have seen little maintenance over the years.

Crs Little and Lo noted that work on the Ashwood Reserve Soccer Pavilion would be delayed. Cr Lo further noted that it was important to consult with the community regarding work on this pavilion.

CARRIED

5. CITY DEVELOPMENT

5.1 95 Warrigal Road Hughesdale - A Four Storey Residential Building (18 Apartments) and Alteration of Access To A Road Zone, Category 1

Moved Cr Klisaris, Seconded Cr Little

Council resolves to Grant a Planning Permit under the Monash Planning Scheme to develop and use the land described as 95 Warrigal Road Hughesdale, TPA/40859, for a four storey residential building comprising 18 dwellings and alteration of access to a road zone, category 1 subject to the following conditions;

1. Before the development and use starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.

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

a) A corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres) extending at least 2.0 metres long x 2.5 metres deep (within the property) from the northern edge of the exit lane of the vehicle crossing;

b) The sill height of the south facing bedroom windows on each level raised to at least 1.7 metres above finished floor level;

c) A clear blind aisle width of 1.0 metre for the full width of the western end of the car park aisle;

d) Car space 1 widened to 3.2 metres;

e) The columns in the car park relocated 250mm back from the access way end of each car space;
f) A minimum 2.1 metre clearance above car spaces for the storage units;

g) The existing redundant crossing replaced with kerb and channel and the footpath and nature strip reinstated;

h) Ventilation of the waste bin storage area together with a bin washing facility and demonstrable capacity to store all the required bins.

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

3. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

   The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

   The nominated point of discharge is the north-west corner of the property where the entire site’s stormwater must be collected and free drained via a pipe to the Council pit in the right of way to Council Standards. (A new pit is to be constructed if a pit does not exist or is not a standard Council pit).

   If the point of discharge cannot be located then notify Council’s Engineering Division immediately.

4. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from the driveway onto the footpath. Such a system may include either:
   a) A trench grate (150mm minimum internal width) located within the property; and/or
   b) shaping the driveway so that water is collected in a grated pit on the property: and/or
   c) another Council approved equivalent.

5. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing.

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

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

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

8. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:
   a) The method of collection of garbage and recyclables for uses;
   b) Designation of methods of collection including the need to provide for private services or utilisation of council services;
   c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
   d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
   e) Litter management.

A copy of this plan must be submitted to Council.

9. Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
   a) measures to control noise, dust and water runoff;
   b) prevention of silt or other pollutants from entering into the Council’s underground drainage system or road network;
   c) the location of where building materials are to be kept during construction;
   d) site security;
   e) maintenance of safe movements of vehicles to and from the site during the construction phase;
   f) on-site parking of vehicles associated with construction of the development;
   g) wash down areas for trucks and vehicles associated with construction activities;
   h) cleaning and maintaining surrounding road surfaces;
i) a requirement that construction works must only be carried out during the following hours:

- Monday to Friday (inclusive) – 7.00am to 6.00pm;
- Saturday – 9.00am to 1.00pm;
- Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)

10. 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.

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

12. All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.

NOTES-

1. Any new drainage work within the right of way requires the approval of the Council’s Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit. A refundable security deposit of $500 is to be paid prior to the drainage works commencing.

2. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.

3. A Licensed Surveyor or Civil Engineer (who is a registered Building Practitioner) must certify that the storm water detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the endorsed plans. The certifier’s registration number must be included on the certificate.

4. Engineering permits must be obtained for new vehicle crossings and for new connections to Council pits and these works are to be inspected by Council (telephone 9518-3690).
5. The redundant crossing is to be removed and reinstated with kerb and channel and the footpath and nature strip are to be reinstated to the satisfaction of Council.

6. Detention system requirements for the property are as follows:
   - Minimum storage = 5.69 cubic metres
   - Maximum discharge rate = 6.29 litres per second
   - Minimum orifice diameter if using orifice pit = 90mm, otherwise install a Phillips multi cell or similar to control outflow.

Expiry of permit:
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 and use are not started before 2 years from the date of issue.
   - The development is not completed before 4 years from the date of issue.

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Cr Zographos considered that the proposal was not appropriate given the proposed site and believed that it should not be part of the Activity Centre. He said that the proposal would affect a greater number of people than those notified of the application by the Council.

Cr Lake considered that the proposal was suitable for the site and that it was appropriate for the site to be in the Activity Centre, given its proximity to the overpass. He noted that notices would have been placed on the site regarding the planning application and the proposed development. He also noted that no objections had been received and that a refusal would see an appeal being lodged at VCAT.

CARRIED

5.2 19 Morton Street Clayton - 2-Storey Student Accommodation Building Comprising 26 Self-Contained Units With Basement Car Parking

Moved Cr Lo, Seconded Cr Pontikis

Council resolves to issue a Notice of Decision to grant a Planning Permit under the Monash planning scheme to the land described as 19 Morton Street Clayton, TPA/40534 for the proposed 2-storey student accommodation building comprising of 26 self-contained accommodation units with basement car parking, subject to the following conditions;
1. **Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.**

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

- **a)** Units 16 and 17 combined to provide 1 unit with a minimum setback to the eastern property boundary of 4.5 metres.
- **b)** Units 23 and 24 combined to provide 1 unit with a minimum setback to the western property boundary of 4.5 metres.
- **c)** Variation to the proposed architectural treatment of the front facade of the building to better integrate with the adjacent residential properties.
- **d)** The size of the front stairway and lobby area redesigned to reduce its footprint.
- **e)** The location and design of any proposed electricity supply meter boxes. The electricity supply meter boxes must be located at a distance from the street which is at or behind the setback alignment of buildings on the site or in compliance with Council’s “Guide to Electricity Supply Meter Boxes in Monash”.
- **f)** The location of gas and water meters.
- **g)** The semi-basement car park converted to a full basement car park.
- **h)** Appropriate bin ventilation and bin washing facilities.
- **i)** The finished floor levels of the building significantly reduced in order to minimise the number of steps required to access the building from both the front building entrance, and from the ground floor units to their areas of secluded private open space.
- **j)** A detailed schedule of materials, colours and finishes.
- **k)** Details of mechanical ventilation to the basement car park.
- **l)** Details of air-conditioning and heating proposed to the individual units.
- **m)** A corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres) extending at least 2.0 metres long by 2.5 metres deep (within the property) both sides of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.
- **n)** The driveway widened to 3.5 metres on the east side at the base of the ramp.
- **o)** The driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.
- **p)** The accessway to provide at least 2.1 metres headroom beneath overhead obstructions.
2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

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

4. Prior to the endorsement of the plans referred to in Condition 1, the owner of the land must enter into and execute an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority. The agreement shall require that, without the prior written consent of the Responsible Authority:
   a) That no person may reside in the building unless that person is a bona fide student whether part time, full-time, short-term, or resides there in a supervisory, management or caretaker capacity.
   b) The car parking spaces are only permitted to be used by the occupants of the units and their visitors in accordance with the endorsed plans and such spaces must not be on-sold or leased to any other person.
   c) That if the land ceases to be used for accommodation, a new planning permit will be required for an alternative use if so required by the Monash Planning Scheme.

   A memorandum of the Agreement is to be entered into on title and the cost of the preparation, checking and execution of the Agreement and entry of the memorandum on title is to be paid by the owner.

5. Prior to the use commencing, a Site Management Plan must be prepared for the site to the satisfaction of the Responsible Authority. The plan must not be modified without the written consent of the Responsible Authority. The plan must provide for (but is not limited to):
   a) Permanent display of the Management Plan in the common area;
   b) The nature of the management of the complex and the contact details of the manager/lead tenant;
   c) Provision for at-call contact details to be displayed so they are clearly visible to any person outside the site for response 24 hours a day and seven days a week;
   d) Provision to ensure that the housing does not cause negative impacts on the amenity of the surrounding area particularly in respect to resident and/or guest behaviour, activities, visitors and parties and the extent to which external areas may be used at night;
   e) A requirement that should behavioural problems occur at the site causing disruption to surrounding residents, the operator under this permit must immediately take ameliorative action to the satisfaction of the Responsible Authority;
   f) The management of car parking spaces;
g) Maintenance of grounds and upkeep of the buildings;

h) Management of clothes drying facilities to ensure that no laundry is left drying on private balconies;

i) Details of rubbish bin storage and waste collection;

j) Management procedures over holiday periods.

This Site Management Plan is to be prepared to the satisfaction of the Responsible Authority and shall only be amended with the written consent of the Responsible Authority.

6. The amenity of the area must not be detrimentally affected by the use or development, through the:

(a) transport of materials, goods or commodities to or from the land;
(b) appearance of any building, works or materials;
(c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
(d) presence of vermin;
(e) others as appropriate.

7. Before occupation all buildings and works specified in this permit must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when all construction and works are completed to enable the site to be inspected.

8. No form of public address system may be installed so as to be audible from outside the building / site.

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

10. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

11. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:

a) The method of collection of garbage and recyclables for uses;

b) Designation of methods of collection including the need to provide for private services or utilisation of council services;

c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;

e) Litter management.

A copy of this plan must be submitted to Council.

12. Waste collection is only to be carried out between the hours of 7am to 6pm.

13. The construction works associated with the use/development and/or subdivision hereby permitted must only be carried out during the following hours:

- Monday to Friday (inclusive) – 7:00am to 6pm;
- Saturday – 9am to 1pm;
- Saturday – 1pm to 5pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery);

unless otherwise approved in writing by the Responsible Authority.

14. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

15. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.

16. All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.

17. 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 prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-

- the location of all existing trees and other vegetation to be retained on site
- provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development
- planting to soften the appearance of hard surface areas such as driveways and other paved areas
- a schedule of all proposed trees, shrubs 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

- the location and details of all fencing
- the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site
- details of all proposed hard surface materials including pathways, patio or decked areas

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

18. **Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.**

19. **Noise from any mechanical service equipment or any noise associated with the premises must at all times comply with the requirements of the State Environmental Protection Policies SEPP N1 and SEPP N-2.**

20. **Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.**

21. **No less than 8 car spaces must be provided on the land for the use.**

22. **All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from driveways onto the footpath. Such a system may include either:**
   a) **trench grates (150mm minimum internal width) located within the property; and/or**
   b) **shaping the driveway so that water is collected in a grated pit on the property: and/or**
   c) **another Council approved equivalent**

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

24. **Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.**

25. **A drainage contribution will not be accepted in lieu of a detention system.**

26. **No residential parking permits will be issued for any owners or occupiers of the subject site.**
NOTES-

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

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

3. Residential parking permits will not be issued for residents of the development hereby permitted.

4. Detention system requirements for the property are as follows:
   - Minimum storage = 5.08 cubic metres.
   - Maximum discharge rate = 7.85 litres per second.
   - Minimum orifice diameter if using orifice pit = 90mm, otherwise install a Phillips multi cell or similar to control outflow.

5. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains / Council pits / kerb & channel and these works are to be inspected by Council (telephone 9518 3690).

6. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park.

7. Any new drainage work within the road reserve requires the approval of the City of Monash’s Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit. A refundable security deposit of $1,000 is to be paid prior to the drainage works commencing.

8. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier’s registration number must be included on the certificate.

Expiry of permit:
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 2 years from the date of issue.
- The development is not completed before 4 years from the date of issue.

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.
CARRIED

5.3 303-305 Huntingdale Road Chadstone – Construction of a Three Level Building Comprising 26 Dwellings Plus Basement Car Parking

Moved Cr Klisaris, Seconded Cr Morrissey

Council resolves to issue a Notice of Decision to grant a Permit under the Monash Planning Scheme to the land described as 303-305 Huntingdale Road Chadstone, to develop the land by constructing a three level building comprising 26 dwellings plus basement car parking, subject to the following conditions;

1. Before the development and use starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.

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

a) the location and design of any proposed electricity supply meter boxes. The electricity supply meter boxes must be located at a distance from the street which is at or behind the setback alignment of buildings on the site or in compliance with Council’s “Guide to Electricity Supply Meter Boxes in Monash”;

b) the location of gas and water meters;

c) At least 5 visitor car spaces in the basement in addition to the 26 occupier spaces to the satisfaction of the Responsible Authority;

d) the redundant crossing in Huntingdale Road replaced with kerb and channel;

e) Vehicle access to the aisle between the south-east corner of the basement ramp and car space 28 prevented by the use of bollards;

f) A minimum 2.1 metre clearance between a car space and the storage area above;

g) The fences inside the ground floor light courts removed;

h) Ventilation of the waste bin storage area, a bin washing facility and demonstrable capacity to satisfactorily store refuse and recycling bins;

i) Fixed screens on the west facing ground floor living room window of dwelling 8 to a height of 1.7 metres above finished floor level;

j) Fixed screens on the first floor south facing balconies to a height of 1.7 metres above finished floor level;

k) Fixed screens on the south facing ground floor living room windows of dwellings 6 and 7 to a height of 1.7 metres above finished floor level;
1) Reference to the specific trees including street trees for which protection measures are required in accordance with the arborist report from “Constructive Arboriculture” dated March 2012.

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

3. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the south-west corner of the property where the entire site’s stormwater must be collected and free drained via a pipe to the 225mm Council drain in the rear easement via a 900 mm x 600 mm junction pit to be constructed to Council Standards.

If the point of discharge cannot be located then notify Council’s Engineering Division immediately.

4. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.

5. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash, the Responsible Authority, prior to works commencing.

Note: A drainage contribution may be accepted in lieu of the installation of the detention system.

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

7. A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres.

8. Before occupation all buildings and works specified in this permit must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when all construction and works are completed to enable the site to be inspected.

9. Prior to the commencement of works on the site the owner shall prepare a Traffic Management Plan for the development showing the method of pedestrian and traffic diversion to be used during construction.

10. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:
   a) The method of collection of garbage and recyclables for uses;
   b) Designation of methods of collection including the need to provide for private services or utilisation of council services;
   c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
   d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
   e) Litter management.

A copy of this plan must be submitted to Council.

11. Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
   a) measures to control noise, dust and water runoff;
   b) prevention of silt or other pollutants from entering into the Council’s underground drainage system or road network;
   c) the location of where building materials are to be kept during construction;
   d) site security;
   e) maintenance of safe movements of vehicles to and from the site during the construction phase;
f) on-site parking of vehicles associated with construction of the development;

g) wash down areas for trucks and vehicles associated with construction activities;

h) cleaning and maintaining surrounding road surfaces;

i) a requirement that construction works must only be carried out during the following hours:
   • Monday to Friday (inclusive) – 7.00am to 6.00pm;
   • Saturday – 9.00am to 1.00pm;
   • Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)

12. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

13. All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.

14. 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 prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:
   • the location of all existing trees and other vegetation to be retained on site
   • provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development
   • planting to soften the appearance of hard surface areas such as driveways and other paved areas
   • a schedule of all proposed trees, shrubs 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
   • the location and details of all fencing
   • the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site
   • details of all proposed hard surface materials including pathways, patio or decked areas
When approved the plan will be endorsed and will then form part of the permit.

15. **Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.**

**NOTES-**

1. **The drainage contribution applicable at the date of this permit is $14,017. This amount is valid until 30 June 2012. After this date an amended amount in accordance with Clause 22.04 of the Monash Planning Scheme will be applicable. This contribution is based on the plans provided and any additional hard surfaced areas included on the landscape or drainage plans will alter this amount.**

2. **Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.**

3. **Any new connection into a Council easement drain requires the approval of the Council’s Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.**

4. **Engineering permits must be obtained for new or altered vehicle crossings and for new connections to the Council drains and these works are to be inspected by Council (telephone 9518-3690). The redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council.**

5. **Detention system requirements for the property are as follows:**
   - **Minimum storage = 11 cubic metres**
   - **Maximum discharge rate = 16.28 litres per second**
   - **Minimum orifice diameter if using orifice pit = 90mm, otherwise install a Phillips multi cell or similar to control outflow.**

6. **An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark.**

7. **The dwellings in this development will not be eligible for residential parking permits.**

**Expiry of permit:**

*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 2 years from the date of issue.
• The development is not completed before 4 years from the date of issue.

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Cr Morrissey noted the change in housing stock over a long period of time and the increase in basement parking for high density developments. He said that high density development could help address issues relating to homelessness.

Cr Lo opposed the motion, saying that homelessness was caused by the unaffordability of housing. He said that the site was located in the heart of Ashwood, surrounded by single-storey dwellings, not close to any Activity Centre and the entrance to the car park was from a residential street.

Cr Klisaris commended Cr Lo on his position, but disagreed with him. He said that the proposal was a good outcome and noted that a similar development had been constructed nearby. The proposal provided the community with another option in terms of housing choices.

Cr Little commented that the original proposal had been more intense and noted that over time, the size of apartments appeared to be reducing.

Cr Lake agreed with Cr Morrissey that higher density housing can address issues relating to homelessness. He noted that the site was close to Jordanville Railway station and shops and located on a busy main road. He noted that the design of the building meant that the 3rd storey would have minimal impact.

**CARRIED**

5.4 611-633 Blackburn Road Notting Hill - Construction of A Separate Building As An Addition To The Existing Research and Development Facility Together With Associated Landscaping

Moved Cr Drieberg, Seconded Cr Little

Council resolves to Grant a Planning Permit under the Monash Planning Scheme to the land described as 611-633 Blackburn Road Notting Hill, TPA/40797, for buildings and works comprising construction of a separate building as an addition to the existing research and development facility together with associated landscaping, subject to the following conditions;

1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.
The plans must be generally in accordance with the plans submitted with the application, but modified to show:

q) The new crossing to provide 1.0m from the turning point of the vehicle crossing to the kerb to the edge of any tree canopy, power pole, drainage or service pit, or other services.

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

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

4. Before the use and development permitted starts, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:

(a) constructed to the satisfaction of the Responsible Authority;

(b) properly formed to such levels that they can be used in accordance with the plans;

(c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;

(d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;

(e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

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

5. 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 prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-

- the location of all existing trees and other vegetation to be retained on site

- provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development

- planting to soften the appearance of hard surface areas such as driveways and other paved areas

- a schedule of all proposed trees, shrubs 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

- the location and details of all fencing
• the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site

• details of all proposed hard surface materials including pathways, patio or decked areas

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

6. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.

7. 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.

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

9. The existing five (5) street trees (Tristaniopsis laurina) are to be removed and replaced by Council at the cost of the developer. Payment of $7,292.40 is required prior to the commencement of the development. This amount is valid for 6 months from the date of issue of the permit.

10. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from driveways onto the footpath. Such a system may include either:
    a) trench grates (300mm minimum internal width) located within the property; and/or
    b) shaping the driveway so that water is collected in a grated pit on the property: and/or
    c) another Council approved equivalent

11. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash, the Responsible Authority, prior to works commencing.

12. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.
The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the south-west corner of the property where the entire site’s stormwater must be collected and free drained via a pipe to Council pit in the nature strip of Normanby Road to Council Standards. (A new pit is to be constructed if a pit does not exist or is not a standard Council pit). If the point of discharge cannot be located then notify Council’s Engineering Division immediately.

NOTES

1. Any new drainage work within the road reserve requires the approval of the City of Monash’s Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit. A refundable security deposit of $1,000 is to be paid prior to the drainage works commencing.

2. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains / Council pits / kerb & channel and these works are to be inspected by Council (telephone 9518 3690).

3. A drainage contribution will not be accepted in lieu of a detention system.

4. Detention system requirements for above property are as follows:-
   - Minimum storage = 62.26 cubic metres
   - Maximum discharge rate = 123.9 litres per second
   - Minimum orifice diameter if using orifice pit = 90mm, otherwise install a Phillips multi cell or similar to control outflow.

5. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier’s registration number must be included on the certificate.

6. A Traffic Management Plan is required prior to the issue of Vehicle Crossing Permits.

7. “Use of easement” approval is not required.

Expiry of permit:
   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 and use are not started before 2 years from the date of issue.
• The development is not completed before 4 years from the date of issue.

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

CARRIED

5.5 8 Railway Parade North Glen Waverley - Development of A Three Storey Apartment Building Comprising 16 Dwellings and Basement Level Car Parking Including A Reduction In Visitor Car Parking Requirement

Moved Cr Lake, Seconded Cr Little

Council resolves to issue a Refusal to grant a Permit under the Monash Planning Scheme to the land described as 8 Railway Parade North Glen Waverley, TPA/40620 for the development of a three storey apartment building comprising of 16 dwellings and basement level car parking including a reduction in visitor car parking requirement, subject to the following grounds:

1. The proposal is inconsistent with the Residential Development Policy and Residential Development and Character Policy, and Tree Conservation Policy at Clauses 21.04, 22.01 and 22.05 of the Monash Planning Scheme.

2. The proposal does not adequately satisfy the objectives and design standards of Clause 55 of the Monash Planning Scheme with regard to Neighbourhood Character, Building Height, Energy Efficiency, Landscaping, Access, Parking Location, Daylight to New Windows, Private Open Space, Solar Access to Open Space, Design Detail and Site Services.

3. The proposal does not provide for adequate car parking and access in accordance with Clause 52.06 of the Monash Planning Scheme

4. The proposal is out of character with the existing development in the area in particular with regard to mass, bulk and scale.

5. The proposal would have a poor level of internal amenity for future residents

6. The proposal would have a detrimental impact on the amenity of surrounding land.

Cr Lake said that the proposal was in a quiet suburban area, away from the Glen Waverley Activity Centre and the application was out of character with the surrounding neighbourhood. He noted that should the refusal be appealed at VCAT, the Council would defend its decision to refuse the application.

Cr Davies agreed that the application was an over-development of the site.
5.6 36 Halliday Street Mount Waverley - Construction of Two Dwellings (One Double Storey Dwelling and One Single Storey Dwelling) With Associated Car Parking and Landscaping – Extension of Time

Moved Cr Lo, Seconded Cr Zographos

Council resolves to issue an Extension of Time to Planning Permit No. 33366 in respect of the land described as 36 Halliday Street Mount Waverley, for the construction of two dwellings (one double storey dwelling and one single storey dwelling) with associated car parking and landscaping, pursuant to the provisions of Section 69 of the Planning and Environment Act 1987.

CARRIED

5.7 Town Planning Schedule

Moved Cr Little, Seconded Cr Zographos

That the report containing the Town Planning Schedules be noted.

CARRIED

5.8 Austin Street, Hughesdale - Road Reconstruction

Moved Cr Pontikis, Seconded Cr Zographos

That:
1. Council accept the tender of Parkinson Group (Aust) Pty Ltd for an amended lump sum of $700,432.70 (GST inclusive).
2. The anticipated project expenditure of $721,757.00 (GST exclusive) for the design, reconstruction works and supervision (includes $61,217.50 for provisional items based on actual quantities) be noted.
3. The Chief Executive Officer be authorised to sign and seal the contract documents.
4. The Chief Executive Officer be authorised to approve any contract variations that are contained within the anticipated project expenditure.

CARRIED

5.9 Brandon Park Reserve Retarding Basin Civil Works - Stage 3B

Moved Cr Drieberg, Seconded Cr Klisaris
That:

1. Council accepts the tender of Contek Constructions Pty Ltd for the construction of a stormwater retarding basin outlet and associated path and civil works at Brandon Park Reserve, Glen Waverley for the lump sum of $209,352.71 (GST inclusive).

2. The anticipated project expenditure of $228,390.65 (GST exclusive) for the design, supervision (includes $18,604.00 for provisional items based on actual quantities) and works be noted.

3. The Chief Executive Officer be authorised to sign and seal the contract documents.

4. The Chief Executive Officer be authorised to approve any contract variations that are contained within the anticipated project expenditure.

CARRIED

6. CHIEF EXECUTIVE OFFICER’S REPORTS

6.1 Acting Chief Executive Officer

Moved Cr Morrissey, Seconded Cr Drieberg

That Council appoints Leigh Harder, Director Human Resources, as Acting Chief Executive Officer during the absence of the Chief Executive Officer from 29 December 2012 to 6 January 2013.

CARRIED

6.2 Assembly of Councillors

Moved Cr Pontikis, Seconded Cr Little

That Council notes the Assembly of Council records submitted as part of the requirements of the Local Government Act 1989, as amended by the Local Government and Planning Legislation Amendment Act 2010.

CARRIED

7. COMMITTEE REPORTS

7.1 Monash Gallery of Art Committee of Management Charter

Moved Cr Lo, Seconded Cr Pontikis

That

2. The Monash Gallery of Art Committee of Management Committee continue to be exempt from the requirement to provide a primary or ordinary return of interest in accordance with Section 81 of the Local Government Act 1989.

CARRIED

8. NOTICES OF MOTION

8.1 Discretionary Fund Applications

Moved Cr Drieberg, Seconded Cr Lo

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

- Friendship Australia Egyptian Association: $750 ex. GST
- Global Organisation For Divinity: $677 ex. GST
- South Oakleigh Wildlife Shelter: $2,577
- Jikany Community Association Victoria: $1,000
- Cook Islands Sports Association Victoria Inc.: $189 ex. GST
- Olympos Greek Senior Citizens Club: $500

Cr Davies expressed concern at the process used for assessing applications, suggesting there was a need for it to be refined.

Cr Zographos said that he had some concerns about the process but was willing to consider improvements.

Cr Lake noted that the fund had been established to address ad hoc requests for miscellaneous funding of relatively small amounts in a non-bureaucratic manner. He added that the process was transparent as the applications had to be approved by the majority of Councillors in an open meeting of the Council.

The Mayor stated that it was important to provide support to the community and the discretionary fund sought to do that.

CARRIED

8.2 Constitutional Recognition of Local Government: Submission to Joint Select Committee

Moved Cr Lo, Seconded Cr Little

That the Council makes a submission to the Joint Select Committee on Constitutional Recognition of Local Government, as follows:
1. It reinforces its 22 February 2011 resolution declaring its support for the financial recognition of Local Government in the Constitution and the Federal Government’s ability to directly fund Local Government.

2. It supports the amendment to Section 96 of the Constitution so that it reads “Parliament may grant financial assistance to any state or local government body formed by or under a law of a state or territory.”

3. It states that Local Government needs certainty of funding, so that national programs such as ‘Roads To Recovery’ can continue.

4. Reinforces that bi-partisan support is an essential pre-condition if a referendum is to have the best chance of success.

5. Supports the timing of a referendum so that it has the best possible chance of success.

6. Supports a publicly-funded national education and awareness campaign about the Constitution, how to amend it and about the question being asked before the constitution.

Cr Lo said that the campaign for recognition was moving forward and it was important for the proposed changes to the Constitution to be supported by the broader community, if they were to succeed.

Cr Zographos said that he supported recognition of Local Government in the Constitution but not direct funding by the Federal Government as it undermined the power of the States.

Cr Davies said that he did not see the proposal as a positive; Local Government could increase rates and other levels of government could decrease taxes and level of funding.

Cr Lake noted that Federal funding of Local Government had been in place since the 1970’s and that its level of funding is higher than State funding of Local Government. Councils do not have the capacity to fully fund their functions and the proposed changes to the Constitution would allow the current arrangement to continue, without the possibility of a court challenge.

RIGHT OF REPLY

Cr Lo said that the issue was about the consolidation of the partnership between the 3 levels of government. He noted that during the GFC, Local Government was instrumental in delivering infrastructure projects.

CARRIED
8.3 Smoke Free Environments

**Moved Cr Klisaris, Seconded Cr Drieberg**

*That Council writes to the Premier of Victoria (again) in addition to the Minister for Health and local Members of Parliament, requesting the introduction of State legislation to ban smoking in alfresco dining and drinking areas.*

Cr Klisaris said that the report builds on previous work of the Council over a number of years. The motion seeks to obtain a response from the State Government regarding the motion carried by the Council in February 2011 and the request to the Premier of Victoria to introduce a State-wide ban on smoking in alfresco dining areas. Traders in the municipality are concerned that some municipalities will be smoke-free and others not.

Cr Zographos said that he had concerns about the interpretation of the community feedback in the original consultation.

Cr Davies said that he considered that sending a follow up letter was a redundant process and disagreed with the view that there was significant community support for bans. He said that of the 13 trader groups in the municipality only 4 had been consulted and only 1 of those 4 supported the proposal. Council should establish guidelines, but not create laws about this issue.

Cr Little noted that bans in place, in Tasmania, since 2002, had little impact on traders. He added that the bans had proved to be of benefit to the health of people working in the hospitality industry.

Cr Pontikis said that he had spoken to traders. Strip shopping is the heart of the city and traders need to determine the nature of their business. He expressed his opposition to the motion.

Cr Nolan expressed her support for the motion.

Cr Lake said that people’s health was important. The motion concerns a letter written to the Premier of Victoria by the Council, to which no response was received. He said that the State Government refuses to act on this important health issue.

The Mayor stated that the motion was about seeking the State Government’s agreement to introduce State-wide laws to protect people against passive smoking. The issue was about the health of the community.

**RIGHT OF REPLY**
Cr Klisaris said that underpinning fiscal responsibility is social policy and welfare and a fundamental concern for the community. He said that traders would not be adversely affected by smoking bans.

**CARRIED**

**DIVISION**

At the request of Cr Klisaris, a Division was called.

For: Crs Klisaris, Drieberg, Lake, Little, Lo, Nolan, Zographos

Against: Crs Davies and Pontikis

Cr Morrissey did not vote on this issue.

### 8.4 Appointment of Council Representative To Community Liaison Committee: Ashwood-Chadstone Gateway Project

**Moved** Cr Drieberg,  
**Seconded** Cr Little

*That Councillor Jieh-Yung Lo be appointed as the Council’s representative on the Community Liaison Committee for the Ashwood-Chadstone Gateway Project.*

Cr Lo said that the project was an important way of addressing homelessness and that the municipality had a significant issue to deal with in relation to housing affordability. He thanked former Councillor Joy Banerji for her work on the committee.

Cr Zographos said the project was a good initiative and the challenge would be the provision of facilities and services, once the project was finished.

**CARRIED**

### 8.5 Christmas Decorations

**Moved** Cr Zographos,  
**Seconded** Cr Davies

*That Christmas decorations displayed by Council in Activity Centres in Monash, change wording from ‘Seasons’ Greetings’ to “Merry Christmas”.*

Cr Zographos said that the term Merry Christmas is commonly used and Christmas Day is a public holiday celebrated by people from many cultures.

Cr Lo opposed the motion, saying that the matter was divisive and trivial. He questioned Cr Zographos’ motive for submitting the motion and said he was
disappointed that Councillors were not given adequate time to consider the proposal. He also commented that the information supporting the motion was inadequate.

PROCUDURAL MOTION

_Moved_ Cr Lo  
_Seconded_ Cr Lake

_That the motion now be put._

CARRIED

The motion was put and

LOST

DIVISION

A division was called by Cr Klisaris

_For:_ Crs Zographos, Davies, Pontikis, Morrissey

_Against:_ Crs Drieberg, Lake, Little, Lo, Nolan, Klisaris

9. **URGENT BUSINESS**

Nil.

10. **COUNCILLORS' REPORTS**

Cr Zographos sought to comment on Item 8.5.

POINT OF ORDER

Cr Lake called a Point of Order, saying that a reflection on a previous decision of the Council was contrary to the Meeting Procedures Local Law.

The Mayor upheld the Point of Order.

10.1 The Mayor and Cr Morrissey commented on the success of the Carols By Candlelight concert held at Jells Park.

10.2 Cr Little advised the Council of his attendance at the Waste Management Forum and that he would be submitting a report to Council in the near future.
11. **PERSONAL EXPLANATIONS**

Cr Zographos stated that his reason for submitting his motion regarding the Christmas decorations was to address political correctness and to acknowledge the origins of the celebrations. He said that he did not detect any deficiencies of either spelling or grammar in the information he provided to support his motion.

12. **MATTERS OF COUNCIL IMPORTANCE**

Nil.

13. **CONFIDENTIAL BUSINESS**

Nil.

The Mayor declared the meeting closed at 9.40 pm

**MAYOR: ..................................................**

DATED THIS .................................. DAY OF .................................. 2013