MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD ON 22 NOVEMBER 2011

at 7.30 pm

Council Chambers
293 Springvale Road,
Glen Waverley
PRESENT: Councillors G Male (Mayor), M Drieberg (Deputy Mayor), C Baines, J Banerji, S Dimopoulos, P Klisaris, G Lake, D McGill OAM, T Morrissey JP, S Perri

MAYOR

The Mayor advised the Council that this was to be his last meeting as Mayor and went on to thank his fellow Councillors, in particular the Deputy Mayor, Council officers and the Monash community for their support during his term of office.

APOLOGIES:

Cr Lo

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 OCTOBER 2011

Moved Cr Baines, Seconded Cr Drieberg

That the minutes of the Ordinary Meeting of the Council held on 25 October 2011, 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.
MINUTES OF THE ORDINARY MEETING OF
THE MONASH CITY COUNCIL HELD ON
22 NOVEMBER 2011

OFFICERS’ REPORTS

1. COMMUNITY SERVICES

1.1 Supply of Library Resources

Moved Cr Morrissey, Seconded Cr Klisaris

That Council:

1. Appoints DLS Australia Pty Ltd for the Supply of Library Resources for a three (3) year term with options for extension of two (2) x one (1) year periods for the schedule of rates submitted with their tender (estimated annual expenditure of $562,422 GST inclusive).

2. Authorises the Chief Executive Officer to execute the contract agreement.

3. Authorises the Chief Executive Officer at his discretion to approve the extension options subject to satisfactory performance.

CARRIED

1.2 Proposal To Rename Ashwood Reserve Hockey Pitch ‘Hedley Hull Field’

Moved Cr Banerji, Seconded Cr Morrissey

That Council approves the naming of Ashwood Reserve Hockey Pitch to the ‘Hedley Hull Field’.

CARRIED

2. HUMAN RESOURCES & ADMINISTRATION

Nil

3. CORPORATE PLANNING & FINANCE

Nil
4. **INFRASTRUCTURE SERVICES**

Nil

5. **CITY DEVELOPMENT**

5.1 670 - 672 High Street Road, Glen Waverley - Development and Use of A Double Storey Office Building With Basement Car Park Ancillary To The Existing Education Centre (Wesley College), Multi Dwelling Development (84 Apartments) Up To 4 Storeys With Basement Car Park Including Reduction In Applicable Car Parking Rate, Removal of Drainage and Sewerage Easement and Removal of Existing Vegetation

Moved Cr Lake, Seconded Cr Male

Council having caused notice of planning application No. TPA/39538 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to **refuse the application** for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 670 – 672 High Street Road, Glen Waverley, for the development and use of a double storey building with basement car park ancillary to the existing education centre (Wesley College), multi dwelling development (84 apartments) up to 4 storeys with basement car park including a reduction in applicable car parking rate, removal of drainage and sewerage easement (BL - colour code blue) on Lots 1, 98, 99, 100, 101 and 102 on LP013623, and removal of existing vegetation, on the following grounds:

1. The proposal is not consistent with the objectives and strategies of Clause 15.01 of the Monash Planning Scheme with regard to context, the public realm, safety light and shade, internal amenity and architectural quality;

2. The proposal is not consistent with the Council’s Residential Development and Character Policy being Clause 22.01 of the Monash Planning Scheme;

3. The proposal is not consistent with the purpose and decision guidelines of Clause 52.06 of the Monash Planning Scheme with regard to the proposed vehicle access arrangement and its impact on the surrounding road network;

4. The proposed development is considered out of character with existing development in the area in particular with regard to bulk and form, materials and finishes proposed;

5. The proposal is considered to be inappropriate and premature having regard to the absence of a Master Plan for all land holdings of the School, including the 3.0 hectares of vacant land on the west side of Rose Avenue, which holistically needs to consider an integrated approach to the development of this land and adjacent vacant land owned by the Uniting Church of Australia having regard...
The proposal would compromise and/or set an undesirable precedent for the development of the remaining vacant land to the south in terms of traffic impacts, and safety, tree retention, internal amenity and drainage;

The proposal in its own right it would produce unacceptable traffic levels within the local road network, and increase the likelihood of vehicle accidents at side street intersecting with High Street Road;

The internal amenity of the proposed dwellings is considered to be substandard with respect to natural light to habitable room, size of common open areas, disabled access and storage;

The proposed removal of remnant native vegetation is not considered appropriate or justified;

and directs that the Applicant and each objector be given a notice of the Council’s decision to refuse the permit.

That the Council directs that should the Applicant lodge an appeal at the Victorian Civil and Administrative Tribunal against the Council’s decision to refuse the Application, a Queen’s Counsel or Barrister be engaged to represent the Council at any appeal hearing.

Crs Lake and Male made a number of comments regarding this item. Their comments are summarised below -

Cr Lake
- A better outcome for all concerned may have been achieved had Wesley engaged the community prior to lodging the planning application.
- He considers that the refusal should be based on 3 primary considerations
  1. The proposal is out of character with the neighbourhood. It is not appropriate for a 5 storey apartment/office development on that site.
  2. The absence of a master plan. The site that the proposal relates to is only 20 percent of the entire site owned by Wesley. A master plan for that land is needed.
  3. The proposal unreasonably proposes vehicular access via Rose Avenue, instead of either High Street Road or Wesley College.
- Congratulated the residents for seeking an appropriate development.
Cr Male
- Noted that as one of the Glen Waverley Ward Councillors, he had sought to develop a solid relationship with Wesley College.
- Was disappointed that the College had not sought to engage the community before developing and submitting the proposal.
- Did not consider that the proposal was suitable for the area.

RIGHT OF REPLY

Cr Lake
- Encouraged residents to attend a meeting called by the College for 2.00 pm, 25 November 2011 and seek the College’s agreement to abandon the proposal and not appeal the refusal.
- Noted the history of the ownership of the site and the financial benefit that the college had obtained through its sale and re-purchase.

CARRIED

5.2 67 Atherton Road Oakleigh – Development and Use of A 5 Storey Building Comprising Shop and Office At Ground Floor Level, Offices On Levels 1 To 4 (Inclusive) Plus A Roof Top Terrace Area and A Basement Level Comprising 21 Car Parking Spaces In Stackers

Moved Cr Dimopoulos, Seconded Cr Perri

The Council having caused notice of planning application No. TPA/39681 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to grant a planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 67 Atherton Road Oakleigh for the purpose of the development and use of a 5 storey building comprising shop and office at ground floor level, offices on levels 1 to 4 (inclusive) plus a rooftop terrace area and a basement level comprising 21 car parking spaces in stackers subject to the following conditions, including the specified standard conditions set out in the Council’s “Town Planning Standard Conditions” adopted by the Council 16 September 2003:

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. When approved the plans will be endorsed.

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

a) The ramp grade designed in accordance with Section 2.5.3 / 2.6 of the Australian Standard for Off - Street Car Parking, AS/NZS 2890.1 to provide for the following:

- Maximum grade of 1 in 4.
- Provision of a 2.0m grade transition of 1 in 8 between the 1 in 16...
and 1 in 4 grades.

- Provision of a 2.0m grade transition of 1 in 6.7 between the 1 in 4 grade and the basement 01 floor.
- Grade changes to be designed and checked in accordance with Appendix C to ensure that vehicles will not scrape or bottom out.

b) The layout of the development designed in accordance with the Australian Standard for Off-Street Car Parking, AS/NZS 2890.1 with regard to the following issues:
- To permit access for both cars and light vans, the height between the floor and an overhead obstruction shall be a minimum of 2200mm.

c) A total of 7 stacker system spaces are required to cater for larger and heavier vehicles e.g. four wheel drives/SUV’s.

d) Clear sight lines shall be provided at the property line to ensure adequate visibility between vehicles leaving the driveway and pedestrians on the frontage road. This requires the provision of a corner splay or area extending at least 2.0 metres long x 2.5 metres deep (within the property) x less than 1.2 metres height on the east side of the vehicle crossing.

e) Location and design of any proposed electricity supply meter boxes/kiosks/substation. This facility must not be located within the front landscape setback areas;

f) Location of gas and water meters. These facilities should be designed to minimise their visual prominence if located within the front setback area;

g) Location of any fire hydrants, booster assemblies or sprinkler control valves which may be required and details of screening to minimise their visual prominence.

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. 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.

5. 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.
6. Before the use or development begins, the owner of the land must enter into an agreement under section 173 of the Act in which the owner agrees to pay $6,797.56 (plus GST) indexed by CPI (all groups) from 1 July 2011 to the responsible authority for:
   • each car parking space or part thereof specified under this Scheme; or
   • where a rate is not specified, as determined by the responsible authority
   • and which cannot be provided on the land (net of car parking credits).

   The agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

   The agreement must provide that the contribution is to be indexed according to the CPI (all groups) from 1 July 2011 until it is paid. The agreement must also provide for the owner to pay Council's costs of preparing, registering and then upon its ending, de-registering the agreement.

   A cash contribution for 20 car spaces is required.

   As at the date this permit issued, the total amount payable for the development and use hereby permitted is $149,546.40 (calculated at $7,447.32 per space GST inclusive).

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

8. 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.

9. 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;
   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.

10. Adequate provision shall be made for the storage and private collection of garbage and other solid wastes and these facilities are to be located on the site.
to the satisfaction of the Responsible Authority.

11. 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.

12. 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.

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

13. 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.)

14. 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.

15. 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.

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

16. The driveway and parking area (apart from parking space dimensions) designed in accordance with the Australian Standard for Off-Street Car Parking, AS/NZS 2890.1.

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

18. The loading and unloading of goods from vehicles must only be carried out on the land.

19. 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 450mm Council drain in the road reserve via a saddle adaptor or a 900mm x 600mm junction pit to be constructed to Council Standards.

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

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

NOTES:

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
3. A permit for installation or modification of any vehicular crossing is required from Council’s Engineering Department.
4. 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 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.

5. Engineering permits must be obtained for new connections to Council’s drains and these works are to be inspected by Council (telephone 9518 3690).

6. The existing property connection can only be used if the existing connection is exposed and inspected by Council Officers and found to be satisfactory otherwise a new saddle adaptor or a new 900mm x 600mm junction pit is to be constructed (as per Council Standard Drawing D1) over Council’s 450mm drain in the road reserve in Atherton Road. A 900mm x 900mm junction pit is to be constructed if depth of pit is greater than 1.5 metres. Note that the excavation for the stormwater pit must be inspected prior to the concrete pour.

7. All access doors to the stacker system are to be fully automated and linked to the car stacker operating system to ensure that there is no inadvertent access during the operation of the system.

8. The mechanical stackers must be routinely serviced and maintained to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land.

9. 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.

10. Standard passenger car stacker modules are required to cater for the following:
   - Independent operation for each parking space.
   - A car/van up to 170cm height on all levels.
   - A useable platform width of at least 230cm (single bay) and 460cm (double bay), except where the module is located against a wall or at the end of a row where it is required to be at least 250cm (single bay) or 500cm (double bay) in width to assist with turning manoeuvres.
   - Minimum pit length of 540cm.
   - Loading weight per platform of at least 2000kg.

11. SUV/Four wheel drive stacker modules are required to cater for the following:
   - Independent operation for each parking space.
   - A car/van/SUV up to 180cm height.
   - A useable platform width of at least 250cm, except where the module is located against a wall or at the end of a row where it is required to be at least 270cm in width to assist with turning manoeuvres.
• Minimum pit length of 540cm.
• Loading weight per platform of at least 2500kg.

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

5.3 11 Avondale Grove Mount Waverley - Development of A Double Storey Apartment Building (8 Dwellings) With Basement Car Park

Moved Cr Morrissey, Seconded Cr Banerji

Council having caused notice of planning application No. 39690 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to refuse the application for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 11 Avondale Grove Mount Waverley, for the purpose of the development of a double storey apartment building (8 dwellings) with basement car park on the following grounds:

1. The proposal is not consistent with Council’s Residential Development and Character Policy being Clause 22.01 of the Monash Planning Scheme.

2. The proposal does not satisfy the private open space requirement specified by the schedule to the Residential 1 Zone being Clause 32.01 of the Monash Planning Scheme.

3. The proposal does not adequately satisfy the objectives and design standards of Clause 55 of the Monash Planning Scheme with regard to neighbourhood character, residential policy, private open space, design detail, building height and overlooking.

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

5. The proposed development is not appropriate for the locality in regards to its adverse impact on the streetscape and general neighbourhood character.

6. The proposal is an overdevelopment and inappropriate design response of the site.
and directs that the Applicant and each objector be given a notice of the Council’s decision to refuse the permit.

Cr Morrissey noted that the local residents had worked together and with the Council to protect the amenity of their neighbourhood.

CARRIED

5.4 519-521 High Street Road Mount Waverley – Development of A Three Storey Apartment Building (24 Dwellings) With 2 Level Basement Car Park and Alteration of Access To A Road Zone - Category 1

Moved Cr Banerji, Seconded Cr Morrissey

Council having caused notice of planning application No. TPA/39548 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to refuse the application for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 519-521 High Street Road Mount Waverley, for the purpose of the development of a three storey apartment building (24 dwellings) with 2 level basement car park and alteration of access to a Road Zone – Category 1 on the following grounds:

1. The proposed scale, mass and bulk of the development, combined with minimal front setback and landscaping opportunities, will have an adverse visual impact on the streetscape and residential character of the area and will have an overbearing impact on neighbouring residential amenity contrary to ResCode Standards B1 – Neighbourhood Character, B6 – Street Setback, B7 – Building Height, B8 – Site Coverage, B13 – Landscaping, B17 – Side and Rear Setbacks, B31 – Design Detail and Clauses 21.02, 21.03, 21.04, 22.01 and 22.03 of the Monash Planning Scheme.

2. Inadequate provision is made for pedestrian access to the ground level entry foyer for people with limited mobility contrary to Standard B25 – Accessibility of ResCode.

3. Inadequate provision is made for storage facilities for each dwelling contrary to Standard B30 – Storage of ResCode.

4. Inadequate access ramp gradient has been provided for the basement car park entry/egress with inadequate driver/pedestrian sight lines to the frontage footpath to meet the requirements Standard B14 – Access of ResCode and contrary to the requirements of VicRoads.

5. Inadequate provision has been made for on-site visitor car parking contrary to Standard B16 – Parking Provision of ResCode.

6. The proposal has been designed to minimum standards and as such presents as an overdevelopment of the site.
7. The proposal is contrary to the orderly and proper planning of the area.
and directs that the Applicant and each objector be given a notice of the Council’s
decision to refuse the permit.

CARRIED

5.5 24 McDonalds Lane Mulgrave - Buildings and Works Associated With An
Industrial Building (Warehouse) With Associated Office and Car Parking

Moved Cr Dimopoulos, Seconded Cr McGill

That the Council having considered Section 52 of the Planning and Environment Act
1987 and being satisfied that the grant of a permit would not cause material
detriment to any person has not required that notice be given for Planning
Application No TPA/39685.

The Council having considered planning application No TPA/39685 and all the
matters required under Section 60 of the Planning and Environment Act 1987 decides
to grant a planning permit under the provisions of the Monash Planning Scheme in
respect of the land known and described as 24 McDonalds Lane, Mulgrave for the
buildings and works for a warehouse, ancillary office and associated car parking and
landscaping generally in accordance with the plans submitted with the application,
subject to the following conditions, including the standard conditions set out in the
Council’s “Town Planning Standard Conditions” adopted by the Council 16
September 2003:

1. Before the development starts, three copies of 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 show:
   
   a) Provision for parking facilities for a minimum of four staff bicycles in
   close proximity to the front entrance of the building.
   
   b) The maximum gradient of associated access driveway across the property
   line to be 1 in 20 (5%).

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

3. 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.

4. 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.
   f) Parking areas and access lanes must be kept available for these purposes at all times.

5. 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;

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

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. The unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.

9. The loading and unloading of goods from vehicles must only be carried out on the land.

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

11. 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.

12. Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.

13. 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.

14. 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.

15. 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

16. 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 Council pit in the nature strip 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.

17. The driveway and parking area (apart from parking space dimensions) should be designed in accordance with the Australian Standard for Off-Street Car Parking, AS/NZS 2890.1/.

18. The layout of the development shall follow the Australian Standard for Off-Street Car Parking, AS/NZS 2890.1/. At blind aisles, the aisle shall be extended a minimum of 1 metre beyond the last parking space. Space 63 is affected.

19. The accessible parking should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6.

20. The accessible ramp should be designed in accordance with the Australian Standards for Design for Access and Mobility AS 1428.

21. Clear sight lines shall be provided at the property line to ensure adequate visibility between vehicles leaving the driveway and pedestrians on the frontage road. This requires the provision of a corner splay or area extending at least 2.0 metres long x 2.5m deep (within the property) x less than 1.2 metres height measured from the edge of the exit lane of each vehicle crossing.

NOTES-

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

2. 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.

3. All new crossings are to provide a minimum 1.0 metre from the turning point of the vehicle crossing at the kerb to the edge of any tree canopy, power pole, drainage or service pit or other services.

4. The existing street tree will be removed and replaced by Council at the cost of the developer. Payment is required prior to the commencement of the development.

5. The redundant crossing is to be removed and reinstated with kerb and channel to the satisfaction of Council. The footpath and nature strip is to be reinstated to the satisfaction of the City of Monash.

6. A permit is required for the installation or modification of any vehicular crossing from Council’s Engineering Department. The proposed crossings are to be in accordance with the City of Monash standards.
7. A Traffic Management Plan is required prior to the issue of Vehicle Crossing Permits.

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

Expiration 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

5.6 1945 Dandenong Road Clayton –Construction of A Two Storey Building Comprising Nine Dwellings Plus Sub Basement Car Parking and Access To A Road In A Road Zone, Category 1

Moved Cr Perri, Seconded Cr McGill

Council having caused notice of planning application No. TPA/39069 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to refuse the application for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 1945 Dandenong Road, Clayton for the purpose of developing the land by constructing a two storey building comprising nine dwellings plus sub-basement car parking and to create access to a road in a Road Zone, Category 1 on the following grounds:

1. The proposal does not adequately satisfy the objectives and/or design standards of Clause 55 of the Monash Planning Scheme having regard to neighbourhood character.

2. The proposal is an overdevelopment of the site having regard to the extent of continuous unbroken building mass visible from Dandenong Road, Stockdale Avenue and adjoining land.

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

4. The proposed development is not appropriate for the locality in regards to its adverse impact on the streetscape and general neighbourhood character.

5. The development provides for a poor level of internal amenity.

6. The proposal would require the removal of a nature strip tree.
and directs that the Applicant and each objector be given a notice of the Council’s decision to refuse the permit.

Cr Perri noted that a similar proposal had been refused by the Council in 2010, with that refusal being upheld by VCAT, following an appeal by the Applicant.

Cr Perri noted that the current proposal, while containing some improvements, was not significantly different to the one refused in 2010.

CARRIED

5.7 721-733 Springvale Road & 287-293 Wellington Road Mulgrave – Extension of Time - Buildings and Works, Together With Associated Car Parking and Landscaping and The Use of The Land For Offices

Moved Cr McGill, Seconded Cr Perri

That Council having considered all the matters required under Section 60 and pursuant to Section 69 of the Planning and Environment Act 1987, decides to grant the extension of time for Planning Permit No. 27515 under the provisions of the Monash Planning Scheme in respect of the land known and described as 721-733 Springvale Road and 287-293 Wellington Road Mulgrave, for buildings and works, together with associated car parking and landscaping and the use of the land for offices, and extend the permit dates as follows:

- The development and use are not started before 13 December 2012.
- The development and use is not completed before 13 December 2014.

Cr McGill noted that this was the ninth request for an extensive of time, made by the Applicant.

CARRIED
5.8  654 Blackburn Road Notting Hill – Extension of Time - Two Dwellings (Both 2-Storey) With Associated Parking and Landscaping

Moved Cr Perri,                Seconded Cr McGill

That Council having considered all the matters required under Section 60 and pursuant to Section 69 of the Planning and Environment Act 1987, decides to grant the extension of time for Planning Permit No. 33962A under the provisions of the Monash Planning Scheme in respect of the land known and described as 654 Blackburn Road Notting Hill, for the development of the land with two dwellings (both 2-storey) with associated parking and landscaping, and extend the permit dates as follows:

- The development is not started before 18 October 2012.
- The development is not completed before 18 October 2014.

CARRIED

5.9  Town Planning Schedule

Moved Cr Drieberg,                Seconded Cr Banerji

That the report containing the Town Planning Schedules be noted.

CARRIED

5.10  Central Reserve Recreation & Community Hub Pavilion Construction Tender

Moved Cr Banerji,                Seconded Cr Morrissey

That:
1. Council accepts the lump sum tender price of $1,752,726.80 inclusive of GST, submitted by Harris HMC Construction Pty Ltd, to undertake the construction of the Central Reserve Recreation & Community Hub Pavilion and seal the contract documents.
2. The Chief Executive Officer be authorised to sign and seal the contract.

CARRIED
5.11 Proposed Deviation and Sale of Part of The Right of Way Abutting 1611-1615
Dandenong Road and 3-5 Lever Street Oakleigh

Moved Cr McGill,                Seconded Cr Dimopoulos

That Council,

1) authorises the Chief Executive Officer or his delegate to negotiate the terms and
   conditions of a contract of sale and any other documentation required to give
   effect to a proposal to deviate the existing right of way abutting 1611-1615
   Dandenong Road and 3-5 Lever Street, Oakleigh (as generally shown on
   Attachment 3) and sell to Adinadis Pty Ltd of 3-21 Lever Street Oakleigh that
   part of the right of way discontinued by such road deviation proposal;

2) resolves to give public notice of the proposed road deviation and to sell the
   whole or part of the discontinued road created by such proposal pursuant to
   Clause 2 of Schedule 10 and sections 206, 207 and 223 of the Local Government
   Act 1989;

3) establishes a Special Committee of Council consisting of the Oakleigh Ward
   Councillors to consider any submissions received in respect of such deviation
   proposal pursuant to Section 223 of the Local Government Act 1989 at a
   meeting to be held at a time and place to be nominated by the Chief Executive
   Officer.

4) in the event that no submissions are received, delegates authority to the Chief
   Executive Officer or his delegate to publish a notice in the Victorian
   Government Gazette of the road deviation and to sign and seal all
   documentation associated with the road deviation and the sale of the whole or
   part of the discontinued road created by such road deviation, to Adinadis Pty
   Ltd; and

5) receive a further report following the completion of the procedures under
   section 223 of the Local Government Act 1989 if submissions are received.

CARRIED

6 CHIEF EXECUTIVE OFFICER’S REPORTS

6.1 Assembly of Councillors Record

Moved Cr Banerji,                Seconded Cr Drieberg

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

CARRIED
6.2 2012 Council Elections

Moved Cr Klisaris,    Seconded Cr Baines

That:

1. The Council reaffirms that the method of voting to be used for the 2012 general elections will be full postal voting.

2. The Municipal Association of Victoria be appointed as the Council’s agent to conduct the tender process for electoral services for the 2012 City of Monash Council general elections.

3. The Chief Executive Officer be delegated the authority to sign the Agency Deed to allow the Municipal Association of Victoria to conduct the tender process for electoral services for the 2012 City of Monash Council general elections.

4. The Chief Executive Officer be delegated the authority to:
   a) finalise the contract arrangements with the preferred Tenderer for the provision of electoral services for the 2012 Council general elections; and
   b) sign and seal the contract documents for the provision of electoral services for the 2012 Council elections.

5. The Council permits the Returning Officer appointed to conduct the 2012 City of Monash general elections to designate a place outside of the municipality as a counting place for the purposes of the general elections.

CARRIED

7. COMMITTEE REPORTS

Nil

8. NOTICES OF MOTION

8.1 Discretionary Fund Applications

Moved Cr Male,    Seconded Cr Banerji

That Council resolves not to fund the 2 applications received for funding from the 2011/2012 Discretionary Fund, as noted in the body of this motion.

CARRIED
8.2 Italian Language Story-Time Sessions

Moved Cr Perri                Seconded Cr Dimopoulos

That
1) Approval be given to pilot an Italian language story-time to be held at Clayton Library fortnightly from February to June 2012.
2) A report be made to Council in May 2012 on the progress of the pilot program.

Cr Perri
- Noted the services provided by Monash Public Libraries for babies, toddlers and children and the story-time sessions held in English, Auslan, Mandarin and Greek.
- Supports the proposal to introduce story-time in Italian, at the Clayton Library, on a trial basis, as there is community interest for it.
- Noted that all story-time sessions are available to members of the community, irrespective of their background.

CARRIED

9. URGENT BUSINESS

Nil.

10. COUNCILLORS’ REPORTS

Crs Klisaris, Banerji and Perri congratulated the Mayor and Deputy Mayor on their term of office.

The Deputy Mayor congratulated the Mayor on his term of office and thanked him for his leadership and the opportunity to work in partnership with him.

11. PERSONAL EXPLANATIONS

Nil

12. MATTERS OF COUNCIL IMPORTANCE

Nil
13. CONFIDENTIAL BUSINESS

Nil.

The Mayor declared the meeting closed at 8.14 pm

MAYOR: ....................................................

DATED THIS ..................................  DAY OF ................................  2011