



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 28 AUGUST 2018**

at 7.00 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 28 AUGUST 2018 AT 7.00 PM.**

PRESENT: Councillors P Klisaris (Mayor), S McCluskey (Deputy Mayor), R Davies, J Fergeus, S James, G Lake, B Little, R Paterson, L Saloumi, MT Pang Tsoi, T Zographos

APOLOGIES:

Nil.

DISCLOSURES OF INTEREST

Nil.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 31 JULY 2018**

Moved Cr Little,

Seconded Cr Pang Tsoi

That the minutes of the Ordinary Meeting of the Council held on 31 July 2018, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Cr Little tabled a petition from residents opposed to the proposed development of 29 and 31 Prospect Street Mount Waverley.

PUBLIC QUESTION TIME

The Mayor advised that 9 questions had been received. Five submitters did not attend the meeting, to submit their questions.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 2-4 Palmer Street, Oakleigh - Demolition of Dwellings In A Heritage Overlay and To Use The Land For An At Grade Car Park (Temporary) Associated With Adjacent Place of Worship

Moved Cr Little,

Seconded Cr Saloumi

RECOMMENDATION TPA/48058:

That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/48058) for the demolition of dwellings in a Heritage Overlay and carry out buildings and works to use the land for an at grade car park associated with adjacent place of worship (Coptic Orthodox Church) at 2-4 Palmer Street, Oakleigh subject to the following grounds:

- 1. The proposal is inconsistent with the relevant policies and objectives of the Monash Planning Scheme, including the Planning Policy Framework and Local Planning Policy Framework in particular Clause 15 Built Environment and Heritage, Clause 21.12 Heritage, Clause 22.07 Heritage Policy, Clause 43.01 Heritage Overlay and Clause 43.02 Design and Development Overlay.*
- 2. The proposed demolition, development and use as a car park is not appropriate for the locality in regards to its adverse impact on the streetscape, adjoining properties and general neighbourhood character.*
- 3. The demolition of contributory heritage buildings is not justified.*

RECOMMENDATION TPA/48214:

That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/48214) to develop and use the land for a place of assembly (function venue and Sunday school classrooms), ancillary facilities associated with adjacent place of worship (Coptic Orthodox Church) and reduction of the car parking requirements under clause 52.06 of the Monash Planning Scheme at 2-4 Palmer Street, Oakleigh subject to the following grounds:

- 1. The proposal is inconsistent with the relevant policies and objectives of the Monash Planning Scheme, including the Planning Policy Framework and Local Planning Policy Framework in particular Clause 15 Built Environment and Heritage, Clause 21.12 Heritage, Clause 22.07 Heritage Policy, Clause 43.01 Heritage Overlay and Clause 43.02 Design and Development Overlay.*
- 2. The scale and design of the building is out of character with existing heritage buildings and streetscape.*
- 3. The intensity of the use is inappropriate and will cause adverse impact with the surrounding residential area.*

Cr Zographos said that the Coptic community had made a great contribution to Monash since 1982 and was a great civic citizen, with the Oakleigh parish enjoying a great relationship with the Council, over that time. He noted that Councillors had attended the annual Coptic festival and other community events. Cr Zographos said that the process between the Council and the Church had been entered into in good faith and it pained him to see the recommendation to refuse the applications come before Council. Cr Zographos stated that the 2 buildings needed to be demolished and there had been questions raised about their heritage value. He said that the buildings didn't have heritage value. Cr Zographos said that the Coptic community had the right to develop their facilities to meet increasing needs. He noted that there were concerns about the proposal from objectors, but that these could easily be addressed via conditions to a permit.

Cr Saloumi said that she had visited the site and noted the dilapidated condition of the buildings. She added that they needed to be demolished. Cr Saloumi noted that the heritage listing of the buildings had been made 17 years after the Church had purchased them and the properties had not been maintained, although the church itself had been. She noted that the Church had a large congregation that needed adequate community facilities and its activities supported social inclusion. Cr Saloumi added that it would be too expensive to seek to repair the buildings. She added that should the application be refused, an appeal at VCAT would have a good chance of success.

In response to a question from Cr Fergeus, the Director City Development advised that there was an issue of if the buildings were to be demolished, would what replaced them be appropriate and there were concerns from a heritage perspective about the look, feel and fit of what would replace them. Other concerns related to deficiencies in car parking, of 43 spaces. He added that the heritage advisors had said that a vacant car park in that location was not an appropriate response. The concern was that a temporary car park could be approved but the Council could not then compel construction to take place on that site.

Cr Little said that his understanding was that if the façade of the buildings was retained, the development behind them could be something more modern, and he would be sympathetic to that. He added that he supported refusal of the demolition if it created vacant land, with uncertainty about future development.

In response to a question from Cr Little, the Director City Development advised that it was within the realms of heritage acceptance to retain the front portion of the dwellings, and create additions behind that.

Cr Paterson said that all Councillors knew the great contribution that the Coptic Church made to the community and the Church was seeking to better serve its community by providing improved facilities that would meet the demands that have increased over time. Cr Paterson added that it was a shame that the applications before Council were not able to tick all the planning requirement boxes and meet the Church's requirements at the same time. She added that this was a difficult position for both parties and that she wanted to support an appropriate proposal.

Cr Davies said that the first issue was the heritage value of the property. He noted that, given the condition of the buildings, it was not worthwhile retaining the façade and the buildings held no heritage value. This issue had to be weighed against the benefit to the community that the proposal had. He noted that the proposal would also provide for additional parking in the area and supported its approval.

Cr McCluskey said that heritage was an important aspect of the assessment of the application and the application did not tick enough boxes against the planning policy requirements. He added that further work on the proposal could lead to a positive outcome in the future. Cr McCluskey commended the Church for seeking to meet the needs of its community, by providing improved facilities.

CARRIED

DIVISION

A division was called.

For: Crs Little, Fergeus, Paterson, McCluskey, Klisaris, James, Lake

Against: Crs Zographos, Davies, Saloumi, Pang Tsoi

1.2 10 Alvina Street Oakleigh South - Construction of 96 Dwellings and Associated Subdivision

Moved Cr Little,

Seconded Cr Paterson

That Council resolves to Grant a Planning Permit (TPA/49091) for the construction of 96 dwellings and subdivision of land at 10 Alvina Street, Oakleigh South 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 development plans prepared by Rothelowman dated 24/04/18 and the subdivision layout prepared by Veris dated 11 April 2018 submitted with the application, but modified to show:

- a) Added articulation to the northern façade of townhouse type P (Lot 40), the southern façade of townhouse type P (Lot 24) and the southern façade of townhouse type P2 (Lot 14) to the satisfaction of the responsible authority. Articulation should be generally consistent with that endorsed under the approved development plan for each of these lots.*

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- b) *Added articulation to the southern (rear) upper floor elevation of Townhouse Type L (Lots 15,16,17,19,20,21,22 and 23) to the satisfaction of the responsible authority. Articulation should be generally consistent with that endorsed under the approved development plan for each of these lots.*
 - c) *Deletion of upper floor outline (broken lines) above the ground floor Private open space of Townhouse Type H adjacent to ground floor living room window.*
 - d) *Screening of upper floor west facing bedroom 3 window of Townhouse Type D1 (Lots 25,26,27,31,35,36,38,45,47 and 49) in accordance with standard B22 requirements of Clause 55.04-6*
 - e) *Front facades of Townhouse Type A redesigned to achieve better outlook from the ground floor bedroom window, and a more translucent balcony edge to improve natural sunlight access into the dwelling.*
 - f) *Plans for Townhouse Type E3 (Lot 1) reversed in accordance with plan TP8.E3-01A dated 1.06.18.*
 - g) *The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development.*
 - h) *Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) both sides of Lot 1, 2, 50 and 51 Alvina Street vehicle crossings to provide a clear view of pedestrians on the footpath of the frontage road.*
 - i) *Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of the main access road to the development to provide a clear view of pedestrians on the footpath of the frontage road.*
 - j) *Vehicle crossings to Lots 50 and 51 (Alvina Street) converted to one double crossing.*
 - k) *Vehicle crossing to Lots 1 and 2 (Alvina Street) constructed as a double industrial crossing to City of Monash standards (150 mm thick concrete reinforced with SL82 mesh) with a 60 degree splay at either end or to the satisfaction of the Responsible Authority.*
 - l) *All new single vehicle width crossings a minimum of 3.0 metres in width.*
2. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
 3. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*

4. *Prior to the endorsement of plans, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 which provides for the following:*

- *All existing trees identified for retention on the development site (total of 5) must not be removed or lopped without the written consent of the responsible authority.*

The agreement must also provide for the owner to pay Council's costs of preparation or review, registering and then upon its ending, deregistering the agreement.

Waste Management

5. *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 by private contractor. The Waste Management Plan shall provide for:*

- a) *The method of collection of garbage and recyclables for uses.*
- b) *Designation of methods of collection by 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.*

Once approved the Waste Management Plan will be endorsed to form part of the permit.

6. *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.*

Construction Management Plan

7. *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) *Traffic management plan providing for 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.*

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- 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).*

Landscaping

- 8. *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:-*
 - a) *The location of all existing trees and other vegetation to be retained or removed on site.*
 - b) *Provision of a minimum of 181 canopy trees with spreading crowns located throughout the site including the major open space areas of the development, or as otherwise agreed to the satisfaction of the Responsible Authority.*
 - c) *Planting to soften the appearance of hard surface areas such as driveways and other paved areas.*
 - d) *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.*
 - e) *The location and details of all fencing.*
 - f) *The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.*
 - g) *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.

- 9. *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.*

Tree Protection

- 10. *Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.*

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11. *All work within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.*
 12. *No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.*
 13. *No vehicle shall park under the canopy line of any tree to be retained.*

Drainage

14. *The development must be drained to the satisfaction of the Responsible Authority.*
15. *A CCTV video of the drain running along the western boundary of No. 3 Ashbrook Court and the drain in Alvina Street is to be provided to the Council at the developers/owners cost prior to any drainage works taking place to ensure it is in suitable condition (if not in a suitable condition, the drain may need to be replaced).*
16. *Alvina Street south of Sinclair Street is to be constructed with road pavement, kerbs, drains, street trees, naturestrips and footpaths to the satisfaction of Council.*

Car parking /Access ways

17. *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.

18. *The car parking layout and vehicle access to the development shall generally follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below to the satisfaction of the Responsible Authority.*
 - *Driveway to provide at least 2.1 metre headroom beneath overhead obstructions.*
 - *Minimum requirements for car park dimensions to be in accordance with Table 2.*
19. *No less than 1 car space must be provided on the land for each one and two bedroom dwelling. No less than 2 car spaces must be provided on the land for each dwelling with three or more bedrooms. Future subdivision of the development must provide allocation of car parking on Title in accordance with this requirement including all visitor car parking located within common property.*

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20. *The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and nature strip are to be reinstated to the satisfaction of Council.*
 21. *All new vehicle crossings are to be no closer than 1.0 metres, measured at the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.*

SUBDIVISION

22. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
23. *The applicant or owner pursuant to Clause 52.01 of the Monash Planning Scheme must pay to the Council a sum equivalent to 5 per cent (5%) of the site value of all the land in the subdivision being a contribution for Public Open Space. This payment must be made before a statement of compliance is issued.*
24. *Prior to the issue of a Statement of Compliance for subdivision, the development including landscaping and storm water drainage works, must be completed in accordance with this planning permit.*
25. *This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:*
 - *The subdivision is not started before 2 years from permit issue.*
 - *The subdivision is not completed within five years of the date of starting.**In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.*

South East Water

26. **Potable water**
The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.

Sewer

The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.

General conditions

The Plan of Subdivision must be accompanied by an Owners Corporation Schedule. All lots shown on the Plan of Subdivision must be included in the Owners Corporation Schedule.

or

The owner of the subject land can enter into an agreement with South East Water for the provision of separate services to each individual lot.

Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.

The certified Plan of Subdivision will need to show sewerage supply easements over all existing and/or proposed South East Water sewer mains located within the land, to be in favour of South East Water Corporation pursuant to Section 12(1) of the Subdivision Act.

United Energy

27. *The applicant must enter into an agreement with United Energy for an extension, upgrade and/or rearrangement of the current electricity supply to lots on the land which may also require:*

- a. establishing easement(s) internally or externally to the site; and/or*
- b. providing site(s) to locate substations; and*

The applicant must make a payment to UE to cover the cost of preparing such documentation and work.

The plan of subdivision submitted for certification must be referred to United Energy Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

Melbourne Water

28. *Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.*
29. *Prior to Certification, a stormwater management and drainage strategy must be submitted and approved by Melbourne Water. The Stormwater Management Plan should include:*
- A design response to the drainage and stormwater management requirements of the subdivision incorporating the principles of Water-Sensitive Urban Design;*
 - Provision for retention of stormwater on site for reuse for landscaping and other non-potable purposes; and*
 - Provision for limiting increased flows discharged from the site into the existing drainage system and potentially limiting flows to pre-development peak storm flows.*
30. *Any future development must incorporate water sensitive urban design principles into the layout of the development. Stormwater runoff from the development must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.*
31. *All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.*

32. *Engineering and drainage plans of the development (in electronic format) must be submitted to Melbourne Water for our records.*
33. *This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:*
- *The development is not started before 2 years from the date of issue.*
 - *The development is not completed within 4 years from the date of issue.*
- In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.*

NOTES-

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.*
3. *Fire hydrants and services must be provided to the satisfaction of the Metropolitan Fire Brigade.*
4. *In the event that any parking restrictions are introduced in the surrounding area, occupants of this development will not be granted parking permits.*
5. *Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department. The proposed crossings are to be constructed in accordance with the City of Monash standards.*
6. *Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains and these works are to be inspected by Council (tel. 9518 3690).*
7. *Storm water discharge is to be detained on-site to the predevelopment level of peak storm water discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing.*
8. *Direct the northern section of the site's stormwater drainage to the west of the property where it must be collected and free drained via a pipe to the Council pit in the western easement to Council Standards.*

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9. *Direct the southern section of the site's stormwater drainage to the south-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the corner of the western easement to Council Standards.*
 10. *All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.*
 11. *A drainage contribution will not be accepted in lieu of a detention system. Two separate detention systems are to be provided for the northern and southern section of the site. Detention system requirements for above property are as follows:-*
 - North*
 - *Minimum storage = 125.48 cubic metres*
 - *Maximum discharge rate = 35 litres per second*
 - *Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.*
 - South*
 - *Minimum storage = 107.29 cubic metres*
 - *Maximum discharge rate = 45 litres per second*
 - *Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.*
 12. *One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department 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.*
 13. *Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.*
 14. *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.*
 15. *Building over easement approval is required. Approval will be given subject to:*
 - *South East Water approval being obtained;*
 - *The registration of a Section 173 Agreement on Title between the owners and Council, protecting Council's future drainage maintenance rights.*
 - *A construction joint being made along the easement line.*
 16. *The drainage contribution is not accepted in lieu of detention system as our calculations indicate that the site coverage is in excess of 65.0%.*
 17. *Underground drainage is available for the site that slopes to the south-west.*

18. **Note:- If the point of discharge cannot be located then notify Council's Engineering Division immediately.**
19. **Note:- If the point of discharge cannot be located then notify Council's Engineering Division immediately.**

Cr Paterson said that she regretted that she felt compelled to support the motion, as the outcome would not meet the community's needs. She added that the proposal was far from the best possible outcome for the site and the development would have a detrimental impact on the surrounding area. Cr Paterson noted that the Council's hands were tied and that it was compelled to approve the application.

Cr Little stated that he supported Cr Paterson's statement, noting that this was a decision of VCAT and that the Council had no choice but to adhere to it. Cr Little said that this was not a good outcome for the local community and a great opportunity had been missed to develop the site in a way that would enhance the area.

EXTENSION OF TIME TO SPEAK

Moved Cr Klisaris,

Seconded Cr Paterson

That Cr Little be granted an extra 30 seconds to speak

CARRIED

Cr Little continued, saying that the proposed housing was small and would be of poor quality and a better quality design could have been developed. He said that in years to come, the development would diminish the area.

Cr James said that he supported the comments made by Crs Paterson and Little. He said that the proposal represented an inappropriate development and he was dismayed that the Council's hands were tied, in this process. He noted that on 31 October 2017, Cr Little and he had submitted a Notice of Motion to Council, expressing disappointment with the process regarding this development. He added that residents had been denied a fundamental democratic right to be heard and that development would be a terrible outcome for the area.

Cr Fergeus said that he could not support the motion and that VCAT was wrong, in regard to this proposal. He added that the proposal had many flaws and the Council had campaigned against it. Cr Fergeus said that he objected to the Council having its hands tied and would therefore abstain from the vote on the motion. He added that the local community supported the development of the site, but in a sustainable and sensitive manner.

Cr Saloumi noted that this was a former school site and that a significant number of trees had been removed. She also noted the difficulty that emergency services

vehicles would have in entering the site. Cr Saloumi said that she disagreed with VCAT and it did not have a handle on the needs of the community in this area.

RIGHT OF REPLY

Cr Little said that the Council's hands were tied and the approval by VCAT would lead to an appalling result. It was an overdevelopment of the site and inappropriate for the area.

CARRIED

DIVISION

For: Crs Little, Paterson, McCluskey, Klisaris, Lake, Davies

Against: Crs Saloumi, Zographos, James

Abstain: Crs Fergeus, Pang Tsoi

1.3 314 Lawrence Road, Mount Waverley - Remove Two (2) Trees In The Vegetation Protection Overlay (VPO1)

Moved Cr Paterson,

Seconded Cr Fergeus

- A. *That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/49132) for the removal of (2) trees in the Vegetation Protection Overlay (VPO1) at 314 Lawrence Road, Mount Waverley subject to the following grounds:***
- 1. The trees make a significant contribution to the landscape character of the area and their removal does not accord with the objectives of Clause 22.05 (Tree Conservation Policy) and Clause 42.02 (Vegetation Protection Overlay) of the Monash Planning Scheme.***
- B. *That Council write to the applicant advising that Tree 2 and Tree 4 are to be retained and that the owner should:***
- 1. Arrange for the removal of Tree 2's defective primary branch identified in the arborist's report by a suitably qualified tree removal specialist.***
 - 2. Engage a professional arborist to monitor Tree 4 at regular intervals to assess whether the lean is progressive.***

CARRIED

1.4 633-647 Springvale Road, Mulgrave- Buildings and Works Associated With The Construction of Two Multi-Level Buildings And Alteration of Access To A Road

Moved Cr Zographos,

Seconded Cr Little

That Council resolves to Grant a Planning Permit (TPA/49096) for buildings and works associated with the construction of two multi-level buildings and alteration of access to a road in a Road Zone Category 1, at 633-647 Springvale Road, Mulgrave 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) *Existing vegetation within street setback areas retained.*
- b) *Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of the Springvale Road service road vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*
- c) *A separate turnaround area to be provided for waste collection vehicles within the Building 1 Ground Floor car park, which does not impact on any parking spaces (including the accessible space).*
- d) *The accessible parking spaces should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm. The headroom above each dedicated space and adjacent shared area shall be a minimum of 2500mm.*
- e) *Bicycle parking spaces to provide a clearance of at least 1.8m from the nearest edge of the bicycle parking envelope to the nearest edge of the adjacent footpath.*
- f) *A bicycle access aisle of 1.5m be provided between the two rows of bicycle parking located on the Springvale Road service road frontage.*
- g) *All existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.*
- h) *A detailed schedule of all materials and finishes including samples, coloured elevations and perspectives.*
- i) *The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development;*

All to the satisfaction of the Responsible Authority.

2. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
3. *Once any stage of the approved the development 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. *The unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.*
6. *No goods must be stored or left exposed outside the buildings so as to be visible from any public road or thoroughfare.*
7. *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.*
8. *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.*
9. *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.*
10. *Prior to the commencement of the permitted development, approval must be sought from Council's Horticultural Department for the removal of any street/naturestrip trees.*
11. *The existing street trees within the Dunlop Road nature strip (Tree's 40-46) are to be removed and replaced by Council at the cost of the developer. Payment of this contribution is required prior to the commencement of the development.*
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. The plan must show the proposed landscape treatment of the site including:-*

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- *Retention of existing vegetation within the Springvale Road and Dunlop Road street setback area.*
 - *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 and patio areas.*

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

13. *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.*
14. *All existing vegetation shown on the endorsed plans to be retained must be suitably marked before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.*
15. *Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.*
16. *All works within five (5) metres of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.*
17. *No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.*
18. *No vehicle shall park under the canopy line of any tree to be retained.*
19. *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:

- j) measures to control noise, dust and water runoff;*
 - k) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
 - l) the location of where building materials are to be kept during construction;*
 - m) site security;*
 - n) maintenance of safe movements of vehicles to and from the site during the construction phase;*
 - o) on-site parking of vehicles associated with construction of the development;*
 - p) wash down areas for trucks and vehicles associated with construction activities;*
 - q) cleaning and maintaining surrounding road surfaces;*
 - r) 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.)*
- 20. 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 stormwater connection for the site is to the southwest of the property where the entire site's stormwater must be collected and free drained to the Council pit in the rear easement via a pipe to be constructed to Council Standards. A new pit is to be constructed to Council Standards if a pit does not exist, is in poor condition or is not a Council standard pit. Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.

- 21. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.**
- 22. All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing. Further information regarding the design of the on-site detention system is provided in the notes section of this permit.**

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23. *The existing redundant crossings are to be removed and replaced with kerb and channel to the Council Standards.*
24. *Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.*
25. *Any redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council.*
26. *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.*
27. *No less than 3.0 car spaces per 100m² of net leasable office floor area must be provided on the land for the office component of the development. Any future subdivision of the land must provide for appropriate allocation of car parking on Title in accordance with this requirement to the satisfaction of the Responsible Authority.*
28. *The loading and unloading of goods from vehicles must only be carried out on the land.*
29. *The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme as detailed below:*
- All driveway gradients to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.*
 - Ramp grades (except within 5 metres of the frontage) to be designed as follows:*
 - i. Maximum grade of 1 in 4.*
 - ii. Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).*
 - Minimum requirements for car park dimensions to be in accordance with Table 2.*
 - Clearance to car parking spaces to be in accordance with Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.*

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30. *The accessible parking spaces should generally be designed (other than length of space which should be 4.9 metres) in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6.*
31. *Bicycle parking facilities shall be generally in accordance with the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.*
32. *Prior to the development commencing the owner of the land to which this permit relates must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:*
- a) *The owner agrees to pay all ongoing costs associated with the operation and maintenance of the new traffic signals on Dunlop Road.*
 - b) *The costs of the Responsible Authority in relation to the agreement are to be borne by the owner.*
33. *Where the proposed signalised intersection on Dunlop Road including roadway, footpath and naturestrip, lie within the subject land, a widening of the road reserve will be required. Prior to completion of the development, the developer must engage a licensed surveyor to prepare a Plan of Subdivision showing the affected land labelled "Road", which is to be vested in favour of Council.*

The required registration of the Plan of Subdivision must take place within 3 months of completion of works associated with the related part of the approved development. Upon issue of Title, original "Road" Titles must be provided to Council.

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

NOTES-

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *The applicable street tree removal contribution as required by condition 11 of this permit is \$99,226.11. Payment of this contribution is required prior to the commencement of the development. This amount is valid for 6 months from the date of issue of the permit.*
3. *Disabled access and car parking 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.

4. *Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*
5. *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.*
6. *Engineering permits must be obtained for new or altered vehicle crossings and for connections to Council pits and these works are to be inspected by Council (tel. 9518 3690).*
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. Please refer to the Notes section of this permit for additional details of the requirements to satisfy this requirement.*
8. *Driveways are to be designed and constructed using appropriate engineering standards.*
9. *Tree planting should be kept clear of the drainage easement.*
10. *An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.*
11. *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.(EN8)*

CARRIED

1.5 Town Planning Schedules

Moved Cr Fergeus,

Seconded Cr Pang Tsoi

That the report containing the Town Planning Schedules be noted.

CARRIED

1.6 Review of Delegations to Council Staff

Moved Cr Pang Tsoi,

Seconded Cr Paterson

That Council:

- 1. Makes the delegations and Authorisations to the Council Staff, as detailed in this report.*
- 2. Notes that the Subdivision Act 1988 and supporting regulations are no longer required to be delegated by Council as they have been delegated by the CEO and the previous delegations for the Subdivision Act 1988 and supporting regulations are rescinded.*

CARRIED

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Government Funding of Kindergartens

Moved Cr Klisaris,

Seconded Cr Paterson

That Council:

- 1. Notes the concerns about the future access and quality of four year old kindergarten facing Victorian families, in light of the Federal Budget documents revealing the plan to withdraw funding for four year old kindergarten, following the winding up of the National Partnership Agreement on Universal Access to Early Childhood Education in June 2020.*
- 2. Joins the Municipal Association of Victoria and Eastern Metropolitan Councils in advocating for stable funding and a quality early childhood education base of fifteen hours per week to ensure that Monash parents do not potentially face unaffordable increases in kindergarten fees or additional childcare costs.*
- 3. Writes to the Prime Minister of Australia, the Hon. Malcolm Turnbull MP, the Minister for Education & Training the Hon. Simon Birmingham MP, and the Minister for Social Services, the Hon. Dan Tehan MP, along with the leaders of all major federal political parties, urging them to reconsider the Federal Budget decision and reinstate this important funding for our children.*
- 4. Writes to local State and Federal members of Parliament to seek their support to raise concerns with their Ministerial colleagues, party leaders and through Parliamentary Question Time for the Federal Government to continue its share of early childhood education funding.*

Cr Paterson said that it was disappointing that the Council was considering this matter. She added that it was well known that the best outcome for children was to have a

minimum of 15 hours of kindergarten, at the 4 year old level. Cr Paterson noted that this situation was of concern to many parents of year olds, at kindergarten, and seeking to have the Federal Government do what is absolutely necessary. She said that it would be very disappointing if parents had to pay an extra \$500-800 per term for their children to attend kindergarten, which would be a lot of money for many families. Cr Paterson said that she hoped that the Federal Government would listen to families, councils and the State Government regarding funding for 4 year old kindergarten.

AMENDMENT

Moved Cr Zographos,

Seconded Cr Saloumi

That Part 3 of the motion be deleted.

Cr Zographos said that part 4 of the motion already provided for engagement with both levels of government and this issue was relevant to both the State and Federal Governments. He added that making this a Federal issue only, did not get the best value and there was State Government involvement in how the sector was funded.

Cr Saloumi said that there did not appear to be any value in retaining part 3 of the motion, as part 4 served the same purpose.

Cr Little said that parts 3 a 4 of the motion sought to achieve different things; one was to write to the Prime Minister and Federal Minister for Education; the other was to write to Monash's local Federal and State Members of Parliament. He said that he would not support the amendment.

The Mayor stated that the State Government was responsible for the first 10 hours and the Federal Government provided funding for the additional 5 hours, and the 5 hours is what this issue was about. He added that Australia was at the bottom of OECD measures in regard to the amount of hours that were funded for early education and that the Federal Government needed to be urged to continue its funding. The Mayor said that the Council needed to write to the Federal Government, urging it to continue the funding. He added that he would support a letter being written to the Federal Opposition as well.

LOST

Cr James proposed that part 3 of the motion be amended by removing reference to the names of the office holders. This was acceptable to the mover and seconder of the motion and to the Council and was therefore incorporated into the substantive motion.

AMENDMENT

Moved Cr Davies,

Seconded Cr Zographos

That a part 5 be added to the motion, to read "5. Writes to the Premier of Victoria requesting the State Government to fund an additional 5 hours to bring the total number of hours to 20."

Cr Davies said that the extra hours were needed, and advocated for an increase to 20 hours. He added that it was appropriate for the State Government to fund 15 hours, as the provision of kindergarten education was a State responsibility.

The Mayor said that he would welcome any increase in the amount of hours funded for kindergarten. But, the amendment was a separate issue to that of the motion, in that it was necessary to first secure funding for the 15 hours currently funded and it was necessary to seek the Federal Government's commitment to the 5 hours, before funding was sought for any extra hours. He added that the State Government was pulling its weight on the early education funding.

Cr Zographos said that the amendment was prudent as the State Government had access to funds and had less debt than the Federal Government and could fund those extra hours. He added that the Federal Government would dispute that there was an issue with its funding for early education. He noted that the officers' report mentioned December 2019 as the deadline and there was a Budget to be handed down before then. Cr Zographos said that he feared that if the amendment wasn't carried, the Council would be alienating the political party currently in government at the Federal level. He added that the sector needed support on this issue and the Premier of Victoria could step up if he wanted to. He said that the Council needed to be as impartial as possible.

Cr James said that he may have been tempted to support the motion if he had had more time to consider and discuss it. He noted that part 3 of the motion required the Council to write to the leaders of all federal major political parties, as well local State and Federal Members of Parliament.

LOST

SUBSTANTIVE MOTION

Cr Davies said that he supported the 15 hours, but he could not support the motion. He added that in COAG, the Federal Government agreed to support the extra 5 hours, for a particular period of time and once that expired, it would have been up to COAG to come up with another agreement. Cr Davies said that funding kindergartens was a State function and that criticising the Federal Government on this issue was the wrong approach. He added that pressure needed to be put on both levels of government.

Cr Lake said that he disagreed with Cr Davies' approach as it was similar to if the Federal Government decided to cease funding for schools or hospitals. He said that

Federal funding of the 5 hours had been in place for around 10 years under a successful partnership approach. The benefits of the arrangement had been evident over 10 years. He said that kindergartens would always be accessible to those who could afford it. The impact will be on those families that could not afford to pay. Cr Lake said that this was about providing fair and equal access to chances in life. He said that all political parties had the same responsibility to see the sense in the program that had been in place for 10 years, and to agree to continue to fund it. Cr Lake said that every other Council in Victoria supported the current arrangement.

Cr McCluskey said that he was concerned at the effect on children that any change in funding arrangements would have, regardless of where the money came from. He noted that the sector saw the introduction of the 15 hours as being of great benefit to children. Cr McCluskey also noted the advantage of long day care. He noted that the proposed funding withdrawal would have an impact on families with young children and also community run long day care centres. Cr McCluskey said that the 15 hours was a vital program and did not want to see its funding affected.

Cr James said that this went to the heart of why government existed, to provide equal opportunity to all children, regardless of the household that they grew up in or how much many their parents had or didn't have. He said that there were many families that would not be able to afford to pay for the 5 hours of kindergarten if the funding was removed. Cr James said that he was proud that Australia had a free education system and this program was an extension of that system. He said that he advocated funding for more than 20 hours, but what existed should be maintained and if it was retained, the Council could consider lobbying for an increase in the number of hours funded.

Cr Pang Tsoi said that he appreciated the different positions expressed by Councillors and was happy to support any measure taken to secure the funding, and a possible increase in the number of hours funded. He added that this was a very important level of education and

RIGHT OF REPLY

The Mayor said that he had been involved in the education sector for over 30 years and had seen first-hand, the benefits of kindergarten and long day care programs. He added that education was not a luxury, yet in Australia it had almost become one. The Mayor said that there were children who were missing out entirely on such programs, because of both sides of politics. He said that Australia was lagging behind other countries in the provision of kindergarten programs.

CARRIED

DIVISION

A division was called.

For: Crs Saloumi, Little, Fergeus, Paterson, McCluskey, Klisaris, James, Pang Tsoi, Davies

Against: Cr Zographos

3. CORPORATE SERVICES

3.1 Procurement Policy 2018 Update

Moved Cr James,

Seconded Cr Little

That Council adopts the updated Procurement Policy 2018 (attached), in accordance with s. 186A of the Local Government Act 1989 and places a copy on Council's web site, www.monash.vic.gov.au

Cr James said that he was heartened by the strengthening of the use of recycling materials by Council and this could go further. He noted that the sector, Australia wide, was responsible for billions of dollars' worth of procurement and had the ability to create a sector of recycling. HE thanked officers for their work on the policy.

Cr Fergeus said that improvements were being made in terms of sustainability in the supply chain and the use of recycled material. He noted other considerations in relation to the supply chain, such as human trafficking, which were appropriate to consider. Cr Fergeus noted that as the policy was reviewed on a continuing basis, he looked forward to improvements to it being made into the future.

Cr Little read out a part of the policy relating to the use of recycled material. He noted that at one point, Councillors had requested the sustainability aspect of the policy to be strengthened and was pleased that that had been address in the proposed policy now before Council. He said that he endorsed the policy.

CARRIED

3.2 Cultural and Recreational Land Act (CRLA) Policy Review – Follow Up

Moved Cr Fergeus,

Seconded Cr James

That Council, in relation to the 26 June Council meeting and having considered a submission from the Mulgrave Country Club, endorses the recommendations from the Cultural and Recreational Lands Act policy review namely:

-
1. ***Adopts the revised Cultural Recreation Lands Policy (CRLA Policy) to be implemented on and from 1 July 2019, incorporating:***
 - a) ***retaining the current discount for:***
 - the Riversdale Golf Club, Metropolitan Golf Club and Huntingdale Golf Club and the clubs be advised that Council is agreeable to discussions regarding an agreement (to apply from 2019/20) which may provide for;***
 - (i) ***a greater/lesser discount subject to the clubs meeting conditions which may include increased community benefit, recognition of the economic benefit to the local area, local purchasing, social procurement and profile/branding for the Council;***
 - b) ***retaining the current discount for:***
 - (i) ***Glen Iris Valley Recreation Club; and***
 - (ii) ***Hawthorn Football Club Ltd (Waverley Park);***
 - c) ***noting that the following Clubs, as from 1 July 2019, will not qualify for Cultural and Recreational Lands status and therefore will be rated under the provisions of the Local Government Act 1989:***
 - (i) ***Victorian Homing Association Inc.;***
 - (ii) ***Mulgrave Country Club;***
 - (iii) ***Oakleigh Rifle Club Inc.; and***
 - (iv) ***Oakleigh and Caulfield District Angling Club;***
 - d) ***That an amount, equivalent to the CRLA discount, be applied as a waiver, under the Local Government Act 1989, to the municipal rates for 2019/20 and in all subsequent rating years unless Council resolves otherwise, for:***
 - (i) ***Victorian Homing Association Inc.;***
 - (ii) ***Oakleigh Rifle Club Inc.; and***
 - (iii) ***Oakleigh and Caulfield Districts Angling Club;***
 2. ***On an in principle basis, that it endorses the review findings that Council owned leased properties, used exclusively for outdoor recreation use (including ancillary buildings):***
 - a) ***be rated under the CRLA Policy; and***
 - b) ***commence processes to vary the current property leases to include provision for Council to fund all CRLA charges, Municipal rates, fire services property levies and water rates from 1 July 2019; and***

To write to each of the affected Clubs to advise of the above.

Cr Saloumi thanked the Mulgrave Country Club for responding to the review and said that it was unfortunate that it had been put in a position of being rated as part of the general rate. She said that there was no other community club in Monash that serviced 6,000 members and the decision might encourage the club to install more gaming machines. Cr Saloumi noted the sports that the Country Club supported and noted that it was a place for the community to get together. She said that she had been there many times and had not seen a poker machine.

Cr Saloumi said that she understood that Moonee Valley and Flemington Racecourses had a discount under the CRLA legislation, which she found bizarre given that horseracing was a form of gambling. She said that the review was undertaken by a company chaired by Jeff Kennett and the Hawthorn Football Club was not consulted on the review and doesn't have to pay higher rates. Cr Saloumi said that this matter needed to be reconsidered for the Mulgrave Country Club.

In response to a question from Cr James, the Chief Financial Officer advised that the consultancy firm had the necessary expertise and were engaged before Mr Kennett became president of the football club. Officers considered that the firm's conflict of interest policy and processes provided adequate assurances regarding this matter.

Cr James said that he could not see pokies or gaming machines mentioned in the report on this item. He said that the work had been done by an external party, ie the consultants, so he was not sure where the claim of bias by Cr Saloumi came from and it was a long bow to try to link the two.

Cr Fergus said that this was quite simple; this would result in a net increase in rates of approximately \$17,000 for one club. He added that the Mulgrave Country Club's net profit in the last financial year was \$1.5 million and \$11 million in income from the gaming machine commissions. He said that the \$17,000 would account for the club's broken glass budget at the bar. Cr Fergus said that he had no problem with the club and it was a shame that they were using pokies to prop up their operations, as was the Hawthorn Football Club.

Cr Davies said that there was an internal and external investigation and the internal investigation conducted research on pokies at these venues and the recommendations for this item came from the internal review, not necessarily the external review. He said that he saw this as an attack on the community. Mulgrave Country Club was owned by the community. He added that the club's profits went to improved services and into the community and helped keep membership fees low. Cr Davies noted that the club's energy costs had risen by over \$100,000 per year. He said that he could not support the motion.

Cr Lake referred to Cr Saloumi's comments that this proposal would increase the club's rates and cause the club to increase the number of poker machines. He said that it couldn't, under the State Government's cap on such machines and the club was one of the few venues in the State that had the maximum number of machines that any single venue could have. He said that the club's board of management would probably jump at such an opportunity. Cr Lake said that the club was the highest loss venue in the municipality, taking more than \$12 million from Monash and Greater Dandenong residents and ratepayers and preyed on disadvantaged and vulnerable people. Cr Lake said that the club's board of management did not reflect the community's cultural diversity and was out of touch with the local community.

Cr McCluskey said that the activity had to predominantly relate to outdoor use to quality for a discount under the CRLA provisions and the Mulgrave Country Club could not demonstrate that.

CARRIED

DIVISION

A division was called.

For: Crs Little, Fergeus, Paterson, McCluskey, Klisaris, James, Lake

Against: Crs Saloumi, Zographos, Pang Tsoi, Davies

3.3 2017/2018 Financial & Performance Statements

Moved Cr Paterson,

Seconded Cr Zographos

That Council:

- 1. Notes the draft City of Monash 2017/18 Annual Financial Statements and Performance Statement (the Statements) prepared in Accordance with the Local Government Act 1989.***
- 2. Notes the 14 August 2018 recommendation of Council's Audit & Risk Committee in relation to the Statements.***
- 3. Adopts the Statements "in principle" prior to them being provided to the Victorian Auditor-General's Office for audit sign off.***
- 4. Appoints Councillors Paterson and Klisaris to certify the Statements in their final form. Authorises the Councillors Klisaris and Paterson to accept any further recommended changes to the Statements by the Victorian Auditor-General's Office.***

In response to questions from Cr Saloumi, regarding Note 7 on page 29, the Chief Financial Officer advised that as part of the material and contracts budget, legal expenses were approximately \$600,000 over budget, with the budgeted figure of \$561,000.

In response to a question from Cr Davies, regarding provision in the statements for the matter that related to the legal expenses, the Chief Financial Officer advised that the matter was yet to be finalised and the financial outcomes unknown, no allowances had been made for this in the financial report.

Cr Paterson thanked the Chief Financial Officer and the Manager Finance Services for their work on compiling the financial statements. She said that it was a significant and complex task.

CARRIED

4. **INFRASTRUCTURE**

Nil

5. **CHIEF EXECUTIVE OFFICER'S REPORTS**

5.1 **Assembly of Councillors Record**

Moved Cr Fergeus,

Seconded Cr Pang Tsoi

That Council notes the Assembly of Council records submitted as part of the requirements of the Local Government Act 1989.

CARRIED

6. **NOTICES OF MOTION**

6.1 **Discretionary Fund Applications - Mayor**

Moved Cr Klisaris,

Seconded Cr Fergeus

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

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Friends of Children Foundation</i>	<i>Donation towards fund raising event</i>	<i>\$1,000</i>
<i>Chinese Arts Festival Victoria Inc</i>	<i>Hire charges for use of community hall</i>	<i>\$685 exclusive of GST</i>

CARRIED

6.2 **Youth Mental Health**

Moved Cr Klisaris,

Seconded Cr Paterson

That Council:

- 1. Notes that limited access to youth mental health services now exist in Monash through the establishment of an interim and very part-time Youth Mental Health hub in partnership with the local agencies for young Monash people.*
- 2. Acknowledges the longstanding and ongoing campaign by the City of Monash and the young people of Monash to establish a permanent hub for youth mental health in Monash via a federally funded headspace facility which has been unsuccessful to this point.*

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3. *Seeks a meeting with the Member for Chisolm, Julia Banks MP for a delegation of young people accompanied by the Mayor, Cr Paul Klisaris and Cr Rebecca Paterson to progress discussions on the importance of headspace for Monash.*

AMENDMENT

Moved Cr Saloumi,

Seconded Cr Zographos

Remove Clause 3. and replace with Clauses 3), 4), 5), 6) and 7)

- 3) Acknowledges that Council would likely expedite the opening and funding of a dedicated mental health and associated drug and alcohol counselling service in Monash by offering to co-sponsor the service.*
- 4) Acknowledges that this could be achieved by offering a choice of Council-owned facilities located in close proximity to tertiary institutions, state and private schools, parking and public transport to host such services.*
- 5) Acknowledges Council owns suitably located venues easily accessed by, and in close proximity to, state and private schools, tertiary institutions eg. TAFEs, public transport and parking - namely 14 Bogong Ave, Glen Waverley and 14 The Highway, Mt Waverley.*
- 6) Directs the Mayor to write letters, co-signed by the Chair of the Young Persons Reference Group, and on behalf of Monash Council, to*
- i. Minister for Health, The Hon. Greg Hunt MP*
 - ii. Member for Chisholm, Ms Julia Banks MP*
 - iii. Shadow Minister for Ageing and Mental Health, The Hon. Julie Collins MP*
 - iv. Member for Bruce, Mr Julian Hill MP*
 - v. Member for Hotham, Ms Clare O'Neil MP*
- seeking a commitment to fully fund the annual operational costs of mental health and associated drug and alcohol counselling services (Headspace or similar) should Monash Council provide the venue/s from which the services could operate.*
- 7) Retains ownership, and delays any progression to sale, of 14 Bogong Ave, Glen Waverley and 14 The Highway, Mt Waverley until after the 2019 Federal Election in order to provide the optimum chance of securing fully-funded mental health and drug and alcohol services at one (or more) Council-owned facilities in Monash.*

Cr Saloumi said that the Council should be looking at a compromise and negotiate. She added that it would not matter to the young people how the service was funded or who provided the facilities. She added that there was a lot of need for such services and the only headspace service was in Box Hill, which was exceptionally difficult to get to with public transport. Cr Saloumi added that Council should be writing to all members of government and shadow ministers, and seek a solution rather than focussing on Julia Banks. Cr Saloumi said that it was important for the Council to have a venue to offer for the service to be provide from.

Cr Davies said that the amendment showed that the Council had something to offer and would grab the attention of both sides of government to make sure that they saw this as a viable option. He added that there was no reason to sell the properties; they were being sold so that Council could get extra money. Cr Davies said that the properties needed to be used for community benefit and The Highway property had a lot of positives in relation to its location.

Cr Paterson said that it missed some of the things that had been going on in the background, noting that a building was already in use where services were being operated from several days per week. She added that because a headspace had not been funded for Monash, the Council had been working with agencies to deliver a service similar to headspace. But this could not be sustained without funding. Cr Paterson said that the amendment didn't recognise that a headspace service would require the Council to provide a building and the Council had been speaking to headspace staff about a building for the service, in Monash. Cr Paterson said that Council was seeking Julia Bank's commitment to the service as the Minister for Health's advisors said the Minister needed that in order to favourably consider a headspace for Monash. Cr Paterson said that that was the roadblock. Cr Paterson said that the amendment did not take the Council any further on this matter and she would not support it.

Cr James said that on 31 January 2017, 27 June 2017 and on 24 April 2018, Cr Davies had voted against any advocacy for mental health and was pleased to hear that Cr Davies had changed his position and hoped that he would support the substantive motion.

Cr Fergeus said that he supported the motion and the amendment and was not concerned about how the outcome was achieved, as long as it was.

Cr Fergeus sought the Director Community Development and Services' position on the amendment.

The Mayor stated that he would not allow the question. The matter was the subject of a Notice of Motion from Councillors and officers had provided their response to it. He added that if Cr Fergeus wanted, he was happy to make a statement on this, as one of the authors of the motion.

Cr Fergeus said that in that case he would abstain from voting on the motion and the amendment, as he did not have the information that he required, from an officer perspective. He added that he noted Cr Paterson's view and also that there were some aspects of the amendment that were worthy of support. But he could not make his deliberation without that information from officers.

Cr Zographos asked if the Council had received letters from the Members of Parliament listed in the motion, other than Julia Banks.

The Mayor advised that the Council had written to Ms Banks, seeking her support and that had not materialised

Cr Zographos asked if Clare O’Neil and Julian Hill had sent letters to Monash Council.

Cr Paterson stated that the Minister for Health had advised that the letter the Council needed was not from Clare O’Neil or Julian Hill , or anyone else, other than Julia Banks.

The Mayor reiterated that when he and Julie Salomon were in Canberra they were advised by Minister Hunt’s advisor that the Minister required the letter from Julia Banks.

Cr Zographos said that it was clear that Clare O’Neil and Julian Hill hadn’t provided letters of support to the Council.

The Mayor said that it was disappointing that the Council was again playing politics with an issue that saw 9,600 young men and women in Monash, struggling to cope. He added that the Council had gone to the local member, who was part of the Government, seeking support as it was the Government that funded headspace. He said that it was not the Opposition – it could pledge all it wanted; the buck stopped with the Government of the day. The Mayor said that should the Government change, the Council would go after the new government, on this issue.

PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr James

That the amendment be put the vote.

CARRIED

The amendment was put to the vote and declared lost.

LOST

DIVISION

A division was called.

For: Crs Zographos, Davies, Saloumi,

Against: Crs Little, Paterson, McCluskey, Klisaris, James, Lake

Abstain: Crs Fergeus and Pang Tsoi

MOTION

Cr Zographos proposed that a part 4 be added to the motion, that letters be sent to the Member for Chisholm, the Member for Bruce and the Member for Hotham, seeking letters of support for a youth mental health service in Monash.

As this was supported by the mover and seconder of the motion and the Council, it became part of the substantive motion.

In response to a question from Cr Pang Tsoi, the Director Community Development and Services advised that it was proposed that if funding for a headspace service was successful, the service would be provided at Clayton Community Centre where the Council's youth services has an outreach service and the location is well serviced by public transport and formed part of integrated hub that included Link Health services

Cr Davies said that he was surprised that Clayton would be the hub for the service and there was access to Dandenong and the city for services via the rail service at Clayton, He added that a better location for Monash residents would be Mount Waverley or Glen Waverley. Cr Davies noted that a part time hub had already been established in Glen Waverley and would not support the motion. He said that, in relation to Cr James' comments, that one of the reasons he hadn't supported this in the past was the Mayor's attack on Julia Banks, which did not create an opportunity for consensus and personal attacks were not appropriate.

POINT OF ORDER

Cr Little raised a Point of Order saying that Cr Davies' comments were irrelevant to the motion before Council.

The Mayor requested Cr Davies to confine his comments to the motion.

Cr Davies continued. He said that he didn't support the proposed location of a headspace service in Clayton and Council was still looking for a meeting only with Julia Banks rather than all local Federal Members of Parliament, particularly if the service was to be located in the seat of Hotham. He said that the motion was not quite right and urged that it be withdrawn and reconsidered.

Cr Saloumi said that in her opinion, her amendment had more meat in it than the motion. She said that she was at least looking for a solution.

The Mayor requested Cr Saloumi to confine her comments to the motion.

Cr Saloumi continued, saying that the motion didn't offer a solution, other than writing a letter and there was no commentary about a location, other than the verbal advice from the Director. She added that that location was difficult to get to from Glen Waverley or Mount Waverley and the facilities needed to be easy to get to and there should be more than one of these services.

POINT OF ORDER

Cr Little raised a Point of Order saying that Cr Saloumi's comments were irrelevant to the motion before Council. He said the issue was not the location of a headspace service, but seeking Julia Banks' support.

The Mayor requested Cr Saloumi to confine his comments to the motion.

PROCEDURAL MOTION

Moved Cr Davies,

Seconded Cr Zographos

That the motion be deferred to the September 2018 Council meeting.

LOST

PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr Klisaris

That the motion be put.

LOST

DIVISION

A division was called.

For: Crs Paterson, Lake, Klisaris. Little, McCluskey

Against: Crs Davies, Saloumi, Zographos, Pang Tsoi, Fergeus, James

DISSENT TO CHAIRPERSON'S RULING

Moved Cr Zographos,

Seconded Cr Davies

That the Chairperson's ruling be dissented from regarding the Point of Order concerning Cr Saloumi.

Cr Zographos stated that he did not believe that Cr Saloumi's comments were irrelevant to the matter before the Council.

The Mayor responded that he had agreed with Cr Little, that Cr Saloumi's statement was not directly related to the motion before Council. He said that the purpose of the NOM was about getting funding for a headspace service.

LOST

The Mayor invited Cr Saloumi to continue with her statement.

Cr Saloumi said that with the Council seeking a hub in Monash, the proposed location of that hub will not serve all the schools in Monash, as well as young people who are no longer at school. She added that it would be good to have more than one hub given Monash's diversity. Cr Saloumi said that not only the Member for Chisholm, but also the Labor candidate for Chisholm, Jennifer Yang, should be approached about supporting a headspace.

Cr James said that the Chamber was a disgrace. He said that the issue was about vulnerable young people and there were people playing politics

PERSONAL EXPLANATION

With the consent of the Mayor, Cr Lake made a personal explanation regarding his procedural motion for the motion to be put. He stated that he had moved the procedural motion to ensure that the business on the agenda was completed within the time limit provided under the meeting procedures local law.

PERSONAL EXPLANATION

Cr Davies sought to make a personal explanation.

The Mayor declined to allow the personal explanation, advising that if time permitted, it could be made at the appropriate time on the agenda.

SUBSTANTIVE MOTION

The motion, as amended, was put to the vote and declared carried.

CARRIED

DIVISION

A division was called.

For: Crs Little, Paterson, McCluskey, Klisaris, James, Pang Tsoi, Lake

Against: Cr Davies

Abstain: Cr Fergeus

Crs Zographos and Saloumi were absent from the Chamber at the time of the division.

PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr Klisaris

That the items under Section 7 and 9 of the agenda be considered as the next items of business.

CARRIED

7. COMMITTEE REPORTS

7.1 Monash Gallery of Art Committee of Management Annual Report 2017 - 2018

Moved Cr Paterson,

Seconded Cr Little

That Council:

- 1. Notes the 2017 – 2018 Annual Report presented by the Monash Gallery of Art Committee of Management.*
- 2. Acknowledges the leadership of the Committee of Management in the achievement of Monash Gallery of Art’s strategic vision.*
- 3. Thanks departing COM members for their contribution to the success of MGA.*

Cr Davies thanked Natasha Bowness and Anouska Phizaklea for their hard work and effort in making sure that the MGA operated well and the development of the plans for its future development and looked forward to great results into the future.

Cr McCluskey acknowledged the retiring members of the MGA Committee of Management, David Rosenthal, Godfrey Clay and Phil Virgo, and welcomed new COM members Val Brown and Kirsty Grant. He acknowledged that Kallie Blauhorn had been made Chair of the MGA Foundation, succeeding Cr Lake..

CARRIED

7.2 Cities Power Partnership and Pledge Programs

Moved Cr Fergeus,

Seconded Cr James

That Council:

- 1. Participates in the Cities Power Partnership Program, and commits to the five (5) pledge areas nominated.*
- 2. Requests Council officers to initiate discussions with Sustainability Victoria regarding the benefits to Council of participating in TAKE 2 in its own right, including possible advantages in accessing grant funding and subject to officer support, participates in the Take 2 program.*
- 3. Delegates approval for the Mayor to send a letter to the Climate Council of Australia and Sustainability Victoria to confirm our participation in Cities Power Partnership, and TAKE 2 programs.*

4. Defer consideration of the ICLEI Covenant of Mayors Program until the benefits and costs are clarified.

CARRIED

7.3 Monash Neighbourhood Matching Grants

Moved Cr Paterson,

Seconded Cr Klisaris

That Council endorses the Monash Community Grants Evaluation Panel's recommendation to provide \$1,700 as a one-off cash grant allocation through the Monash Neighbourhood Matching Grant program to the Notting Hill Street Library project.

CARRIED

7.4 Oakleigh Activity Centre Transport Interchange Design Review

Moved Cr James,

Seconded Cr Fergeus

That Council:

- 1. Notes and adopts the Oakleigh Activity Centre Transport Interchange Design Review 2018, including the suggestions within the Urban Design Principles, Key Moves and Individual Site Proposals.*
- 2. Notes that the Mayor will write to the major State political parties, including the local candidates in the 2018 State election, advocating for a funding commitment and seeking a meeting to discuss the aspirations of the opportunities identified within the Oakleigh Activity Centre Transport Interchange Design Review 2018 and their associated benefits for the Oakleigh Activity Centre.*
- 3. Directs officers to write to and where appropriate have discussions with key Government Departments and key land owners, such as Vic Track, Vic Roads, Vicinity and the Oakleigh Traders Association, and provide an opportunity for them to give feedback and comments on the Oakleigh Activity Centre Transport Interchange Design Review 2018.*
- 4. Releases the report to the broader community for feedback including the opportunity for people to lend their support or otherwise via various means including:*
 - (a) online;*
 - (b) Council bulletin;*
 - (c) e-newsletter;*
 - (d) Waverley/Oakleigh Monash Leader (Newspapers); and*
 - (e) handouts outside Oakleigh station in morning and evening peak periods.*
- 5. Notes that the outcomes of the above consultation activities will be presented to Council at the appropriate time and provided to the major political parties as part of Council's advocacy on this issue.*

-
6. *Notes that if the Oakleigh Activity Centre Transport Interchange Design Review 2018 receives funding commitments in the future, it will be the subject of detailed design, traffic analysis etc. and extensive stakeholder and community consultation before any works commence.*

Cr James thanked those officers involved in the design review. He said that the outcome was fantastic and expressed the hope that all sides of politics would commit to funding what would be a massive redevelopment of the Oakleigh area.

CARRIED

9. **CONFIDENTIAL BUSINESS**

Moved Cr Lake,

Seconded Cr Klisaris

That Council, having reviewed and considered the certificates in relation to the matters listed for confidential business, and being satisfied that it is appropriate and necessary to consider these matters at a closed meeting, resolves to close the meeting to the public in accordance with section 89(2) of the Local Government Act 1989 for the reasons specified in the certificates.

CARRIED

The meeting was closed for the Council's consideration of the Confidential Business section of the agenda, at 9.20 pm. The meeting was re-opened to the public at 9.22 pm.

6.3 **Container Deposit Scheme**

Moved Cr Fergeus,

Seconded Cr James

That Council:

1. *Reiterates its support for the introduction of Container Deposit Scheme (CDS) legislation in Victoria.*
2. *Writes to all members of the Victorian Parliament representing residents in the City of Monash, advising them of Council's resolution of support for a CDS in April 2018, and urging them to work together towards introducing one as a matter of urgency.*

Cr Fergeus said that this issue had been addressed before and it was timely to revisit it. He urged local State Parliamentarians to consider supporting a deposit scheme. He noted that there was a global boom in the consumption of plastic drinking bottles. The bottles were the biggest contributor by volume, to waste, in Australia Cr Fergeus noted that South Australia had a deposit scheme for some years with many containers recycled due to that scheme. He noted research that showed the effectiveness of such schemes in increasing recycling and reducing

litter, and complementing kerbside collection programs. He added that Victoria was lagging behind in such a scheme.

Cr James supported the comments of Cr Fergeus. HE said there was nothing to lose with such a scheme and encouraged people to clean up this waste. He urged the State Parliamentarians to support such a scheme.

Cr Davies said that he had concerns about people going through waste bins collecting bottles and asked how such a scheme would work

In response, Cr Fergeus advised that the motion was calling for a deposit scheme, but did not seek to define how it would work and there were many ways that it could be done. He added that he expected that it would be illegal for anyone to search someone else's bin. Cr Fergeus said that this mainly concerned bottles being collected from public spaces, includes creeks, waterways, parks, etc.

Cr Davies said that there could be entrepreneurial and creative people who could figure out that if they find plastic bottles in a creek, they could find bottles that originated elsewhere. He said that he wasn't sure how this scheme would work in practice. Cr Davies added that no consultation had been undertaken on such a scheme with Monash residents.

PROCEDURAL MOTION

Moved Cr Davies,

Seconded Cr Saloumi

That this item be deferred to allow consultation with the Monash community regarding the introduction of a container deposit scheme.

LOST

Cr Davies stated that the design of a scheme was important because such activity could lead to undesirable outcomes such as children rummaging through rubbish bins. He said that he didn't understand the motion's purpose and public consultation had not taken place. Cr Davies said that if Cr Fergeus wanted to pursue the issue, he should run for State Parliament and pursue it there, rather than at this level of government.

Cr Paterson asked if in the waste strategy public consultation, whether such a scheme came up in responses from the public.

The Director Infrastructure advised that the consultation was broad and that such a scheme did come up. He added that the landscape had changed because of changes to the recycling industry, where council's were now losing money. He said that such a scheme would supplement Council's recycling efforts. He added that South Australia and Northern Territory had run such a scheme for some years and hadn't seen any problems with containers being pilfered from recycling bins. The Director estimated that the Council could save \$17,000 per annum with such a

scheme. Such a scheme would encourage industry participation and create employment opportunities. The Director advised that the recycling industry supported such a scheme being introduced in Victoria.

Cr Paterson said that this was a win-win for the community and the State and it was being done in other States. Cr Paterson said that there were many people wanting to see a change in the management of waste and materials. She said that this was a 'no brainer'.

Cr Saloumi said that she agreed with the concept of such a scheme and years ago there were fewer types of containers and it was easier to manage the waste. She said that she didn't understand the difference between the kerbside recycling and a container deposit scheme. She noted that there were warehouses full of glass waiting to be recycled. Cr Saloumi said that she wondered if separate kerbside bins would be better, to accommodate different types of waste.

In response to a question from Cr Saloumi, the Director Infrastructure advised that the scheme hasn't been designed. A third of glass bottles would be eligible for the scheme and that Council could get returns for and gave the recycling industry an opportunity to have a sustainable source.

In response to Cr Saloumi's question about which companies would accept returns, the Director Infrastructure advised that there were none in Victoria, as there no scheme in place. But a scheme afforded the opportunity to re-use the glass or to re-use the bottles, which was labour intensive.

RIGHT OF REPLY

Cr Fergeus said that the impetus for this matter coming back to Council was a Bill before Parliament to start such a scheme, which was voted down in the Upper House. There was strong support in the Community Satisfaction Survey from residents, specifically mentioning a container deposit scheme, with 480 resident supporting such a scheme. Cr Fergeus noted that China ceased to take recycling waste due to contamination concerns and part of the purpose of a deposit scheme would be to reduce contamination. He said that this was a 'no brainer', the motion should be carried and the Council could move on.

CARRIED

DIVISION

A Division was called.

For: Crs Little, Fergeus, Paterson, McCluskey, Klisaris, James, Lake, Zographos, Pang Tsoi

Against: Cr Davies

PROCEDURAL MOTION

Moved Cr Pang Tsoi,

Seconded Cr James

That Item 6.12 be considered as the next item of business

CARRIED

6.12 Smart City Opportunities

Moved Cr Pang Tsoi,

Seconded Cr Fergeus

That Council:

1. Notes that the Commonwealth and Victoria Government signed a Memorandum of Understanding as identified in the 17 January 2018 Prime Minister's media release which states that:

"City Deals in Victoria are a step closer following a Memorandum of Understanding being signed between the Commonwealth and Victorian Governments.

The agreement paves the way to establish Victoria's first City Deal in Geelong, which will involve all three levels of government working with the private sector as part of the Commonwealth's Smart Cities Plan to grow jobs and boost investment."

2. Notes that a Smart Cities Plan was launched by the Federal Government in 29 April 2016.

3 Provides in principle agreement to explore opportunities for funding from both Federal and State Governments in seeking and exploring opportunities for bringing Smart City plans and ideas to City of Monash,

4. Supports officers to continue seeking grant opportunities in upcoming Smart City rounds and determine the date for the next round of funding.

Cr Pang Tsoi said that under a 'smart city' strategy, the Council would consider how it could recycle smartly, save energy, support economic development, use resources more efficiently and protect and improve the environment. Cr Pang Tsoi said that the motion sought to ensure that the Council continued to explore funding opportunities at Federal and State level. He commended the motion to Council.

In response to a question from Cr Davies, the Director Infrastructure advised that the initiatives currently in motion included a joint grant application with Monash University and some of the funding that the Council had put in related to construction works in Atherton Road and the funding sought would allow Council to provide real time information on parking. Other projects were looking at how well root barriers worked, and smart bins, which would indicate when they were full. This would save travel time as bins would only be visited if they needed to be emptied.

CARRIED

6.4 Joint Statement on Changes To Status Resolution Support Services (SRSS)

Moved Cr Fergeus,

Seconded Cr Paterson

That Council:

- 1. *Endorses the Joint Statement against changes to Status Resolution Support Services (SRSS);***
- 2. *Continues its involvement in advocating for people seeking asylum, and joins the Executive of the SRSS Mayoral Taskforce, along with Brimbank, Greater Dandenong, Moreland, Yarra and Darebin Councils.***

Cr Fergeus said that changes to the SRSS would cut income and case management support for people seeking asylum. This would dramatically increase their need for support at the municipal level, as advised by officers, earlier this year. He noted that in June, the Council had written to the Hon. Peter Dutton MP, Minister for Home Affairs. Cr Fergeus noted that he had participated in the Mayoral taskforce in July. He added that the Motion was in response to a request from the City of Greater Dandenong to support the advocacy on this issue. He urged Council to support the motion and continue the work arising from the May 2018 Council meeting.

CARRIED

6.5 Pokies Free Hawthorn Football Club

Moved Cr Fergeus,

Seconded Cr Klisaris

That Council:

- i) Congratulates the Collingwood Football Club on their plan to withdraw the club from any financial interests attached to the gaming industry;***
 - ii) Notes the long relationship between the Hawthorn Football Club and the City of Monash; and writes requesting to meet with the Hawthorn Football Club board about their potential exit from the gaming industry;***
 - iii) Notes that venues associated with the Hawthorn Football Club continue to be responsible for more pokies losses than any other AFL Club in the 2017-18 financial year¹, topping \$24.3 million;***
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- iv) *Notes that \$10.95 million of pokies losses occurred at the Hawthorn Football Club gaming venue Vegas at Waverley Gardens Mulgrave in the 2017-18 financial year; and*
- v) *Highlights a potential conflict in commitments and comments made by Jeff Kennett, President of the Hawthorn Football Club in relation to the exposure of their fans and members to sports betting, whilst still operating Electronic Gaming Machine venues.*

CARRIED

DIVISION

A division was called

For: Crs Saloumi, Little, Paterson, McCluskey, Klisaris, James, Lake, Fergeus

Against: Crs Davies, Zographos, Pang Tsoi

6.6 Date of Next Mayoral Election Special Council Meeting

Moved Cr Zographos,

Seconded Cr Davies

That the Special Meeting of Council to elect the Mayor and Deputy Mayor for the 2019 year be scheduled for 6pm on Tuesday November 27 2018 at the Monash Civic Centre.

PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr Klisaris

That this item not be dealt with.

CARRIED

DIVISION

A division was called.

For: Crs Davies, Zographos, Pang Tsoi

Against: Crs Saloumi, Little, Paterson, McCluskey, Klisaris, James, Lake

Abstain: Cr Fergeus

6.7 Official Invitations to the Mayor

Moved Cr Zographos,

Seconded Cr Davies

That Council

- 1. Publish on a public register available on Council's website all official invitations to the Mayor received by Council.***
- 2. Publish on this public register all official events, meetings and other engagements scheduled in the Mayor's diary prior to these activities taking place.***
- 3. Publish on this public register all official events, meetings and other engagements scheduled in the Mayor's diary after these activities have taken place and the names of any representatives attended in place of the Mayor.***
- 4. That this instruction will take effect on a monthly basis from the date of this Council resolution.***

Cr Zographos said that it was in the interests of transparency that the residents and ratepayers had a right to know what the Mayor was being invited to attend, was attending and who was attending as their representative. He said that it was important to note that certain people were excluded from the process of attending events as the Mayor's representative, and in some instances community groups were being told to invite the Mayor only. Cr Zographos said that this was a very important improvement in the way that this Council operated and would not take up too much time to take up. He added that if there were any security issues, that should be brought up, but he saw no mention of that issue in the Officers' report.

Cr James said that Cr Zographos was not at the previous week's briefing meeting and there was no information accompanying the motion. So based on the fact that he did not know until several moments ago, why the motion was being submitted, he said that he was not in a position to make a call on this matter and would abstain from the vote on the item.

POINT OF ORDER

Cr Zographos called a point of order saying that Cr James could pick up the phone at any time.

The Mayor said that that was not a point of order and was a waste of the Council's time.

LOST

PROCEDURAL MOTION

Moved Cr Lake,

Seconded Cr Klisaris

That item 6.11 be dealt with as the next item of business.

CARRIED

6.11 Report on 2018 National General Assembly

Moved Cr Fergeus,

Seconded Cr James

That the report from Crs James, Fergeus, Saloumi, Little and Zographos on their attendance at the National General Assembly, in Canberra, from 17 to 20 June 2018, inclusive, be accepted.

Cr James thanked Cr Saloumi for her work on preparing the attachment, which was an exceptionally comprehensive document which other Councillors who attended the conference were able to contribute parts to.

Cr Saloumi thanked Cr James for his comments and drew the Council's attention to Bernard Salt's address, which concerned demographics and population and that the population increase was not planned for, and why she wanted a forecast on the population increase for Monash in the next few years, to enable planning for adequate open space. Cr Saloumi also said that it was a good idea to look at the information on the electrification of vehicles, autonomous vehicles and drones – all issues that were receiving increased attention. Cr Saloumi thanked Cr Little for his contribution to the report in relation to the introduction by David O'Laughlan and the address by Bill Shorten. Cr Saloumi thanked Cr Fergeus for his work on the motions carried at the Assembly.

CARRIED

PROCEDURAL MOTION

Moved Cr Zographos,

Seconded Cr Davies

That the meeting be adjourned to 7.30 pm 29 August 2018.

LOST

DIVISION

A division was called.

For: Crs Zographos, Davies

Against: Crs Saloumi, Little, Paterson, Fergeus, McCluskey, Klisaris, James, Pang Tsoi, Lake

PROCEDURAL MOTION

Moved Cr Zographos,

Seconded Cr Davies

That the meeting be adjourned to 10.10 pm 28 August 2018

Cr Davies sought to move an extension of time to 10.15 pm.

The Mayor reminded Cr Davies that the vote on that would have to come at 10.00 pm and be unanimous.

POINT OF ORDER

Cr Zographos called a point of order saying that the vote would have to be unanimous on an extension of time, but the meeting needed to be adjourned if the agenda had not been completed, which is why he was proposing an adjournment.

PROCEDURAL MOTION

Moved Cr James,

Seconded Cr Lake

That items 6.8, 6.9, 6.10 and 6.13, be considered en bloc, having regard to the finishing time of the meeting, under the provisions of Meeting Procedures Local Law No.1 and Meeting Code 2017.

CARRIED

PROCEDURAL MOTION

Cr James moved that the motion be put.

The motion lapsed for want of a seconder.

PROCEDURAL MOTION

Moved Cr Davies,

Seconded Cr James

That the finishing time of the meeting be extended by 15 minutes.

LOST

DIVISION

A division was called

For: Cr Saloumi, Fergeus, Davies, Pang Tsoi, James

Against: Crs Little, Paterson, Klisaris, Lake

Abstain: Cr Zographos

LOST

Cr Lake suggested that the remaining items on the agenda be deferred to the next meeting.

Cr Zographos said that the local law required the meeting to be adjourned if the agenda was not completed.

The Mayor advised that a procedural motion had been carried to consider these remaining items en bloc.

PROCEDURAL MOTION

Moved Cr James,

Seconded Cr Klisaris

That the motions for items 6.8, 6.9, 6.10 and 6.13 now be put.

CARRIED

The motions below were put to the vote and declared lost.

6.8 Council Media Releases

That all official Council media releases be sent electronically to all Councillors before publication and distribution to media organisations and external stakeholders.

LOST

6.9 Tackling Community Safety – Time To Reopen Local Police Stations Closed In Monash

That Council

- 1. Expresses its dismay that the people of Monash do not have their local police stations opened in Mount Waverley, Clayton and Burwood appropriately.*
- 2. Notes that the Burwood police station has been closed for more than three consecutive years.*
- 3. Notes that the Mount Waverley police station has had its opening hours decreased from sixteen hours to only eight hours a day, five days a week.*
- 4. Notes that the Clayton police station has yet to become open for 24 hours, as Council has called for since June 2014.*
- 5. Directs the Mayor to write to the Minister for Police expressing its disappointment that a key election commitment to not close any police stations has been broken and that Council's views regarding the Mount Waverley and Clayton police stations have not been acted upon.*
- 6. Directs the Mayor to write to all residents living in Mount Waverley, Clayton and Burwood to inform them of this decision and asking them to sign a petition calling on the Victorian Government to honour its promise of not closing any police stations and decreasing police resources in Monash.*

LOST

6.10 Councillor Column Monash Bulletin Disclaimer Notice

1. *That a disclaimer be published in the monthly councillor column stating that the Mayor has edited the column with or without the approval of the column's author.*
2. *That this take effect from the September edition of the Monash Bulletin.*

LOST

6.13 North East Link

The State Government is progressing with the building of the North East Link. As part of that road project, the Eastern Freeway will be increased up to 18 lanes, to cater for the additional traffic that will flow onto the Eastern Freeway from the North East Link.

A number of key roads that connect to the Eastern Freeway run straight through the City of Monash, including Springvale and Blackburn Roads. It is important that Council has a clear understanding of the impact on roads in the City of Monash as a result of the North East Link road project.

We therefore propose that Council undertakes a thorough investigation on the impact on roads in the City of Monash as a result of the North East Link road project."

LOST

8. URGENT BUSINESS

Nil.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Nil.

The Mayor declared the meeting closed at 10.00 pm

MAYOR:

DATED THIS DAY OF 2018