



CITY OF  
**MONASH**

**MINUTES OF THE ORDINARY MEETING OF  
COUNCIL**

**HELD ON 2 FEBRUARY 2010**

**at 7.30 pm**

**Council Chambers  
293 Springvale Road,  
Glen Waverley**

**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY  
ON TUESDAY 2 FEBRUARY 2010 AT 7.30 PM.**

**PRESENT:** Councillors, C Baines (Mayor), S Perri (Deputy Mayor), J Banerji,  
S Dimopoulos, M Driberg, P Klisaris G Lake, J Lo, G Male, D McGill OAM,  
T Morrissey JP

**APOLOGIES:**

Nil

**DISCLOSURES OF INTEREST**

Cr Morrissey – Item 4.3.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD ON 8 DECEMBER 2009 & THE SPECIAL MEETING OF COUNCIL  
HELD ON 9 DECEMBER 2009**

Moved Cr Morrissey,

Seconded Cr McGill

*That the minutes of the Ordinary Meeting of the Council held on 8 December 2009 and the Special Meeting of Council held on 9 December 2009, be taken as read and confirmed.*

**CARRIED**

**RECEPTION AND READING OF PETITIONS, JOINT LETTERS &  
MEMORIALS**

Nil

**PUBLIC QUESTION TIME**

The Mayor advised that no questions had been received.

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**OFFICERS' REPORTS**

**1. CUSTOMER SERVICES**

Nil

**2. HUMAN RESOURCES & ADMINISTRATION**

Nil

**3. CORPORATE PLANNING & FINANCE**

**3.1 2009/2010 Capital Works Program Progress Report**

Moved Cr Male,

Seconded Cr Lo

*That Council, in relation to the 2009/2010 Capital Works Program:*

- 1. Notes budget, 2008/09 carry forward adjustments and program progress to 31 December 2009;*
- 2. Notes the intention to carry forward funding for those 2009/2010 projects not completed and which require carry forward funding into 2010/2011; and*
- 3. Approves the commencement of new projects, projects requiring extra funding and other funding transfers as referred to in Schedule A, B1 and B2.*

Cr Perri noted one of the new projects – the “Green Roof” project at the Civic Centre, highlighting the significance of the project and the involvement of Melbourne Water and Monash University.

**CARRIED**

**3.2 2009/2010 Management Accounting Report – Second Quarter**

Moved Cr Lake,

Seconded Cr Klisaris

*That Council notes the Financial Reports for the period ending 31 December 2009.*

**CARRIED**

### 3.3 Community Satisfaction Measurement Survey 2009

Moved Cr Klisaris,

Seconded Cr Dimopoulos

*That Council notes the Monash Annual Community Satisfaction Survey results for 2009 and;*

- 1. Notes the generally high level of satisfaction with Council services, including a maintained result for Overall Performance of Council compared to 2008 results;*
- 2. Authorises the public release of survey results into Monash libraries and on Council's web site, [www.monash.vic.gov.au](http://www.monash.vic.gov.au) from 3 February 2010; and*
- 3. Directs officers to review more fully the survey results as part of the organisation's business planning and continuous improvement framework and include follow up actions in Service Operational Plans.*

**CARRIED**

### 3.4 Tender For Supply of Fuels At Retail Outlets

Moved Cr Morrissey,

Seconded Cr McGill

*That Council:*

- 1. Appoints BP Australia Pty Ltd and Caltex Australia Petroleum Pty Ltd to a Panel for the Supply of Fuels at Retail Outlets for a three (3) year period for the schedule of rates submitted with their respective tenders (Estimated total annual expenditure of \$700,000 GST inclusive) with two (2) options to extend for a further one (1) year each;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement; and*
- 3. Authorises the Chief Executive Officer at his discretion to approve the extension options in the contract agreement subject to satisfactory performance.*

**CARRIED**

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**4. INFRASTRUCTURE SERVICES**

**4.1 Tender For Supply and Delivery of One Dual Control Road Sweeper**

Moved Cr Male,

Seconded Cr Klisaris

*That Council:*

- 1. Awards MacDonald Johnston Pty Ltd the contract, for the supply and delivery of one dual control road sweeper, model DAF LF45 cab chassis and MJ VS 500 sweeper body, for the sum of \$289,163(inclusive of GST)*
- 2. Accepts the offer of \$85,000 (inclusive of GST) for the trade-in sweeper.*
- 3. Authorises the Chief Executive Officer to execute the contract agreement.*

**CARRIED**

**4.2 Tender For Residential Care Grounds Maintenance**

Moved Cr McGill,

Seconded Cr Perri

*That Council:*

- 1. Awards Contract No. 2009084 Residential Care Grounds Maintenance to Woorinyan Incorporated, for the lump sum of \$39,320 per annum and submitted schedule of rates, GST inclusive, (Estimated annual expenditure is \$45,330).*
- 2. Notes that the contract is awarded on the basis of an initial term of one year with options for one extension of two years that includes CPI All Groups Melbourne rise and fall adjustments.*
- 3. Authorises the Chief Executive Officer to execute the options in the contract subject to satisfactory performance.*

In response to a question from Cr Dimopoulos, the Chief Executive Officer advised that the level of expenditure over the life of the contract was the determining factor in submitting this matter to Council for approval.

**CARRIED**

### **4.3 Tender For Specialist Drain Cleaning**

NOTE: Cr Morrissey disclosed a direct interest in this item, as his company had worked with and/or sub-contracted work out to the tenderers. Cr Morrissey left the meeting at 7.38 pm and returned at 7.40 pm.

Moved Cr Banerji,

Seconded Cr Male

*That Council:*

- 1. Awards the tender for the provision of Specialist Drain Cleaning Services - Part 1, for the Pit and Pipe Culvert Inspection and Cleaning, to Keith's Drain Cleaning Pty Ltd, Barry Bros Pty Ltd and GMA Waste Water Services Pty Ltd for the schedule of rates submitted, (estimated annual expenditure of \$315,000, GST inclusive); and*
- Part 2, for the Gross Pollutant Trap Cleaning to GMA Waste Water Services Pty Ltd, for the schedule of rates submitted (estimated annual expenditure of \$40,000, GST inclusive).*
- 2. Notes that the contract has an initial term of one year with options for two extensions of two years each;*
- 3. Authorises the Chief Executive Officer to execute the options in the contract subject to satisfactory performance.*

**CARRIED**

## **5. CITY DEVELOPMENT**

### **5.1 Planning and Environment (General) Bill 2009**

Moved Cr Perri,

Seconded Cr Drieberg

*That Council makes a submission to the Department of Planning and Community Development (DPCD) regarding the Response Papers on the Planning and Environment Act 1987 review, generally in accordance with Attachment 2 of this report.*

Cr Drieberg stated that the proposed Bill would, if passed, have significant implications for Local Government in its decision-making processes and affect how the community was represented.

**CARRIED**

**5.2 State Planning Policy Framework Review 2009**

Moved Cr Morrissey,

Seconded Cr Lo

*That Council advise the Department of Planning and Community Development (DPCD) that Council supports the proposed modifications to the State Planning Policy Framework of local Planning Schemes as follows:*

- 1. It is considered the themes are logical and relevant and will be better equipped to accommodate new and emerging policies in the future.*
- 2. The new structure complements the use of objectives, strategies and policies that are used elsewhere in the planning scheme and provides a consistency previously missing from the document.*
- 3. The redistribution of Clause 12 is considered appropriate. The policies of Clause 12 are reasonably categorised and defined under the correct themes.*
- 4. It is considered the policies are easily understood and provide clear and concise direction for the future development of Melbourne.*

**CARRIED**

**5.3 Amendment C88 to the Monash Planning Scheme – 17-55 Duerdin Street & 32 Risdon Drive Notting Hill**

Moved Cr McGill,

Seconded Cr Perri

*That*

- 1. Documentation, including any necessary agreements with Monash University be completed to implement the development of a pedestrian/bike path link to Duerdin Street identified by Options SW-1 in this report.*
- 2. Costing details for construction of the pedestrian/bike path link to Duerdin Street be referred to the Council Budget process for 2011/2012.*
- 3. Discussions continue with the Department of Education and Early Childhood Development to implement the development of a pedestrian/bike path link to Dunlop Road identified by Options SE-1 in this report.*

**CARRIED**

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**5.4 Amendment C91 to the Monash Planning Scheme**

Moved Cr Lo,

Seconded Cr Perri

*That: -*

- 1. Council adopts Amendment C91 pursuant to Section 29 of the Planning and Environment Act 1987.*
- 2. Amendment C91 be referred to the Secretary to the Department of Planning and Community Development for Certification pursuant to Section 35A of the Planning and Environment Act 1987.*
- 3. Following certification by the Secretary to the Department , Amendment C91 be approved pursuant to Section 35B of the Planning and Environment Act 1987.*

**CARRIED**

**5.5 Progress Report on the Preparation of a Structure Plan for the Oakleigh Major Activity Centre**

Moved Cr Dimopoulos,

Seconded Cr Perri

*That this progress report on the preparation of a Structure Plan for the Oakleigh Major Activity Centre be noted.*

Cr Perri noted that the Structure Plan would generate discussion within the community and the Council would engage in extensive public consultation.

**CARRIED**

**5.6 1945 Dandenong Road Clayton – A two storey building with roof top terrace comprising ten dwellings plus semi basement car parking**

Moved Cr Dimopoulos,

Seconded Cr McGill

- A. Council having caused notice of planning application No. 37735 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to **refuse the application** for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 1945 Dandenong Road Clayton, for the purpose of construction of a two storey building with roof top terrace comprising ten dwellings plus semi basement car parking on the following grounds:
1. The proposal does not adequately satisfy the objectives and/or design standards of Clause 55 of the Monash Planning Scheme (Rescode) having regard to neighbourhood character, streetscape, internal amenity, vehicle access, bicycle and car space provision.
  2. The proposal is an overdevelopment of the site.
  3. The car parking layout does not provide for satisfactory vehicle movement.
  4. Inadequate provision is made for vehicles to exit the site in a forwards direction.
  5. VicRoads objects to the granting of a planning permit for the construction of the proposed vehicle access on the grounds that this would hinder the safe and efficient operation of Dandenong Road and be a danger to pedestrians
- B. The applicant be advised that Council will not approve the removal of the street tree and no approval will be granted for excavation within 2 metres of the tree.

**CARRIED**

**5.7 3-7 Dixon Street - 81 dwellings contained within a three level building together with consolidation of titles and 103 car parking spaces**

Moved Cr McGill,

Seconded Cr Lake

*The Council having caused notice of planning application No. 37755 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to grant a planning permit and **issue a Notice of Decision** to grant a permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 3, 5 and 7 Dixon Street, Clayton, for the purpose of the development of land for eighty-one dwellings contained within a three level building, together with the consolidation of Titles, associated landscaping and 103 car parking spaces located within a basement car park generally in accordance with the plans submitted with the application and subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council:*

*1. G4C - Amended plans required*

- a) To provide for suitable articulation at the centre of the building along both the Dixon and Murray Street frontages,
  - dwellings 46 and 53 are to be redesigned to form one dwelling;
  - dwellings 28 and 29 redesigned to form one dwelling;
  - dwellings 73 and 80 redesigned to form one dwelling; and,
  - dwellings 55, 56 and 57 redesigned to provide for two dwellings.*
- b) The basement car park modified to provide for increased setbacks to Dixon and Murray Streets, as well as additional 'cut out' areas in three locations along the western boundary of the car park and two locations along the eastern boundary of the car park- not dissimilar to the residential proposal previously approved and of adequate dimension to ensure the protection of trees on adjacent sites as well as ensure the ability for the satisfactory planting of canopy vegetation on site.*
- c) The provision of pedestrian access for people with disabilities to building entries at ground level, as well as the provision of lift facilities from within the basement car park. More than one lift would be required as there is no connectivity between sections of the building.*
- d) The provision of visitor parking on site for people with disabilities. Parking should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6. Headroom above each dedicated space shall be a minimum of 2500mm and in accordance with Section 2.4 of the above Standard.*

- e) *Location and design of any proposed electricity supply meter box/kiosk/substation. This facility must not be located within the front setback area and should be integrated into the building structure.*
- f) *Details of all service equipment, including mechanical ventilation located outside the building or on the building and appropriate screening to be incorporated as part of the architectural design of the building. Air-conditioning and heating units must not be located on balconies or the facades of the building.*
- g) *The location and design of letterbox facilities.*
- h) *Location of gas, water and fire hydrant meters. These facilities should be designed to minimise their visual prominence if located within the front setback.*
- i) *Removal of the proposed 1.8 metre high fence along the Dixon Street frontage and details of any retaining wall required along the street frontages.*
- j) *Details of design modifications, the application of horticultural treatments or tree removal required as a result of the findings of the exploratory excavation works to be undertaken to those trees adjacent to the subject site in accordance with Condition 3 of this permit.*
- k) *The location of all street trees, power poles, drainage or service pits or any other services located within the road reserves to both Dixon and Murray Street. All new crossings are to provide a minimum of 1 metre from the turning point of the vehicle crossing at the kerb to the edge of any street tree or service.*
- l) *Any second space in a tandem pair be lengthened to 5.4 metres to allow for overhang of vehicles. Tandem spaces can only be applied for car spaces in excess of the ResCode requirement.*
- m) *To permit access for both cars and light vans, the height between the floor and an overhead obstruction shall be a minimum of 2200mm.*
- n) *Clear sight lines shall be provided at the property line to ensure adequate visibility between vehicles leaving the car park or domestic driveway and pedestrians on the frontage road. Minimum sight lines should meet the requirements of Figure 3.3 of the Australian Standard for Off - Street Car Parking, AS/NZS 2890.1. This requires the provision of a 2.0 metre long x 2.5 metre deep sight triangle (within the property) on the exit side of each vehicle crossing.*
- o) *The continuation of landscaping and the installation of an acoustic fence along the eastern boundary of the site, adjacent to the Murray Street pedestrian access.*
- p) *The provision of resident and visitor car parking in accordance with Clause 55 of the Monash Planning Scheme (ResCode requirement).*

2. *GIC - Layout not altered*

3. *In accordance with the recommendations outlined in the Arboricultural Report*

*dated 21 December 2009 and prepared by Tree Logic, non-destructive exploratory excavation works must be undertaken adjacent to these trees identified in the report as Trees 4, 5, 7, 8, 15 and 16 to determine the extent of root development. Following completion of these works, recommendations are to be made to determine if design modifications, the application of horticultural treatments or tree removal are required.*

4. *L6 - Prior to works trees marked*
5. *L9 no material near trees*
6. *L10 no vehicle near trees.*
7. *Any outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.*
8. *G1C - Layout not altered*
9. *All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.*
10. *G8C - Satisfactory continuation*
11. *Prior to the commencement of the development, a comprehensive Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must detail:*
  - (a) that a Private Collector will be responsible for the collection of waste from the site;*
  - (b) that the bin storage areas are sufficient to cater for the amount of waste that will be produced;*
  - (c) the type of refuse and recycling bins to be used on the site and where they will be stored including details of screening and ventilation;*
  - (d) how it is intended to control the emission of odour caused by such refuse and recycling materials and measures to minimise the impact of waste collection on the operation, management and maintenance of car parking areas;*
  - (e) who will be responsible for taking refuse and recycling bins in and out for collection, where this will occur and how collection of refuse and recycling materials will be managed;*
  - (f) the hours of bin collection, the frequency of the removal of such refuse and recycling materials and how recycling materials will be dealt with and collected;*
  - (g) who will be responsible for collecting the refuse and recycling materials and the method of collection; and,*
  - (h) access and egress for collection vehicles.*

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) *maintenance of safe movements of vehicles to and from the site during the construction phase;*
  - f) *on-site parking of vehicles associated with construction of the development;*
  - g) *wash down areas for trucks and vehicles associated with construction activities;*
  - h) *cleaning and maintaining surrounding road surfaces;*
  - i) *a requirement that construction works must only be carried out during the following hours:*
    - *Monday to Friday (inclusive) – 7.00am to 6pm;*
    - *Saturday – 9.00am to 1pm;*
    - *Saturday – 1pm to 5pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)*
12. *G14 - Inspection of Buildings*
13. *G19 - Exposed storage*
14. *G20 - No waste bin in view*
15. *G21 - Adequate waste storage*
16. *Air-conditioner and other plant and equipment installed on or in the buildings must be so positioned and baffled so that any noise emitted complies with the appropriate Australian Standards and EPA requirements.*
17. *G28 - Construction works – hours*
18. *G29 - No structures above roof level*
19. *CP1C - Car park*
20. *Minimum requirements for parking space dimensions are 2.6m x 4.9m spaces with 6.4m aisle width.*

21. *The driveway and parking area should be designed in accordance with the Australian Standard for Off-Street Parking, AS/NZS 2890.1/2004, apart from the dimensions of car parking spaces and associated access ways which must be in accordance with the provisions of Clause 52.06-3 of the Monash Planning Scheme. The location of columns should also satisfy the requirements of the design envelope around a parked vehicle as indicated in Figure 5.2 of the Standard.*
22. *Any access ramp for people with disabilities should be designed in accordance with the Australian Standard for Design for Access and Mobility, AS 1428.*
23. *CP4 – Lighting*
24. *E1 - Nominated point of discharge  
(the south-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the nature strip of Dixon Street to be constructed to Council Standards.*  
*Note: If the point of discharge cannot be located then notify Council's Engineering Division immediately.*
25. *All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.*
26. *Any new drainage work within the road reserve requires the approval of the Council's Engineering Division prior to the works commencing. Three copies of the plans for the drainage work must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.*
27. *E3 - Design to engineering standards*
28. *E4 - On-site retention of stormwater*
29. *L1 - Landscape plan details required*
30. *L3 - Landscaping before commencement of use*
31. *SP14 - Reinstatement of redundant vehicle crossing*

**NOTES:**

1. *Provision should be made for rainwater collection and wastewater recycling for irrigation and/or toilet flushing.*
2. *A drainage contribution will not be accepted in lieu of a detention system.*
3. *EN4 - Permit for crossings etc*

4. *N3 - Building approval*
5. *N15 – Building Permit Fire Separation*
6. *Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.*
7. *An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park.*
8. *A licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifiers registration number must be included on the certificate.*
9. *It is to be noted that parking on street should not be considered as a right and that Council reserves the right to install parking restrictions in the future if required.*
10. *Bicycle parking shall follow the Australian Standard for Parking Facilities Part 3 – Bicycle Parking Facilities.*
11. *If no services are located within the easements, then the easements will need to be expunged prior to subdivision. If this is not possible, a major use of easement is required.*

*Expiry of permit:*

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

- *The development and use are not started within two years of the date of this permit.*
- *The development is not completed within four years of the date of this permit.*

*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 permits expires, or within three months afterwards.*

*and directs that the Applicant and each objector be given a notice of the Council's decision to grant the permit.*

Cr Dimopoulos noted that the proposal involved a large development, but considered that the conditions to be imposed on the Planning permit would provide for a reasonable outcome, in the circumstances.

**CARRIED**

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**5.8 Town Planning Schedule**

Moved Cr Male,

Seconded Cr Perri

*That the report containing the Town Planning Schedules be noted.*

**CARRIED**

**5.9 Tender – Supply and Propagation of Indigenous Plant Stock**

Moved Cr Male,

Seconded Cr McGill

*That Council:*

- 1. Awards the contract for the Propagation and Supply of Indigenous Plant Stock for the 2009/10 financial year to Bushland Flora Nursery and Environmental Restorations Pty Ltd at the approximate annual cost of \$85,000 and \$5,000 respectively, including GST.*
- 2. Authorises the Chief Executive Officer to execute the contract agreements; and*
- 3. Authorises the Chief Executive Officer, at his discretion, to approve up to two(2) one (1) year extension options for the years 2010/11 and 2011/12 in accordance with the contract agreement subject to satisfactory annual performance.*

**CARRIED**

### 5.10 Tender – Annual Supply of Street & Park Furniture

Moved Cr Morrissey,

Seconded Cr McGill

*That Council:*

1. *Accepts the tenders submitted by the following contractors to form a panel of suppliers for supply and installation of street and park furniture for the period February 2010 to February 2013 inclusive:*
  - *Australian General Engineering*
  - *EP Draffin Manufacturing Pty Ltd*
  - *TRJ Engineering Group*
2. *Authorises the Chief Executive Officer to execute the contract agreement; and*
3. *Authorises the Chief Executive Officer at his discretion to approve the 2 (two) extension options for 1 (one) year each in accordance with the contract agreement subject to satisfactory performance.*

**CARRIED**

### 5.11 Tender – Annual Supply of Street & Park Signage

Moved Cr Drieberg,

Seconded Cr Perri

*That Council:*

1. *Accepts the tenders submitted by the following contractors to form a panel of suppliers for supply and installation of street and park signage for the period February 2010 to February 2013 inclusive:*
  - a. *DeNeefe Signs*
  - b. *TRJ Engineering Group*
  - c. *Stanfred Metals*
2. *Authorises the Chief Executive Officer to execute the contract agreement; and*
3. *Authorises the Chief Executive Officer at his discretion to approve the 2 (two) extension options for 1 (one) year each in accordance with the contract agreement subject to satisfactory performance.*

**CARRIED**

**5.12 Tender – Ferntree Gully Road Streetscape Enhancement Works - Jells Road To Cootamundra Drive**

Moved Cr Drieberg,

Seconded Cr Klisaris

*That Council:*

1. *Awards the contract for the Ferntree Gully Road Enhancement Works, Jells Road to Cootamundra Drive to Architectural Plants for the amended lump sum price of \$325,885.87 inclusive of GST.*
2. *Authorises the Chief Executive Officer to execute the contract agreements.*

**CARRIED**

**5.13 Road Reconstruction – Young Street, Oakleigh**

Moved Cr McGill,

Seconded Cr Perri

*That:*

1. *Council accepts the tender of Presta Construction Group Pty Ltd to undertake the reconstruction of Young Street, Oakleigh between Haughton Road and North Road for the lump sum of \$543,804.80 (GST inclusive).*
2. *The anticipated project expenditure of \$575,768.00 (GST exclusive) for the construction, design and supervision (which includes \$1,400.00 for Provisional Items) be noted.*
3. *The contract agreement be signed and sealed.*

Cr Perri commended the project, noting that Young Street carries a significant amount of traffic.

**CARRIED**

#### **5.14 Proposed Sale of 26 Westbrook Street, Chadstone**

Moved Cr McGill,

Seconded Cr Banerji

1. *That Council, pursuant to sections 189 and 223 of the Local Government Act 1989 (“the Act”):*
  - a. *Commences the statutory procedures to sell the land located at 26 Westbrook Street, Chadstone (“the Land”) by advertising Council’s Notice of Intention to Sell the Land by public auction or private treaty in the Waverley and Oakleigh Monash Leader newspapers; and*
  - b. *Appoints a Committee of Council, comprising three Councillors to consider submissions received under section 223 of the Act on 20 April 2010 at 7.30pm at the Civic Centre.*
2. *In the event of there being no submissions received, authorises the Chief Executive Officer or his delegate, on behalf of Council to:*
  - a. *Sell the Land either by way of public auction or private treaty; and*
  - b. *Sign and seal all documentation required to effect the sale of the Land.*

**CARRIED**

### **6 CHIEF EXECUTIVE OFFICER’S REPORTS**

#### **6.1 Council Representation on Organisations/Committees**

Moved Cr Klisaris,

Seconded Cr Banerji

*That Council appoints the Council representatives to the various organisations and committees for 2010 as detailed in this report subject to the following:*

- a) *The removal of Cr Lo’s name from the membership of the Environmental Advisory Committee;*
- b) *The substitution of Cr Lo’s name for Cr Baines’ name for the Young Persons Reference Group.*

Cr Lo noted that the Environmental Advisory Committee's current terms of reference provided for 3 Councillor representatives, not 4 and this issue would be dealt with in a future report to Council regarding the composition of the Advisory Committee.

Cr Lo also noted that he would be the Council's representative on the Young Persons' Reference Group.

Cr Lake noted, in the context of the Glen Waverley Activity Advisory Committee, the reputation the Kingsway Glen Waverley had developed, as evidenced by its inclusion as an area to watch in a Good Food Guide supplement of "The Age" newspaper.

Cr Male supported Cr Lake's comments, noting the increasing reputation the Kingsway.

**CARRIED**

## **6.2 Council Website Quarterly Report**

Moved Cr Klisaris,

Seconded Cr Banerji

*That Council notes the Quarterly Website Report and in particular the following features:*

- 1. Visits to the site during the period have increased by 32% over the same period a year ago;*
- 2. The number of pages accessed during the period has increased by 27% over the same period a year; and*
- 3. The Batesford Youth & Community Hub, Procurement Policy, Monash Aquatic Precincts and the redesign of the Building Services section have been added to the site.*

**CARRIED**

## **6.3 Clarinda Centre**

Moved Cr Klisaris,

Seconded Cr Dimopoulos

*That Council authorises the Chief Executive Officer to execute and seal a contract for the sale of 45 aged residential care bed licences allocated to the Clarinda Centre to Innisfree Aged & Community Care Pty Ltd, a wholly owned subsidiary of Innovative Care Pty Ltd, under the same terms and conditions as outlined in Council's authorisation of the 8 December 2009 to transfer the licenses to Innovative Care Pty Ltd and subject to Innovative Care Pty Ltd guaranteeing the obligations of Innisfree Aged & Community Care Pty Ltd under the sale contract.*

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Cr Klisaris commended Council officers in facilitating the transition of the residents from the Clarinda Centre to a new facility and in resolving the future employment arrangements for the staff of the Centre.

Cr Perri congratulated Cr Klisaris, as the Mayor at the time of the transition, for his involvement and leadership in the process.

**CARRIED**

**7. COMMITTEE REPORTS**

Nil

**8. NOTICES OF MOTION**

**8.1 Discretionary Fund Applications - Mayor**

Moved Cr Klisaris,

Seconded Cr Dimopoulos

*That Council That Council approves the following application for funding from the 2009/2010 Discretionary Fund:*

- a) Nasir Youth - \$423.50;*
- b) Individual applicant - \$423.50;*
- c) Italian Seniors of St Mary Magdalene Chadstone - \$500;*
- d) Individual applicant - \$770.*

**CARRIED**

**9. URGENT BUSINESS**

Nil.

**10. COUNCILLORS' REPORTS**

**10.1 Cr Klisaris**

Advised the Council that he would be submitting a Notice of Motion at a future meeting of the Council regarding a cultural exchange program organised by the Pelion Development Institute of Greece, following his discussions with the Institute's Director.

**10.2 Cr Dimopoulos**

Spoke about the successful re-opening of the Oakleigh Pool and put on record his thanks to the following people for their support and involvement in the project –

- 
- ❑ The former Council
  - ❑ Ratepayers of Monash
  - ❑ Minister James Merlino
  - ❑ Ann Barker MP, Member for Oakleigh
  - ❑ Julie Clearwater and Amy Duncan from CLAG
  - ❑ Andi Diamond, former Director Customer Services
  - ❑ Don Cameron, former Director City Development
  - ❑ The Council's Chief Executive Officer

**10.3 Cr Perri**

- a) Thanked the local primary and secondary schools and sports clubs for their support in relation to the Oakleigh Pool
- b) Reported to Council on the successful Clayton Community Lunch held on 9 December 2009 at Clayton Hall and organised by 6 churches and the Clayton Traders' Association.
- c) Advised the Council of the Year 12 graduation and presentation by Nasir Youth on 2 January 2010. The event celebrated the completion of Year 12 by students from the Sudanese community.
- d) Informed the Council of her attendance, on behalf of the Mayor, at the opening of the accessible community kitchen at the Mount Street Neighbourhood House, together with Cr Male.

**10.4 Cr Male**

- a) said that he was pleased to see the re-opening of the Oakleigh pool;
- b) reported on his attendance with Cr Perri at the opening of the accessible community kitchen at the Mount Street Neighbourhood House.

**11. PERSONAL EXPLANATIONS**

**12. MATTERS OF COUNCIL IMPORTANCE**

Nil.

**13. CONFIDENTIAL BUSINESS**

Moved Cr Perri,

Seconded Cr Banerji

*That as the Confidential Business items concern a matter that may prejudice the Council, the meeting be closed to the public for consideration of this item, in accordance with Section 89(2) of the Local Government Act 1989.*

**CARRIED**

Accordingly, at 8.20 pm, the Council moved into Confidential Business.

**RETURN TO OPEN COUNCIL**

The Council moved back into Open Council at 8.25 pm.

The Mayor declared the meeting closed at 8.26 pm

**MAYOR:** .....

**DATED THIS ..... DAY OF ..... 2010**