



CITY OF
M O N A S H

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL**

HELD ON 18 NOVEMBER 2008

at 7.30 pm

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

**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON TUESDAY 18 NOVEMBER 2008 AT 7.30 PM.**

PRESENT: Councillors P Klisaris (Mayor), D Manzie (Deputy Mayor), C Baines, J Banerji,
R Brown, S Dimopoulos, D McGill OAM, T Morrissey JP, C Shiel

APOLOGIES:

Councillors G Kottek and G Lake.

DISCLOSURES OF INTEREST

Nil.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 28 OCTOBER 2008**

Moved Cr Manzie

Seconded Cr Klisaris

*That the minutes of the Ordinary Meeting of the Council held on 28 October
2008, 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.

OFFICERS' REPORTS

1. CUSTOMER SERVICES

Nil

2. HUMAN RESOURCES & ADMINISTRATION

Nil

3. CORPORATE PLANNING & FINANCE

Nil

4. INFRASTRUCTURE SERVICES

Nil

5. **CITY DEVELOPMENT**

5.1 **Proposed Amendment to Monash Planning Scheme To Allow Residential Use –
211 Wellington Road, Mulgrave**

Moved Cr Dimopoulos,

Seconded Cr McGill

- *That Australand be advised that the use and development of up to 250 hotel rooms and suites suitable for short stay travellers, complemented by typical restaurant, support services and conference facilities, is considered to be an appropriate use for inclusion in the redevelopment of the site at 211 Wellington Road, Mulgrave.*
- *That the Department for Planning and Community Development be advised that:-*
 - *Council supports “in principle” the use and development of up to 250 hotel rooms and suites suitable for short stay travellers complemented by typical restaurant, support services and conference facilities for inclusion in the redevelopment of the site at 211 Wellington Road, Mulgrave and*
 - *the appropriate form of amendment to the Monash Planning Scheme to allow discretion to permit the residential use is :-*
 - *First preference - the development of a unique zone for the Monash Technology Precinct, the Specialised Activity Centre, or*
 - *Second preference - the development of a SUZ - Special Use Zone for the precinct, or*
 - *Last preference - the use of Clause 52.03 of the Monash Planing Scheme as a site specific amendment.*

CARRIED

5.2 317-319 Huntingdale Road, Chadstone – Two Storey Building – 20 Dwellings

Moved Cr Banerji,

Seconded Cr Morrissey

*Council having caused notice of planning application No. 36413 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 317-319 Huntingdale Road, Chadstone, for the development and use of the land for the development of a two storey building comprising 20 dwellings with basement car park and alteration to the access to a Road Zone-Category 1 on the following grounds:*

- 1. The proposed development is out of character with existing development in the area, in particular having regard to excessive mass and bulk.*
- 2. The proposed development does not pay due regard to the Garden City policies within the Monash Planning Scheme and will result in loss of significant mature trees.*
- 3. The proposed development will have an adverse impact on the amenity of nearby properties, in particular with regard to inappropriate visual impact.*
- 4. The proposed development is considered to be an overdevelopment of the site.*

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

Cr Banerji said that the application should be refused on a number of grounds and that it would not be the best outcome for the area. She cited issues relating to amenity, build form and design detail, vehicular access to the site, as expressed by VicRoads and the proposed removal of mature vegetation as some of the reasons that her motion should be supported.

Cr Banerji added that she did not object to medium density development on the site, but considered this proposal inappropriate.

The Mayor spoke in support of approving the application, based upon it offering housing diversity, which accords with "Melbourne 2030", it adequately addressing the interface with the surrounding area and providing for private open space and landscaping, as well as meeting the Council's car parking policy.

The Mayor added that if the applicant objected against the refusal at VCAT, he considered that the application would be successful.

Councillor McGill supported the refusal, noting the concerns about it based upon planning grounds. She said that she doubted that any application to VCAT, against the Council's refusal, would succeed.

Councillors Manzie, Morrissey, as the motion's seconder, and Dimopoulos, each spoke in favour of the motion.

CARRIED

5.3 2 Brandon Park Drive, Wheelers Hill – Use Part of Building as Restaurant and Reduction in Car parking Requirements

Moved Cr Baines,

Seconded Cr Brown

*The Council having caused notice of planning application No. 34882A 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 an amended planning permit and issue a **Notice of Decision** to grant an amended planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 2 Brandon Park Drive, Wheelers Hill, for the use of part of the building for a Restaurant with a reduction in the car parking requirement of the Monash Planning Scheme subject to the following additional conditions being inserted into Planning Permit 34882:*

- A. *Condition 1i) inserted to read:
Reduction in the café floor area by deletion of the eastern portion of the tenancy area.*
- B. *Condition 1j) inserted to read:
Reduction in the outdoor eating area to 2 metres in width and deletion of the dedicated pathway to the outdoor eating area.*
- C. *The following conditions to be inserted into the permit:*
 - 22. *The café use may operate only between the hours of 8.00am and 6.00pm Monday to Friday.*
 - 23. *The maximum number of patrons allowed within the café at any one time must not exceed 50 persons.*
 - 24. *No less than 4 car parking spaces must be designated in the basement car park for the staff of the café use.*
 - 25. *The loading and unloading of goods must only be carried out on the land.*

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

CARRIED

5.4 7 Heath Avenue, Oakleigh – Six double Storey Dwellings

Moved Cr Dimopoulos,

Seconded Cr McGill

*Council having caused notice of planning application No. 36367 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 No. 7 Heath Avenue Oakleigh, for the purpose of the demolition of the existing dwelling to allow the development of the land with six (6) double storey dwellings with basement car parking and associated landscaping on the following grounds:*

- 1. The proposed development is not consistent with the aims and policies contained within Clause 22.07 (Heritage) of the Monash Planning Scheme.*
- 2. The proposed development does not provide for satisfactory provision of private open space.*
- 3. The proposed development will result in poor internal amenity for future residents.*
- 4. The proposed development will have a detrimental impact on adjoining significant vegetation.*
- 5. The proposed development will have a detrimental impact on the amenity of the adjoining land and the surrounding area.*
- 6. The proposed development is not consistent with the objectives and standards of the Monash Planning Scheme in respect to neighbourhood character, integration with the street, permeability, energy efficiency, landscaping, open space, overlooking, dwelling entry and design detail.*

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

Cr Mc Gill, and Cr Dimopoulos as the mover of the motion, spoke in favour of the motion, noting the concerns relating to the provision of car parking, open space and amenity.

CARRIED

5.5 Town Planning Schedule

Moved Cr Morrissey,

Seconded Cr Brown

That the report containing the Town Planning Schedules be noted.

CARRIED

6 CHIEF EXECUTIVE OFFICER'S REPORTS

6.1 Rescheduling of 9 December 2008 Council Meeting

Moved Cr Brown,

Seconded Cr Banerji

That the Ordinary Meeting of Council scheduled to be held at 7.30 pm on Tuesday 9 December 2008 be rescheduled to be held at 7.30 pm Tuesday, 16 December 2008.

CARRIED

7. COMMITTEE REPORTS

Nil.

8. NOTICES OF MOTION

Nil.

URGENT BUSINESS

Nil.

COUNCILLORS' REPORTS

Nil

PERSONAL EXPLANATIONS

Cr Brown responded to an article that recently appeared in the local press concerning his candidacy at the 2008 Council elections.

MATTERS OF COUNCIL IMPORTANCE

Cr McGill noted that the Auditor General, in his most recent report to Parliament, gave the Council a positive assessment. She then referred to statements made by a candidate in Oakleigh Ward, for the 2008 Council elections, regarding the Council's financial position.

Cr McGill congratulated the Council on the positive result.

Cr Dimopoulos advised the Council of his attendance at the Remembrance Day ceremony conducted by the Oakleigh-Carnegie Branch of the RSL.

The Mayor spoke about his time on Council and his term as Mayor of the municipality.

He thanked his Councillor colleagues, the Chief Executive Officer and Council officers and his family for their support. He added that he was always grateful for the opportunity he had been given to serve the community as a Councillor and to lead the City as the Mayor.

CONFIDENTIAL BUSINESS

Nil.

The Mayor declared the meeting closed at 8.15 pm

MAYOR:

DATED THIS DAY OF 2008