



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL**

HELD ON 29 JANUARY 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 29 JANUARY 2008 AT 7.30 PM.**

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

APOLOGIES:

Nil.

DISCLOSURES OF INTEREST

Cr Klisaris – Item 5.5.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 11 DECEMBER & SPECIAL MEETING HELD ON 18
DECEMBER 2007**

Moved Cr Morrissey,

Seconded Cr Manzie

*That the minutes of the Ordinary Meeting of the Council held on 11 December
and Special Meeting held on 18 December 2007, be taken as read and
confirmed.*

CARRIED

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

Nil

PUBLIC QUESTION TIME

The Mayor advised that 2 questions had been received.

OFFICERS' REPORTS

1. CUSTOMER SERVICES

1.1 **Golf Professional Services and Pro-Shop Management**

Moved Cr ,Brown

Seconded Cr Banerji

That Council award Contract No. 2008086, "Golf Professional Services and Pro-Shop Management" to Belgravia Leisure Group Pty Ltd for the fixed management fee of \$734,478 (including GST) for the initial 4 year term of the contract.

CARRIED

2. HUMAN RESOURCES & ADMINISTRATION

2.1 **Monash Halls Management Committee Vacancy**

Moved Cr Baines,

Seconded Cr Dimopoulos

That Council appoints Ms Luana Kou & Mr Barry Cole to the Monash Halls Management Committee.

CARRIED

3. CORPORATE PLANNING & FINANCE

3.1 **2008 Capital Works Program Progress Report**

Moved Cr Morrissey,

Seconded Cr Banerji

That Council, in relation to the 2007/2008 Capital Works Program:

- 1. Notes budget, 2006/07 carry forward adjustments and program progress to 31 December 2007;*
- 2. Notes the intention to carry forward funding for those 2007/2008 projects not completed and which require carry forward funding into 2008/2009;*
- 3. Approves the commencement of new projects, projects requiring extra funding and other funding transfers as referred to in Schedules A, B1 and B2;*

4. *Approves the transfer of Electra Reserve Pavilion from the New Capital Works Program to the Special Program; and*
5. *Approves the transfer of budgeted funds from external sources which will not be received in 2007/08 to the 2008/09 Capital Works Budget as referred to in Schedule B3.*

CARRIED

3.2 2007/08 Management Accounts Report – Second Quarter

Moved Cr Dimopoulos,

Seconded Cr Manzie

That Council notes the Financial Reports for the period ending 31 December 2007.

CARRIED

4. INFRASTRUCTURE SERVICES

4.1 Supply & Delivery of One Dual Control Road Sweeper

Moved Cr Dimopoulos,

Seconded Cr Morrissey

That Rosemech Sales & Service Pty Ltd be awarded the contract for the supply and delivery of one Scarab Merlin Sweeper, for the sum of \$286,985.95 (inclusive of GST and stamp duty).

CARRIED

4.2 Supply And Delivery of One 4 Wheel Drive Compact Wheel Loader

Moved Cr Brown,

Seconded Cr Dimopoulos

That Liebherr Australia Pty Ltd be awarded the contract for the supply and delivery of one (1) L509 Compact Wheel Loader, for the sum of \$137,726.97 (inclusive of GST and stamp duty)

CARRIED

4.3 Drainage & Stormwater Harvesting System, Glen Waverley Golf Course, Glen Waverley

Moved Cr Manzie,

Seconded Cr Lake

That

1. *Council accepts the tender of Jaydo Constructions Pty Ltd to undertake the construction of a Drainage and Stormwater Harvesting System within the Glen Waverley Golf Course, Glen Waverley for the GST inclusive sum of \$254,984.40.*
2. *The anticipated project expenditure of \$300,000.00 (GST exclusive) for the construction, design and supervision be noted.*
3. *The contract agreement be signed and sealed.*

Cr Manzie noted that the proposal would allow the Council to take up to 20 percent of stormwater run off for use on the golf course and that the Council would develop further water harvesting proposals in the future.

CARRIED

5. CITY DEVELOPMENT

5.1 Amendments C60 & C71 – Oakleigh Major Activity Centre And 129-133 Atkinson Street & 2-6 Palmerston Grove, Oakleigh

Moved Cr Dimopoulos,

Seconded Cr McGill

That Council:-

- a) *modifies Amendment C71 to include a DDO – Design and Development Overlay as detailed in this report;*
- b) *adopts Amendment C60 and the modified Amendment C71 pursuant to Sec.29 of the Planning and Environment Act;*
- c) *requests the Minister for Planning to approve and gazette both amendments C60 and C71 as adopted.*

Cr Dimopoulos made the following comments –

- A number of submissions have been received regarding both proposed Amendments
- The submissions address issues relating primarily to heritage and amenity.
- Car parking is primary issue in Oakleigh given the significant deficit in parking spaces.

- Parking in both Chester Street and Palmerston Grove is needed.

EXTENSION OF TIME

Moved Cr McGill

Seconded Cr Banerji

That Cr Dimopoulos be granted an extension of time to speak of up to 3 minutes.

CARRIED

Cr Dimopoulos continued making his comments –

- Heritage is not an issue with these proposals.
- The proposals involve land on the edge of the Activity Centre
- The Council is a long way off from constructing deck parking.
- The proposal seeks to address the future needs of the Activity Centre.

Cr McGill made the following comments –

- Supported the comments made by Cr Dimopoulos.
- The proposal seeks to create relief from the car parking overload that exists in Oakleigh.

CARRIED

5.2 Amendment C65 – Specialised Activity Centre

Moved Cr Shiell,

Seconded Cr Dimopoulos

That:

- a) Council modifies Amendment C65 in accordance with the recommendations of the Panel dated November 2007.*
- b) Council adopts Amendment C65 as modified.*
- c) Council forwards the adopted Amendment C65 documentation to the Secretary of the Department of Planning and Community Development for certification.*
- d) Following certification, Council approves the Amendment pursuant to section 35B of the Planning and Environment Act 1987, and forwards the Amendment to the Minister for Planning for Gazettal.*

CARRIED

5.3 545-549 Blackburn Road, Mount Waverley – Stage Office Development, Car Parking, Café and Business Signage

Moved Cr Banerji,

Seconded Cr Brown

That Council having considered Section 52 of the Planning and Environment Act 1987 and being satisfied that the grant of a permit would not cause material detriment to any person has not required that notice be given for Planning Application No.35538.

*The Council having considered planning application No35538 and all the matters required under Section 60 of the Planning and Environment Act 1987 decides to **grant a planning permit** under the provisions of the Monash Planning Scheme in respect of the land known and described as 545-549 Blackburn Road, Mount Waverley, for the staged development and use of the land for offices exceeding 1800 square metres in area, associated car parking, buildings and works in excess of 7 metres, café and business signage generally in accordance with the plans submitted with the application subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council 16 September 2003.*

- 1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit.*

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

- a) A pier and beam foundation to support the proposed generator over the 375mm drain with the piers constructed below the bottom of the drain to prevent loading on the drain;*
- b) A minimum horizontal and vertical clearance of 300mm being maintained between the existing 375mm drain and all foundations;*
- c) Specific details of the methods to be used to control movements along the internal ramps to avoid conflict between opposing vehicles.*
- d) At blind aisles, the aisle extended a min 1 metre beyond the last parking space;*
- e) The height between the floor and an overhead obstruction within the car parks to be a minimum of 2200mm, and 2300mm for any vehicular path of travel to and from a parking space for people with disabilities;*
- f) Designation of visitor parking spaces within the car parks;*
- g) The outdoor seating area for the café not extending beyond the extent of the canopy;*
- h) Provision of bicycle facilities in accordance with Clause 52.34 of the*

Monash Planning Scheme;

- i) Location and design of any proposed electricity supply meter boxes/kiosks/substation. This facility must not be located within the front landscape setback area;*
 - j) Location of gas and water meters. These facilities should be designed to minimise their visual prominence if located within the front setback area;*
 - k) Location of any fire hydrants, booster assemblies or sprinkler control valves which may be required and details of screening to minimise their visual prominence;*
 - l) Details of all service equipment, including mechanical ventilation and any flues required for the cafe located outside the building and appropriately screened as part of the design of the building;*
 - m) Detailed schedule of the external building materials, colours and finishes including paving. Reflectivity of glass used in the building to be no greater than 15%;*
 - n) Details of all signage proposed on the land.*
- 2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
 - 3. Floor area in excess of 1800 square metres must only be used for offices as specified in Clause 22.02-3 dot point No 5 of the Monash Planning Scheme.*
 - 4. Reduction in office floor area for Stage 2 so that car parking is provided on site at a minimum ratio of 3.5 spaces to each 100 square metres of net floor area (excluding tandem spaces).*
 - 5. Level 4, of the Stage 1 building, must only be used as a recreation area as detailed on the endorsed plans.*
 - 6. The use of the café may only operate between the hours of 7 am to 7 pm Monday to Friday (inclusive) unless the Responsible Authority gives consent in writing.*
 - 7. Prior to the commencement of any buildings or works associated with Stage 2 of the development, provision to the satisfaction of the Responsible Authority and VicRoads must be made for an additional ingress from Blackburn Road into the service road to be located south of the entrance to the subject land and for the extension of the right-turn lane (north approach) at the Blackburn Road/Ferntree Gully Road signalised intersection. Functional and detailed design layouts showing the mitigating works must be submitted to the Responsible Authority and VicRoads for approval.*
 - 8. When the land is subdivided a carriageway easement must be created on the titles of 547 and 549 Blackburn Road to allow for access over the proposed lots as shown on the endorsed plans.*

9. *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.*
10. *Prior to commencement of any buildings and works on the site, 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 activities;*
 - g) *wash down areas for trucks and vehicles associated with construction activities;*
 - h) *cleaning and maintaining surrounding road surfaces.*
11. *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.*
12. *No goods must be stored or left exposed outside the buildings so as to be visible from any public road or thoroughfare.*
13. *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.*
14. *Before occupation of each Stage of the development all buildings and works specified in the permit for the appropriate stage must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when all construction and works are completed to enable the site to be inspected.*

15. Before the development permitted is completed for each Stage, 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.

16. *A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-*

- *the location of all existing trees and other vegetation to be retained on site*
- *provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development*
- *planting to soften the appearance of hard surface areas such as driveways and other paved areas*
- *a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*
- *the location and details of all fencing*
- *the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
- *details of all proposed hard surface materials including pathways, patio or decked areas*

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

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

18. *Replacement street trees must be planted in the service road of Blackburn Road at the cost of the owner/developer to the satisfaction of the*

Responsible Authority.

19. *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.*
20. *All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.*
21. *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 conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is to the south-east corner of the property where it must be collected and free drained via a pipe to the Council pit in the south-eastern corner of 549 Blackburn Road to be constructed to Council Standards.
If the point of discharge cannot be located then notify Council Engineering Division immediately.
22. *Any new drainage work or connections into the existing drainage system requires the approval of the Council's Engineering Division prior to works commencing. Three copies of the plans for the drainage works must be submitted to and approved by the Engineering Division prior to the commencement of works.*
23. *A 2.0 metre by 10.00 metre wide drainage easement is to be created at the time of subdivision in favour of the Monash City Council at the south-eastern corner of 549 Blackburn Road along the southern boundary to protect Council's drainage assets.*
24. *Driveways are to be designed and constructed using appropriate engineering standards.*
25. *The redundant vehicle crossings are to be removed and reinstated with kerb and channel, and the footpath and naturestrip are to be reinstated to the satisfaction of the City of Monash.*
26. *Access ramps for people with disabilities should be designed in accordance with the Australian Standard for Design for Access and Mobility, AS 1428.*
27. *The driveways and parking areas 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 accessways which must be in accordance with the provisions of Clause 52.06-3 of the Monash Planning Scheme.*
28. *AS3 Signs within land boundary.*
29. *AS4 Sign maintenance*

30. AS5 No sign illumination

NOTES:

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
3. Engineering permits must be obtained for new or altered vehicle crossings and for new connections to the existing pits and these works are to be inspected by Council (telephone 9518 3690).
4. A medium duty cast iron frame and cover (with concrete infill, gatic type cover) must be installed to the existing stormwater pit if the vehicle crossing is located within 1 metre of the pit. A minimum clearance of 300mm must be kept between the turning point of the vehicle crossing and the existing stormwater pit.
5. Prior to commencement of development a statement of liability (Use of Easement Approval), related to the works within or adjacent to the existing easements on the site shall be provided to the satisfaction of the Responsible Authority. Approval should be given subject to:
 - Council and Yarra Valley 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;
 - A pier and beam foundation being used to support the proposed generator over the 375mm drain with the piers constructed below the bottom of the drain to prevent loading on the drain;
 - A minimum horizontal and vertical clearance of 300mm being maintained between the existing 375mm drain and all foundations;
 - Replacement of the existing 375mm drain within the easement if the existing drain was to be found in an unsatisfactory condition.

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.

CARRIED

5.4 12 Burton Avenue, Clayton – Additional 30 Beds For An Aged Care Facility, Additional Car Parking, Communal Open Spaces and Minor Façade Changes

Moved Cr Dimopoulos,

Seconded Cr McGill

That:

A.

*Council having caused notice of planning application No. 34570/B 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** under the provisions of the Monash Planning Scheme in respect of the land known and described as 12 Burton Avenue, Clayton for an increase in the number of beds from 120 to 150 beds together with additional associated car parking and communal open space and minor changes to the south façade at lower levels generally in accordance with the plans submitted with the application to amend the permit.*

B.

- *Permit citation amended to allow for 150 beds.*
- *Condition 1 amended to include the following:*
 - *The glass balcony along the length of the third floor southern terrace, together with the west facing third floor lounge windows fitted with glazing having a maximum of 25% transparency, up to a height of 1.7 metres.*
 - *The north-west car parking bay adjacent to the electricity pole provided with a wheel stop in order to prevent damage to the pole.*
 - *The turnaround area adjacent to the facility entrance signed and linemarked for on-way movement.*

CARRIED

5.5 66-70 High Street Road, Ashwood – A 120 Place Child Care Centre

NOTE: The Mayor, Cr Klisaris disclosed a conflict of interest in this item, being an operator of a child care centre in the municipality. Cr Klisaris left the Chamber at 7.58 pm and returned at 8.01 pm, after the matter had been discussed and voted upon.

The Deputy Mayor, Cr Manzie assumed the Chair for the duration of this item, due to the Mayor vacating the Chamber.

Moved Cr Banerji,

Seconded Cr Brown

*The Council having caused notice of planning application No TPA/35548 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 66 – 70 High Street Road Ashwood, for the development and use of a 120 place two storey child care centre, alteration of access to a main road and removal of vegetation including one tree exceeding 10 metres in height, generally in accordance with the plans submitted with the application dated 5 October 2007 No TPA/35548 subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council 16 September 2003:*

1. *Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed 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) *Retention of trees 1, 2, 3, 4 and 7 as specified in the arborist report by "Treed environs" dated October 2007 using the measures outlined in that report;*
- b) *Alterations to the west facing building entrance to allow the offset of the car park retaining wall in proximity of trees 10-17 identified in the report by "Treed environs" dated October 2007 to be increased from 1.2 metres to 1.5 metres in width without compromising car space dimensions or reversal area/width;*
- c) *The existing vehicular crossover on High Street Road widened to at least 6.4 metres and modified to allow left in/left out vehicular movements only to the satisfaction of the Responsible Authority;*
- d) *The edges of the vehicular crossover angled at 60 degrees to the road reserve boundary;*
- e) *The driveway within the property widened to 6.0 metres for the first 6.0 metres with a maximum gradient of 1:20;*

- f) *The redundant crossover on High Street Road removed and the footpath, naturestrip and kerbing reinstated to the satisfaction of the Responsible Authority.*
 - g) *Mechanical ventilation including flue height and positioning in relation to the building;*
 - h) *Adequate storage area for storage of cold foods within the facility.*
2. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
 3. *Before the development starts, two sets of plans of the premises must be submitted to Council's Health Service Department for approval that demonstrates compliance with the Food Act 1984 and Health Act Regulations 1999. Plans must detail all areas where food processes are conducted or food stored.*
 4. *Mechanical ventilation must be provided for the cooking equipment and the commercial dishwasher. Mechanical exhaust discharge must comply with Australian Standards 1668.2-2002, including flue height and positioning in relation to adjacent building. The flue must terminate at least one metre above the roofline.*
 5. *A grease trap as per water authority requirements must be located outside kitchen and servery areas.*
 6. *Motors for equipment and air-conditioning/heating units must comply with noise limits set by State Environmental Protection Policy (Control of noise from commerce, Industry, and Trade) N-1.*
 7. *Offensive odours must not be emitted from the premises.*
 8. *The design and construction of the food premises must provide adequate space for the activities to be conducted on the food premises and for the fixtures, fittings and equipment used for those activities.*

Condition Nos 9-14 required by VicRoads

9. *The existing vehicular crossover on High Street Road must be widened to at least 6.4 metres wide, as measured at the property boundary, to allow left in/left out vehicular movements only, to the satisfaction of the Responsible Authority.*
10. *The edges of the vehicular crossovers shall be angled at 60 degrees to the road reserve boundary, to improve entry and exit conditions.*
11. *The driveway within the property shall be at least 6.0 metres wide for the first 6.0 metres with a maximum gradient of 1:20.*
12. *Car parking spaces must be designed to allow vehicles to drive in a forward direction when both entering and exiting the property, to the*

satisfaction of the Responsible Authority.

13. *The redundant crossovers on High Street Road must be removed and the footpath, naturestrip and kerbing re-instated to the satisfaction of the Responsible Authority.*
14. *The developer must pay the full costs of all road works, drainage, service relocation, and any other associated costs.*
15. *All on site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on site drainage system must prevent discharge from the driveway onto the footpath. Such a system may include either:*
 - (a) *a trench grate (175mm minimum internal width) located within the property; and/or*
 - (b) *shaping the driveway so that water is collected in a grated pit on the property; and/or*
 - (c) *another Council approved equivalent.*
16. *Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from the City of Monash, the Responsible Authority, prior to works commencing.*
17. *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 conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is the north-east corner of the property where it must be collected and free drained via a pipe to the grating pit in the road outside No.72 High Street Road to be constructed to Council standards. Note:- If the point of discharge cannot be located then notify Council's Engineering Department immediately.
18. *Before the use permitted is commenced, 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.

19. *A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres.*
20. *The driveway and parking area should be designed in accordance with the Australian Standards for Off street parking. AS-NZS 28901.1 – 2004*
21. *In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.*
22. *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:-*
- i. the location of all existing trees and other vegetation to be retained on site*
 - ii. provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development*
 - iii. planting to soften the appearance of hard surface areas such as driveways and other paved areas*
 - iv. 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*
 - v. the location and details of all fencing*
 - vi. the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
 - vii. 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.*
23. *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.*
24. *L6 Prior to works, trees marked.*
25. *L8 Works supervised 5 metres*
26. *L9 No material near trees*

27. *L10 No vehicle near trees*
28. *The construction works associated with the permitted use/development and/or subdivision must only be carried out during the following hours:*
- *Monday to Friday (inclusive) – 7am to 6pm;*
 - *Saturday – 9am to 1pm;*
 - *Saturday – 1pm to 5pm (only activities associated with the erection of buildings);*
- unless otherwise approved in writing by the Responsible Authority.*
29. *The child care centre may operate only between 7.00am and 6.30pm Monday to Friday unless the Responsible Authority gives consent in writing.*
30. *Before occupation all buildings and works specified in this permit, including stormwater drainage works, must be completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when all construction and works are completed to enable the site to be inspected.*
31. *No more than 120 children may be cared for in the child care centre without the further written consent of the Responsible Authority.*
32. *There is to be no more than 16 staff at the premises at any given time.*
33. *No service / delivery vehicles are permitted to arrive or depart before 7.00am and after 5.00pm Monday to Friday or on weekends without the prior written consent of Council.*
34. *The loading and unloading of goods from vehicles must only be carried out on the land.*
35. *No form of public address system or amplified music system may be installed so as to be audible from outside the site.*
36. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.*
37. *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.*
38. *G21 Adequate waste storage.*
The waste storage area must be provided with a hot and cold water outlet and be sealed, graded and drained to the sewer. It must not be located where it will cause nuisance to surrounding residents.

39. *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.*

40. *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.*

NOTES:

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

2. *Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.*

3. *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 works must be submitted to and approved by the Engineering Division prior to the commencement of works.*

4. *Engineering permits must be obtained for new or altered vehicle crossings and for new connections to the Council pit and these works are to be inspected by Council (telephone 9518 3690).*

5. *The redundant crossing is to be removed and reinstated with kerb and channel to the satisfaction of the City of Monash.*

6. *The access walkway for people with disabilities must be designed in accordance with the Australian Standard for "Design for Access and Mobility AS 1428".*

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

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 permit 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 Banerji expressed some concern at the proposed development, given its location near to a major intersection and the potential for increased housing density because of the size of housing lots in the area.

However, Cr Banerji said that she was satisfied that the conditions to be placed upon the planning permit would ensure that the proposal met the Council's planning policy requirements.

CARRIED

5.6 21-23 Botanic Drive, Glen Waverley – 5 Double Storey Dwellings

Moved Cr Lake,

Seconded Cr Manzie

*The Council having caused notice of planning application No. 35713 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 21-23 Botanic Drive, Glen Waverley for the purpose of development of five double storey dwellings, together with associated car parking and landscaping generally in accordance with the plans submitted with the application dated 22 November 2007. No. 35713 subject to the following conditions, including the specified standard conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council 16 September 2003:*

- 1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit.
The plans must be generally in accordance with the plans submitted with the application, but modified to show:*
 - a) The provision of a retractable clothesline in a sunny location for each dwelling;*
 - b) The location and design of gas, electricity and water meters and any structures proposed to house these meters discretely on the site;*
 - c) The inclusion of 6 cubic metres of externally accessible storage for each dwelling;*
 - d) The double garage for dwelling 2 being built within the fence line so that the existing northern boundary fence can be retained in this area;*
 - e) The flat roof section of the double garage for dwelling 1 being removed. The internal width of the garage should measure 5.5 metres and the entire garage should be located within the fence line so that the existing northern boundary fence can be retained;*

- f) *The garage to dwelling 1 located behind the façade of dwelling 1 to provide for articulation;*
 - g) *The landscaping area adjacent to dwelling 4 reduced in size so that it does not protrude past the western line of the porch;*
 - h) *The addition of an east facing window to bedroom 3 of dwelling 1 and the alteration of the north facing window to have a minimum sill height on 1.7 metres above the Finished Floor Level;*
 - i) *The addition of a fixed metal shutter to the satisfaction of the Responsible Authority to bedroom 4 of dwelling 2 to restrict overlooking;*
 - j) *The addition of a fixed metal shutter to the satisfaction of the Responsible Authority to the study of dwelling 4 to restrict overlooking;*
 - k) *The sill height of the window to the stairwell of dwelling 4 altered to have a minimum sill height of 1.7 metres from the Finished Floor Level;*
 - l) *The southern crossing extended to be 3 metres in width. The extension may only occur on the southern side of the crossing and may result in the movement of the existing Telstra pit. The extended crossing must be located a minimum of 1 metre from any services in the nature strip.*
2. *G1A – Layout Not Altered*
 3. *G8A – Satisfactory Continuation*
 4. *G13 – Inspection of Buildings*
 5. *L1 – Landscape Plan Detail Required*
 6. *L3 – Landscaping Before Commencement of Use*
 7. *L6 – Prior to Works Trees Marked*
 8. *L9 – No Material Near Trees*
 9. *L10 – No Vehicle near Trees*
 10. *Prior to and during development all necessary measures to protect the trees on adjoining properties and the road reserve against construction works damage should be carried out in accordance the arborist report by Dr. Peter Yau of PSY Pty Ltd dated December 7 2007.*
 11. *All works within the drip line of the mature Corymbia Citriodora on the nature strip shall be supervised by a qualified landscape architecture or horticulturist who shall ensure that the works are done in a manner, which protects and minimises any damage to the tree.*

12. *The driveway and parking area should be designed in accordance with Australian Standard for off-Street Parking AS/NZS 2890.1-2004*

13. *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 conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is to the south west corner of the property where the entire sites stormwater must be collected and free drained via a pipe to the kerb and channel to Council Standards

Note: If the nominated point of discharge cannot be located then notify Council's Engineering Division immediately.

14. *E2 – Trench Grates Required.*

15. *E4 – On-Site Retention of Stormwater*

NOTES:

1. *N3 – Building Approval.*

2. *N15 – Building Permit Fire Separation.*

3. *EN2A – Engineering Approval Required.*

4. *EN4 – Permits for Crossings etc.*

5. *The drainage contribution applicable at the date of this permit is \$8,975.*

6. *Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.*

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 permit 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 Lake advised the Council that he had spoken to several residents and appreciated the concerns that they expressed, particularly regarding density and parking. However, he said that he could not find any basis on which to oppose the application and emphasised that the Council was responsible for impartially applying State planning laws and Council policies.

Cr Lake commented that the applicant could have sought to construct 6 instead of 5 dwellings and had that application been refused by the Council, there was a good possibility that it would have been approved at VCAT.

Cr Baines advised the Council that she had also spoken to several residents and was satisfied that the proposed conditions would adequately address those concerns.

Cr Manzie supported the proposal, noting that other applications for sites of a similar site proposed a higher density. Cr Manzie expressed concern at the steady loss of dwellings built in the 1950's and 1960's.

CARRIED

5.7 Town Planning Schedule

Moved Cr Manzie,

Seconded Cr Dimopoulos

That the report containing the Town Planning Schedules be noted.

CARRIED

5.8 Preparation of Domestic Animal Management Plan

Moved Cr Banerji,

Seconded Cr Klisaris

That Council notes the process and timeline for the preparation of the Domestic Animal Management Plan 2008.

The Mayor noted that the Plan was a legislative requirement that sought to protect pet owners and those who do not own pets.

CARRIED

5.9 Transfer to Council of Land From Discontinued Road Abutting the Rear of Clayton Mall

Moved Cr McGill,

Seconded Cr Dimopoulos

That Council:-

- 1. Transfer to itself the land from the former road abutting the rear of the Clayton Mall, at 371 Clayton Road, Clayton, which land vested in Council pursuant to the Victoria Government Gazette Notice dated 23 October, 1974 [being the land shown on the plan attached];*
- 2. Authorise the Chief Executive Officer or his duly appointed delegate on behalf of Council to prepare and sign a Transfer of Land and all other documentation required to effect registration of the land by the Registrar of Titles in the name of Monash City Council.*

CARRIED

5.10 Proposed Discontinuance of Part of the Road Reservation Abutting 59 Alvie Road, Mount Waverley

Moved Cr Morrissey,

Seconded Cr Banerji

1. *That Council, acting under clause 3 of Schedule 10 to the Local Government Act 1989 (“the Act”), and being of the opinion that part of the Road reservation abutting and occupied by the property 59 Alvie Road, Mount Waverley (“the Road reservation” (as shown on the plan at Attachment 2) is not reasonably required as a Road –*

(a) Commences the statutory procedures to discontinue the Road status of the road reservation occupied by 59 Alvie Road, Mount Waverley;

(b) Gives, under Sections 207A and 223 of the Act, public notice of the proposed discontinuance in the Waverley Leader with such notices stating that, if discontinued, Council proposes to either retain or sell the land to the abutting owners;

(c) Appoints a Committee of Council, comprising Councillors Banerji, Brown and Morrissey, to consider submissions received under S. 223 of the Act on 4 March, 2008 at 7.30 p.m. at the Civic Centre.

2. *That, should no submissions be received in accordance with S. 223 of the Act, Council authorises the Chief Executive Officer or his delegate:*

a) to publish a Notice of Discontinuance in the Victoria Government Gazette vesting the land in Council;

b) upon the vesting of the land in Council, to enter into negotiations for the sale of the land from the road reservation (including the signing and sealing of all relevant documentation required to effect the sale) to the adjoining landowners, predicated on current occupation; and

c) to sell the land to the abutting owners at Council’s valuation (taking into consideration accrued possessory entitlement and any easements located within part of the road reservation).

CARRIED

5.11 Drainage Works – Kathleen Avenue, Mount Waverley

Moved Cr Banerji,

Seconded Cr Morrissey

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| <ol style="list-style-type: none">1. That Council accepts the tender of Jaydo Constructions Pty Ltd to undertake the drainage improvement works at Kathleen Avenue, Mount Waverley for the GST inclusive lump sum of \$240,816.40.2. That the anticipated project expenditure of \$243,854.00 (GST exclusive) for the construction, design and supervision be noted.3. That the contract agreement be signed and sealed. |
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CARRIED

5.12 Road Reconstruction – Bishop Street, Oakleigh

Moved Cr McGill,

Seconded Cr Dimopoulos

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| <ol style="list-style-type: none">1. That Council accepts the tender of T & A Civil Contractors Pty Ltd to undertake the reconstruction of Bishop Street, Oakleigh for the GST inclusive lump sum of \$588,299.58.2. That the anticipated project expenditure of \$609,472.80 (GST exclusive) for the construction, design and supervision be noted.3. That the contract agreement be signed and sealed. |
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CARRIED

5.13 Car Park Reconstruction – Mayfield Park, Mount Waverley

Moved Cr Morrissey,

Seconded Cr Brown

- | |
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| <ol style="list-style-type: none">1. That Council accepts the tender of Simpson Construction Company Pty Ltd to reconstruct the eastern section of the Mayfield Park carpark and access road for the GST inclusive lump sum of \$115,956.50.2. That the anticipated project expenditure of \$125,087.00 (GST exclusive) for the construction, design and supervision be noted.3. That the contract agreement be signed and sealed. |
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CARRIED

5.14 Construction of Roundabout & Associated Works – Myrtle Street & Montclair Avenue, Glen Waverley

Moved Cr Baines,

Seconded Cr Manzie

1. *That Council accepts the tender of Concrib Constructions Pty Ltd to construct a roundabout at the Myrtle Street & Montclair Avenue intersection and a central median along the northern section of Myrtle Street in Glen Waverley for the GST inclusive lump sum of \$190,265.35.*
2. *That the anticipated project expenditure of \$195,968.50 (GST exclusive) for the construction, design and supervision be noted.*
3. *That the contract agreement be signed and sealed.*

MOTION TO ADJOURN

Moved Cr Lake

Seconded Cr Brown

That this item be adjourned to the next Ordinary Meeting of Council, to be held on 19 February 2008.

Cr Lake commented that he was concerned that inadequate consultation had taken place with local residents regarding the proposed works and sought to have the matter adjourned to provide for feedback from the residents.

CARRIED

5.15 Lease To Golphrobics – Pitch and Putt, Mulgrave

Moved Cr Shiell,

Seconded Cr Klisaris

That Council agrees in principle to supporting a liquor licence to Golphrobics (known as Australian Pitch and Putt Waverley Golf Course) ("Golphrobics") located cnr Wellington and Garnett Roads, Mulgrave (as indicated on the Plan at Attachment A) upon the following basis:-

- (i) *Golphrobics applying to Council in accordance with the provisions of the Monash Planning Scheme for an amendment to the existing Planning Permit No. 24878 ("the Permit") dated 23 September, 1998 for the additional use of the premises for a cafe' (Food and Drink Premises) with on-site liquor licence;*
- (ii) *an up-to-date valuation of the Crown Land Lease, the subject of this proposal, be undertaken and agreement reached between Council and Golphrobics on an altered value of the existing lease;*

- (iii) *the increased rental commence from the date of completion of renovation works and operation of the premises with a liquor licence with such date to be agreed to between Council and Golphrobics;*
- (iv) *authorise the Chief Executive Officer to sign and seal any variation to the existing lease agreements.*

CARRIED

5.16 Marianne Way Retail Strip Enhancement Works

Moved Cr Morrissey,

Seconded Cr Klisaris

- 1. That Council accepts the tender of Fulton Hogan to implement proposed Marianne Way Retail Strip Enhancement Works for the lump sum price of \$131,963.38 inc GST.*
- 2. That the anticipated expenditure of \$130,362 (GST exclusive) for the project be noted.*
- 3. That the contract agreement be signed and sealed.*

CARRIED

5.17 Construction of Holmesglen Valley Stormwater Biofilter (Wetland)

Moved Cr Banerji,

Seconded Cr Dimopoulos

- 1. That Council accept the tender of Entracon Civil to construct Holmesglen Valley Wetland for the lump sum price of \$315,652.70 inclusive of GST.*
- 2. That the anticipated expenditure of \$334,957 (GST exclusive) for the project be noted.*
- 3. That the contract agreement be signed and sealed.*

Cr Banerji advised the Council that the proposal was supported by the local residents.

CARRIED

5.18 Proposed Sale of Council Owned Land – 3 Kennett Street, Ashwood

Moved Cr Morrissey,

Seconded Cr Banerji

That Council acting under Sections 189 and 223 of the Local Government Act, 1989 ("the Act")

- 1. Commences the statutory procedures to advertise Council's intention to subdivide and sell part of the Council owned vacant land at No. 3 Kennett Street, Ashwood ("the land") being the land indicated in Attachment 1 and 2 of this report;*
- 2. Appoints a Committee of Council to consider s.189 submissions received on the proposed sale, on Tuesday 6 May, 2008 at 7.30 pm at the Civic Centre;*
- 3. Authorises the Chief Executive Officer or his delegate, on behalf of Council to:-*
 - a) Commence the procedure to subdivide the portion of land from the balance of the title [being the portion of land as indicated on the Plans attached];*
 - b) Sell the land either by way of public auction or by private treaty in the event of there being no submissions received, and*
 - c) Sign and seal all documentation required to effect sale of the land.*

Cr Morrissey commented that the proposal sought the sale of land that has been identified as surplus to the Council's needs, with the proceeds of the sale going towards the improvement of an existing Council facility.

The Mayor noted that the motion related only to the commencement of a public consultation process regarding the Councils' intention to sell the land.

Cr Lake said that he had made his position clear regarding the increase in Council funding for the development at Electra Reserve and looked forward to the public feedback to the proposed sale of the land. He said that he would base his decision as to whether to support or oppose the proposal after consideration of that feedback.

Cr Brown said that he would be guided by the community's response to the proposal.

The Mayor said that the Council had several options to fund the development of facilities, including increasing rates, increasing borrowings or disposing of surplus land. He said that the Council did not seek to increase rates or borrowings.

CARRIED

5.19 Proposed Sale of Council Owned Land – 25 Sunhill Road, Mount Waverley

Moved Cr Brown,

Seconded Cr Banerji

That Council acting under Sections 189 and 223 of the Local Government Act, 1989 ("the Act")

- 1. Commences the statutory procedures to advertise Council's intention to sell the Council owned vacant land at No. 25 Sunhill Road, Mount Waverley ("the land") being the land indicated in Attachments of this report;*
- 2. Appoints a Committee of Council to consider s.189 submissions received on the proposed sale, on Tuesday 6 May, 2008 at 7.30 pm at the Civic Centre;*
- 3. Authorises the Chief Executive Officer or his delegate, on behalf of Council to:-*
 - a) Sell the land either by way of public auction or by private treaty in the event of there being no submissions received, with such sale being subject to a planning permit being issued for the removal of the reserve reservation from the land in accordance with s. 24A of the Subdivision Act, 1987 and subsequent registration of the Plan by the Land Registry and the rezoning of the land from PUZ6 to R1Z; and*
 - b) Sign and seal all documentation required to effect sale of the land.*

CARRIED

5.20 Proposed Sale of Council Owned Land – 28 Barlyn Road, Mount Waverley

Moved Cr Banerji,

Seconded Cr Brown

That Council acting under Sections 189 and 223 of the Local Government Act, 1989 ("the Act")

- 1. Commences the statutory procedures to advertise Council's intention to sell the Council owned vacant land at No. 28 Barlyn Road, Mount Waverley ("the land") being the land indicated in Attachments 1 and 2 of this report;*
- 2. Appoints a Committee of Council to consider s.189 submissions received on the proposed sale, on Tuesday 6 May, 2008 at 7.30 pm at the Civic Centre;*
- 3. Authorises the Chief Executive Officer or his delegate, on behalf of Council to:-*
 - a) Sell the land either by way of public auction or by private treaty in the event of there being no submissions received, with such sale being subject to a planning permit being issued for the removal of the reserve reservation from the land in accordance with s. 24A of the Subdivision Act, 1987 and subsequent registration of the Plan by the Land Registry; and*
 - b) Sign and seal all documentation required to effect sale of the land.*

CARRIED

6 CHIEF EXECUTIVE OFFICER'S REPORTS

6.1 Hub Precinct

Moved Cr Manzie,

Seconded Cr Lake

That Council:

- 1. Agrees to continue to progress the proposal by VicTrack Access to develop the forecourt area of the Glen Waverley Railway Station;*
- 2. Notes the current status of the development proposal; and*
- 3. Authorises the Chief Executive Officer to enter into a non-binding Heads of Agreement with VicTrack Access which outlines each party's obligations and intentions to give effect to the project.*

Cr Manzie noted that this proposal represented the most significant development in Glen Waverley to date.

CARRIED

6.2 Council Representation on Organisations/Committees

Moved Cr Brown,

Seconded Cr Manzie

That Council appoints the Council representatives to the various organisations and committees for 2008 as detailed in this report.

CARRIED

7. COMMITTEE REPORTS

Nil

8. NOTICES OF MOTION

8.1 “Taking Council To the People” - Conduct of Council Meetings Outside of the Civic Centre - Mayor

Moved Cr Klisaris,

Seconded Cr Manzie

That the following Council meetings be held outside of the Council Chamber in the Civic Centre, in the locations specified –

13 May 2008: Monash Seminar and Training Centre

26 August 2008: Wellington Reserve Community Centre or the Mulgrave Community Centre, depending on availability

28 October 2008: Clayton Community Centre

Cr Morrissey expressed his opposition to the proposal, saying that the Civic Centre was the place where Council decisions were made.

Crs McGill, Manzie, Brown and Dimopoulos each spoke in favour of the proposal.

The Mayor said that the idea was not revolutionary, with the Council having met in Oakleigh in 2002 and other municipalities such as Moreland and Mornington Peninsula holding Council meeting throughout their respective municipalities on a regular basis. However, it represented an opportunity for the Council to interact with the community on a local, personal level.

CARRIED

8.2 Display of Aboriginal Flag - Mayor

Moved Cr Klisaris,

Seconded Cr

That

1. The Aboriginal flag be permanently displayed in the Council Chamber, in recognition of the traditional custodians of the land occupied by the municipality of Monash.

2. The Administration investigates which other Australian flags are recognised under the Flags Act 1953(as amended).

The Mayor advised the Council that on Cr Brown's advice, the matter of the possible inclusion of the flag of the Torres Strait Islands should be investigated.

Cr Morrissey proposed that the flags of all the other municipalities be flown.

Cr Manzie said that the proposal was progressive and sought to recognise the original custodians of the land covered by the municipality.

Cr Lake noted that the Council, in 2002, had recognised the Aboriginal people as the traditional custodians of the land and it was appropriate to display the flag.

The Mayor noted that the Aboriginal elders would be consulted regarding the proposal to fly the flag outside the Civic Centre.

Crs Brown, Dimopoulos, Banerji and Baines also spoke in favour of the motion.

CARRIED

URGENT BUSINESS

Nil.

COUNCILLORS' REPORTS

Nil

PERSONAL EXPLANATIONS

Nil

MATTERS OF COUNCIL IMPORTANCE

Nil.

CONFIDENTIAL BUSINESS

Nil.

The Mayor declared the meeting closed at 9.01 pm

MAYOR:

DATED THIS DAY OF 2008