



**CITY OF  
MONASH**

**MINUTES OF THE MEETING OF  
COUNCIL  
HELD ON 20 OCTOBER 2020**

**at 7.00 pm**

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

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**MINUTES OF THE MEETING OF THE MONASH CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY  
ON 20 OCTOBER 2020 AT 7.00 PM.**

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

**APOLOGIES:**

Nil.

**DISCLOSURES OF INTEREST**

Nil.

**CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD ON  
29 SEPTEMBER 2020**

Moved Cr Klisaris,

Seconded Cr Little

*That the minutes of the Meeting of the Council held on 29 September 2020,  
be taken as read and confirmed.*

**CARRIED**

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

Nil.

**PUBLIC QUESTION TIME**

The Mayor advised that one question had been received.

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**OFFICERS' REPORTS**

**1. CITY DEVELOPMENT**

**1.1 60-60A Ricketts Rd & 2-6 Gilby Road Mount Waverley - Use and Development of Land For A Six (6) Storey Mixed Use Building Including Office, Food & Drink Premises (Café) and Restricted Retail Premises (Showroom)**

Moved Cr Little,

Seconded Cr Tsoi

*That Council resolves to Grant a Planning Permit (TPA/51804) for the use and development of land for a six (6) storey mixed use building including office, food & drink premises (cafe) and showroom and a reduction in car parking at 60-60a Ricketts Road & 2-6 Gilby Road, Mount Waverley subject to the following conditions:*

*Amended Plans Required*

- 1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed they will then form part of the Permit. The plans must be generally in accordance with the decision plans dated 31 August 2020, prepared by Metier but modified to show:*
  - a) The reduction / rationalisation of hard paving within the front setback of the site associated with the Showroom entry to increase landscaping opportunities.*
  - b) Any direct pedestrian access from the southern side of the building at the ground floor to the southern setback of the site (bricked area shown on the landscape plan).*
  - c) Details of the treatment of the fire boosters and any other services located within the front setback of the site.*
  - d) The numbering of street trees in accordance with the Tree Management Plan as required by Condition 5 of this Permit, along with Tree Protection areas to be shown on each basement and ground floor plan.*
  - e) Clearance to car parking spaces to be in accordance with Diagram 1 of Clause 52.06-9 of the Monash Planning Scheme in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.*
  - f) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep on both sides from the edge of the exit lane of the vehicle crossing.*
  - g) The shared space for the proposed accessible parking spaces to be hatched.*
  - h) An Amended Landscape Plan as required by Condition 3 of this Permit.*
  - i) A Tree Management Plan in accordance with Condition 5 of this Permit.*
  - j) A Waste Management Plan in accordance with Condition 6 of this Permit.*



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- k) *An Amended Sustainable Management Plan in accordance with Condition 8 of this Permit.*

*Layout not to be altered*

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

*Landscaping Plan*

3. *Concurrent with the endorsement of any plans pursuant to Condition 1, 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. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Plan prepared by TRACT, dated 1 September 2020, except that the plan must show:*

- a) *Any changes as required by Condition 1 of this Permit.*  
b) *The Tree Protection Zone of street trees adjoining the property.*

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

*Tree Management and Protection*

5. *Concurrent with the endorsement of any plans pursuant to Condition 1 and prior to any demolition or site works, a Tree Management Plan (TMP) must be submitted to and approved by the Responsible Authority. The TMP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of all street trees adjoining the site.*

*The TMP must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:*

- a) *A Tree Protection Plan drawn to scale that shows:*
- i. *Tree protection zones and structural root zones of all trees to be retained,*
  - ii. *All tree protection fenced off areas and areas where ground protection systems will be used;*
  - iii. *The type of footings within any tree protection zones;*
  - iv. *Any services to be located within the tree protection zone and a notation stating all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and*
  - v. *A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones.*



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- b) *Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.*
  - c) *Supervision details and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and*
  - d) *Any remedial pruning works required to be performed on tree canopies located within subject site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.*

*The recommendations contained in the approved tree management plan must be implemented to the satisfaction of the Responsible Authority.*

#### *Waste Management Plan*

6. *Concurrent with the endorsement of any plans pursuant to Condition 1, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the plan prepared by Ratio Consultants dated 2 September 2020, but showing to the satisfaction of the Responsible Authority:*
  - a) *The purpose as stated in the City of Monash MUD and Commercial Developments WMP Guide for Applicants;*
  - b) *The TPA number included; and*
  - c) *Scale drawings of waste areas and receptacles.*
7. *The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

#### *Amended Sustainable Management Plan (SMP) Required*

8. *Concurrent with the endorsement of any plans pursuant to Condition 1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by The Green Factory dated 7 August 2020 but modified to include or show:*
  - a) *Any changes as required by Condition 1 of this Permit as relevant.*
9. *The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

#### *Car Park Management Plan Required*

10. *Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:*



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- a) *The number and location of car parking spaces allocated to each tenancy;*
  - b) *Any tandem parking spaces allocated to a single tenancy;*
  - c) *The number and location of car spaces for shared use, including time of shared use;*
  - d) *Details of way-finding, cleaning and security of end of trip bicycle facilities; and*
  - e) *Details regarding the management of loading and unloading of goods and materials.*

11. *The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

*Construction Management Plan*

12. *Prior to the commencement of any site works (including demolition and excavation), a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the Construction Management Plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:*

- a) *Hours for construction activity in accordance with any other condition of this permit;*
- b) *Measures to control noise, dust and water and sediment laden runoff;*
- c) *Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
- d) *Measures relating to removal of hazardous or dangerous material from the site, where applicable;*
- e) *A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;*
- f) *Cleaning and maintaining surrounding road surfaces;*
- g) *A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;*
- h) *Public Safety and site security;*
- i) *A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;*
- j) *A Traffic Management Plan showing truck routes to and from the site;*
- k) *Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;*
- l) *Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;*



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- m) *Contact details of key construction site staff;*
- n) *Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.*
- o) *Except with the prior written consent of the Responsible Authority, a requirement that construction works must only be carried out during the following hours:*
- *Monday to Friday (inclusive) – 7.00am to 6.00pm;*
  - *Saturday – 9.00am to 1.00pm;*
  - *Saturday – 1:00pm to 5:00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines).*
  - *No works are permitted on Sundays or Public Holidays.*

13. *The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

#### *Landscaping and Tree Protection*

14. *An in-ground, automatic watering system connected to rainwater tanks on the land must be installed and maintained to the common garden areas to the satisfaction of the Responsible Authority.*
15. *Before any development (including demolition) starts on the land, a tree protection fence must be erected around all street trees adjacent to the property to define a "Tree Protection Zone" as detailed in the endorsed Tree Management Plan. The fence must be constructed as specified in the endorsed arborist report. The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority.*

#### *Amenity of Area*

16. *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; or*
  - d) *presence of vermin.*

*To the satisfaction of the Responsible Authority.*

#### *Plant / Equipment or features on roof*

17. *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.*

#### *Hours of Operation*

18. *The food and drinks premises use allowed by this permit may operate only during the following hours, except with the prior written consent of the Responsible Authority:*
- *Monday to Sunday: 6am-6pm*

19. *The showroom use allowed by this permit may operate only during the following hours, except with the prior written consent of the Responsible Authority:*

- *Monday to Sunday: 8am-6pm*

*Storage of Goods and Waste*

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

21. *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.*

*Car Parking and Accessways*

22. *Before the use starts or any building is occupied, 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.*

23. *Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.*

24. *Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.*

25. *All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.*

*Drainage and Stormwater*

26. *The site must be drained to the satisfaction of the Responsible Authority.*

27. *No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.*

*Time for Starting and Completion*

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

- a) The development has not started before 2 years from the date of issue.*



*b) The development is not completed before 4 years from the date of issue.*

*In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:*

*(i) within six (6) months afterwards if the use or the development has not commenced; or*

*(ii) within twelve (12) months afterwards if the development has not been completed.*

*Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.*

**NOTES:**

- A. This is not a Building Permit. Building approval must be obtained prior to the commencement of the above approved works.*
- B. Building Over Easement will not be approved for the development. The easement is to be expunged at the time of subdivision.*
- C. Prior to the issue of a building permit, the owner must obtain the consents of all relevant authorities for any buildings or works, including any paving, fences and landscaping, over any easement or underground services under the control of a public authority including sewers, drains, pipes, wires or cables.*
- D. The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:*
- a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or*
  - shaping the internal driveway so that stormwater is collected in grated pits within the property; and or*
  - another Council approved equivalent.*
- E. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.*
- F. The nominated point of stormwater connection for the site is to the north-west corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the Council pit in the naturestrip outside Gilby Road to be constructed to Council standards. (A new pit is to be constructed to Council standards if a pit does not exist, is in poor condition or is not a Council standard pit).*
- G. All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing.*

**CARRIED**

**1.2 Town Planning Schedules**

Moved Cr Little,

Seconded Cr James

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

**CARRIED**

**2. COMMUNITY DEVELOPMENT AND SERVICES**

Nil.

**3. CORPORATE SERVICES**

Nil.

**4. INFRASTRUCTURE**

Nil

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

**5.1 Record of Committees' Meetings and Councillors' Meetings**

Moved Cr Paterson,

Seconded Cr Klisaris

*That Council Notes the Record of Committees Meetings and Meetings of Councillors.*

**CARRIED**

**5.2 2019/2020 Annual Report**

Moved Cr Little,

Seconded Cr McCluskey

*That Council adopts the Annual Report for the 2019/2020 year, in accordance with the Local Government Act 1989.*

The Mayor requested that the minutes record that on page 48 of the Annual Report the 2<sup>nd</sup> line of total attendances should read 13 not 14 and the number of ordinary meetings should be 12 not 13.

**CARRIED**



6. NOTICES OF MOTION

Nil.

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

Nil.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

11.1 Cr Little thanked a number of staff who had supported him throughout his term. He thanked them for their professionalism and advice.

11.2 Cr James thanked officers and the CEO, noting the wide scope of work that the Council was engaged in.

The Mayor declared the meeting closed at 7.20 pm

MAYOR: .....

DATED THIS 25 DAY OF FEB 22 2020