



CITY OF
MONASH

MINUTES

MEETING OF COUNCIL

HELD ON

TUESDAY 10 DECEMBER 2024

at 7:00 PM

COUNCIL CHAMBER

CIVIC CENTRE, 293 SPRINGVALE ROAD, GLEN WAVERLEY

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1 ACKNOWLEDGEMENT OF COUNTRY

Monash Council acknowledges the Traditional Owners of the lands on which we meet, the Wurundjeri Woi Wurrung and Bunurong People, and recognises their continuing connection to the land and waterways.

We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

2 PRESENT AND APOLOGIES

PRESENT

Councillors: P Klisaris (Mayor), B Little (Deputy Mayor) (until 7.07 pm), A de Silva, J Fergeus, S James, G Lake, E Lee, C Little, N Luo, S McCluskey, R Paterson (from 7.04 pm and until 7.07 pm)

Officers: A Diamond, J Doake, R Hopkins, P Panagakos, J Robertson, T Shoshan, S Wickes, S Candeland, G Budhiraja

APOLOGIES

Nil

3 DISCLOSURES OF INTEREST

Nil

4 CONFIRMATION OF MINUTES

Moved: Cr James Seconded: Cr Luo

MOTION

That the minutes of the following meeting be taken as read and confirmed:

- **Meeting of Council held on 11 November 2024.**

CARRIED

Moved: Cr Klisaris

Seconded: Cr James

MOTION

That the minutes of the following meeting be taken as read and confirmed:

- Meeting of Council held on 26 November 2024.

CARRIED

5 RECEPTION AND READING OF PETITIONS, JOINT LETTERS AND MEMORIALS

Nil

6 PUBLIC QUESTION TIME

The Mayor advised that three (3) public questions had been received and one (1) of them has been disallowed.

Question 1: Marcus Fernandez from Clayton asked:

Why do all ratepayers pay for a waste/recycling levy? When residents in apartments and retirement villages have to arrange private waste removal and cannot access Council hard rubbish services either.

Council provided the following response:

The waste levy funds sustainable waste management, aligns with Council's 2021 Revenue Plan, and future changes require community consultation.

Question 2: Marcus Fernandez from Clayton asked:

Last meeting item 7.1.4 UPDATE ON STATE GOVERNMENT HOUSING ANNOUNCEMENTS. I note Cr. Lee declared a conflict of interest as a State Government employee. On behalf of Wheelers Hill residents, I wanted to ask if there are any other areas being a State Government employee may be a general conflict of interest? E.g. issues arising from the Suburban Rail Loop.

Council provided the following response:

Cr Lee has transparently disclosed her employment, which poses no conflict of interest. She understands her obligations and will manage them appropriately.

At 7.04pm Public Question Time concluded.

7 OFFICERS' REPORTS

7.1 City Development

7.1.1 TOWN PLANNING SCHEDULE

Moved: Cr C Little Seconded: Cr Luo

MOTION

That Council notes the report containing the Town Planning Schedules.

CARRIED

7.1.2 TPA/55980 - 410-412 HAUGHTON ROAD CLAYTON - DEVELOPMENT AND USE OF LAND FOR STUDENT ACCOMMODATION

Meeting Note:

The Mayor acknowledged an administrative amendment to the recommendation and requested Council's consent to proceed with debate on the matter, incorporating the amendment.

Moved: Cr James Seconded: Cr C Little

MOTION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/55980) for the development and use of the land for a residential building (student accommodation) at 410-412 Haughton Road Clayton subject to the following conditions:

Amended Plans Required

- 1 Before the development starts, 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 prepared by CGB Architects & Interior Designers, Revision C, dated 23 September 2024, but modified to show:
 - (a) The services cabinet is to be designed to be incorporated into the high component of the fencing using materials and colours to complement the development
 - (b) The provision of a planter box on the eastern side of the communal open space area above the basement to provide buffer landscaping.
 - (c) The existing vehicle crossover to be retained is to be widened by up to 1 metre to

improve access for mini-rear loader waste vehicles.

- (d) The hard waste storage area increased to 2.5 square metres.
- (e) A notation regarding the lemon tree located at 414A Haughton Road that if any roots are exposed during construction, they are to be cleanly cut.
- (f) An amended Landscape Plan prepared in accordance with Condition 4.
- (g) An amended Waste Management Plan prepared in accordance with Condition 6.

All to the satisfaction of the Responsible Authority.

Layout not to be Altered

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

Compliance with Documents Approved under this Permit

- 3 At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Landscaping Plan

- 4 Concurrent with the endorsement of any plans pursuant to Condition 1, an amended 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 John Patrick Landscape Architects, Revision B, except that the plan must show:
 - (a) The layout to accord with the development plan.
 - (b) At least one native canopy tree within the front setback to have mature height of a minimum of 16.5 metres.

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

- 5 Before the occupation of any 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 thereafter maintained to the satisfaction of the Responsible Authority.

Waste Management Plan

- 6 Concurrent with the endorsement of 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 Waste Management Plan prepared by Ratio Consultants, dated 9 February 2022, but revised to the satisfaction of the Responsible Authority to show:

- (a) The layout to accord with the endorsed development plan.
- (b) Waste generation rate for glass added to table 3.1 in a separate column.
- (c) Correction of table 3.4. in respect of glass recycling details.
- (d) Scaled plans to denote waste streams in scale plans (colour coding).
- (e) Guide for residents to include a link to the Monash A-Z guide for instruction over recycling of specific items.

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

Sustainable Management Plan

- 7 The Sustainability Management Plan prepared by JBA Consulting Engineers, Revision E, dated 7 October 2024, will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the Sustainable Design Assessment to the satisfaction of the Responsible Authority. This plan may only be amended with the prior written consent of the Responsible Authority.

Green Travel Plan

- 8 The Green Travel Plan prepared by Ratio, dated 30 September 2024, will be endorsed as part of the planning permit and must be provided to the management and residents of the building to the satisfaction of the Responsible Authority. This plan may only be amended with the prior written consent of the Responsible Authority

Construction Management Plan

- 9 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;
- (m) Contact details of key construction site staff; and
- (n) Except with the prior written consent of the Responsible Authority, a requirement that construction works must only be carried out during the following hours:
 - i Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - ii Saturday – 9.00am to 1.00pm; and
 - iii No works are permitted on Sundays or Public Holidays.

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

S173 Agreement

- 10 Prior to the commencement of the development the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:**
- (a) That no person may reside in the building unless that person is a bona fide student or academic whether part time, full time, short term or resides there in a supervisory, management or caretaker capacity of the facility;
 - (b) Car parking spaces are only permitted to be used by the occupants of the units and their visitors;

- (c) Car spaces must not be individually subdivided, on-sold, leased, rented or made available to any other person other than an owner or occupant or visitor of the premises;
- (d) That residents of the units will be notified in writing as part of any lease or rental agreement that they will not be entitled to car parking permits for on street car parking;
- (e) Clearly note and acknowledge that should the land cease to be used for student housing, a new planning permit may be required for an alternative use. It should be noted that any dispensation for on-site car parking given to the student accommodation use is not transferable to any proposed alternative use of the land. Any subsequent use will be assessed in accordance with the car parking requirements of the Monash Planning Scheme;
- (f) That the student accommodation premises must be managed by a single entity with responsibility for all aspects of the use; and
- (g) An operational management plan prepared and implemented to the satisfaction of the Responsible Authority according with Condition 11 of this permit.

All costs of preparation, execution and registration of the agreement must be borne by the owner of the land, or the future Owners Corporation, including those costs incurred by the Responsible Authority.

Operational Management Plan

- 11** Prior to the commencement of the student accommodation use, an Operational Management Plan must be submitted to and approved by the Responsible Authority. The Plan should detail but not limited to:
- (a) Induction of residents to be familiar with the behaviour requirements of the Management Plan;
 - (b) A log for recording residents and visitor details;
 - (c) Student accommodation units managed and under the control of a single operator responsible for the operation and maintenance of the entire premises for the life of the use as student accommodation;
 - (d) The 24 hour contact details for the management of the premises displayed in a manner and location that it is visible to any person entering the site. This information is to be updated as required immediately following any change to the nominated responsible management contact person;
 - (e) A resident on-site manager must be on the premises at all times.
 - (f) All issues or complaints that arise must be recorded and must include details of actions taken to address the issue or complaint;
 - (g) Appropriate management of the car park including access arrangements;
 - (h) Provision of the endorsed Green Travel Plan to management and residents;

- (i) Appropriate maintenance of buildings and grounds, including all landscaped areas;
- (j) Waste Disposal, including management of bins, in accordance with the waste management conditions of this permit;
- (k) Landscaping maintenance; and
- (l) Goods must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.

When approved, the Operational Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority.

Ongoing Architect Involvement)

- 12 As part of the ongoing consultant team, CBG Architects or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Car Parking and Access

- 13 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; and
 - (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.

- 14 The accessible parking space should be designed in accordance with the Australian Standard for *Off-Street Parking for people with disabilities, AS/NZS 2890.6*. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm. The headroom above each dedicated space and adjacent shared area shall be a minimum of 2500mm.
- 15 Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.

- 16 Before the use starts or any building is occupied the convex mirror must be installed as per the endorsed plans.**

Vehicle Crossings

- 17 The existing redundant vehicle crossover is to be removed and replaced with kerb and channel. The footpath and nature strip are to be reinstated to the satisfaction of Council**

Drainage

- 18 The site must be drained to the satisfaction of the Responsible Authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.**

Use of Land and Site Management

- 19 The development can only be used for the purpose of student accommodation. Should the land cease to be used for student accommodation, a new planning permit may be required for any alternative use. The car parking requirements for any subsequent use will be assessed in accordance with the provisions of the Monash Planning Scheme.**
- 20 The total number of bedrooms within the student accommodation facility must not exceed 65, except with the further written consent of the responsible authority.**
- 21 No more than one (1) tenant is permitted per room.**
- 22 Prior to the occupancy of the development, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained ongoing to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent glass or windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.**
- 23 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.**
- 24 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) overspill of car parking onto the street network;
- e) presence of vermin;

To the satisfaction of the Responsible Authority.

Time for Starting and Completion

25 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 is not started before two (2) years from the date of issue.
- (b) The development is not completed before four (4) years from the date of issue.
- (c) The use is not started before four (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. Building Permit approval for the works must be obtained prior to the commencement of the approved works.
- B. Engineering permits must be obtained for new or altered or removal of vehicle crossings, works within the Road Reserve and for stormwater connections and these works are to be inspected by Council.
- C. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.
- D. The full cost of reinstatement of any Council assets affected by the demolition, building or construction works, must be met by the permit applicant or any other person responsible for such works, to the satisfaction of the Responsible Authority.
- E. The design parameters for the internal detention system are to be obtained from Council's Engineering Department (mail@monash.vic.gov.au).
- F. No polluted and/or sediment laden stormwater 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.

- G. Stormwater 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 any stormwater drainage works commencing.
- H. An on-site detention system for storm events up to the 1% AEP event is to be retained on-site for the basement car park. 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.
- I. A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of any works. The plans are to show sufficient information to determine that the drainage and civil works will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on www.monash.vic.gov.au
- J. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
- K. Any residents of the approved development will not be entitled to car parking permits for on street car parking.
- L. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.

CARRIED

7.2 Community Services

7.2.1 PROJECT C09723 - BRANDON PARK RESERVE PAVILION REDEVELOPMENT - PROJECT BUDGET VARIATION EXCEEDING CEO DELEGATION

Moved: Cr McCluskey Seconded: Cr Lee

MOTION

That Council

1. Approves the variation of Project C09723 – Brandon Park Reserve Pavilion Redevelopment – Design to a multi-year project, incorporating the construction phase into the project scope.
2. Approves a budget increase of \$3,635,000 which includes \$500,000 that has been committed by the Victorian Government.
3. Notes that the adopted project budget is \$483,000.
4. Notes that the revised budget for Project C09723 – Brandon Park Reserve Pavilion Redevelopment is \$4,618,000.
5. Notes that the Project will be delivered across the 2024/25 and 2025/26 Financial Years.

(*Please note that all dollar figures are GST Exclusive unless stated otherwise)

CARRIED

7.2.2 MULTICULTURAL ADVISORY COMMITTEE MEMBERSHIP EXTENSION REPORT

Moved: Cr Lee

Seconded: Cr Luo

MOTION

That Council:

1. Endorses a two-year extension for the following six existing Multicultural Advisory Committee members:

Eman Armanous

Nira Rahman

Malinda Zhu

Amit Patel

Rajmohan Ramanathapillai

Philip Liberatore

2. Thanks Elisha Lee, as outgoing Multicultural Advisory Committee Member, for her time and valuable contribution over the past two years.

CARRIED

Meeting Note:

Council initially missed the vote on this item. Subsequently, the meeting was reopened to conduct the vote, with the following Councillors present: P Klisaris (Mayor), A de Silva, J Fergeus, S James, G Lake, E Lee, C Little, N Luo, S McCluskey.

7.2.3 COMBINED ADVISORY COMMITTEES ANNUAL REPORT - 2024

Moved: Cr Fergeus

Seconded: Cr C Little

MOTION

That Council:

1. Notes the activities of the Advisory Committees identified in this report, during 2024, and thanks all members for their time and contributions.
2. Notes the resignation of the following representatives and thanks them for their valuable contribution:
 - a) Zoe Broomhead, Helen Haughton and Sharon Roxby from the Disability Advisory Committee.
 - b) Sarah Chong, Louise Gracey, Nandini Sengupta, Christopher Unwin and Deborah Wu from the Gender Equity Advisory Committee.
 - c) Chloe Codling, Emily Griffith and Al Eli Baxter from the LGBTIQA+ Advisory Committee.
 - d) Rida Khan and Rukhsana Ahmadi from the Multicultural Advisory Committee.
 - e) Chandani Patel, Fiona Zhang, Bella Young and Wesley Chan from the Monash Youth Committee.
 - f) Marlene Bottrell from the Positive Ageing Reference Group. Additionally, three members - Elaine Ford, Shi Qin Gao and Jennifer Sheppard completed their tenure.
3. Notes the successful appointment of:
 - a) Liam Noveloso, Navya Kumar, Aditi Sanghi, Osandi Liyanage, Sanjoli Patra, Yixi Qin, Marcus Chee, Lucas Chee, Jill Xu, Makarram Jameel, Melody Zhang and Saathvika Arun to the Monash Youth Committee.

CARRIED

7.3 Corporate Services

Nil

7.4 City Services

7.4.1 ENVIRONMENTAL SUSTAINABILITY STRATEGY 2016-2026 ANNUAL UPDATE 2023-2024

Moved: Cr Fergeus

Seconded: Cr Luo

MOTION

That Council notes the findings of the Annual Update Report on Environmental Sustainability Strategy 2016-2026 for 2023-24.

CARRIED

7.5 Chief Executive Officer

Nil

UNCONFIRMED

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION- COUNCIL'S DISCRETIONARY EXPENDITURE FUND APPLICATION- DECEMBER

Moved: Cr McCluskey Seconded: Cr Luo

MOTION

That Council resolves to approve the following applications for funding from the Council's Discretionary Expenditure Fund in accordance with the guidelines.

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
Antonio Wijeyesakere (Individual)	Financial Assistance for the Australian Boys Choir Tour of New Zealand	\$500

CARRIED

9 URGENT BUSINESS

Nil

10 CONSIDERATION OF WRITTEN REPORTS OF COMMITTEES

Nil

11 PERSONAL EXPLANATIONS

Nil

12 COUNCILLORS' REPORTS

Nil

13 CONFIDENTIAL BUSINESS

Nil

14 MEETING CLOSURE

The Mayor declared the meeting closed at 7.07pm.

Moved: Cr Klisaris

Seconded: Cr Luo

PROCEDURAL MOTION

That Council reopens the meeting for the public.

CARRIED

Meeting Note:

Council resolved to reopen the meeting to the public at 7:10 PM to vote on Item 7.2.2. The following Councillors were present: P Klisaris (Mayor), A de Silva, J Fergeus, S James, G Lake, E Lee, C Little, N Luo, S McCluskey.

The Mayor declared the meeting closed at 7.11pm.

MAYOR:

DATED: XX

UNCONFIRMED