



CITY OF  
MONASH

# MINUTES

MEETING OF COUNCIL

HELD ON

TUESDAY 28 JANUARY 2025

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: B Little (Deputy Mayor), S James, G Lake, E Lee, C Little, S McCluskey, R Paterson (from 7.15pm)

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

### APOLOGIES

Councillors: P Klisaris (Mayor), A de Silva, J Fergeus, N Luo

## 3 DISCLOSURES OF INTEREST

## 4 CONFIRMATION OF MINUTES

Moved: Cr C Little      Seconded: Cr James

### **MOTION**

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

- **Meeting of Council held on 10 December 2024**

**CARRIED**

## 5 RECEPTION AND READING OF PETITIONS, JOINT LETTERS AND MEMORIALS

Nil

## 6 PUBLIC QUESTION TIME

At 7.05pm Public Question Time commenced.

The Mayor advised that two (2) public questions had been received.

Question 1: Dean Hurlston from Council Watch asked:

What is the approximate cost per public Council meeting for Councillor and Staff meals, refreshments and beverages? (If applicable)

***Council provided the following response:***

***Thank you for your question, Dean.***

***The average cost for Councillor and staff meals, refreshments and beverages is approximately \$39 per head per Council Meeting.***

Question 2: Marcus Fernandez from Clayton asked:

The number of businesses in external administration has recently hit a record high in Victoria, according to Creditor Watch.

I have noticed Monash recently called for applications for their disability, environmental, Gender Equity, and LGBTIQ+ Advisory Committees. As a small business owner, I wanted to ask Monash Council has or would consider creating a Small Business Advisory Committee too? To ensure local businesses have a voice.

***Council provided the following response:***

***Thank you for your question, Marcus.***

***The City of Monash supports three Traders Associations funded through a Special Levy. The trader associations at Glen Waverley, Mount Waverly and Clayton work closely with Council to promote their centres to encourage visitation. Council's Placemakers and Economic Development teams also have strong relationships and liaise regularly with local traders.***

***The Monash Women's Business Network is another way the City of Monash ensures local business has a voice. This network celebrates and showcases successful women in business and hosts three major lunches each year which provides the opportunity for connection and networking.***

*The City of Monash is also a major sponsor of the Monash Business Awards which promote business success and excellence through the recognition of significant achievements and innovations. There are multiple events each year with keynote speakers and nominees invited to present about their business.*

*There is no intention to create a separate Small Business Advisory Committee at this time.*

At 7.06pm Public Question Time concluded.

## **7 OFFICERS' REPORTS**

### **7.1 City Development**

#### **7.1.1 TOWN PLANNING SCHEDULE**

Moved: Cr McCluskey     Seconded: Cr Lee

#### **MOTION**

That Council notes the report containing the Town Planning Schedules.

**CARRIED**

#### **7.1.2 TPA/56050 - 2015 DANDENONG ROAD CLAYTON - COMMUNITY CARE ACCOMMODATION AND APARTMENTS**

Moved: Cr McCluskey     Seconded: Cr C Little

#### **MOTION**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/56050) for the use of the land for community care accommodation, construction or extension of two or more dwellings on the land, buildings and works for a section 2 use, and creation or alteration of access to a road in a Transport 2 Zone at 2015 Dandenong Road CLAYTON 3167 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 Archwon Design, Revision N, dated 15 November 2024, but modified to show:**

- a) Deletion of obscure glazing in the window of unit G.01 facing Dandenong Road.
- b) The provision of acoustic glazing or other approved equivalent to windows over the basement entry to prevent a loss of internal amenity through noise.
- c) The provision of acoustic glazing or other approved equivalent to Dandenong Road facing units to prevent a loss of internal amenity through noise.
- d) The balconies of apartments A1.05 and A2.05 provided with minimum 1.7 metre high obscure glazing to prevent overlooking of 12 Parker Street.
- e) All roof plant and equipment, lift overrun and details of adequate screening.
- f) A planter located on the northern and southern sides of the accessway with a minimum width of 500mm (with any fencing set back) to allow for landscaping to spill over to soften the retaining walls adjacent to the accessway.
- g) The fencing on the western side of the communal open space (Parker Street frontage) to be a maximum of 1.7m in height).
- h) At least 50% of the apartments provided with accessible bathrooms in accordance with Standard B42.
- i) An amended Landscape Plan prepared in accordance with Condition 4.
- j) An amended Waste Management Plan prepared in accordance with Condition 6.
- k) An amended Sustainability Management Plan prepared in accordance with Condition 7.

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 Keystone Alliance, dated 16 February 2024, except that the plan must show:
  - a) The layout to accord with the development plan.
  - b) A minimum of 7 tall canopy trees (minimum mature height of 10 metres) in the street setbacks, within the communal space and along the side boundaries of the site in addition to the screen planting proposed.
  - c) Inclusion of landscape details of the balconies with proposed planter areas.

d) Suitable planting to visually soften the bioretention tank and associated equipment.  
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 Impact Traffic Engineering, dated 25 September 2024, but revised to the satisfaction of the Responsible Authority to show:

- a) The layout to accord with the endorsed development plan.
- b) Modified to detail the correct number of dwellings and maximum occupancy of the premises.
- c) Adequate provision for e-waste requirements.

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. Concurrent with the endorsement of plans requested 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 plan will be endorsed and will form part of this permit. The amended plan must be generally in accordance with the Sustainable Management Plan prepared by Bestec, dated July 2024, but modified to accord with the endorsed development plan.

Upon approval the Sustainable Management Plan will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the plan to the satisfaction of the Responsible Authority.

This plan may only be amended with the prior written consent of the Responsible Authority.

8. The Green Travel Plan contained in the Sustainable Management Plan must be provided to the 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.

#### Ongoing Architect Involvement

10. As part of the ongoing consultant team, Archwon Design 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**

11. 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.

12. The accessible parking spaces 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.
13. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.

#### **Vehicle Crossings**

14. The vehicle crossover on Dandenong Road Service Road must be designed, approved and constructed to the satisfaction of the responsible authority.
15. The existing redundant vehicle crossover in Parker Street 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**

16. 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.

#### **Reticulated Gas Connection**

17. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

#### **Use of Land and Site Management**

18. 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 all apartments on the ground floor are to be used for Community Care Accommodation and that apartments G07 and G08 are used only for the purposes of providing care to the residents of the Community Care Accommodation apartments;
- b) That residents of the ground floor apartments 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; and
- c) Clearly note and acknowledge that should any changes be made to the use of the apartments identified for Community Care Accommodation or their carers, 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 Community Care Accommodation use or their carers 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.

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.

19. All apartments on the ground floor are to be used for Community Care Accommodation and apartments G07 and G08 are to be used only for the purposes of providing care to the residents of the Community Care Accommodation apartments. Should any of these apartments cease to be used for Community Care Accommodation or their carers, 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. 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.
21. 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.
22. 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.

Department of Transport and Planning Condition (Ref: PPR 46655/24)

23. Prior to the commencement of the use hereby approved, the new crossover onto Dandenong Road Service Road must be completed to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority and the Head, Transport for Victoria.

Time for Starting and Completion

24. 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. 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.
- C. 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.
- D. 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.
- E. 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](http://www.monash.vic.gov.au)

- F. The design parameters for the internal detention system are to be obtained from Council's Engineering Department (mail@monash.vic.gov.au). In some circumstances, a drainage contribution may be accepted instead of a detention system. This drainage contribution is based on the proposed hard-surfaced areas and is calculated at the time of the drainage plan approval.
- G. 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 the Council.
- H. 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.
- I. 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.
- J. Any residents of the approved development will not be entitled to car parking permits for on street car parking.
- K. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.

**Department of Transport and Planning Notes**

- L. The proposal requires works within Dandenong Road Road reserve. Separate approval under the Road Management Act 2004 for this activity is required from the Head, Transport for Victoria prior to commencing any works within the road reserve.
- M. The Road Access Permit Portal (RAPP) was launched in 2022, and all applications for consents for works within the road reserve are now required to be submitted through RAPP. You can access RAPP through the website <https://rapp.transport.vic.gov.au/> Please get in touch via [rapp.support@roads.vic.gov.au](mailto:rapp.support@roads.vic.gov.au) if you have any questions.

CARRIED

### **7.1.3 TPA/56395 - 31-33 HIGH STREET ROAD ASHWOOD - DEVELOPMENT AND USE OF A FOUR STOREY MEDICAL CENTRE**

Moved: Cr McCluskey    Seconded: Cr James

#### **MOTION**

**That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/56395) for the use and development of the land for a four storey medical centre, display of internally illuminated business identification signage, alteration of access to a road in a Transport Zone 2 and removal of 2 trees within a Vegetation Protection Overlay at 31-33 High Street Road, Ashwood subject to the following grounds:**

- 1. The built form, scale and setbacks of the proposal and overall impact on character are not consistent with Clause 13.07-1L-01 – Non-Residential Use and Development in Residential Areas Policy.**
- 2. The proposed removal of mature trees and inability to satisfactorily plant new canopy trees with spreading crowns is not consistent with Clause 15.01-1L-02 – Tree Conservation for a Garden City Policy.**
- 3. The proposal is not consistent with the strategies for the Garden City (Northern Areas) at Clause 15.01-5L – Monash Preferred Neighbourhood Character Policy.**
- 4. The proposal is not consistent with the decision guidelines of the General Residential Zone and Schedule 3 at Clause 32.08.**
- 5. The proposed tree removal is not consistent with the objectives and decision guidelines of the Vegetation Protection Overlay at Clause 42.02.**
- 6. The car parking and access arrangements are not satisfactory, unsafe, and inconsistent with the Car Parking Provisions at Clause 52.06.**
- 7. Deliveries and waste collection is inadequate, not functional and will have an adverse impact on surrounding residential amenity.**
- 8. Sign 3 is inconsistent with the character of the area and will impact road safety.**
- 9. The proposal will result in overlooking into habitable room windows in 7 Kennett Street.**
- 10. The proposal will have a detrimental effect on the amenity of the area.**

**CARRIED**

#### **7.1.4 TPA/56226- 6-8 KERRIE ROAD, GLEN WAVERLEY - CONSTRUCTION OF A TWO-STOREY EXTENSION TO THE EXISTING BUILDING AND REDUCTION OF THE CAR PARKING REQUIREMENT AND BICYCLE FACILITIES FOR A RESTAURANT WITH MAXIMUM 90 PATRONS**

Moved: Cr Lake

Seconded: Cr James

##### **MOTION**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit TPA/56226 for the construction of a two-storey extension to an existing building, amendment of the liquor licence area and reduction of the car parking requirement and bicycle facilities for a restaurant use with a maximum of 90 patrons at 6-8 Kerrie Road Glen Waverley subject to the following conditions:

##### **Amended Plans**

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 DND Studio, dated September 2024 but modified to show:
  - a) The facade treatment of the side walls (north and south) of the first and second floors modified to provide for improved decorative treatment to provide for visual interest;
  - b) The 3D images of the rear of the building to reflect the use of material MET-01 as identified in the materials schedule;
  - c) The bin storage area incorporated within the building, or modified screening provided to reduce its visual impact to the laneway;
  - d) Internal reconfiguration to provide internal stair access between the ground and first floors;
  - e) Location of any proposed plant equipment and associated screening;
  - f) The red-line plan amended to include all areas where liquor is stored or served, including internal corridors and back of house (if applicable);
  - g) Bicycle spaces or staircase reorientated to avoid obstruction of any required access;
  - h) Restriction of public access to the ramp down to the bin area at ground level.
  - i) Roof terrace on the second floor of the building to be noted to be used for staff only;
  - j) Changes required to accord with the Waste Management Plan in accordance with Condition 10.

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.

### Consumption of Alcohol

3. Alcohol must only be consumed within the areas delineated on the plans by a red line. Signs to this effect must be displayed to the satisfaction of the Responsible Authority prior to the commencement of use.

### Compliance with documents approved under this Permit

4. 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.

### Hours of Operation

5. Except without the prior written consent of the Responsible Authority, the sale and consumption of liquor may only occur during the following hours:

- Monday to Sunday: 12pm to 3pm
- Monday to Sunday: 5pm to 10pm

With the exception of the Public holiday restrictions from the Victorian Liquor Licensing Authority.

### Maximum Number of Patrons/ Staff

6. No more than the following number of patrons are permitted on the land at any one time except without the written consent of the Responsible Authority:
  - Monday to Sunday: 12pm to 3pm (maximum 60 patrons)
  - Monday to Sunday: 5pm to 10pm (maximum 90 patrons)
7. No more than 8 staff are permitted on the land at any one time without the prior written consent of the Responsible Authority.

### Waste Management Plan

8. Before the plans required by Condition 1 are endorsed, a Waste Management Plan [WMP] must be submitted and approved by the Responsible Authority. The plan must be substantially in accordance with the Waste Management Plan prepared by Traffix Group and dated July 2024 but revised to reflect the updated bins location in accordance with the changes under Condition 1, and show the following changes:
  - a) Include the purpose of the WMP as per the City of Monash *Multi-Unit and Commercial Development Waste Management Plan Guide*;
  - b) Addition of the TPA number of this application;
  - c) Separation of dining/ floor area and other spaces (office space, toilets etc) in waste generation calculation;
  - d) The relevant waste generation rate referenced when calculating waste generation;
  - e) A food waste generation estimate provided, and description of how food waste will be managed;
  - f) Description of the proposed bin capacity and type for food waste recycling;
  - g) Include a future separated glass recycling service;



- h) Revision for organics recycling as a standard service and reflected in the updated waste generation calculations;
- i) Collection time restrictions described as per City of Monash Local Law No.3 and EPA Guidelines including:
  - i) Collections occurring once a week restricted to the hours 6am to 6pm, q
- j) A set of principle applied to ensure adequate management of waste, including food waste;
- k) Bin storage areas supported with scaled plans and marked up to indicate:
  - i) Amenity (screening, odour, and noise);
  - ii) Cleaning/ washing;
  - iii) Drainage to sewer;
  - iv) Accessibility;
  - v) Bin manoeuvrability;
  - vi) All waste streams.
- l) References to cleaning/ washing facilities and drainage to sewer described in terms of 'must' instead of 'should' as they are mandatory requirements;
- m) The option to engage private bin washing services to support the onsite management of bins (but must not be the only option so issues with bins and spills can be resolved in a timely manner and not subject to third party scheduling);
- n) Indication of site accessibility supported with scaled plans;
- o) For street collection- reference City of Monash Local Law No.3 including restrictions requiring bins to be brought in from the street following collection on the same day of collection and placed out no more than 24 hours prior to collection;
- p) Show location of each bin at collection point; and
- q) Additional explanation about hard waste and e-waste requirements adequately catered for and planned, supported by scaled plans.

Waste collection must be undertaken in accordance with the approved WMP to the satisfaction of the Responsible Authority.

#### Amenity of Area

9. The amenity of the area must not be detrimentally affected by the use or development, through the:
- transport of materials, goods or commodities to or from the land;
  - appearance of any building, works or materials;
  - emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - overspill of car parking onto the street network;
  - direct access to patrons via the rear laneway;

- presence of vermin

To the satisfaction of the Responsible Authority.

10. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
11. As part of the ongoing consultant team, DND Studio or an architectural firm which has comparable skills 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 consistent with the proposal as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### **Sustainable Design Assessment**

12. Concurrent with the endorsement of plans requested pursuant to Condition 1, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment Green Rate dated 16 September 2024 but modified to reflect the updated plan under Condition 1.

Upon approval the Sustainable Design Assessment 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.

#### **Construction Management Plan**

13. Prior to the commencement of any sitework (including any demolition and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the CMP has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
  - a) Appropriate measures to control noise, dust and water and sediment laden runoff;
  - b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
  - c) Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;
  - d) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network;
  - e) A program for the cleaning and maintaining surrounding road surfaces;

- f) 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;
- g) Measures to provide for public safety and site security;
- h) 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-contractors/tradespersons upon completion of such areas, without delay;
- i) A Traffic Management Plan showing truck routes to and from the site;
- j) A 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;
- k) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- l) The provision of contact details of key construction site staff; and
- m) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or 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 except with the prior written consent of the Responsible Authority.

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

#### General Conditions

- 14. The walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority.
- 15. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.
- 16. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans must be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
- 17. All waste receptacles must be stored on the property except during waste collection to the satisfaction of the Responsible Authority.

## 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.

## Time for Starting and Completion

19. 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 is not started before two (2) years from the date of issue.
  - The development is not completed before four (4) years from the date of issue.
  - The liquor licence has not commenced before four (4) years from the date of issue.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

## NOTES

- The permit shall have no force or effect until such time as an on-premises licence is issued by Liquor Licensing Victoria.
- This is not a Building Permit. Building Permit approval must be obtained prior to the commencement of the above approved works.
- 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.
- The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
- 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](http://www.monash.vic.gov.au)

CARRIED

### **7.1.5 TPA/43046/A - 13 TUHAN STREET, CHADSTONE - EXTENSION OF TIME OF PERMIT FOR THE DEVELOPMENT OF TWO DOUBLE STOREY DWELLINGS**

Moved: Cr Lake

Seconded: Cr C Little

#### **MOTION**

That Council resolves to issue an Extension of time to Planning Permit TPA/43046/A for the development of two double storey dwellings at 13 Tuhan Street, Chadstone, pursuant to the provisions of Section 69 (2) of the Planning and Environment Act 1987.

1. That in accordance with Section 69(2) of the Planning and Environment Act 1987, the time for the completion of the development be extended by a further two (2) years. The development must be completed by 28 November 2026.

**CARRIED**

### **7.1.6 TPA/45077 - 2A BLETCHLEY ROAD HUGHESDALE - EXTENSION OF TIME OF PERMIT FOR THE DEVELOPMENT OF A DOUBLE STOREY DWELLING AT THE SIDE OF THE EXISTING DWELLING**

Moved: Cr McCluskey

Seconded: Cr Lake

#### **MOTION**

That Council resolves to issue an Extension of time to Planning Permit TPA/45077 for the development of a double storey dwelling at the side of the existing dwelling, pursuant to the provisions of Section 69 (2) of the Planning and Environment Act 1987.

1. That in accordance with Section 69(2) of the Planning and Environment Act 1987, the time for the completion of the development be extended by a further two (2) years. The development must be completed by 7 January 2027.

**CARRIED**

### 7.1.7 TPA/46460 - 23 Terrigal Street Chadstone Extension of Time for the Permit for the construction of three (3) double storey dwellings

Moved: Cr James

Seconded: Cr Lake

#### MOTION

That Council resolves to issue an Extension of time to Planning Permit TPA/46460 for the construction of three (3) double storey dwellings at 23 Terrigal Street, Chadstone, pursuant to the provisions of Section 69 (2) of the Planning and Environment Act 1987.

1. That in accordance with Section 69(2) of the Planning and Environment Act 1987, the time for the commencement and completion of the development be extended by a further two (2) years. The development must be commenced by 3 January 2027 completed by 3 January 2029.

CARRIED

Meeting Note:

- Cr Patterson joined the meeting at 7.15 pm.

## 7.2 Community Services

### 7.2.1 DRAFT ACTIVE RESERVE ADVERTISING AND SPONSORSHIP POLICY

Moved: Cr James

Seconded: Cr McClusky

#### MOTION

That Council

1. Approves the draft Active Reserves Signage and Sponsorship Policy 2025, as presented in Attachment A, for public exhibition and community consultation.
2. Notes that a final Active Reserves Signage and Sponsorship Policy will be presented to Council for endorsement at a future meeting following a review of the community consultation findings.

CARRIED

## 7.2.2 PROGRESS OF RAINBOW TICK AND FUTURE DIRECTION

Moved: Cr James

Seconded: Cr McCluskey

### MOTION

That Council

1. Notes the progress of initiatives undertaken by the Council relating to the internal Rainbow Tick Plan.
2. Updates wording on relevant documentation including the 2021-25 Council Plan from 'achieve Rainbow Tick certification' to 'achieve Rainbow Tick accreditation for priority programs and services'.
3. Further explores the Local Government Rainbow Ready Roadmap as an alternative option for Rainbow Tick.

CARRIED

## 7.2.3 SUPPLY AND DELIVERY OF RETAIL PRODUCTS TO ACTIVE MONASH RECREATION CENTRES

Moved: Cr McClusky

Seconded: Cr C Little

### MOTION

That Council

1. Awards the tender from Speedo Pty Ltd, Viva Global Pty Ltd and Head Oceania Pty Ltd (Zoggs Australia) to form a panel of suppliers for the Supply and Delivery of Retail Products to Active Monash Recreation Centres, Contract No. 2024199 for a schedule of rates-based contract with an estimated contract value of \$595,338 for the initial term and an estimated total contract value of \$1,022,592 inclusive of all available extension options.
2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement.
3. Notes that the contract will commence on 1 April 2025, with an initial term of three years and the contract has one extension option of two years, and authorises the Chief Executive Officer to approve the extension option subject to satisfactory performance and
4. Notes that the estimated schedule of rates contract values stated above are also subject to an annual CPI indexation as per the contract.

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

CARRIED

## 7.2.4 GLEN WAVERLEY BOWLS CLUB FUTURE DEVELOPMENT PRIORITIES

Moved: Cr McCluskey      Seconded: Cr Lee

### MOTION

That Council

1. Notes that Glen Waverley Bowls Club ranks as the highest priority out of Monash's bowls venues for future capital works improvements/investment using Council's endorsed Capital Works Prioritisation Framework.
2. In principle, supports future capital works improvements at Glen Waverley Bowls Club that increase participation and community benefit outcomes (such as canopy cover/s over synthetic green/s) subject to project prioritisation and external funding.
3. Encourages bowls clubs to work together with the view to consolidating assets and resources to improve the long-term sustainability of the sport of lawn bowls in Monash.

CARRIED

## 7.3 Corporate Services

### 7.3.1 INFORMAL MEETING OF COUNCILLORS RECORDS

Moved: Cr Lee      Seconded: Cr McCluskey

### MOTION

That Council notes the Informal Meetings of Councillors Records.

CARRIED

### 7.3.2 AUDIT AND RISK COMMITTEE MEETING MINUTES DECEMBER 2024

Moved: Cr Lake      Seconded: Cr Lee

### MOTION

That Council

1. Notes the unconfirmed minutes of the 16 December 2024 Audit and Risk Committee (the Committee) and



2. Notes that the minutes will be confirmed by the Chair of the Committee at the next Committee meeting, and any substantive changes to the unconfirmed minutes will be reported to the next Council possible meeting.

CARRIED

### 7.3.3 SIX MONTHLY AUDIT AND RISK COMMITTEE REPORT AND ANNUAL SELF-ASSESSMENT SURVEY

Moved: Cr Lake

Seconded: Cr Lee

#### MOTION

##### That Council

1. Notes the six-monthly briefing report forwarded by Council's Audit and Risk Committee (the Committee) to the Chief Executive Officer (CEO) that outlines the Committee's activities in relation to the functions of the Committee.
2. Notes the annual self assessment of the Audit and Risk Committee's performance against the Charter.

CARRIED

### 7.3.4 FINANCIAL MANAGEMENT AND CAPITAL WORKS DECEMBER 2024 QUARTERLY REPORT

Moved: Cr James

Seconded: Cr Lee

#### MOTION

##### That Council

1. Notes the Quarterly Financial Management and Capital Works Progress Report for the period ending 31 December 2024, presented in accordance with Section 97 of the Local Government Act 2020.
2. Approves the project variations contained therein.
3. Accepts the opinion of the Chief Executive Officer, as required under section 97(3) of the Local Government Act 2020, that a revised budget is not required.

CARRIED

## 7.4 City Services

### 7.4.1 CONTRACT NO. 2024209 - SUPPLY OF PLUMBING SERVICES AND RELATED WORK

Moved: Cr James

Seconded: Cr Lee

#### MOTION

That Council

1. Awards the tenders from A K Chapple Pty Ltd, New Plumbing Solutions and Reed Plumbing and Drainage Solutions Pty Ltd for the following category:
  - a) Part 1: General Plumbing - Reactive Works, for a schedule of rates-based contract with an estimated annual contract value of \$1,183,237 and a total estimated contract value of \$7,538,322 inclusive of all available extension options.
2. Awards the tender from True Blue Plumbing Australia Pty Ltd for the following categories:
  - a) Part 2: Roof and Gutter Cleaning - Routine Works, for an annual lump sum of \$169,257 with an extra \$26,000 per annum for contingencies for a total contract value of \$1,171,542 inclusive of all available extension options.
  - b) Part 2: Roof and Gutter Cleaning - Reactive Works, for a combined schedule of rates-based contract with an estimated annual contract value of \$36,300, and a total estimated contract value of \$217,800 inclusive of all available extension options.
3. Awards the tender from Reed Plumbing and Drainage Solutions Pty Ltd for the following category:
  - a) Part 3: Various Routine Services, for an annual lump sum of \$127,040 with an extra \$40,000 for Contingencies with a total contract value of \$990,912 inclusive of all available extension options.
4. Authorises the Chief Executive Officer to execute the contract agreement.
5. Notes that the contract will commence on 1<sup>st</sup> March 2025 or shortly thereafter, with an initial term of two (2) years with two (2) separate optional extension of two (2) years each and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance.
6. Notes that the tendered annual lump sums and schedule of rates are also subject to an annual CPI indexation process as per the contract and that the estimated annual contract values will also be indexed accordingly.

(\*Please note that all dollar figures are GST Inclusive unless stated otherwise).

CARRIED

## **7.5 Chief Executive Officer**

Nil

## **8 NOTICES OF MOTION**

Nil

## **9 URGENT BUSINESS**

Nil

## **10 CONSIDERATION OF WRITTEN REPORTS OF COMMITTEES**

Nil

## **11 PERSONAL EXPLANATIONS**

## **12 COUNCILLORS' REPORTS**

Cr Lee:

- Wished everyone a Happy New Year
- Attended her first Australia Day Citizenship ceremony and congratulated all the new citizens
- Celebrated the Lunar New Year with residents
- Thanked the community for their support and expressed excitement about meeting more residents.

Cr Little:

- Attended the Australia Day Citizenship ceremony and congratulated the event organisers
- Attended a Lunar New Year event with residents, noting that the Year of the Snake begins tomorrow.

## 13 CONFIDENTIAL BUSINESS

Moved: Cr B Little

Seconded: Cr James

### PROCEDURAL MOTION

That Council, having reviewed and considered the certificates in relation to the matter listed for confidential business, and being satisfied that it is appropriate and necessary to consider these matters in confidential business, resolve to:

- Close the meeting to the public in accordance with section 66(2)(a) of the Local Government Act 2020 for the reasons specified in the certificate.

**CARRIED**

The Council moved into Confidential business at 7.37pm.

### RETURN TO OPEN COUNCIL

The Council returned to open Council at 7.40pm.

## 14 MEETING CLOSURE

The Mayor declared the meeting closed at 7.40pm.

**MAYOR:** .....

**DATE:** xx