



CITY OF  
**MONASH**

# **MINUTES**

**MEETING OF COUNCIL**

**HELD ON**

**TUESDAY 25 FEBRUARY 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: P Klisaris (Mayor), B Little (Deputy Mayor), A de Silva, J Fergeus, G Lake, E Lee, C Little, N Luo, S McCluskey, R Paterson.

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

### APOLOGIES

Councillor: S James.

## 3 DISCLOSURES OF INTEREST

Cr Luo declared a General Conflict of Interest for:

- Item 8.1: Notice of Motion- Council's Discretionary Expenditure Fund Application- February 2025

## 4 CONFIRMATION OF MINUTES

Moved: Cr B Little

Seconded: Cr de Silva

### **MOTION**

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

- **Meeting of Council held on 28 January 2025.**

**CARRIED**

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

Nil.

## 6 PUBLIC QUESTION TIME

The Mayor advised that one (01) question had been received.

Question 1: An Nguyen from Mulgrave

Is Monash Council committed to child safety and will Monash continue it's Rainbow Tick program and Trans Day of Visibility from last year after this incident in Clayton South. "Reference to an Article is provided" Simple Yes or no please.

Furthermore what step will Monash Council take to stop anti-semitism when this happen here in Clayton South. "Reference to an Article is provided" And how safe is it for our Jewish community when that happen?

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

***Monash Council supports LGBTIQ+ safety, including Trans Day of Visibility, as part of our Action Plan. Our commitment to child safety is outlined in our Safeguarding Policy. We condemn all racism, including antisemitism. Concerns about safety should be reported to Victoria Police.***

At 7.03pm Public Question Time concluded.

## 7 OFFICERS' REPORTS

### 7.1 City Development

#### 7.1.1 TOWN PLANNING SCHEDULE

Moved: Cr C Little      Seconded: Cr Lee

#### MOTION

That Council notes the report containing the Town Planning Schedules.

CARRIED

#### 7.1.2 TPA 45183A - 108 STANLEY AVENUE MOUNT WAVERLEY- EXTENSION OF TIME

Moved: Cr de Silva      Seconded: Cr B Little

#### MOTION

That Council resolves to issue an Extension of time to Planning Permit No. TPA/45183/A for the construction of two (2) double storey dwellings and a front fence at 108 Stanley Avenue Mount Waverley, pursuant to the provisions of Section 69(2) of the *Planning and Environment Act 1987*, subject to the following:

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 for a further two (2) years. Accordingly, the development must be commenced by 15 August 2026 and completed by 15 August 2028.

CARRIED

### **7.1.3 TPA/56479 - 478-484 HIGH STREET MOUNT WAVERLEY - DEVELOPMENT OF THE LAND FOR A RESIDENTIAL AGED CARE FACILITY, INTERNALLY ILLUMINATED BUSINESS IDENTIFICATION SIGNAGE AND ALTERATION OF ACCESS TO A ROAD IN A TRANSPORT 2 ZONE**

Moved: Cr Luo

Seconded: Cr Fergeus

#### **MOTION**

**That Council resolves to issue a Notice of Decision to Grant a Planning Permit TPA/56479 for the development of a residential aged care facility, the display of internally illuminated business identification signage and alteration (removal) of access to a road in a Transport 2 Zone at 478-484 High Street Road Mount Waverley subject to the following conditions:**

#### **Amended Plans Required**

- 1. Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by Demaine Architects November 2024 (Revision TP-B dated 13 November 2024) but modified to show:**
  - a) Tree protection fencing during construction for the street trees located within the High Street Road nature strip. Solid chain mesh fence or similar with a minimum height of 1.8 metres to be installed on both sides of the footpath to the Tree Protection Zones of the street trees located on High Street Road identified as trees 4-7 in the Arborist report prepared by Sustainable Tree Management dated November 2024. The fencing is to be installed on both sides of the footpath with the footpath to remain open during construction.**
  - b) A schedule of construction materials, external finishes and colours (including swatch samples).**
  - c) At least two disabled spaces must be provided in the basement car park by amending parking space 26 to an accessible space with adjacent shared space that is generally in accordance with relevant standards.**
  - d) The columns for the porte cochère modified to not impede the path of pedestrians.**
  - e) The two horizontal bike parking rails and associated parked bikes on the ground level located a sufficient distance away from the path of pedestrians ensuring access is not impeded.**
  - f) The width of the entry and exit vehicle crossings to the porte cochere.**
  - g) Details of external lighting installed to provide safe entry and exit for occupants and visitors of the building.**
  - h) A Landscape Plan in accordance with Condition 4 of this Permit.**
  - i) A Tree Management Plan in accordance with Condition 6 of this Permit**
  - j) A Waste Management Plan in accordance with Condition 9 of this Permit.**
  - k) A Sustainable Management Plan in accordance with Condition 10 of this Permit.**

All to the satisfaction of the Responsible Authority.

#### **Layout Not Altered**

2. The development 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

#### **Landscape Plan**

4. Concurrent with the endorsement of any plans requested 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 Concept Plans prepared by John Patrick Landscape Architects, dated November 2024 except that the plan must be modified to show:
  - a) All changes required by Conditions 1.
  - b) Deletion of reference to the location and species of planting of any new Council street trees in Stewart Street .
  - c) Provide a notation on the plan that the removal of any street trees and replacement planting is to be undertaken by Council.

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

#### **Landscaping before commencement of use**

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

#### **Tree Management Plan**

6. Concurrent with the submission of amended plans required by 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 Tree Nos. 4, 5, 6, 7 and 8 (as identified in the



**Arborist Report submitted with the application, prepared by Sustainable Tree Management dated November 2024**

**The TMP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of 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) Erection of solid chain mesh or similar type fencing around the Tree Protection Zone / road reserve, to be installed on both sides of the footpath with the footpath remaining open during construction. The fencing must be a minimum height of 1.8 metres and held in place with concrete feet or alternative footings that will not damage roots.**
  - ii) Tree protection zones and structural root zones of all trees to be retained and confirmed by the Council arborist before the commencement of any works on the site including demolition.**
  - iii) Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage must be visible from within the development, with the lettering complying with Australian Standard 1319 - 1994 - Safety Signs for the Occupational Environment.**
  - iv) Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required on the property side of the Tree Protection Zone. All supports, and bracing should be outside the TPZ and any excavation for supports, or bracing should avoid damaging roots where possible.**
  - v) TPZ fencing must not obstruct, roads, footpaths, or access ways.**
  - vi) No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ fenced area unless otherwise approved within this permit or further approved in writing by the Responsible Authority.**
  - vii) No access within the TPZ fenced area is permitted without the prior written consent of the Responsible Authority.**
  - viii) No trenching is allowed within the TPZ fenced area for the installation of utility services unless tree sensitive installation methods such as boring or hydro excavation have been approved by the Responsible Authority.**
  - ix) All footings are to be hand dug for the front fence as pier and beam construction.**
  - x) All pedestrian pathways to be constructed at grade.**
  
- b) A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones 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 timetable 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.

All trees specified in the endorsed Tree Management Plan are to be protected and maintained in accordance with the recommendations set out in the report, to the satisfaction of the Responsible Authority.

#### **Contractors to be advised of trees to be retained and protected**

- 7. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and protected and are advised of any obligations in relation to the protection of those trees.

#### **Regulation of activities in Tree Protection Area**

- 8. No trenching, soil excavation, parking of vehicles, or storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone of retained trees without the prior written consent of the Responsible Authority

#### **Waste Management Plan**

- 9. 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 One Mile Grid dated 12 November 2024, but revised to the satisfaction of the Responsible Authority to show:
  - a) The layout to accord with the endorsed development plan.
  - b) Section B3 to make provision for future separated glass collections with sufficient room to be provided in the bin storage room.
  - c) Section E5 to include waste management of clothing and textiles and to state: "Clothing and textiles are a problem contaminant of recycling bins. Clothing and textiles must be donated to charity or disposed of in the landfill (red lid) bin."
  - d) Section 7.4 to modify collection hours to between the hours: 7:00am to 8:00pm, Monday to Saturday; and 9:00am to 8:00pm, Sunday and Public Holidays.

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**

- 10. The Sustainability Management Plan prepared by Bestec dated 4 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.**

### **Construction Management Plan**

- 11. Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) 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 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-constructors/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.

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.

#### **Ongoing Architect Involvement**

12. As part of the ongoing consultant team, Dermaine 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.

#### **Plant Equipment or Features on Roof**

13. 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.

#### **External Lighting**

14. All external lighting must be designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.

#### **Storage of Goods**

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

#### **Loading and Unloading**

16. All loading and unloading of vehicles must be carried out within the boundaries of the land/ designated loading bay and must be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority

#### **Facilities**

17. The amenities and other communal facilities must only be used by residents and their guests or by members of staff, to the satisfaction of the responsible authority.

#### **Street tree Removal and Replacement**

18. The three existing street trees in Stewart Street must only be removed and replaced by Council at the cost of the developer, prior to the commencement of the development.

#### **Street Tree Protection Bond**

19. Prior to the commencement of the permitted development a bond of \$5,000 shall be lodged with the City of Monash to ensure that the four street trees on High Street Road (Trees 4-7) adjacent to the subject property are not damaged during construction.

This bond shall be reimbursed at the time of issue of the Certificate of Occupancy for the project provided that the tree remains in good condition to the satisfaction of the City of Monash.

#### **Car Parking and Access**

20. 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.

21. 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.
22. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme

#### **Removal of redundant Vehicle crossings**

23. 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.

## **New Vehicle crossing**

- 24. New vehicles crossovers must be designed, approved and constructed to the satisfaction of the responsible authority.**

## **Department of Transport Condition**

- 25. All disused or redundant crossings along High Street Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.**

## **Melbourne Water Conditions**

- 26. A Build Over application must be submitted for Melbourne Water's review and approval prior to finalising plans and prior to construction or demolition of existing structures, or tree removal within 5.0 metres of a Melbourne Water asset.**

**Note: Upon further assessment a legally binding Build Over Agreement may be deemed necessary.**

**a) Details for permanent structures must include:**

- i. Plans showing the lateral relation of the proposed works to the Melbourne Water**
- ii. Asset.**
- iii. The building/structure including footings, eaves etc. must be set outside an easement or a minimum 5.0 metre laterally clear of the outside edge of the Melbourne Water Asset, whichever is greater. Note: No overhangs or eaves are permitted within the lateral clearance zone.**
- iv. The depth of the footings must be adequate to satisfy the angle of repose relative to the drain in accordance with Melbourne Water's specification. Refer to: <http://www.melbournewater.com.au/Planning-and-building/Forms-guidelines-and-standard-drawings/Documents/Angle-of-repose-diagram.pdf>**
- v. Concrete piers must be provided for future excavation work necessary to be undertaken by Melbourne Water that may affect or abut the footing. No screw piles are to be used.**
- vi. A work method statement or an arborist report is required must be approved for tree removal within 5.0 metres laterally of any Melbourne Water asset.**
- vii. A work method statement from a suitably qualified engineer will be required if demolition is proposed and should include details of machinery access. Note: No additional loading is to be placed on the asset.**

**b) Details for temporary structures (e.g. Light weight sheds, fences, paving) must include:**

- i. Structures must be designed as a simple pinned connection that facilitates for ease of removal within less than 4 hours for two people.**
- ii. Method for removal of the structure must not require the use of plant and equipment including cranes, scaffolding or elevated work platforms.**

- iii. Footings must not exceed a 600mm x 600mm square pad footing and maintain a minimum lateral clearance of 500mm from the outside edge of the drain.
- iv. Footings must be independent and self-supporting.

**Note:** Permanent structures include water tanks, air-conditioning units, hot water systems and are not permitted in the lateral clearance zone.

For more information refer to:

<https://www.melbournewater.com.au/planning-and-building/work-or-build-near-our-assets-or-easements/building-requirements>

- 27. Cut and fill earthworks to alter existing levels (or repaving) must factor in include the following:
  - a) A minimum 850mm vertical cover must be maintained over the pipeline.
  - b) The manhole/junction pits located on Melbourne Water's drain must not be covered over by the p works.
- 28. Landscaping within 5.0 metres of the asset must comply with Melbourne Water's Planting Guidelines. A Plant near sewers, drains, waterways and water mains application detailing landscaping must be submitted for approval and include:
  - a) Species and locations of trees to be planted.
  - b) Hardstand areas, including paved and concrete areas.
  - c) Fencing including footings/posts.

#### **Signage**

- 29. The location, layout, dimensions, structures and features of the approved sign(s) shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 30. All signs must be constructed and maintained to the satisfaction of the Responsible Authority.
- 31. All signs must be located wholly within the boundary of the land.
- 32. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
- 33. The intensity of lighting associated with the illumination of the advertising sign(s) must be limited so as not to cause glare or be a distraction to motorists in adjoining streets or cause a loss of amenity in the surrounding area to the satisfaction of the Responsible Authority.

#### **Drainage**

34. 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

35. 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 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 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.

36. The approved sign(s) of this Permit will expire 15 years from the date of issue of this permit.

#### Notes

- A. The proposed development requires works within the Declared Road network. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport and Planning prior to commencing any works.
- B. Building Permit approval for the works must be obtained prior to the commencement of the approved works.
- C. All costs associated with the removal and replacement of street trees are to be borne by the landowner who has requested the removal. Please contact Council's Horticultural Department to establish the tree valuation and removal timing approval.
- D. 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
- E. 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.
- F. 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.



- G. 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)
- H. The design parameters for the internal detention system are to be obtained from Council's Engineering Department ([mail@monash.vic.gov.au](mailto:mail@monash.vic.gov.au)).
- I. 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.
- J. 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.
- 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.

CARRIED

#### 7.1.4 MONASH BOULEVARDS UDF IMPLEMENTATION - AMENDMENT C172 - CONSIDERATION OF SUBMISSIONS

Moved: Cr B Little

Seconded: Cr Fergeus

##### MOTION

That Council

1. Notes and considers all submissions received in response to proposed Amendment C172.
2. Notes and endorses the Officer's response and recommendations to submissions as outlined in this report and in Attachment 1 (Submissions Report).
3. Endorses the recommended changes to proposed Amendment C172 as outlined in this report and Attachment 1 for the purpose of Council's position on the proposed amendment for the panel hearing.
4. Pursuant to Section 23(1) and Part 8 of the *Planning and Environment Act 1987*, request the Minister for Planning appoint an independent planning panel to consider the submissions received to proposed Amendment C172 to the Monash Planning Scheme.
5. Refers all submissions on proposed Amendment C172 to the planning panel appointed by the Minister for Planning.
6. Notifies all submitters of Council's resolutions on the proposed Amendment C172 as set out above.

CARRIED

## 7.1.5 DECLARATION OF ALCOHOL-FREE AREAS

Moved: Cr Klisaris

Seconded: Cr B Little

### MOTION

That Council

1. Notes the advice from Victoria Police, Monash Local Area Command, confirming ongoing issues with alcohol related anti-social behaviour in Oakleigh, Clayton and Glen Waverley Activity Centres, and that Victoria Police supports the continuation of these areas being declared as Alcohol-free Areas to enhance public safety and community amenity.
2. Acknowledges the lack of recent or current intelligence indicating a risk of alcohol related anti-social behaviour at Galbally Reserve in Hughesdale, and that it is not proposed to re-declare this area as alcohol free.
3. Declares specific sections of the Oakleigh, Clayton, and Glen Waverley Activity Centres, excluding those areas covered by liquor licences, as Alcohol-free Areas in accordance with Clause 54 of Community Safety and Amenity Local Law 2024, including:
  - a) All roads, municipal places, and public places within the Oakleigh Activity Centre as shown outlined in red in Attachment One.
  - b) All roads, municipal places, and public places within the Clayton Activity Centre as shown outlined in red in Attachment Two.
  - c) All roads, municipal places, and public places within the Glen Waverley Activity Centre as shown outlined in red in Attachment Three.
4. Directs the Chief Executive Officer to publish a Notice in the Victorian Government Gazette enabling Victoria Police officers to enforce Clause 54 of Community Safety and Amenity Local Law 2024 that regulate the possession and consumption of alcohol.

CARRIED

## 7.1.6 PROPOSED ROAD DISCONTINUANCE – GLENDALE STREET, GLEN WAVERLEY

Moved: Cr Luo

Seconded: Cr Paterson

### MOTION

That Council

1. Notes that the Suburban Rail Loop Authority (SRLA) intend to include Glendale Street, Glen Waverley (Road) in its development site for the future Suburban Rail Loop, Glen Waverley Station and that the Road is located between the two Council properties also to be acquired by the SRLA for the same purpose being 31-39 and 41-47 Montclair Avenue, Glen Waverley.

2. **Notes that the Road is contained within the SRLA’s project boundary and given this, on 8 May 2023, Council obtained the consent of the SRLA for Council to use its powers to discontinue the Road as provided by the Local Government Act 1989 and/or Road Management Act 2004.**
3. **Given items 1 – 2 above, resolves to:**
  - a) **remove the Road from Council’s Register of Public Roads on the basis that the Road is no longer required for general public use for the reasons set out in the body of this report.**
  - b) **commence the statutory procedures pursuant to Clause 3 of Schedule 10 of the Local Government Act 1989 (‘the Act’) to consider discontinuing the Road and retain the land in Council and save any easement rights in favour of statutory authorities that may have assets located in the Road and**
  - c) **pursuant to Sections 207A and 223 of the Act, directs that public notice of the proposed discontinuance of the Road, be given in locally circulating newspaper and on Council’s website.**

**(‘Proposal’).**

4. **Authorises Council’s Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under Section 223 of the Act in relation to the Proposal (Appointed Officer).**
5. **Appoints a Committee of Council, comprising the Mayor (Chair) and Councillors from Scotchmans Creek Ward, Blackburn Ward and Gallaghers Ward, to hear any submissions received to the Proposal under Section 223 of the Act at the Civic Centre on Tuesday 15 April 2025 at 6:30pm, or at such a later time and date as the Appointed Officer may determine.**
6. **Agree to consider the Committee of Council’s report on its proceeding and a summary of any hearing and determine whether to proceed with the Proposal at its meeting on 27 May 2025 or such a later time and date as the Appointed Officer may determine.**
7. **Notes that following public consultation and if Council resolves to proceed with the Proposal, the land from the Road will become part of the two Council properties referred to in item 1 above and access to these two Council properties and the RSL site will continue to be provided, and the carparks (Glendale St East and West and the former Road) will be known as the Montclair Avenue Car Park and all relevant signage will be updated to reflect this change.**

**CARRIED**

### 7.1.7 COLEMAN PARADE, GLEN WAVERLEY - ROAD REHABILITATION AND SHARED PATH

Moved: Cr Paterson

Seconded: Cr Luo

#### MOTION

That Council

1. Approves the inclusion of Coleman Parade reconstruction as a multi-year project commencing in 2024/25 with a project budget of up to \$6M with an expected expenditure of up to \$30,000 in 2024/25 and up to \$5,970,000 in 2025/26.
2. Notes the receipt of an in-principle offer of a funding contribution from Suburban Rail Loop Authority of half the cost of the reconstruction (up to \$3M) of Coleman Parade between Blackburn Road and Myrtle Street.
3. Resolves to write to the CEO of the SRLA seeking a formal agreement of the funding contribution from Suburban Rail Loop Authority towards the reconstruction of Coleman Parade between Blackburn Road and Myrtle Street, as well as confirmation that they will undertake reactive maintenance and repairs during construction of their project and at minimum resurface to make good any damage and restore the road to “as new” condition at the end of the project.
4. Notes that construction is scheduled to commence in July 2025 and be completed by June 2026, taking advantage of an anticipated quieter period of Suburban Rail Loop East activities, following the expected completion of the realignment of Myrtle Street and utility relocation works (August 2025) and ahead of the scheduled commencement of main station construction works in Glen Waverley (from Q2 2026). Note: SRL East timing is indicative only and subject to change.

CARRIED

## 7.2 Community Services

### 7.2.1 2024/25 MONASH QUICK RESPONSE GRANTS PROGRAM RECIPIENTS - DECEMBER/JANUARY

Moved: Cr Paterson

Seconded: Cr C Little

#### MOTION

That Council notes the successful applications that have been funded through the Quick Response Grant Program during the period from 11 December 2024 to 10 January 2025 to a total of \$7,056.30.

CARRIED

## 7.3 Corporate Services

### 7.3.1 LIBRARY COLLECTIONS MANAGEMENT SOLUTION 2025011 C09771

Moved: Cr Fergeus

Seconded: Cr Luo

#### MOTION

That Council

1. Approves access to the Procurement Australia Contract 2306/0843 - 10, Library Collections, Furniture, Equipment & Associated Requirements for the provision of a Library Collections Management Solution under Council Contract No 2025011.
2. Awards the tender from Civica Pty Ltd for a schedule of rates-based contract with an estimated contract value of \$556,647 for the initial term of five (5) years and an estimated total contract value of \$835,777 (inclusive of the extension option, \$37,989 for additional Professional Services and a Contingency amount of \$37,989).
3. Authorises the Chief Executive Officer or her delegate to execute the contract agreement.
4. Notes that the contract initial term begins on 1 July 2025 and the contract has one (1) extension option of two (2) years and authorises the Chief Executive Officer to approve the extension option subject to satisfactory performance for the City of Monash.
5. Notes that during the extension term, the estimated schedule of rates contract values stated above are also subject to an annual CPI indexation as per the contract.

\*all dollar figures are GST Inclusive unless stated otherwise.

CARRIED

### 7.3.2 CONSULTANCY REGISTER REPORT

Moved: Cr B Little

Seconded: Cr C Little

#### MOTION

That Council notes the attached summary of completed and current Consultancy Engagements for the six months to 31 December 2024.

CARRIED

### 7.3.3 NATIONAL GENERAL ASSEMBLY 2025 – AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

Moved: Cr Luo

Seconded: Cr B Little

#### MOTION

That Council approves the attendance of the following Councillors at the Australian Local Government Association's National General Assembly 2025 in Canberra from 24 June 2025 to 27 June 2025 inclusive.

1. Dr Josh Fergeus
2. Stuart James
3. Elisha Lee
4. Brian Little
5. Cameron Little
6. Rebecca Paterson
7. Anjalee de Silva

CARRIED

### 7.3.4 REVIEW OF APPOINTMENT AND AUTHORISATION UNDER THE PLANNING & ENVIRONMENT ACT 1987

Moved: Cr Paterson

Seconded: Cr B Little

#### MOTION

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Monash City Council (Council) resolves that:

1. The members of Council staff referred to in the Instrument attached be authorised as set out in the Instrument.
2. The Instrument comes into force immediately after the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.
3. The Instrument be sealed.

CARRIED

### 7.3.5 S18 INSTRUMENT OF SUB-DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

Moved: Cr Lee

Seconded: Cr Luo

#### MOTION

In the exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Monash City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately after the common seal of Council is affixed to the instrument.
3. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**CARRIED**

### 7.3.6 INFORMAL MEETING OF COUNCILLORS RECORDS

Moved: Cr Klisaris

Seconded: Cr B Little

#### MOTION

That Council notes the Informal Meetings of Councillors Records.

**CARRIED**

## 7.4 City Services

### 7.4.1 2021093 HVAC COUNCIL VARIATION REPORT

Moved: Cr Paterson      Seconded: Cr C Little

#### MOTION

That Council

1. Notes that as per the *S5 Instrument of Delegation to the Chief Executive Officer*, where a variation for a lump sum contract exceeds (i) the approved contingency amount by more than 10% of the approved contract value (including contingency) or (ii) \$100,000, the variation must be presented to Council for approval unless exceptional circumstances prevail.
2. Approves a variation to Contract 2021093 Provision of HVAC Maintenance Services for Categories A, B & D (Major and Minor HVAC and Kitchen Exhaust Canopy Equipment) with Renown Services Pty Ltd in the amount of \$418,000.
3. Notes that the revised total contract value for Contract 2021093 Categories A, B & D will increase from \$1,003,695 to \$1,421,695 (inclusive of all extension options).
4. Approves a variation to contract 2021093 Category C (Provision of HVAC Maintenance Services Quoted works) with Renown Services in the amount of \$275,000.
5. Notes that the revised total contract value for Contract 2021093 Category C will increase from \$1,486,856 to \$1,761,856 (inclusive of all extension options).
6. Notes that the increased contract values resulting from this approved variation remains within the existing approved and adopted facilities maintenance reactive building and programmed works budgets.

Please Note: All values in this report are GST inclusive unless stated otherwise.

CARRIED



## 7.4.2 2024141\_MUSEUM OF AUSTRALIAN PHOTOGRAPHY HVAC UPGRADE- CONTRACT VARIATION REPORT

Moved: Cr McCluskey    Seconded: Cr Luo

### MOTION

#### That Council

1. Approves additional contingency funds of \$38,280, which includes a \$32,780 variation and an extra contingency allowance of \$5,500 for Contract 2024141 - Museum of Australian Photography HVAC Upgrade with Renown Services Unit Trust.
2. Notes that this request for additional contingency funds is compliant with Council's Contract Variation Delegation Rules as approved by Council on 31 October 2023.
3. Notes that the increased contract value (\$478,137) resulting from this pending approval remains within the existing adopted Project Budget of \$957,000.

Please Note: All values in this report are GST inclusive unless stated otherwise.

CARRIED

## 7.5 Chief Executive Officer

Nil.

## 8 NOTICES OF MOTION

### Meeting Note:

- Cr Luo declared a General Conflict of Interest in item 8.1 as a result of her son playing Baseball at Waverley Baseball Club. Cr Luo left the meeting at 7.19pm prior to the vote.

### 8.1 NOTICE OF MOTION- COUNCIL'S DISCRETIONARY EXPENDITURE FUND APPLICATION- FEBRUARY 2025

Moved: Cr Klisaris

Seconded: Cr McCluskey

#### MOTION

That Council resolves to approve the following three (3) applications for funding from the Council's Discretionary Expenditure Fund in accordance with the guidelines.

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
Aadhya Sai Katakam	Financial assistance to participate in 2025 Australian Junior Chess Championship.	\$500
Waverley Baseball Club	Seeking partial financial assistance to purchase a Defibrillator.	\$500
Notting Hill Neighbourhood House	'Painted Storied' project.	\$1000

**CARRIED**

### Meeting Note:

- Cr Luo returned to the meeting at 7.19pm and did not participate in voting on this item.

### 8.2 NOTICE OF MOTION - ALGA NATION GENERAL ASSEMBLY – SUBMISSION FROM MAYORAL TASKFORCE SUPPORTING PEOPLE SEEKING ASYLUM

Moved: Cr B Little

Seconded: Cr Paterson

#### MOTION

That Council

1. Notes the efforts of the Mayoral Taskforce supporting People seeking Asylum in advocating for asylum seekers to receive better treatment from the Federal Government.

2. Endorses the attached draft submission to the ALGA National General Assembly in June from Greater Dandenong City Council as Secretariat on behalf of member councils that includes Monash.
3. Acknowledges that the final version of the submission to the ALGA NGA may vary in some small details from the draft attached but not in any significant manner and that any substantive change will require a renewed endorsement from Monash Council.

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 7.24pm.



MAYOR: .....

DATED: 25/03/2025