



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 11 DECEMBER 2018**

at 7.00 pm

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

**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 11 DECEMBER 2018 AT 7.00 PM.**

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

APOLOGIES:

Cr Saloumi

DISCLOSURES OF INTEREST

Cr Paterson: Item 4.3.

**CONFIRMATION OF MINUTES OF THE SPECIAL MEETING HELD ON 20 NOVEMBER 2018
AND THE ORDINARY MEETING HELD ON 27 NOVEMBER 2018**

Moved Cr Pang Tsoi,

Seconded Cr Little

That the minutes of the Special Meeting held on 20 November 2018 and the Ordinary Meeting held on 27 November 2018 be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil

PUBLIC QUESTION TIME

The Mayor advised that no questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 35-41 Dalgety Street, Oakleigh - Construction of A Mixed Use Six Storey Building and Three Storey Townhouses With Basement Car Parking, Use of the Land For Dwellings

Moved Cr Little,

Seconded Cr Paterson

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/48982) for the construction of multi-level buildings including use of the land for accommodation (residential apartments) in accordance with the endorsed plans at 35-41 Dalgety Street, Oakleigh subject to the following conditions.

1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plan prepared by Rothe Lowman, Project No. 217038 (21/11/18), but modified to show:

- a) Reduced fence heights to Atkinson Street provide for increased activation and a more open presentation to the street.*
- b) Redundant vehicle crossovers removed and reinstated with nature strip and kerb and channel*
- c) Car parking areas and associated accessways to be generally in accordance with the design standards of Clause 52.06-9.*
- d) The location of any required fire services, electricity supply, gas and water meters, discreetly integrated into the development;*
- e) A detailed schedule of all materials and finishes;*

All to the satisfaction of the responsible authority.

2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

3. Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:

- a) Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Planning Scheme.*
- b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.*

-
- c) Document the means by which the appropriate target or performance is to be achieved.*
 - d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.*
 - e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.*
 - f) Any relevant requirements of the Condition 1 sub-clauses hereof.*

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainable Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

- 4. Prior to the occupation any of the dwellings approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to those relevant completed dwellings ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.*
- 5. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for the method of collection of garbage and recyclables for uses and;*
 - a) Private collection of waste;*
 - b) Appropriate areas of bin storage on site and areas for bin storage on collection days;*
 - c) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;*
 - d) Litter management.*

A copy of this plan must be submitted to Council. Once approved the plan will be endorsed to form part of this permit.

- 6. Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.*
- 7. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.*
- 8. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.*

9. The amenity of the area must not be detrimentally affected by the use or development, through the:

- (a) transport of materials, goods or commodities to or from the land;**
- (b) appearance of any building, works or materials;**
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
- (d) presence of vermin;**

To the satisfaction of the responsible authority.

10. Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must include the following:

- a) A traffic management plan, including the management of traffic during the excavation and construction periods of the development to and from the site, general traffic management and any closing or altered access to the rear laneways including pre-consultation measures with all owners and occupiers of land who have a legal right of access to these laneways;**
- b) measures to control noise, dust and water runoff;**
- c) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;**
- d) the location of where building materials are to be kept during construction;**
- e) site security;**
- f) maintenance of safe movements of vehicles to and from the site during the construction phase;**
- g) storage of plant, equipment or materials not to be permitted on the easement;**
- h) on-site parking of vehicles associated with construction of the development;**
- i) wash down areas for trucks and vehicles associated with construction activities;**
- j) cleaning and maintaining surrounding road surfaces;**
- k) a requirement that construction works must only be carried out during the following hours:**
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;**
 - Saturday – 9.00am to 1.00pm;**
 - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)**

11. The construction works associated with the permitted development must only be carried out during the following hours:

- Monday to Friday (inclusive) – 7:00am to 6pm;**
- Saturday – 9am to 1pm;**
- Saturday – 1pm to 5pm (only activities associated with the erection of buildings);**

Unless otherwise approved in writing by the responsible authority.

12. 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.

13. Any required fire services, electricity supply, gas and water meter boxes must be discreetly located and/or screened to compliment the development to the satisfaction of the Responsible Authority. Any required services must be clearly detailed on endorsed plans forming part of this permit.

14. The car parking layout of the development shall generally follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme to the satisfaction of the responsible authority.

15. Car parking within the development must be allocated as follows:

- (a) Provision of no less than 1 car space to each one or two bedroom dwelling not utilising tandem car spaces.**
- (b) Provision of no less than 2 car spaces to each three or more bedroom dwelling not utilising tandem car spaces (townhouses excluded).**
- (c) Provision of no less than 3.5 car spaces to each 100m² of net floor area associated with the retail tenancies.**
- (d) Allocation of tandem car spaces as surplus/additional in excess of the abovementioned requirement or retail staff parking car parking.**

Any future subdivision of the development must provide for car parking in accordance with the above-mentioned requirement on Title to the satisfaction of the responsible authority.

16. Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:

- a) constructed to the satisfaction of the Responsible Authority;**
- b) properly formed to such levels that they can be used in accordance with the plans;**
- c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;**
- d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;**
- e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.**

Parking areas and access lanes must be kept available for these purposes at all times.

17. Bicycle facilities to the development hereby permitted must be provided in accordance with the provisions detailed in Clause 52.34 of the Monash Planning Scheme.

18. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be

submitted to and approved by the responsible authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-

- a) the location of all existing trees and other vegetation to be retained on site;*
- b) provision of canopy trees with spreading crowns located within the Atkinson Street and Dalgety Street front setbacks;*
- c) planting to soften the appearance of hard surface areas such as stairs, ramps and landings;*
- d) a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material;*
- e) the location and details of all fencing;*
- f) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;*
- g) details of all proposed hard surface materials including pathways, patio or decked areas.*

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

19. Before the occupation of the buildings allowed by this permit, landscaping and urban design works as shown on the endorsed plans must be completed to the satisfaction of the responsible authority and then maintained to the satisfaction of the responsible authority.

20. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the responsible authority.

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge to the satisfaction of the responsible authority.

21. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.

22. Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing.

23. Any new drainage work within the road reserve requires the approval of the Council's Engineering Division prior to the works commencing.

24. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council (telephone 9518 3555). A refundable security deposit of \$2,000 is to be paid prior to the drainage works commencing.

25. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit, or other services. Approval from

affected service authorities is required as part of the vehicle crossing application process. The relocation of any affected power pole must be within the development frontage or to the satisfaction of Council.

26. The existing redundant crossings are to be removed and replaced with matched in kerb and channel to the satisfaction of the Responsible Authority.

27. Any works within the road reserve must ensure the footpath and naturestrip are reinstated to Council standards.

28. Once the development and use has started it must be continued and completed to the satisfaction of the Responsible Authority.

29. Prior to the commencement of any works, use and development (other than demolition and other site works associated with site remediation) and for the usage of the land to be changed for a sensitive use (Residential) permitted by this permit for the land, the applicant must provide to the responsible authority either:

a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or

b) An auditor approved under the Environment Protection Act 1970 must make a Statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Three copies of the Certificate of Environmental Audit or the Statement of Environmental Audit and the audit area plan must be submitted to the responsible authority.

30. The development and/or use allowed by this permit must strictly comply with the directions and conditions of the Environment Protection Act 1970 and also with the conditions on the Certificate or Statement of Environmental Audit.

31. If the audit referred to within this permit identifies or discloses contamination which would affect the use of the land as residential, a Section 173 Agreement under the Planning and Environment Act 1987 may need to be entered into with the responsible authority to require remediation of the land to a suitable standard to allow residential use as contemplated by the permit. Any Agreement must be approved by the responsible authority prior to the commencement of any works, use and development and may require further assessment of the land.

32. Prior to the use of the land permitted by this permit, issue of a Certificate of Occupancy under the Building Act 1993 and certification/issue of a statement of compliance under the Subdivision Act 1988 a letter must be submitted to Council prepared by an Environmental Auditor approved by the Environment Protection Authority under the Environment Protection Act 1970 to verify that the conditions of the Statement of Environmental Audit issued for the land have been satisfied.

A copy of the certificate or statement of Environmental Audit issued for the land must be provided to each owner, under a covering letter which draws attention

to any conditions or directions on the Certificate or Statement of Environmental Audit.

The land owner and all its successors in title or transferees must upon release for private sale of each of the lots created (if any) by the subdivision include in the Vendor's Statement pursuant to Section 32 of the Sale of Land Act 1962 annexed to the Contract of Sale for the sale of the land, a copy of the planning permit and relevant plans, Certificate or Statement of Environmental Audit for the land and any management plans or other documentation required to be prepared and adhered to in respect of the land.

33. This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:

- The development is not started before 2 years from the date of issue.*
- 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 within three months afterwards.

NOTES:-

- 1. Building approval must be obtained prior to the commencement of the above approved works.*
- 2. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.*
- 3. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*
- 4. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.*
- 5. Any new drainage connections onto a Council easement drain requires the approval of the City of Monash's Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.*
- 6. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains / Council pits / kerb & channel and these works are to be inspected by Council (telephone 9518 3690).*

-
7. *Stormwater detention requirements may be obtained from Council's Engineering Department prior to the design of any stormwater detention system.*
 8. *An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park.*
 9. *A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.*
 10. *Building Over Easement approval is required for the decks of townhouses adjacent to the northern boundary, and paving for the communal space. Approval will be given subject to:*
 - *Yarra Valley Water approval being obtained;*
 - *The use of easement agreement being signed by Council.*
 11. *Consent from Yarra Valley Water is required for building the decks of townhouses adjacent to the northern boundary.*
 12. *A permit must be obtained from Council for all vehicular crossings.*
- These must be constructed under Council's supervision for which 24 hours notice is required.*
13. *Future residents of the development will not be eligible for resident parking permits.*

CARRIED

1.2 246-250 Highbury Road, Mount Waverley - Construction of Ten Dwellings And Removal of Trees

Moved Cr Little,

Seconded Cr McCluskey

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/47992) for the construction of ten (10) double storey dwellings with basement carpark, removal of trees within a Vegetation Protection Overlay – Schedule 1 and alteration of access to a Road Zone – Category 1, at 246-250 Highbury Road, Mount Waverley, subject to the following conditions:

1. *Before the development starts, three copies of plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:*

-
- a) *Fixed obscure screening to a minimum of 1.7m above the finished floor level for the following deck areas:*
 - i. *Dwellings 1, 2, and 3 to prevent overlooking to west.*
 - ii. *Dwellings 5 to prevent overlooking to south.*
 - iii. *Dwellings 8 and 9 to prevent overlooking to the east.*
 - b) *Dwelling 6 is to be provided with a secluded private open space area (35 m² with minimum width of 5.0m) that receives solar access on accordance with Clause 55 of the Monash Planning Scheme, and is connected to the living area.*
 - c) *The first floor setback of dwelling 5 is to be increased to a minimum 3.9m from the southern boundary.*
 - d) *Dwelling 5 and 6 decks to not extend beyond the basement envelope to provide for optimum tree retention and planting*
 - e) *The Tree Protection and Structural Root Zones for trees 16, 17, 18, 19, 20, 22, 25 and 27; and tree 1 (street tree).*
 - f) *Notation on the plans for no works/ no excavation within TPZ of the tree 16 and tree 27.*
 - g) *The basement, building and decks to not encroach more than 10% of the TPZ of trees 16, 17, 18, 19, 20, 22, 25 and 27.*
 - h) *A notation that no excavation will occur within 2.34m of street tree (tree 1), measured from trunk face at ground level.*
 - i) *The electricity supply meter boxes must be located at a distance from the street which is at or behind the setback alignment of buildings on the site or in compliance with Council's "Guide to Electricity Supply Meter Boxes in Monash".*
 - j) *The development must be provided with a corner splay or area at least 50% clear of visual obstruction (or with a height of less than 1.2m) extending at least 2.0 metres long x 2.5 metres deep (within the property) on both sides of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*
 - k) *Any modifications required as outlined in the Tree Management Plan required by Condition 5.*

No Alteration or Changes

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

Common Boundary Fences

- 3. *All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.*

Landscaping

-
4. *Before the commencement of buildings and works, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must be consistent with the development plans and must show the proposed landscape treatment of the site including:-*
- a) *the location of all existing trees and other vegetation to be retained on site*
 - b) *provision of canopy trees with spreading crowns located throughout the site including within the street setback, perimeter of the site, and private open space areas of the each dwellings. Trees should not be located in the easement or basement envelope.*
 - c) *the TPZ dimensioned for all trees to be retained.*
 - d) *planting to soften the appearance of hard surface areas such as driveways and other paved areas*
 - e) *a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*
 - f) *the location and details of all fencing*
 - g) *the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
 - h) *details of all proposed hard surface materials including pathways, patio or decked areas*

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

Landscaping Prior to Occupation

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

Tree Protection

6. *Prior to the commencement of any works that are permitted by this permit a tree management plan must be submitted and endorsed. The tree management plan must identify the protection measures for all the trees identified to be retained on the subject site and on adjoin properties during construction. The tree management plan must be consistent with the Arboriculture report submitted with the application including confirmation that any encroachment of trees is no more than 10% of the Tree Protection Zone (TPZ) and to the satisfaction of Responsible Authority.*
7. *Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works*

area, shall be marked and provided with a protective barricade and verified by the project Arborist.

8. *No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.*

Sustainable Management Plan

9. *Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:*
- a) *Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Monash Planning Scheme.*
 - b) *Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.*
 - c) *Document the means by which the appropriate target or performance is to be achieved.*
 - d) *Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.*
 - e) *Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.*
 - f) *Any relevant requirements of the Condition 1 sub-clauses hereof.*

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainable Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

10. *Prior to the occupation any of the building approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to the relevant completed stage of the building ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.*

Construction Management Plan

11. *Before the development starts, a Construction Management Plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the*

plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:

- a) Measures to control noise, dust and water runoff.*
- b) Prevention of silt or other pollutants from entering into the council's underground drainage system or road network.*
- c) The location of where building materials are to be kept during construction.*
- d) Site security.*
- e) Traffic management plan providing for safe movements of vehicles to and from the site during the construction phase.*
- f) On-site parking of vehicles associated with construction of the development.*
- g) Wash down areas for trucks and vehicles associated with construction activities.*
- h) Cleaning and maintaining surrounding road surfaces.*
- i) A requirement that construction works must only be carried out during the following hours:*
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;*
 - Saturday – 9.00am to 1.00pm;*
 - Saturday – 1.00pm to 5.00pm (only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).*

Drainage

- 12. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.*
- 13. The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:*
 - a) a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or*
 - b) shaping the internal driveway so that stormwater is collected in grated pits within the property; and or*
 - c) another Council approved equivalent.*
 - d) All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing. Further information regarding the design of the on-site detention system is provided in the notes section of this permit.*
 - e) The nominated point of stormwater connection for the site is to the north-west corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the 300 mm Council drain in the naturestrip via a 900 mm x 600 mm junction pit to be constructed to Council Standards. Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.*

VicRoads

14. *Prior to the commencement of use of the development hereby approved, a sealed access crossover and driveway as at least 6.1 metres wide at the property boundary with the crossover angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road must be constructed to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads.*
15. *Prior to the occupation of the development, all disused or redundant vehicle crossings on Highbury Road must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.*
16. *Prior to the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.*
17. *Vehicles must enter and exit the land in a forward direction at all times.*
18. *The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.*

Waste Management Plan Required

19. *Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site to the satisfaction and approval of the Responsible Authority. The Waste Management Plan shall provide for:*
 - a) *The method of collection of garbage and recyclables for uses;*
 - b) *Designation of methods of collection including the need to provide for private services or utilisation of council services;*
 - c) *Appropriate areas of bin storage on site and areas for bin storage on collection days;*
 - d) *Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;*
 - e) *Litter management.*
 - f) *A copy of this plan must be submitted to Council.*

Completion of Buildings and Works

20. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*

Permit Expiry

21. *This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:*
 - (a) *The development has 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.*

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Permit Notes

- A. Building approval must be obtained prior to the commencement of the above approved works**
- B. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.**
- C. A drainage contribution of approximately \$11,761 will be accepted in lieu of a detention system. This amount is valid until 30 June 2019. After this date an amended amount in accordance with Clause 22.04 of the Monash Planning Scheme will be applicable. This contribution is based on the plans provided and any additional hard surfaced areas included on the landscape or drainage plans will alter this amount.**
- D. Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.**
- E. The proposed crossing is to be constructed in accordance with the City of Monash standards.**
- F. A detailed plan of the access arrangements to Highbury Road must be submitted to the Responsible Authority for approval. A Road Opening Permit, with associated refundable security bond, will be required from Council's Engineering Department prior to the roadworks commencing.**
- G. The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below:**
 - a) Driveway to provide at least 2.1m headroom beneath overhead obstructions.**
- H. All new vehicle crossings must be a minimum of 3.0 metres in width and constructed in accordance with Council standards.**
- I. All new vehicle crossings are to be no closer than 1.0 metre, measured at the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.**
- J. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.**
- K. In the event of parking restrictions in this area, owner/occupiers of this development will not be granted parking permits.**
- L. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$1,000 is to be paid prior to the drainage works commencing.**

-
- M. One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.**
- N. The property is within the McComas MD - 0217/4010 catchment.**
- O. Underground drainage is available for the site that slopes to the north.**
- P. The lot/unit numbers on the "Endorsed Plan" are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council's Valuation Team on 9518 3615 or 9518 3210.**
- Q. Approval for altering a crossing to Road Zone Category 1 road is required from VicRoads.**
- R. Comments from VicRoads is required for the installation or modification of the vehicle crossing on the main road.**
- 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.**

AMENDMENT

Moved Cr James,

Seconded Cr Paterson

That condition 1 a) be amended by the addition of the following words, after the word "level": or other appropriate treatment to prevent overlooking to the satisfaction of the Responsible Authority.

Cr Little said that this was a minor amendment and followed a letter received from the developer, who objected to some of the conditions. He said that Council officers had responded, with a small mitigation to condition 1a).

Cr Paterson said that Councillors and officers had been contacted by the developer, with officers agreeing that the amendment was acceptable and fitted within ResCode and the Planning Scheme.

In response to a question from Cr Fergeus, the Manager City Planning advised that the amendment was satisfactory as there were a number of ways in which screening could be achieved, that would provide protection from overlooking into neighbouring properties.

CARRIED

SUBSTANTIVE MOTION

The motion, as amended, was put to the vote and declared carried.

CARRIED

1.3 Town Planning Schedules

Moved Cr James,

Seconded Cr Fergeus

That the report containing the Town Planning Schedules be noted.

CARRIED

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Melbourne Outer East Hockey Feasibility Study

Moved Cr McCluskey,

Seconded Cr Paterson

That Council notes the overall findings detailed in the Melbourne Outer East Hockey Feasibility Study and specifically the recommended actions relevant to Monash, which include:

a) Undertaking a feasibility study with the view to developing a sustainable management model (capital and operational) for a potential second competition level synthetic hockey pitch at Ashwood Reserve; and

b) Subject to the findings of the Ashwood Reserve Feasibility Study and the provision of external funding:

i) Undertake detailed design for a second competition level synthetic pitch with floodlights at Ashwood Reserve; and

ii) Construct a second competition level synthetic hockey pitch with floodlights at Ashwood Reserve.

Cr Paterson said that the facility was in Mount Waverley Ward and noted how highly used it was. She noted that there was a waiting list of 500 children to join the hockey club. Cr Paterson noted that a number of hockey facilities, including in Knox, had closed over the last few years, and the facility at Monash University was due to close. Cr Paterson advised that she had sought support for a feasibility study to turn the adjacent field at Ashwood into a second hockey ground, which was done and had submitted a budget bid for 2019 to have that work completed. Cr Paterson said that there was the possibility of State Government funding being received to complete the works. Cr Paterson said that this was the right location for a second hockey pitch in the south eastern region. Cr Paterson noted the success of the club in producing Olympic hockey players.

In response to a question from Cr James, the Director Community Development and Services advised that once the feasibility study was completed, the matter would be submitted to Council for further deliberation.

CARRIED

2.2 Bowness Family Foundation Travel Grant - MGA Staff Travel To India Request

Moved Cr McCluskey,

Seconded Cr Little

That Council:

- 1. Approves international travel and five working days for Monash Gallery of Art Gallery Director Anouska Phizacklea to travel to India to support the delivery of MGA's first international travelling exhibition, John Gollings: the history of the built world, increase MGA's international networks and programming development; and*
- 2. Notes that a grant of \$5,000 for this proposal has been received to fully fund this travel by the Bowness Family Foundation.*

The Mayor commented that the Council was fortunate that the Foundation was funding the costs of travel for the MGA Director and the MGA was fortunate to have such a generous benefactor. The Mayor added that this would benefit the MGA.

CARRIED

2.3 Naming of the Mount Waverley Community Gallery

Moved Cr Paterson,

Seconded Cr James

That Council:

- 1) Notes the four preferred proposals for the name of the new community gallery at the Mount Waverley Community Centre:
 - i) The Track Gallery*
 - ii) Miller Street Gallery*
 - iii) MoCAG (Monash Community Art Gallery)*
 - iv) The Heart Gallery**
- 2) Endorses the recommendation to name the new community gallery "The Track Gallery"; and*
- 3) Acknowledges and thanks all submitters to this process.*

CARRIED

3. CORPORATE SERVICES

Nil.

4. **INFRASTRUCTURE**

4.1 **Contract- For Waste Transfer Station Cartage**

Moved Cr James,

Seconded Cr Little

That Council endorses the Tender Panel's recommendation to:

- 1. Accept the tender (Contract No.2018149) from Veolia Environmental Services (Australia) Pty Ltd for the Waste Transfer Station Cartage contract for an initial term of sixteen (16) months with a further two (2), one (1) year extension options at an agreed schedule of rates with an estimated annual cost of \$192,011 (inclusive of GST) and an estimated total cost of \$655,553 (inclusive of GST, all available extension options and assuming 2% CPI), subject to both Council and Veolia agreeing on suitable contract terms.*
- 2. The Chief Executive Officer be delegated the power to execute the contract agreements with Veolia Environmental Services (Australia) Pty Ltd and if required, to approve the two (2), one (1) year contract extension options in accordance with the contract.*

CARRIED

4.2 **Contract For Galbally Reserve Playspace Upgrade**

Moved Cr James,

Seconded Cr Fergeus

That Council:

- 1. Accepts the tender from Yellowstone Landscapes Pty Ltd for Construction of the Playspace Upgrade at Galbally Reserve, Hughesdale for the fixed lump sum of \$400,978 (GST inclusive);*
- 2. Notes the anticipated overall project cost of \$424,751 (GST exclusive) which includes a contingency sum of \$18,226 (GST exclusive) and design and project management fees totalling \$42,000.*
- 3. Authorises the Chief Executive Officer to execute the contract agreement.*

In response to a question from Cr James, the Director Infrastructure advised that the project will take several months to complete.

Cr Zographos said that outdoor exercise equipment was the way of the future in playspaces and areas to be redeveloped in Council reserves. He noted that young families were increasingly seeking to stay fit and healthy. He added that he would have preferred to have seen proper exercise equipment included in the concept plans for this

playspace. Cr Zographos added that the Council should be adding more weight to the inclusion of such equipment in its design of playspaces.

CARRIED

4.3 Contract For Supply of One Combination Drainage Truck

NOTE: Cr Paterson disclosed an indirect interest in this item, as she was a friend of the owner of the recommended tenderer, and the recommended tenderer was also a sponsor of the Monash Business Awards, which she is a committee member of. Cr Paterson left the Chamber at 7.16 pm before the Council considered this item and returned at 7.17 pm, after the vote on it had been concluded.

Moved Cr Fergeus,

Seconded Cr Davies

That Council:

- 1. Accepts the tender submissions from KOR Equipment Solutions for contract number CF2019016 for the supply of one combination drainage truck for the sum of \$625,000 inclusive of GST;*
- 2. Accepts the tender submission from KOR Equipment Solutions for contract number CF2019016 for the supply of servicing, repair, consumables and spare parts for a period of 12 Months with an estimated expenditure or \$20,000 inclusive of GST based on the submitted schedule of rates;*
- 3. Authorises the Chief Executive Officer to execute the contract agreement.*

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Assembly of Councillors Record

Moved Cr Fergeus,

Seconded Cr James

That Council notes the Assembly of Council records submitted as part of the requirements of the Local Government Act 1989.

CARRIED

5.2 Council Representation on Organisations/Committees

Moved Cr McCluskey,

Seconded Cr Pang Tsoi

That Council appoints the Council representatives to the various organisations and committees for 2018/2019.

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications

Moved Cr Little,

Seconded Cr Fergeus

That Council resolves to approve the following application for funding from the Council's Discretionary Expenditure Fund:

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>The Pan Macedonian Association of Melbourne & Victoria</i>	<i>Regular Greek dance classes for Greek youth every Thursday evening Oakleigh Hall from 7/02/19 to 27/6/19</i>	<i>\$1763.79</i>
<i>Players Theatre Company Inc.</i>	<i>Donation towards Trivia Night 3 March 2019 cost of hiring Clayton Hall.</i>	<i>\$685</i>

CARRIED

6.2 Oakleigh Community Hub Scoping Project

Moved Cr James,

Seconded Cr Pang Tosi

That Council considers allocating funding in the 2019/2020 budget to undertake a holistic scoping study that will investigate opportunities to improve community infrastructure and service provisions within Oakleigh and the potential for a Community Hub in the area.

Cr James said that this motion was a result of discussions with Council officers about having a community or neighbourhood house in Oakleigh, and the point had been reached where it was appropriate for a feasibility study to be undertaken to see what that would entail. He said that the intention was to investigate opportunities to co-locate a range of services for the benefit of the local community, rather than having them scattered throughout various locations.

In response to a question from Cr Zographos, regarding the possible impact on the Oakleigh Youth Club, the Director Community Development and Services advised that the scoping study would look at all current users and look at how they could best be included in a holistic way without displacing current services.

Cr Zographos said that his concern was about long-standing community organisations having less utilisation of Council facilities. He added that over the years there had been concerns about whether the Oakleigh Youth Club would have continuing use of Council facilities at Haughton Road. He added that he had attended club events over the years and was familiar with the good work that it

did with young people. He noted that the Oakleigh Police also had an association with the club.

In response to a question from Cr Davies, the Mayor advised that the Council would consider the allocation of funding for the study as part of the budget process, along with other proposals.

In response to a further question from Cr Davies regarding the location of services, Cr James advised that there was no commitment to do anything, but rather assessing the current location of services and if they should be relocated elsewhere. He added that nothing was guaranteed, as the proposal still needed to be approved via the Budget process.

CARRIED

6.3 Engaging Our Community - Participatory Budgeting

Moved Cr Fergeus,

Seconded Cr Little

That Council:

- 1. Notes that participatory budgeting has been shown to significantly contribute to broader public participation in local governance, and has been associated with improvements in public health, reduced corruption, greater trust in government, higher tax compliance and stronger economic growth.¹**
- 2. Notes that 43% of respondents in the Monash 2021 and Beyond community survey wanted ‘more openness and transparency’, and particularly more detail on Council expenditure.**
- 3. Notes the following Council policy positions which align with the principles of participatory budgeting:**
 - **“People can have a say in, and are at the centre of, our decisions” (Council Plan, 2017-21);**
 - **“Enhancing community consultation and involvement in our decision-making”, (Council Plan, 2017-21);**
 - **“We commit to actively engaging our community in decision-making to shape our services”, (Council Plan, 2017-21);**
 - **“A city which actively listens, engages and values community wisdom in shaping its own future”, (A Healthy & Resilient Monash, 2017-2021);**
 - **“What we will do: support community to have an active role through participation in civic and community life”, (A Healthy & Resilient Monash, 2017-2021).**
- 4. Requests that Officers provide a report to Council no later than September 2019 detailing options for a limited trial of participatory budgeting to contribute to the development of the 2021-2022 Council Budget.**

¹ Hagelskamp, C, Leighninger, M, & Rizzolo, A (2016) *Public spending, by the people*. Yankelovich Center for Public Judgement, New York

-
- 5. Refer the Participatory Budget Project to the 2020-2021 Budget process, to allow for the appropriate allocation of resources should Council choose to proceed with the Project upon receipt of the Officer report.**

PROCEDURAL MOTION

Moved Cr Fergeus,

Seconded Cr James

That the motion no longer be put.

CARRIED

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

Nil.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

- 11.1** Cr James informed the Council of the success of the Carols By Candlelight event held in Jells Park and the Carols at Oakleigh.
- 11.2** Cr Davies informed the Council of his attendance at the Carols By Candlelight, which was well organised and attended. He noted that it was the 30th year of the event and that it continued to have the strong support of the community.
- 11.3** Cr Zographos noted that following the Victorian State elections, a number of seats would have new members. He thanked Graham Watt, Michael Gidley, Inga Peulich, Nina Springle and Margaret Fitzherbert who were defeated. He congratulated the returning and new Members of Parliament.
- 11.4** Cr Pang Tsoi

a) congratulated the newly elected State Parliamentarians and thanked those who had been defeated, especially Michael Gidley and Graham Watt for their work with the Monash community.

b) thanked those organisations that had taken part in the safety forum, several weeks ago, in particular, the Australian Emergency Assistance Association Incorporated.

- 11.5 The Mayor advised that he had, on behalf of the Council, written to the newly elected Members of Parliament to congratulate them on their election.

The Mayor declared the meeting closed at 7.31 pm

MAYOR:

DATED THIS DAY OF 2018