



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 10 DECEMBER 2019**

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 10 DECEMBER 2019 AT 7.00 PM.**

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

APOLOGIES:

Nil

DISCLOSURES OF INTEREST

Nil

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 26 NOVEMBER 2019**

Moved Cr Little,

Seconded Cr McCluskey

That the minutes of the Ordinary Meeting of the Council held on 26 November 2019, 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

1.1 530-540 Springvale Road, Glen Waverley Extension of Time – Development of Multi-Level Office Buildings, A Gymnasium and Native Vegetation Removal

Moved Cr Pang Tsoi,

Seconded Cr Paterson

That Council resolves to issue an Extension of time to Planning Permit No. TPA/38965 for Buildings and works for the development of a 6 storey office building and a 4 storey office building both with basement car parking, a two storey building for the use as an indoor recreation facility (gymnasium) and a 2 tier car park, with the removal of native vegetation and associated landscaping at 530-540 Springvale Road, Glen Waverley, pursuant to the provisions of Section 69 of the Planning and Environment Act 1987.

The permit expiry dates extended as follows:

- *The development is not started before 17 August 2021*
- *The development is not completed before 17 August 2023*

CARRIED

1.2 4 Brand Street Mount Waverley – Removal of Two (2) Trees

Moved Cr Pang Tsoi,

Seconded Cr Little

A. *That Council resolves to issue a Planning Permit (TPA/50708) to remove vegetation in a Vegetation Protection Overlay, at 4 Brand Street, Mount Waverley subject to the following conditions:*

Amended Plan

1. *Prior to the removal of Tree 2, a plan is to be submitted detailing one (1) replacement canopy tree to be planted. Details to be provided include:*
 - a) *Retention of Tree 1 – Narrow-leaved Peppermint tree at the rear of the existing dwelling.*
 - b) *Removal of Tree 2 – Rose She-oak tree located in the front setback area, adjacent to the southern property boundary.*
 - c) *Location of one (1) replacement tree within the front setback of the site, including details of the species, height of the tree at planting and expected height at maturity (minimum 7 metres).*

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

2. *The tree removal as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority*
3. *The replacement tree must be planted, and in a healthy state, within six (6) months of the removal of the tree and the Responsible Authority must be notified within fourteen (14) days of the replacement tree(s) being planted.*
4. *This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if the tree is not removed before two (2) 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.

- B. *That Council writes to the Owner advising that for the tree to be retained that crown maintenance pruning be undertaken by a qualified Arborist to reduce the outer canopy.*
 - *Remove deadwood and undertake crown modification pruning as recommended by Council's Arborist, John Faulkner. All pruning must be in accordance with the Australian Standard – AS4373 Pruning of Amenity trees.*

CARRIED

- 1.3 296-308 & 310-324 Ferntree Gully Road, Notting Hill - - Staged Development of Office, Warehouse and Industry Premises, Development and Use of Food And Drink Premises, Development and Use of A Residential Hotel (Serviced Apartments), Access To A Road Zone (Category 1) and Road Works**

Moved Cr Fergeus,

Seconded Cr Little

That Council resolves to Issue an Amended Planning Permit (TPA/35875/J) for the staged development of office, warehouse and industry premises, development and use of food and drink premises, development and use of a residential hotel (serviced apartments), access to a Road Zone (Category 1) and road works, at 296-308 and 310-324 Ferntree Gully Road, Notting Hill subject to the following conditions:

1. *Before the development and use 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 plans submitted with the application (TPA/35875/H), but modified to show :*
 - a) *Any required acoustic attenuation measures as a consequence of the required Acoustic Assessment.*
 - b) *Bicycle parking provision to be increased to 20 spaces (10 hotel resident and 10 visitor).*

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- c) *Undercroft car space 12 widened to 2.6m with a corresponding reduction in the width of the turning bay.*
 - d) *Indicative detail of signage (subject to separate permit application) providing for prominent identification of the premises/business.*
2. *Prior to the commencement of any buildings or works for Buildings B, C, D, E and N, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. Full details of the buildings including details of materials and colours of each building and location of bicycle and waste facilities must be submitted for approval. The gross floor area for Buildings B and C must be no greater than 9,867sqm and 6,703sqm, respectively. The gross floor area for Building D must be no greater than 7,723sqm. The gross floor area for Building E must be no greater than 2,192sqm for warehouse, 3,047sqm for office, 1,386sqm for research and development and 310sqm for amenities and the atrium. The gross floor area for Building N must be no greater than 5,239sqm. When approved the plans will be endorsed and will then form part of the permit.*
 3. *The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
 4. *Floor area in excess of 1800 square metres must only be used for offices as specified in Clause 22.02-3 dot point No. 12 of the Monash Planning Scheme, unless the use is otherwise specified by the endorsed plans forming part of this permit.*
 5. *The provision of car parking on the site must be provided at a rate not less than:*
 - *3.5 car parking spaces to each 100 square metres of net floor area for office use.*
 - *0.8 car spaces to each accommodation room for the residential hotel (serviced apartments).*
- Car parking must be provided prior to the commencement of the use and within the designated spaces to the satisfaction of the Responsible Authority as shown on the endorsed plans under this permit and/or within the designated car parking spaces approved under other Planning Permits for this land.*
6. *Bicycle facilities for each building, hereby permitted, must be provided in accordance with the provisions detailed in Clause 52.34 of the Monash Planning Scheme.*
 7. *The maximum number of seats permitted within the café is 100 unless the Responsible Authority gives consent in writing.*
 8. *Once the development of each building has started it must be continued and completed to the satisfaction of the Responsible Authority. The Responsible Authority must be advised in writing when the construction and works for each building are completed to enable the site to be inspected.*
 9. *No goods must be stored or left exposed outside any building so as to be visible from any public road or thoroughfare.*
 10. *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.*
 11. *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.*

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12. *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.*
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 any building unless otherwise agreed to in writing by the Responsible Authority.*
14. *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:-*
- *the location of all existing trees and other vegetation to be retained on site*
 - *provision of canopy trees with spreading crowns located throughout the site*
 - *planting to soften the appearance of hard surface areas such as driveways and other paved areas*
 - *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*
 - *the location and details of all fencing*
 - *the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
 - *details of all proposed hard surface materials including pathways*
- When approved the plan will be endorsed and will then form part of the permit. The landscaping may be staged as per staging of buildings.*
15. *Before occupation of any of the buildings, landscaping works as shown of the endorsed plans for each stage must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*
16. *Before the development of each building permitted is completed, areas set aside for parked vehicles and access lanes for each building 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.

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17. *The driveway and parking area should be designed in accordance with the Australian Standard for Off Street Parking, AS/NZS 2890.1-2004, apart from the dimensions of car parking spaces and associated accessways, which must be in accordance with Clause 52.06-3 of the Monash Planning Scheme.*
 18. *Access ramps for people with disabilities should be designed in accordance with the Australian Standard for Design for Access and Mobility, AS 1428.*
 19. *All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.*
 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 conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is to the south of the property where it must be collected and free drained via a pipe to the Council pits along the southern boundary easement to be constructed to Council Standards.

Note: If the nominated point of discharge cannot be located then notify Council's Engineering Division immediately.

21. *Any new drainage work within a Council easement drain requires the approval of the Council's Engineering Division prior to the works commencing. Three copies of the plans for the drainage works for stages 1, 2 & 3 must be submitted to and approved by the Engineering Division prior to the commencement of works.*
22. *The redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council. The footpath and naturestrip are to be reinstated to the satisfaction of Council.*
23. *Prior to occupation of any new premises hereby permitted, an amended Parking Management Plan detailing the management and allocation of car parking on the site must be submitted to and approved by the Responsible Authority.*

The amended Parking Management Plan must be generally in accordance with the approved Parking Management Plan, but modified to detail:

- *Provision of car parking at a minimum rate of 3.5 spaces per 100sqm of office floor area across the development;*
- *0.8 car spaces to each accommodation room for the residential hotel (serviced apartments).*
- *Provision and adequacy of car parking to service other uses undertaken on the land;*
- *Equitable allocation and management of car parking of car parking throughout the development*
- *The integrated management of car parking and access during the course of the construction of the development of the new office building fronting Ferntree Gully Road.*

The Parking Management Plan may be amended with the written consent of the Responsible Authority. When approved the Parking Management Plan will be endorsed to form part of this permit.

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24. *Prior to the commencement of the use of any building hereby permitted, 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:*
- 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.*

A copy of this plan must be submitted to Council.

25. *Prior to commencement of any buildings and works on the site, 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) *maintenance of safe movements of vehicles to and from the site during the construction phase;*
 - f) *on-site parking of vehicles associated with construction activities;*
 - g) *wash down areas for trucks and vehicles associated with construction activities;*
 - h) *cleaning and maintaining surrounding road surfaces.*

26. *Prior to endorsement of plans pursuant to condition 1 of the permit (TPA/35875/H) an Acoustic Assessment must be submitted to and approved by the responsible authority.*

The Acoustic Assessment must be undertaken by a suitably qualified person to:

- a) *Assess the noise impact of permissible surrounding land use on the approved residential hotel.*
- b) *Specify any required noise attenuation measures to be incorporated into the design of the residential hotel. The residential hotel building must be designed to limit noise levels in bedrooms to a maximum of 45dB LAeq,8h for the night period from 10:00pm to 6:00am the following day in accordance with relevant Australian Standards for acoustic control.*

Any recommendations or required modifications to the development must be specified on the endorsed plans and implemented to the satisfaction of Responsible Authority prior to occupation of the premises.

When approved the Acoustic Assessment will be endorsed to form part of this permit.

27. *Prior to the commencement of the permitted development, the owner of the land to which this permit relates must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:*

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- a) *Residential hotel (serviced apartments) premises within the development are restricted to short-stay serviced apartments defined as "Residential Hotel" by the Monash Planning Scheme.*
 - b) *Permanent occupation of apartment premises as a primary residence is prohibited.*
 - c) *Residential hotel (serviced apartments) premises are to managed and remain under the control of a single operator responsible for the operation and maintenance of the entire premises.*
 - d) *Car parking allocated to serviced apartments located within common property, managed and allocated by the serviced apartment operator to the satisfaction of the Responsible Authority.*
 - e) *Subdivision of the residential hotel units is prohibited.*
 - f) *The costs of the Responsible Authority in relation to the preparation, review and registration of the agreement are to be borne by the owner.*

A memorandum of the Agreement is to be entered into on Title. The cost of the preparation and execution of the Agreement and entry of the memorandum on Title is to be paid by the owner.

28. *Prior to the commencement of the use for serviced apartments an Operational Management Plan concerning the residential hotel (serviced apartments) prepared to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. The plan should detail but not be limited to:*
 - a) *The presence of a manager on site at such times to operate the reception area.*
 - b) *Services provided.*
 - c) *Operating hours.*
 - d) *Management of the car park associated with the residential hotel (serviced apartments).*

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

29. *Function and conference facilities within the development must not exceed 54 patrons/seats at any single time and be operated ancillary to the primary use as serviced apartments, unless with the prior written consent of the Responsible Authority. Adequate car parking must be provided for function and conference facilities within close proximity to the premises (within Ferntree Business Park) to the satisfaction of Responsible Authority.*

VicRoads Conditions (0332808 & 01281/11 – 13 December 2011)

30. *Prior to the use of any building constructed with the authority of this permit, the following road works shall be constructed to Vic Road's satisfaction:*
 - a) *Extension of the existing u-turn lane (west approach) of the signalized intersection of Ferntree Gully Road and Gilby Road. The length of the extension is to be approved by VicRoads in consideration of SIDRA analysis to be undertaken by the applicant.*
 - b) *Extension of the right/u-turn lane (east approach) at the median opening in Ferntree Gully Road, approximately 150 metres from the western property*

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- boundary. The length of the extension is to be approved by VicRoads in consideration of SIDRA analysis to be undertaken by the applicant.*
31. *Prior to the commencement of the use of more than 10,000 square metres of floor area constructed with the authority of this permit, the following road works shall be constructed to VicRoads satisfaction: -*
 - a) *A channelization treatment at the central access point on Ferntree Gully Road, generally in accordance with GTA consultants Drawing 12M1543000-02, or other mitigation treatments to the satisfaction of VicRoads.*
 32. *Prior to the commencement of any roadworks, in, on, under or over the Ferntree Gully Road reservation the applicant must have first applied for and received written consent from VicRoads for those works in accordance with Section 63 of the Road Management Act 2004.*
 33. *Where the roadworks associated with the access arrangement to Ferntree Gully Road (including footpath and nature strip) lie within the property, the applicant must arrange for the plan of subdivision to show the land abutting the road, which is affected by the roadworks, labelled "ROAD" which vests in the Roads Corporation upon certification of the plan of subdivision. Prior to the commencement of the use of more than 10,000 sq metres of floor area constructed with the authority of this permit, a Statement of Compliance must be issued for the subdivision.*
 34. *The applicant must pay the full cost of all roadworks, drainage, service relocations, public lighting and modifications, and any other costs associated with the development.*

VicRoads Condition (02466/12-4 – 25 November 2019)

35. *Unless otherwise agreed in writing by VicRoads, prior to any further developments along Ferntree Place within the Business Park, an access strategy for the site must be prepared to the satisfaction of and at no cost to VicRoads. The access strategy must outline the anticipated level of traffic to be generated by future developments along Ferntree Place and identify modifications to the Ferntree Place interface with Ferntree Gully Road (if any) in order to maintain the operational efficiency and safety of the access.*

Department of Transport Condition (DOPT2008/0013)

36. *The relocation of the bus stop and shelter must be to the satisfaction of the Director of Public Transport, fully compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002 and completed prior to the decommissioning of the existing stop.*
37. *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 12 March 2013.*
 - *The development is not completed before 12 March 2024.**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.

NOTES:

- A. *Building approval must be obtained prior to the commencement of the above approved works.*
- B. *Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*
- C. *Engineering permits must be obtained for new or altered vehicle crossings and for new connections to Council drains and pits and these works are to be inspected by Council (9518 3690).*
- D. *Prior to the commencement of the development permitted a statement of liability indemnity, (Use of Easement Approval), related to the road and car parks over the western, eastern and southern boundary easements on the site shall be provided to the satisfaction of the City of Monash.*
Approval to be given subject to:
- *Council and Yarra Valley Water approval being given*
 - *The Registration of a Section 173 Agreement on Title between the owners and Council, protecting Council's future drainage maintenance rights.*
 - *The use of easement agreement being signed by Council.*
 - *A construction joint being made along the easement line.*
- E. *Tree planting should be kept clear of the drainage easement.*
- F. *Stormwater detention requirements may be obtained from the Council prior to design of any stormwater detention system.*
- G. *VicRoads approval and inspections are required for roadworks along Ferntree Gully Road and a copy of the approved plans and details of inspections are to be submitted for Council records.*
- H. *Buildings and structures are not to be constructed within the easement containing the existing 300mm & 225mm stormwater drains (as shown on Council drawing no 20223) within 296-308 Ferntree Gully Road property if the pipes are to be used. These drains will become private drains as part of the private internal stormwater system for the development. However if the stormwater pipes are not to be utilised and proven to Council's satisfaction that no other property connects into this drainage system then they can be made redundant.*

VicRoads Note

- I. *Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:*
- *Channelization treatment at the central access.*
 - *Extension of the U-turn lane (west approach) of the signalized intersection of Ferntree Gully Road and Gilby Road.*

Extension of the right/U-turn land (east approach) at the median opening along Ferntree Gully Road west of the site.

CARRIED

1.4 Town Planning Schedules

Moved Cr Little,

Seconded Cr Paterson

That the report containing the Town Planning Schedules be noted.

CARRIED

1.5 Building Amendment (Swimming Pool and Spa Register) Regulations 2019

Moved Cr Fergeus,

Seconded Cr Little

That Council:

- 1. Approve the proposed fees and charges associated with the various steps for the swimming pool and spa registration process.*
- 2. Approve the resources required this financial year in terms of personnel to support the register, being 1 x Technical Officer 1 EFT (Fixed Term 24 months), 1 x Building Inspector 1 EFT, 1 x Building Inspector 0.6 EFT and noting this will increase Council's overall EFT.*
- 3. Notes that the swimming pool and spa registration fees are a fee for service activity and it is expected there will be cost recovery as a result.*
- 4. Delegate the Chief Executive Officer to set an appropriate service fee for the Certificate Compliance process at the appropriate time.*
- 5. Note that officers will monitor the appropriateness of the fees relative to the work required and review as part of the normal budget process.*

CARRIED

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Weightings For Evaluation of Consultant Submissions For the Mount Waverley Reserve Master Plan

Moved Cr Paterson,

Seconded Cr Little

That Council approves the following weightings for evaluation of consultant submissions received in response to an invitation to tender for the development of the Mount Waverley Reserve Master Plan as recommended by the State Government:

- Price/Value - 30%*
- Response to brief and methodology - 35%*
- Experience and capability - 35%*

CARRIED

2.2 Ashwood Reserve Second Hockey Field Feasibility Study

Moved Cr Paterson,

Seconded Cr Little

That Council:

- 1) *Notes the Ashwood Reserve Second Hockey Field Feasibility Study has been completed and detailed findings are reported in Appendix 1 (attached)*
- 2) *Notes that the proposal to redevelop Ashwood Reserve North to provide a second synthetic field and larger carpark is feasible from a site suitability, demand and usage perspective*
- 3) *Notes that the development of the second field can only be further considered if significant external funding was secured*
- 4) *Authorises officers to commence detailed site planning for a second hockey field at Ashwood Reserve and undertake preliminary community consultation to inform future development of the site with costings*
- 5) *Notes that a development plan for Ashwood Reserve incorporating a second hockey field be presented to Council before September 2020.*

CARRIED

2.3 Notting Hill and Mulgrave Community Action Plans 2019 - 2024

Moved Cr McCluskey,

Seconded Cr Klisaris

That Council adopt the Notting Hill and Mulgrave Community Action Plans and notes that key projects total \$1,275,000 for both plans combined and will be considered as part of Council's annual budget process through the life of the project. Federal and State Grant funding will also be pursued.

CARRIED

3. CORPORATE SERVICES

3.1 Capital Works Program – Project Variations

Moved Cr Paterson,

Seconded Cr Pang Tsoi

That Council:

1. *Approves the change of scope for the Drainage Contribution Plan Hinkler Reserve Glen Waverley project and increases the project budget to \$773,000, an additional \$528,000 to be drawn from the Drainage Contribution Plan Reserves in 2019/20.*
2. *Approves the commencement of the Gardiners Reserve South Modular Change Rooms project and approve a project budget of \$453,500 in 2019/20, to be drawn from Council reserves.*

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3. Approves increase to the overall project budget for the Oakleigh Recreation Centre Redevelopment by \$900,000, to a total \$25,348,860 overall expenditure, including a variation to the construction contract (Contract No. CF2019079), with this additional expenditure to be included in the 2020/21 Budget.
 4. Authorises the Chief Executive Officer to execute the contract variations for the Oakleigh Recreation Centre Redevelopment.

CARRIED

4. INFRASTRUCTURE

4.1 Tender For Electrical Services

Moved Cr Paterson,

Seconded Cr Pang Tsoi

That Council:

1. Awards the tender from Alert Electrical Maintenance for the following categories of the Electrical Services, Contract No. 2019101.
 - Part 1: Exit & Emergency lighting, for an annual lump sum of \$280,000 and a total contract value of \$1,486,599 inclusive of all available extension options;
 - Part 2: RCD testing, for an annual lump sum of \$70,000 and a total contract value of \$371,640 inclusive of all available extension options;
 - Part 3: Switchboard thermal, for an annual lump sum of \$30,000 and a total contract value of \$159,275 inclusive of all available extension options;
 - Part 5: Public lighting, for an annual lump sum of \$40,000 and a total contract value of \$212,366 inclusive of all available extension options; with a combined schedule of rates estimated annually (based on historical usage) of \$420,000 with an estimated total contract value of \$2,233,000 inclusive of all available extension options;
2. Awards the tender from Commlec Services for the Part 4: Testing and Tagging category of the Electrical Services, Contract No. 2019101 for a combined lump sum and schedule of rates based contract with an estimated annual contract value of \$80,000 and an estimated total contract value of \$424,733 inclusive of all available extension options;
3. Awards the tender from A R I Electrical Services for Part 6: Data Cabling category of the Electrical Services, Contract No. 2019101 for a combined schedule of rates based contract with an estimated annual contract value of \$270,000 and an estimated total contract value of \$1,433,469 inclusive of all available extension options;
4. Awards the tender from Commlec Services for Part 7: General Electrical Works category of the Electrical Services, Contract No. 2019101 for a combined schedule of rates based contract with an estimated annual contract value of \$1,550,000

and an estimated total contract value of \$8,229,161 inclusive of all available extension options.

- 5. Authorises the Chief Executive Officer or her delegate to execute the contract agreement; and*
- 6. Notes that the contract will commence on 1 December 2019, with an initial term of one (1) year with two (2) separate extension options of two (2) years each and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance.*

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

CARRIED

4.2 Tender For Electra Reserve Playspace Renewal & Shared Use Path Reconstruction

Moved Cr Paterson,

Seconded Cr Little

That Council:

- 1. Awards the tender from Citywide Service Solutions Pty Ltd for Electra Reserve Playspace Renewal & Shared Use Path Reconstruction, Contract No. CF2020004 for a fixed Lump Sum of \$459,272.97 with an extra \$24,727.03 for Contingencies;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract to commence on 28 January 2020 and expected completion is 15 May 2020; and*
- 4. Notes that the total project expenditure including the fixed Lump Sum, Contingencies, Design and Project Management fees is \$528,000.*

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

CARRIED

4.3 Tender For Caloola Reserve Multi-Sports Pavilion

Moved Cr Klisaris,

Seconded Cr Paterson

That Council:

- 1. Awards the tender from 2 Construct Pty Ltd for Caloola Reserve Multi-Sport Pavilion, Contract No. 2020026 for a fixed Lump Sum of \$3,276,484 (GST excl.) and \$3,604,132.40 (GST incl.) with an extra \$165,924 for Contingencies and \$59,129 for Project Management and City Design fees.*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the total budget including the fixed Lump Sum, Contingencies and Provisional Items is \$3,583,367.*

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

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Assembly of Councillors Record

Moved Cr Paterson,

Seconded Cr Little

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

CARRIED

5.2 Appointment of Representatives to Organisations/Committees

Moved Cr Paterson,

Seconded Cr McCluskey

That Council appoints the Council representatives to the various organisations and committees for 2019/2020.

AMENDMENT

Moved Cr James,

Seconded Cr Fergeus

That the schedule to the Officers' Report be amended by:

- 1. Replacing Cr Saloumi's name with Cr Fergeus' name in the 'Proposed Representatives' column, for the Metropolitan Transport Forum."*
- 2. Removing any reference to the appointment or nomination of a Chairperson of the Environmental Advisory Committee, by Council.*

As the mover and seconder of the motion and the Council, agreed to the amendment, it was incorporated into the motion and became part of the substantive motion.

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

CARRIED

5.3 Partnership and Sponsorship Policy Review

Moved Cr Pang Tsoi,

Seconded Cr Little

That the Council resolves to adopt the 2019 Partnership and Sponsorship Policy.

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications

Moved Cr Paterson,

Seconded Cr McCluskey

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

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
<i>Dahlia Society of Victoria</i>	<i>State Dahlia Show 29/02/2020</i>	<i>\$1000 for hall hire</i>
<i>Sangam Kala Group Australia</i>	<i>2019 Sawan Spring Multicultural Festival</i>	<i>\$857.50 Excl. GST</i>

CARRIED

6.2 Fee Structure Review for All Ability and Masters Teams

Moved Cr McCluskey,

Seconded Cr Paterson

That Council agrees to amend the fee structure for Masters teams for players above the age of 50 and All Ability teams playing on Council reserves to pay the same rate as a junior team.

AMENDMENT

Moved Cr Klisaris,

Seconded Cr James

That the motion be amended to read : That Council agrees to amend the fee structure for Masters teams for players above the age of 50 and All Ability teams playing on Council reserves, resulting in Masters teams paying the same rate as a junior team and All Ability teams having their fees waived.

CARRIED

SUBSTANTIVE MOTION

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

CARRIED

DIVISION

A division was called.

For: Crs Davies, Fergeus, James, Klisaris, Lake, Little, McCluskey, Paterson, Pang Tsoi, Saloumi, Zographos

Against: Nil

6.3 Softball Australia 2020 U16 Nationals Event

Moved Cr McCluskey,

Seconded Cr Klisaris

That Council in supporting the Softball Victoria Association hosting of the 2020 Softball Australia U16 Nationals Event at Jells Park in January 2020, agrees to waive security, waste and hire fees for the event.

RIGHT OF REPLY

As the mover of the motion and after a number of Councillors had spoken on this motion, Cr McCluskey made a Right of Reply.

CARRIED

7. COMMITTEE REPORTS

Nil

8. URGENT BUSINESS

Moved Cr James ,

Seconded Cr Little

That Council move into Confidential Business and close the meeting to the public, under section 89(2) of the Local Government Act 1989 to consider as Urgent Business, an item which may prejudice the Council.

CARRIED

The Council moved into Confidential Business to consider an item submitted for consideration as Urgent Business, at 7.46 pm.

RETURN TO OPEN COUNCIL

The Council returned to Open Council at 8.10 pm.

9. CONFIDENTIAL BUSINESS

Moved Cr Pang Tsoi,

Seconded Cr Paterson

That Council, having reviewed and considered the certificate in relation to the matter listed for confidential business, and being satisfied that it is appropriate and necessary to consider this matter at a closed meeting, resolves to close the meeting to the public in accordance with section 89(2) of the Local Government Act 1989 for the reasons specified in the certificate.

CARRIED

The Council moved into Confidential Business at 8.11 pm.

OPEN COUNCIL

The Council returned to open Council at 8.15 pm.

10. PERSONAL EXPLANATIONS

Nil

11. COUNCILLORS' REPORTS

Nil

The Mayor declared the meeting closed at 8.16 pm

MAYOR:

DATED THIS DAY OF 2020