



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 30 JULY 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 30 JULY 2019 AT 7.00 PM.**

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

APOLOGIES:

Crs Klisaris, L Saloumi.

DISCLOSURES OF INTEREST

Cr Pang Tsoi – Item 6.1.

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 25 JUNE 2019**

Moved Cr Little,

Seconded Cr Pang Tsoi

That the minutes of the Ordinary Meeting of the Council held on 25 June 2019, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

Nil

PUBLIC QUESTION TIME

The Mayor advised that 2 questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Suburban Rail Loop Update

Moved Cr James,

Seconded Cr Fergeus

That Council:

1. *Notes the status update on officer engagement with State agencies and Ministers set out in this report.*
2. *Writes to the Ministers for Transport Infrastructure, Priority Precincts and Planning and local State and Federal members to:*
 - a. *Reaffirm its strong support for the proposed station locations of Clayton, Monash and Glen Waverley and commitment to being an active participant in the integrated planning for the stations and their host urban environments.*
 - b. *Request that the State provide funding assistance to Council to:*
 - i. *Assist Council is developing and co-ordinating its meaningful participation in the SRL project; and*
 - ii. *Enable Council to undertake and coordinate the planning for urban areas and activity centres at and immediately around the proposed station locations.*
 - c. *Request that value capture and creation programs extend beyond State Government owned land and include mechanisms to return a portion of the value up lift arising from the SRL to Council for expenditure in urban and community infrastructure projects in and around the station locations.*
3. *Notes that soil investigations works to assist in finalising the alignment and station box locations will shortly commence across Monash.*
4. *Notes that Rail Projects Victoria has commenced an initial round of community engagement to raise awareness and gain early community feedback on the project.*
5. *Writes to Rail Projects Victoria, Department of Jobs, Precincts and Regions, the Victoria Planning Authority and the Department of Transport requesting that they provide a combined confidential briefing to Council at the earliest possible time to explain to Councillors the SRL project, the key milestones dates and the process proposed for involving Council and the community in the project.*
6. *Writes to the Department of Transport and ask that they meet with officers to provide an update on the Caulfield to Monash Light Rail Project and its implications and synergies with the SRL project.*
7. *Notes that officers may need to expend monies in responding to issues or planning for matters related to the SRL project to ensure that Council is actively engaged in the project. The funding assistance requested in point 2.b of this report will offset some of these associated costs.*

AMENDMENT

Moved Cr Davies,

Seconded Cr Pang Tsoi

1. *Add a new part 2 b, as follows: b. Request preparation of a feasibility study into the inclusion of an additional station between the Monash and Glen Waverley Stations located in either the Brandon Park or Mount Waverley (Ferntree Gully Road) commercial areas.*
2. *Existing part 2 b and 2 c be renumbered accordingly.*

LOST

MOTION

The motion was put to the vote and declared carried.

CARRIED

DIVISION

A division was called.

For: Crs Davies, Zographos, Pang Tsoi

Against: Crs Lake, James, Little, McCluskey, Paterson, Fergeus

1.2 19-41 Drummond Street, Chadstone Construction of A Single Storey Training Centre

Moved Cr Zographos,

Seconded Cr James

That Council resolves to Grant a Planning Permit (TPA/50302) for the construction of buildings and works for a single storey training centre and waiver of bicycle parking spaces, at 19-41 Drummond Street, Chadstone subject to the following conditions:

1. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
2. *The 27 car spaces provided as part of this permit on the land must include one (1) space clearly marked for the disabled.*
3. *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;*

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- 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.

4. *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, or an alternative to the satisfaction of the Responsible Authority.

5. *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.*

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

7. *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. *Any new drainage work within the road reserve requires the approval of the City of Monash's Engineering Division prior to the works commencing. A copy of the plans 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.*
- C. *Engineering permits must be obtained for new connections to Councils drains and these works are to be inspected by Council (telephone 9518 3555).*
- D. *Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.*

1.3 205-207 Clayton Road, Clayton Construction of A Five Storey Building Comprising Thirty Six (36) Apartments Over Four (4) Levels and Basement Car Park

Moved Cr James,

Seconded Cr Zographos

That Council resolves to Grant a Planning Permit (TPA/49996) for the construction of a five storey building comprising thirty six (36) dwellings and basement carpark along with alteration of access to a Road Zone Category 1 at 205-207 Clayton Road, Clayton subject to the following conditions:

Amended Plans

1. *Before the development starts amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit.*

The plans must be generally in accordance with the plans submitted with the application by Jesse Ant Architects dated March 2019 Revision B, but modified to show:

- a) *Height of the screens on the balconies of Apartments 2.03, 2.04, 2.05, 3.03 and 3.03 to be increased to 1.7 metres.*
- b) *Bedroom windows in apartments 1.05 and 1.06 to be replaced with highlight windows at a sill height of 1.7 metres.*
- c) *All south facing windows other than highlight windows in apartments 2.05 and 2.06 to be treated to restrict overlooking to prevent downward views of the secluded open space of adjacent properties.*
- d) *2.3 metre deep pits for both car stacker systems.*
- e) *The driveway entrance to have an apex within the property to ensure stormwater does not flow from the road reserve into the basement;*
- f) *The partitioning fencing along the southern boundary side are to be removable pool style type to allow for overland flows along the southern boundary and access to the Council pit in the south western corner of the property;*
- g) *The partitioning fencing along the southern boundary side are to be removable pool style type.*
- h) *Changes required in accordance with the Tree Management Plan under Condition 7.*
- i) *Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of the vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*

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- j) Car stacker details in accordance with Conditions 8 and 9.*
 - k) A notation that no excavation takes place within 2 metres of the nature strip trees and a tree protection fence at least 2 metres from the trunk of the tree.*
 - l) The layout of the development in accordance with the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.*
 - m) A minimum aisle width adjacent to the stacker system of 6.2 metres.*
 - n) Eleven (11) bicycle spaces to be provided in accordance with the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.*

All to the satisfaction of the Responsible Authority.

No Alteration or Changes

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

Sustainable Management Plan

- 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 22.13 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.

- 4. Prior to the occupation any of the buildings approved under this permit, a report from the author of the endorsed Sustainability 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

5. *Before the commencement of 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 emissions of noise, dust and water runoff from the site;*
 - 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 to prevent people from entering the construction site;*
 - 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 of the development;*
 - g) wash down areas for trucks and vehicles associated with construction activities;*
 - h) a program for 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 that does not exceed the EPA guidelines.)*

Waste Management Plan

6. *Prior to the commencement of works on the site, a Waste Management Plan must be submitted to and approved by the Responsible Authority for the collection and disposal of garbage and recyclables by a private contractor for all uses on the site. The Waste Management Plan shall provide for:*
- a) The time and method of collection of garbage and recyclables from uses;*
 - b) Designation of methods of collection by the private contractor;*
 - c) Appropriate areas for bin storage on site and areas for bin placement on collection days;*
 - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;*
 - e) The timing collection of all waste so as not to cause disruption to traffic and amenity of the area; and*
 - f) Bins not to obstruct car parking or traffic movement.*

Once approved the Waste Management Plan will be endorsed to form part of the permit.

7. *No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public (except on collection day/s) and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.*

Tree Management Plan

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8. *Prior to the endorsement of plans a Tree Management Plan by a suitably qualified arborist must be submitted to and approved by the Responsible Authority to protect street trees 1, 2 and 3 and neighbour trees H2.5, H4 and H5.*

Once approved the Tree Management Plan will be endorsed to form part of the permit.

Landscaping

9. *Before the commencement of works on the site, 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 and on adjoining properties, and indication of Tree Protection Zones and tree protection measures for all trees to be retained.*
- *at least one new canopy tree in the frontage with a minimum mature height equal to the height of the roof of the proposed building.*
- *provision of canopy tree with spreading crowns 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, patio or decked areas*

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

Tree Protection

10. *Prior to the commencement of any works on the site (including demolition 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 a qualified landscape architect or horticulturist.*
11. *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.*
12. *All works (including demolition works) within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.*

Landscaping Prior to Occupation

13. *Before the occupation of the building 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.

VicRoads Conditions (Ref: 28436/19)

14. *Prior to the commencement of use or occupation, a sealed access crossover as at least 6.4 metres wide at the property boundary with the edges of 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 and at no cost to VicRoads or the Responsible Authority.*
15. *Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority and at no cost to VicRoads or the Responsible Authority.*
16. *Vehicles must enter and exit the land in a forward direction at all times.*

Car Stackers and Vehicle Crossovers

17. *Prior to endorsement of any plans, plans and specifications for the mechanical parking system must be submitted and approved to the satisfaction of the Responsible Authority.*
18. *Car stacker modules are required to cater for the following:*
 - a) *Independent operation for each parking space.*
 - b) *A minimum ground level overhead clearance of 1.8 metres.*
 - c) *A car/van up to 175cm height on the upper level.*
 - d) *A clear/usable platform width of at least 230cm.*
 - e) *Minimum pit length of 520cm.*
 - f) *Loading weight per platform of at least 2000kg.*
19. *The mechanical parking system is to meet Australian Standard AS 5124:2017 Safety of machinery—Equipment for power driven parking of motor vehicles - Safety and EMC requirements for design, manufacturing, erection and commissioning stages (EN 14010:2003, MOD).*
20. *The mechanical car stackers are to be maintained in a good working order and be permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.*
21. *All access points to the system require the provision of a gate/door which is to be fully automated and linked to the car stacker operating system to ensure that there is no inadvertent access during the operation of the system.*
22. *Car and bicycle parking areas and access lanes must be developed and kept available for those purposes at all times and must not be used for any other purpose such as storage to the satisfaction of the Responsible Authority.*
23. *Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.*
24. *The proposed crossing is to be constructed in accordance with the City of Monash standards.*
25. *The existing redundant crossing on Clayton Road is to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.*
26. *Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.*

Drainage

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27. *Plans for the drainage and civil works must be submitted to and approved by the Monash City Council 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.*

Completion of Buildings and Works

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

Permit Expiry

30. *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 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 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

Building Approval

- 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.*

Drainage

- C. *The property has been referred to Monash Council as an overland flow path. The requirements to protect the property are as follows:*
- a) The driveway entrance is to have an apex within the property to ensure stormwater does not flow from the road reserve into the basement.*
 - b) The partitioning fencing along the southern boundary side are to be removable pool style type to allow for overland flows along the southern boundary and access to the Council pit in the south western corner of the property.*
- D. *The double side entry pit within the proposed crossing is to be reconstructed and fitted with twin grated pit lids to Council's standards and a new side entry pit is to be constructed at least 1 metre north of the vehicle crossing of 203 Clayton Road.*
- E. *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. The detention system must be designed for storm events up to the 1% AEP event for the basement car park. The detention system for*

the basement is to be separate from the detention system for the property, which is to be ground level and discharged by gravity.

- F. The nominated point of stormwater connection for the site is to the south-west corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the Council pit in the rear easement via a 900mm c 600mm junction pit to be constructed to Council Standards. (A new pit is to be constructed to Council Standards if a pit does not exist, is in poor condition or is not a Council standard pit).*

Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.

- G. Detention system requirements for above property are as follows:*
- Minimum storage= 9.73m³*
 - Maximum discharge rate= 14.33 l/s*
 - Minimum orifice diameter if using orifice pit= 65mm, otherwise install a Phillips multi cell or similar to control overflow.*
- H. Any new drainage work within the road reserve requires the approval of the Council's Engineering Division prior to the works commencing. Please refer to the notes section of this permit for additional details. A refundable security deposit of \$10,000 is to be paid prior to the drainage works commencing.*
- I. 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).*
- J. 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.*
- K. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including 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.*
- L. Building Over Easement approval is required for the partitioning fences and clotheslines. Approval will be given subject to:*
- South East Water approval being obtained.*

Underground services not to impact trees

- M. All excavations associated with drainage works or the provision of underground services must not be carried out in a manner that will adversely impact on the health of trees on adjoining land or to be retained on the subject land. Please refer to development and landscaping plans for further details.*

Street Numbering

- N. 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.*

Variation to Planning Permit

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- O. *Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.*

VicRoads Notes

- P. *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.*
- Q. *Future residents of the development will not be eligible for resident parking permits.*

CARRIED

1.4 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 Monash Community Grants Program Service Improvement

Moved Cr Fergeus, Seconded Cr Paterson

That Council:

1. Endorses the proposed stages and key timelines for the 2020/21 notably:

- Monash Community Grant Program Applications Open 28 January 2020;*
- Monash Community Grant Program Closes 28 February 2020;*
- Monash Community Grant Program Allocations Report is tabled at Council May 2020;*
- Successful and Unsuccessful Applications are advised May 2020 (in-principle funding, dependent on the adoption of the 2020/2021 Budget); and*

2. Notes that a further report will follow in September with the MCGP Guidelines and Terms of Reference.

CARRIED

2.2 Monash Council Submission To The Royal Commission Into Victoria's Mental Health System

Moved Cr Fergeus, Seconded Cr Paterson

That Council notes the report and the Monash City Council submission to the Royal Commission into Victoria's Mental Health System.

CARRIED

2.3 Immunisation Advocacy

Moved Cr McCluskey,

Seconded Cr Paterson

That Council:

- 1. Notes the important work the Immunisation Program does within the community as a simple, safe and effective way of protecting people against harmful diseases before they come into contact with them thus reducing the spread of preventable disease.*
- 2. Advocates to the Victorian Minister for Health, the Hon. Jenny Mikakos to increase the level of State funding subsidies to local government immunisation services in line with the increasing costs of immunisation.*
- 3. Authorises officers to engage with other immunisation agencies in a collective advocacy campaign.*

CARRIED

2.4 Naming of Oakleigh District Football Netball Club Electronic Scoreboard

Moved Cr Fergeus,

Seconded Cr Little

That Council advises the Oakleigh District Football Netball Club that it does not support its request to name the proposed scoreboard at Princes Highway West Oval, Oakleigh as the 'Ray Carr Scoreboard'.

AMENDMENT

Moved Cr James,

Seconded Cr Zographos

Add point 2 as follows:

That Council:

- 1. Advises the Oakleigh District Football Netball Club that it does not support its request to name the proposed electronic scoreboard at Princes Highway West Oval, Oakleigh as the 'Ray Carr Scoreboard'.*
- 2. Directs officers to undertake a review of the current Monash City Council Guidelines for Community Request for the Naming of Council Facilities and present this back to Council for consideration in the October 2019 Council meeting cycle.*

CARRIED

SUBSTANTIVE MOTION

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

CARRIED

2.5 Tender For Events & Events Risk Management and Event Sponsorship Coordination

Moved Cr Little,

Seconded Cr Paterson

That Council:

- 1. Awards the tender from Fruitbowl Productions for Event & Event Risk Management for Carols by Candlelight and Event Sponsorship Coordination for Carols by Candlelight, Contract No. 2019192 for a fixed Lump Sum of \$51,140 (GST exclusive) plus 25% commission on all cash sponsorship received.*
- 2. Accepts the Schedule of Daywork Rates ranging from \$45 - \$90 per hour for additional services as required.*
- 3. Accepts that the event and risk management for Clayton Festival, along with the sponsorship coordination for Clayton Festival, be managed internally by the Arts & Cultural Development team instead of awarding a contract for these services to an external provider under this tender process.*
- 4. Approves a budget allocation of \$50,528.13 per year (adjusted annually for CPI) for employment of a temporary event officer to support the Arts & Cultural Development team to manage the Clayton Festival and to coordinate sponsorship.*
- 5. Authorises the Chief Executive Officer to execute the contract agreement.*
- 6. Notes that the contract will commence on 1 August 2019, with an initial term of one (1) year nine (9) months and that the contract has two (2) extension options of one (1) year each and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance. The expected completion date is 30 April 2023 including all extension options.*
- 7. Notes that the total contract expenditure budget including the fixed Lump Sum and Sponsorship Commission is \$230,779.02.*

CARRIED

3. CORPORATE SERVICES

3.1 Consultancy Report

Moved Cr Little,

Seconded Cr Paterson

That Council notes the attached summary of Consultancy engagements completed for the 6 month period ending 30 June 2019.

CARRIED

4. INFRASTRUCTURE

4.1 Second Update On Reducing Use of Single Use Plastics Across Council Business

Moved Cr James,

Seconded Cr Little

That Council notes the progress to reduce single use plastics across the Council business and events over the last twelve months.

CARRIED

4.2 Tender For Supply of Trees and Plants

Moved Cr Little,

Seconded Cr Fergeus

That Council:

- 1. Awards the tender from Noble Olive Groves Pty Ltd for Supply of Trees and Plants, Contract No. CF2019099 for a schedule of rates based contract with an estimated annual contract value of \$280,000 and an estimated total contract value of \$1,400,000 inclusive of all available extension options.;*
- 2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and to approve extension options subject to satisfactory performance and*
- 3. Notes that the contract will commence on 2 August 2019, with an initial term of three (3) years and the contract has two extension options of one (1) years each.*

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

CARRIED

4.3 Renewable Energy Power Purchase Agreements

Moved Cr Pang Tsoi,

Seconded Cr Fergeus

That Council:

- 1. Supports a 100% renewable energy target for Council's electricity use through;
- commitment to 90% of Council's electricity use to renewable energy power purchase agreement(s) which includes council's large energy sites (54%) and unmetered public lighting (36%)
seeking renewable energy solutions, which may include power purchase agreements, for the remaining small market energy sites (10%).*
- 2. Agrees to enter into a tender process to purchase renewable energy via the Local Government Power Purchase Agreement (LGPPA) with other Victoria Councils, in partnership with MAV.*
- 3. Agrees to enter into a tender process to purchase renewable energy via the South East Melbourne Renewable Energy Project (SEMREP) led by SECCCA.*

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- 4. Delegates authority to the Chief Executive Officer to enter into and sign the relevant contract documents for the LGPPA and SEMREP with preferred supplier(s) from December 2020, subject to the final offers being within the agreed favourable Pricing Parameters.**

CARRIED

DIVISION

A division was called.

For: Crs Lake, James, Little, McCluskey, Paterson, Pang Tsoi, Fergeus

Against: Crs Davies, Zographos

4.4 Tender for Tree Pruning and Other Tree Works

Moved Cr McCluskey,

Seconded Cr Little

PART A

CYCLIC PRUNING PROGRAM (Single Supplier)

- 1. Awards the tender from Active Tree Services for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part A - Annual Cyclic Pruning for the fixed lump sum of \$1,809,630 per annum and an estimated total contract value of \$10,857,780 inclusive of all available extension options (executable at Council's option).**
- 2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and approve extension options subject to satisfactory performance.**
- 3. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option.**

PART B

TOPIARY & HIGH GRAFT PRUNING (Single Supplier)

- 1. Awards the tender from Tree Serve Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part B – Topiary & High Graft Pruning (Mop Tops) for the fixed Lump Sum of \$42,840 per annum and an estimated total contract value of \$257,040 inclusive of all available extension options (executable at Council's option).**
- 2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and approve extension options subject to satisfactory performance.**
- 3. Notes that the contract will commence on 12 August 2019 and the completion date is 11 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option.**

PART C1

TREE PRUNING – ELECTRICAL LINE CLEARANCE (Panel)

-
- 1. Awards the tender from Tree Serve Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. CF2019136, Part C Tree Pruning – Electrical line clearance for the schedule of rates based contract with an estimated annual expenditure of \$18,000 and an estimated total contract value of \$108,000 inclusive of all available extension options (executable at Council's option); and**
 - 2. Awards the tender from Active Tree Services for CF2019136 Tree Pruning and Other Tree Works, Contract No. CF2019136, Part C Tree Pruning – Electrical line clearance for the schedule of rates based contract with an estimated annual expenditure of \$44,736 and an estimated total contract value of \$268,416 inclusive of all available extension options (executable at Council's option); and**
 - 3. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and approve extension options subject to satisfactory performance;**
 - 4. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option.**

PART C2

TREE PRUNING – REACTIVE WORKS (Panel)

- 1. Awards the tender from Tree Serve Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. CF2019136, Part C Tree Pruning – Reactive Works for the schedule of rates based contract with an estimated annual expenditure of \$295,008 and an estimated total contract value of \$1,770,048 inclusive of all available extension options (executable at Council's option); and**
- 2. Awards the tender from Active Tree Services for CF2019136 Tree Pruning and Other Tree Works, Contract No. CF2019136, Part C Tree Pruning – Reactive Works for the schedule of rates based contract with an estimated annual expenditure of \$575,637 and an estimated total contract value of \$3,453,822 inclusive of all available extension options (executable at Council's option); and**
- 3. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and approve extension options subject to satisfactory performance;**
- 4. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option**

PART C3

LIVE LINE CLEARANCE (Panel)

- 1. Awards the tender from Tree Serve Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. CF2019136, Part C Tree Pruning – Live Line Clearance for the schedule of rates based contract with an estimated annual expenditure of \$155,000 and an estimated total contract value of \$930,000 inclusive of all available extension options (executable at Council's option); and**
- 2. Awards the tender from Active Tree Services for CF2019136 Tree Pruning and Other Tree Works, Contract No. CF2019136, Part C Tree Pruning – Live Line Clearance for**

the schedule of rates based contract with an estimated annual expenditure of \$270,080 and an estimated total contract value of \$1,620,000 inclusive of all available extension options (executable at Council's option); and

3. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and approve extension options subject to satisfactory performance;

4. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option

PART C4

TREE REMOVAL (Single Supplier)

1. Awards the tender from Tree Serve Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part C – Tree removal for the schedule of rates based contract with an estimated annual expenditure of \$729,770 and an estimated total contract value of \$4,378,620 inclusive of all available extension options (executable at Council's option); and

2. Authorises the Chief Executive Officer or their delegate to execute the contract agreement and approve extension options subject to satisfactory performance;

3. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option

PART C5

STUMP GRINDING (Panel)

1. Awards the tender from Tree Serve Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part C – Stump Grinding for the schedule of rates based contract with an estimated annual expenditure of \$8,662 and an estimated total contract value of \$51,975 inclusive of all available extension options (executable at Council's option); and

2. Awards the tender from Active Tree Services for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part C – Stump Grinding for the schedule of rates based contract with an estimated annual expenditure of \$19,635 and an estimated total contract value of \$117,810 inclusive of all available extension options (executable at Council's option); and

3. Authorises the Director Infrastructure to execute the contract agreement and approve extensions subject to the satisfactory performance; and

4. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option

PART C6

TREE ROOT BARRIERS (Single Supplier)

1. Awards the tender from Stumpmasters and Rootcontrollers Australia for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part C – Tree Root

Management for the schedule of rates based contract with an estimated annual expenditure of \$7,200 and an estimated total contract value of \$43,200 inclusive of all available extension options (executable at Council's option); and

2. Authorises the Director Infrastructure to execute the contract agreement and approve extension options.

3. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option.

PART C7

DATA COLLECTION (Panel)

1. Awards the tender from Homewood Consulting Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part C – Data Collection for the schedule of rates based contract with an estimated annual expenditure of \$500 and an estimated total contract value of \$3,000 inclusive of all available extension options (executable at Council's option); and

2. Awards the tender from Active Tree Services for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part C – Data Collection for the schedule of rates based contract with an estimated annual expenditure of \$825 and an estimated total contract value of \$4,950 inclusive of all available extension options (executable at Council's option); and

3. Authorises the Director Infrastructure to execute the contract agreement and approve extensions options; and

4. Notes that the contract will commence on 1 September 2019 and the completion date is 31 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option.

PART D

PLANTING & ESTABLISHMENT (Panel)

1. Awards the tender from Sevron Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part D Tree Planting & Establishment for the schedule of rates based contract with an estimated annual expenditure of \$155,770.00 and an estimated total contract value of \$934,620.00 inclusive of all available extension options (executable at Council's option); and

2. Awards the tender from Metropolitan Tree Growers Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part D Tree Planting & Establishment for the schedule of rates based contract with an estimated annual expenditure of \$163,310.00 and an estimated total contract value of \$979,860.00 inclusive of all available extension options (executable at Council's option); and

3. Awards the tender from City Wide Pty Ltd for CF2019136 Tree Pruning and Other Tree Works, Contract No. 2019136, Part D Tree Planting & Establishment for the schedule of rates based contract with an estimated annual expenditure of

\$173,340.00 and an estimated total contract value of \$1,040,040.00 inclusive of all available extension options (executable at Council's option); and

4. Authorises the Chief Executive Officer to execute the contract agreement and approve extension options subject to satisfactory performance; and

5. Notes that the contract will commence on 12 August 2019 and the completion date is 11 August 2023 (initial 4 year contract term) with one (1) two (2) year extension option.

CARRIED

4.5 Atherton Road Oakleigh – Stage 2 Road Reconstruction & Streetscape Enhancement

Moved Cr Little,

Seconded Cr Pang Tsoi

That Council

- 1. Acknowledges and approves the variation of \$358,846.21 to the Council approved contract CF2018193 (Stage 2 Reconstruction & Streetscape Enhancement of Atherton Road, Oakleigh).*
- 2. Notes the revised estimated contract amount for ACE Landscape Services Pty Ltd of \$6,046,358.23 for Contract No. 2018193 (Stage 2 Reconstruction & Streetscape Enhancement of Atherton Road, Oakleigh).*
- 3. Notes the anticipated overall project expenditure of \$7,293,593.69 which includes the revised contract amount for ACE Landscape Services Pty Ltd, additional project construction costs outside of the contract, project management fees and contingency.*

(Please note all dollar figures are GST inclusive unless stated otherwise)

CARRIED

4.6 Tender For Princes Highway Reserve West – Sportsground Redevelopment

Moved Cr Little,

Seconded Cr Fergeus

That Council:

- 1. Awards the tender from SJM Turf and Civil Pty Ltd for Princes Highway Reserve West – Sportsground Redevelopment, Contract No. CF2019144 for a fixed Lump Sum of \$925,742.84 and with an extra \$92,574 for Contingencies;*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract will commence in September 2019 and the expected completion is January 2020; and*
- 4. Notes that the total budget including the fixed Lump Sum, Contingencies and Provisional Items is \$1,018,316.80.*

*(*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 Little,

Seconded Cr Fergeus

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

CARRIED

5.2 Acting Chief Executive Officer

Moved Cr McCluskey,

Seconded Cr Zographos

That Council appoints Peter Panagakos, Director City Development, as Acting Chief Executive Officer during the absence of the Chief Executive Officer from 27 August 2019 to 24 September 2019, both dates inclusive.

CARRIED

5.3 Recognition of Mitochondrial Disease

Moved Cr McCluskey,

Seconded Cr Paterson

That Council:

1. *Recognises Global Mitochondrial Disease Awareness Week.*
2. *Agrees to support the Mito Foundation by lighting up Council offices and Council's Euneva Avenue car park in the colour green on the evening of Saturday 14 September 2019 to mark the beginning of the Global Mitochondrial Awareness Week.*

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications - Mayor

NOTE: Cr Pang Tsoi disclosed an interest in this matter as he is a member of the Rotary Club of Mount Waverley, which is one of the applicants for funding, under this item. Cr Pang Tsoi left the Chamber at 8.07 pm prior to Council's consideration of this item and returned at 8.09 pm after the vote had concluded.

Moved Cr McCluskey,

Seconded Cr Little

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

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
<i>Monash Men's Shed</i>	<i>Australian Men's Shed Association Conference 10-12 September 2019. Donation.</i>	<i>\$500</i>
<i>River Chinese Band</i>	<i>Weekly Music Rehearsal 2019/2020. Hall Hire charge.</i>	<i>\$1,937.28 excl. GST</i>
<i>River Chinese Band</i>	<i>Musical Concert 28 July 2019. Hall Hire charge.</i>	<i>\$685 excl. GST</i>
<i>Tamil Australian Friendship Society</i>	<i>Kalai Vizha (Cultural Event) 6 October 2019. Donation.</i>	<i>\$496.70 excl. GST</i>
<i>Samuel Walk</i>	<i>Attend the 37th IBA International Baseball Championship 17 July - 1 August 2019. Donation.</i>	<i>\$250</i>
<i>Monash Chinese Friendship Association</i>	<i>Moon Cake Festival 3 September 2019. Donation.</i>	<i>\$1,000</i>

<i>Indian Senior Citizens Association of Victoria</i>	<i>Yoga & Chair Exercises 2019/20. Hall Hire charge.</i>	<i>\$3,823.57 excl. GST</i>
<i>Indian Senior Citizens Association</i>	<i>Multicultural Day and Deewali Celebrations 17 August 2019 & 19 October 2019. Hall Hire charge for both events and a donation</i>	<i>\$1,392 excl. GST</i>
<i>Rotary Club of Mount Waverley Inc.</i>	<i>Hall hire for trivia night fund raising event 5 October 2019.</i>	<i>\$478 excl. GST</i>

AMENDMENT

With the agreement of the Council, the following amendment was made to the motion

<i>Indian Senior Citizens Association of Victoria</i>	<i>Yoga & Chair Exercises 2019/20. Hall Hire charge.</i>	<i>\$2,996.55 excl. GST</i>
<i>Indian Senior Citizens Association</i>	<i>Multicultural Day and Deewali Celebrations 17 August 2019 & 19 October 2019. Donation</i>	<i>\$1,500</i>

CARRIED

SUBSTANTIVE MOTION

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

CARRIED

6.2 Cities Power Partnership – Statement From Australian Mayors

Moved Cr Fergus,

Seconded Cr James

That Council supports and authorises the Mayor to sign the joint statement released by Cities Power Partnership in support of national action to make tackling climate change a top priority.

EXTENSION OF TIME TO SPEAK

Moved Cr Davies,

Seconded Cr McCluskey

That Cr Davies be granted an additional 1 minute to speak.

CARRIED

The motion was put to the vote and declared carried.

CARRIED

6.3 Reading and Walking: International Library Bookmarks Exchange 2019

Moved Cr Pang Tsoi,

Seconded Cr McCluskey

That Council endorses Monash Public Library Service's participation in the "Reading and Walking: International Library Bookmarks Arts Exchange 2019" in association with Guangzhou Library (China), Los Angeles County Public Library (USA), Lyon Library (France), National Foreign Language Library of Russia and the Yekaterinburg Mayor Library of Russia.

CARRIED

6.4 Raise The Rate – Reducing The Burden on Local Government

Moved Cr Fergeus,

Seconded Cr Paterson

That Council:

- i) Notes that the rate of the Newstart Allowance has not been raised in real terms for 25 years;*
- ii) Notes that the Newstart Allowance is currently less than 40% of the minimum wage and less than 17% of the average wage;*
- iii) Notes that the low rate of the Newstart Allowance – currently less than two thirds of the rate required to meet the poverty line¹ - is exacerbating poverty, homelessness and inequality;*
- iv) Acknowledges recent resident activism to Council on the issue of Newstart;*
- v) Joins the National General Assembly of the Australian Local Government Association in supporting an immediate increase in the Newstart Allowance to the level of the Henderson Poverty Line;*
- vi) Writes to the Minister and Shadow Minister for Families and Social Services, expressing this position, and sends copies to Federal Members of Parliament representing the Monash area; and*
- vii) Communicates this position as part of its ongoing advocacy activities.*

CARRIED

DIVISION

A division was called.

For: Crs Fergeus, Paterson, Little, McCluskey, Pang Tsoi

Against: Crs Davies, Zographos, James, Lake

7. COMMITTEE REPORTS

7.1 Review of the Audit & Risk Committee Charter

Moved Cr James,

Seconded Cr Paterson

That Council adopts the amended Audit & Risk Committee Charter (attached) as recommended by the Audit & Risk Committee to assist Council in providing oversight and guidance on the following matters:

- *internal and external financial reporting;*
- *the effectiveness of the management and reporting of Council's key risks and the protection of Council's assets;*
- *the effectiveness of Council's system of internal controls;*
- *the effectiveness of the internal and external audit functions; and*
- *the provision of an effective means of communication between the external auditor, internal audit, management and the Council.*

CARRIED

7.2 Audit & Risk Committee Minutes of 5 March 2019 and 18 June 2019

Moved Cr Little,

Seconded Cr James

That Council

1. *Notes the confirmed minutes of the 5 March 2019 Audit & Risk Committee.*
2. *Notes the unconfirmed minutes of the 18 June 2019 Audit & Risk Committee.*
3. *Notes that the unconfirmed minutes of the 18 June 2019 Audit & Risk Committee, will be signed by the Chair of the Committee at the next Committee meeting and any substantive changes to the unconfirmed minutes will be reported to the next Council meeting.*

CARRIED

8. URGENT BUSINESS

Moved Cr McCluskey,

Seconded Cr Paterson

That the matter of anti-Semitic graffiti be admitted as an Item of Urgent Business.

CARRIED

8.1 Not in Our Community

Moved Cr McCluskey,

Seconded Cr Paterson

That Council:

- 1. Notes the recent spate of incidents in anti-Semitism in Monash over the recent weeks, which impacts on common values of democracy, freedom and multiculturalism.*
- 2. Unequivocally and publicly condemns all forms of anti-Semitism and other race-based discrimination in our community.*
- 3. Continues to raise public awareness and acceptance of the importance of the principles of inclusion, human rights and diversity.*

CARRIED

Moved Cr James,

Seconded Cr Paterson

That the matter of car parking at Oakleigh South Primary School be admitted as an Item of Urgent Business.

CARRIED

8.2 Oakleigh South Primary School – Car Park

Moved Cr James,

Seconded Cr Fergeus

- 1. That Council notes that it understands that the Department of Education has developed plans to install either 16 or 32 car parks on the existing site and close the remainder of the site to vehicles, resulting in an unworkable situation of vehicles on local streets.*
- 2. That the Mayor writes to the Minister of Education and the CEO writes to the Department of Education and Training Victoria to support the construction of a formalised car park with a capacity in the order of 200 parking spaces on the Oakleigh South Primary School site.*

CARRIED

9. CONFIDENTIAL BUSINESS

Moved Cr Little,

Seconded Cr McCluskey

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 these 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 8.43 pm and returned to Open Council at 8.45 pm.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

11.1 Cr James congratulated Anne from Inchmeal Café for her award from the Monash Business Awards under the Micro Business Category.

11.2 Cr Davies raised the matter of the recently announced Federal tax cuts.

The Mayor declared the meeting closed at 8.50 pm

MAYOR:

DATED THIS DAY OF 2019