



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 28 JANUARY 2020**

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 28 JANUARY 2020 AT 7.00 PM.**

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

APOLOGIES:

Cr, G Lake, R Paterson

DISCLOSURES OF INTEREST

Nil.

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

Moved Cr Little,

Seconded Cr Tsoi

That the minutes of the Ordinary Meeting of the Council held on 10 December 2019, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

PUBLIC QUESTION TIME

The Mayor advised that eight questions had been received. Two submitters attended the meeting, to have their questions read out and responded to. The Mayor advised that Council's responses to each of the other submitters would be sent to them.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Clayton Activity Centre Precinct Plan

Moved Cr Fergeus,

Seconded Cr Tsoi

That Council:

- 1. Receive and note the submissions received in response to the community consultation for the Draft Clayton Activity Centre Precinct Plan.*
- 2. Note the Officers' response to submissions as outlined in Attachment 1 to this report.*
- 3. Adopt the Draft Clayton Activity Centre Precinct Plan subject to the Officer recommendations as outlined in this report.*
- 4. Note that Officers will prepare a report for a future Council meeting outlining an Implementation Plan and the next steps in implementing the Plan's Vision.*
- 5. Direct Officers to report to a future Council meeting on the implications of the new Clayton Super Hub Suburban Rail Loop Station once this is confirmed.*

CARRIED

1.2 Draft Mount Waverley Activity Centre Structure Plan

Moved Cr Little,

Seconded Cr Fergeus

That Council:

- 1. Note the feedback received in response to the community consultation on the Mount Waverley Activity Centre discussion paper released in mid-2019.*
- 2. Notes the content and recommendations of the draft Mount Waverley Activity Centre Structure Plan appended to this report.*
- 3. Release the draft Mount Waverley Activity Centre Structure Plan for community consultation in accordance with the consultation program set out in this report.*
- 4. Note that a further report will be presented to Council upon the completion of the community consultation.*

CARRIED

1.3 Huntingdale Activity Centre Precinct Plan

Moved Cr James,

Seconded Cr Tsoi

That Council:

- 1. Receive and note the submissions in response to the community consultation for the Draft Huntingdale Activity Centre Precinct Plan.*
- 2. Note the Officers' response to submissions as outlined in Attachment 1 to this report.*
- 3. Adopt the Draft Huntingdale Activity Centre Precinct Plan as exhibited and in accordance with this report.*
- 4. Notes that a further report will be presented to a future Council meeting outlining an Implementation Plan to give effect to the Precinct Plan and its Vision.*

PROCEDURAL MOTION

Moved Cr Zographos,

Seconded Cr Saloumi

That this matter be deferred to the February 2020 Ordinary Meeting of Council

LOST

DIVISION

A division was called.

For: Crs Zographos, Davies, Saloumi

Against: Crs Klisaris, Tsoi, James, Little, McCluskey, Fergeus

AMENDMENT

Moved Cr Zographos,

Seconded Cr Davies

That part 3 be replaced by the words "Holds 1 community meeting in February 2020 and invites anyone who is interested in this matter, to attend that meeting."

CARRIED

SUBSTANTIVE MOTION

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

CARRIED

1.4 307 Huntingdale Road, Chadstone - Construction of A Three Storey Residential Building Comprising 14 Dwellings With Basement Car Parking

Moved Cr Little,

Seconded Cr Tsoi

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/50751) for the construction of a three storey residential building comprising 14 dwellings with basement car parking and front fencing; and to create and alter access to a road in a Road Zone Category 1, at 307 Huntingdale Road, Chadstone subject to the following conditions:

Amended Plans Required

1. *Before the development starts, amended plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted to Council dated 30 September 2019 (Revision B) but modified to show:*
 - a) *Increased ground level setbacks to the southern and western boundaries to provide a minimum of 35% unroofed garden area.*
 - b) *Lowering the height of the south-western portion of the staircase on the top level to reduce additional shadow cast onto the secluded private open space of Units 2 and 3 of 309 Huntingdale Road.*
 - c) *Sliding doors on the western wall of the western bedroom of apartment 02 and eastern wall of the eastern bedroom of apartment 03 to face the internal courtyard and provide access to this space.*
 - d) *The south facing bedroom windows of apartment 03 to comply with Standard B22 to prevent overlooking.*
 - e) *The first floor southern wall to provide additional visual interest through the additional of varied materiality and façade articulation.*
 - f) *At least the east and west facing habitable room windows/ sliding doors provided with acoustic treatment.*
 - g) *Finished floor level of the outdoor paving area within the secluded private open space area and details of any retaining walls.*
 - h) *Top level window locations and sill heights with screening details clearly shown on the south and north elevation.*
 - i) *Legend to specify obscured glass windows are to be 'non-openable obscured glaze (no film)'.*
 - j) *Retaining walls along the northern boundary of the secluded private open space of apartments 05 and 06, and landscaping concepts in accordance with the landscape plan.*
 - k) *Notation to the vehicle crossover in accordance with Condition 28.*

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- l) Notation on the basement and ground level plans to read 'Street tree to be retained and protected as per the advice from John Patrick Landscape Architects Pty Ltd dated 27 July 2019'.*
 - m) The hard paving associated with the visitor bicycle spaces within the front setback replaced by grass or grasscrete finish.*
 - n) A minimum 2.1 metres headroom clearance within the basement.*
 - o) The 5 metres long driveway from the entrance of the site extended to 7 metres long to provide a passing area of 6.1 metres wide by 7 metres long. The ramp grade of the extended section of the driveway could remain as 1:4.5 as proposed.*
 - p) Provision of 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) on both sides from the edge of an exit lane of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*
 - q) Annotation of the 1.2 metres high common boundary fence along the northern boundary adjacent the driveway is at least 2.5 metres in length (deep within the property) to provide visual clearance within the corner splay.*
 - r) Details and Plans for the car stacker design and associated features.*
 - s) The car stacker pit depth increased to 2 metres or to the satisfaction of Council's Traffic Engineer.*
 - t) Service cabinet at front of the development relocated towards the southern side of the site, fully integrated into the proposed front fencing and landscaping without obstructing sightlines of the adjoining driveway.*

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 prior written consent of the Responsible Authority.**

Landscaping

- 3. Concurrent with the endorsement of any plans pursuant to Condition 1, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Concept Plan dated 9 August 2019, Prepared by John Patricks Landscape Architects Pty Ltd except that the plan must show:**
 - (a) Detail of the proposed 'feature paving' and proposed concrete driveway.*
 - (b) The visitor bicycle spaces proposed to be positioned within a landscaped setting. Hard paving associated with the bicycle spaces to be amended to be a grass or grasscrete finish;*
 - (c) Width and location of the easement within the site.*

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- (d) *Location of external lighting;*
- (e) *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; and*
- (f) *Location of retaining walls and site services.*
4. *Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*
5. *All landscaping works shown on the endorsed landscape plan(s) must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.*
6. *An in-ground, automatic watering system linked to rainwater tanks on the land must be installed to the main garden areas to the satisfaction of the Responsible Authority.*

Waste Management

7. *Concurrent with the endorsement of plans, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must be substantially in accordance with the Waste Management Plan prepared by Salt, dated 14 August 2019 however revised to reflect any changes to satisfy requirements from the Responsible Authority. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*
8. *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 odor shall be emitted from any receptacle so as to cause offence to persons outside the land.*
9. *Collection of waste must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:*
- *Monday to Saturday: 7:00am to 6:00pm*
 - *Public Holidays: 9:00am to 6:00pm*
 - *Sunday: No collection allowed*

To the satisfaction of the Responsible Authority.

Construction Management

10. *Prior to the commencement of any site works (including demolition and excavation), a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form*

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

- a) *Hours for construction activity in accordance with any other condition of this permit;*
- b) *Measures to control noise, dust and water and sediment laden runoff;*
- c) *Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
- d) *Measures relating to removal of hazardous or dangerous material from the site, where applicable;*
- e) *A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;*
- f) *Cleaning and maintaining surrounding road surfaces;*
- g) *A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;*
- h) *Public Safety and site security;*
- i) *A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;*
- j) *A Traffic Management Plan showing truck routes to and from the site;*
- k) *Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;*
- l) *Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;*
- m) *Contact details of key construction site staff;*
- n) *Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.*
- o) *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).*

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

Sustainable Design Assessment (SDA)

12. *Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must*

incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:

- a) Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Monash Planning Scheme.*
- b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.*
- c) Document the means by which the appropriate target or performance is to be achieved.*
- d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.*
- e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.*

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.

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

Drainage and Stormwater

- 14. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.*
- 15. The development is to be connected to a legal point of discharge to the satisfaction of the Responsible Authority.*
- 16. All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing.*

Vehicle crossover and Driveway

- 17. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.*

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18. *The proposed crossing is to be constructed in accordance with the City of Monash standards.*
 19. *Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.*
 20. *All access doors to the car stacker system require the provision of a gate or door which are 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.*
 21. *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.*
 22. *The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below:*
 - *Driveway to provide at least 2.1m headroom beneath overhead obstructions.*
 - *Driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.*
 - *Ramp grades (except within 5 metres of the frontage) to be designed as follows:*
 - i. *Maximum grade of 1 in 4.*
 - ii. *Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).*
 - iii. *Grade changes greater than 18% or less than 3 metres apart are to be assessed for clearances in accordance with Appendix C of the Australian Standard for Off - Street Car Parking, AS/NZS 2890.1.*

The maximum grade within a parking module measured parallel to the angle of parking is 1 in 20. Measured in any other direction is 1 in 16.

Boundary Fencing

23. *Prior to the occupancy of the development, all fencing must be constructed in accordance with the endorsed plans and in a good condition to the satisfaction of the Responsible Authority.*
24. *In the event of excavation causing damage to an existing boundary fence, the owner of the development site must (at their own) cost repair or replace the affected fencing to the satisfaction of the Responsible Authority.*

Plant / Equipment or features on roof and balconies

25. *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.*

Service Location

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

Completion of Buildings and Works

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

VicRoads Conditions (Ref: PPR 30673/19)

28. *Prior to the commencement and use of the development hereby approved, a sealed access crossover and driveway, 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 the Responsible Authority and at no cost to the Roads Corporation.*

29. *All vehicles must enter and exit the site in a forward direction at all times*

- *VicRoads Conditions end* -

Time for Starting and Completion

30. *In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:*

- (a) The development is not started before two (2) years from the date of issue.*
- (b) The development is not completed before four (4) years from the date of issue.*

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- (i) within six (6) months afterwards if the development has not commenced; or*
- (ii) within twelve (12) months afterwards if the development has not been completed.*

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

Permit Notes

Building Approval

- A. *Building Permit 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.** *One copy of the 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.*
- D.** *An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.*
- E.** *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 225mm Council drain in the rear easement of the property via a 900mm x 600mm junction pit to be constructed to Council Standards.*
Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.
- F.** *A licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.*
- G.** *Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$3,000 is to be paid prior to the drainage works commencing.*
- H.** *Tree planting should be kept clear of the drainage easement.*
- I.** *Detention system requirements for above property are as follows*
- *Minimum storage = 6.04 m³*
 - *Maximum discharge rate = 8.04 l/s*
 - *Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.*

Car Parking

- J.** *Standard passenger car stacker modules are required to cater for the following:*
- *Independent operation for each parking space.*
 - *A minimum ground level overhead clearance of 1.8 metres.*
 - *A car/van up to 150cm height on the upper levels.*
 - *A clear/usable platform width of at least 230cm.*
 - *Minimum pit length of 520cm.*
 - *Loading weight per platform of at least 2000kg.*

Variation to Planning Permit

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

Residential Car Parking Permits

- L. Residents of the approved development will not be entitled to car parking permits for on street car parking.**

VicRoads (Ref: PPR 30673/19)

- M. No work shall be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.**

The Mayor read out the following statement:

A late objection has been received today to this application, which I am aware has been circulated to all Councillors.

Councillors, you would be aware that in accordance with the *Planning and Environment Act*, Council must accept and consider all objections received prior to making a decision.

Officers advise that these concerns have been raised in other objections, and are addressed in the officer's report.

CARRIED

1.5 12 Nexus Court, Mulgrave - Amendment of Existing Planning Permit To Allow For Construction of An Eleven Storey Building (Above Three Levels of Basement) Containing Offices and Car Parking

Moved Cr Tsoi,

Seconded Cr Little

That Council resolves to Grant a Planning Permit (TPA/48496/A) for the construction of a multi level building and use of land for a car park at 12 Nexus Court, Mulgrave subject to the following conditions:

- 1. Before the development starts, amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the Permit. The plans must be generally in accordance with the plans prepared by Salta Properties (Revision 3) dated 30 October 2019, but modified to show:***
 - a) Provision of two-way access along the accessway from Ground Level to Basement Level 1.***
 - b) The entrance door to the multi-deck car park to be widened to accommodate two-way access.***

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- c) *The development access road (adjacent to the ground floor office tenancy) to allow for two-way access.*
 - d) *The accessible spaces to be relocated as close to the lift core as possible and are to be designed in accordance with AS/NZS 2890.6.*
 2. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
 3. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*
 4. *Deleted.*
 5. *Deleted.*
 6. *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.*
 7. *Deleted.*
 8. *The unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.*
 9. *No goods must be stored or left exposed outside the 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.*
 12. *No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.*
 13. *A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-*
 - a) *the location of all existing trees and other vegetation to be retained on site*
 - b) *provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development*
 - c) *planting to soften the appearance of hard surface areas such as driveways and other paved areas*

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- d) a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*
 - e) the location and details of all fencing*
 - f) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site*
 - g) details of all proposed hard surface materials including pathways, patio or decked areas*

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

- 14. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.*
- 15. 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.

The nominated point of discharge is the south corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the pit in the nature strip of Nexus Court to Council Standards. A new pit is to be constructed if a pit does not exist or is not a standard Council pit.

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

- 16. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash prior to works commencing.*
- 17. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from driveways onto the footpath. Such a system may include either:
 - a) trench grates (150mm minimum internal width) located within the property; and/or*
 - b) shaping the driveway so that water is collected in a grated pit on the property; and/or*
 - c) another Council approved equivalent.**
- 18. Driveways are to be designed and constructed using appropriate engineering standards.*
- 19. Any works within the road reserve must ensure the footpath and naturestrip are reinstated to Council standards.*
- 20. Before the use and development permitted starts, 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;**

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- 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.

21. *No less than 3 car spaces per 100m² of net leasable office floor area must be provided on the land for the office component of the development and use. Any future subdivision of the land must provide for appropriate allocation of car parking on Title in accordance with this requirement.*
22. *Deleted.*
23. *The loading and unloading of goods from vehicles must only be carried out on the land.*
24. *Prior to occupation of any new premises hereby permitted, a 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 spaces per 100sqm of office floor area across the development;*
- *Provision and adequacy of car parking to service other uses undertaken on the land;*
- *Equitable allocation and management of car parking throughout the development.*

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.

25. *The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme as detailed below:*
 - a) *Accessway to provide at least 2.1m headroom beneath overhead obstructions.*
 - b) *Driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.*
 - c) *Ramp grades (except within 5 metres of the frontage) to be designed as follows:*
 - i. *Maximum grade of 1 in 4.*
 - ii. *Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).*
 - d) *Minimum requirements for parking space dimensions to be in accordance with Table 2.*

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- e) *Clearance to car parking spaces to be in accordance with Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.*
26. *The accessible parking spaces should generally be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6.*
27. *The development must be provided with a corner splay or area at least 50% clear of visual obstruction (or with a height of less than 1.2m) extending at least 2.0 metre long x 2.5 metres deep (within the property) on both sides of each vehicle crossing to provide a clear view of pedestrian on the footpath of the frontage road.*
28. *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 of the development;*
 - g) *wash down areas for trucks and vehicles associated with construction activities;*
 - h) *cleaning and maintaining surrounding road surfaces;*
 - i) *a requirement that construction works must only be carried out during the following hours:*
 - *Monday to Friday (inclusive) – 7.00am to 6.00pm;*
 - *Saturday – 9.00am to 1.00pm;*
 - *Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)*
29. *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 and use are not started before 2 years from the date of issue of TPA/48496/A.*
 - *The development is not completed before 4 years from the date of issue of TPA/48496/A.*

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend:

-
- *The commencement date referred to if a request is made in writing before the Permit expires or within 6 months afterwards.*
 - *The completion date referred to if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired*

NOTES:

- A. *Building approval must be obtained prior to the commencement of the above approved works.*
- B. *Building permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.*
- C. *Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*
- D. *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).*
- E. *Stormwater detention requirements may be obtained from the Council prior to design of any stormwater detention system.*
- F. *In the event that Nexus Court is to become a Council asset, all required drainage and road infrastructure must be designed and constructed to the satisfaction of the Responsible Authority. Prior to works commencing plans detailing the design of infrastructure must be submitted to the Responsible Authority for approval.*
- G. *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.*

CARRIED

1.6 Town Planning Schedules

Moved Cr McCluskey,

Seconded Cr Little

That the report containing the Town Planning Schedules be noted.

CARRIED

3. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Parliamentary Inquiry Into Homelessness - Monash Council Submission

Moved Cr Little,

Seconded Cr James

That Council notes and endorses Monash Council's submission to the Parliamentary Inquiry into Homelessness.

CARRIED

2.2 Libraries Change Lives - State Budget Submission 2020-2021

Moved Cr McCluskey,

Seconded Cr Little

That Council provides a letter of support to join the Public Libraries Victoria and State Library of Victoria's advocacy campaign Libraries Change Lives State Budget Submission 2020-2021, calling for the State Government to allocate additional funding in the following three priority areas:

- 1. An additional \$10 million investment over four years in new resources to support libraries to drive education and wellbeing outcomes.*
- 2. A \$20 million increase over four years in the Living Libraries Infrastructure Program.*
- 3. A further \$15 million investment over four years in operational funding to account for CPI and population growth.*

CARRIED

2.3 The Junior Advisory Group

Moved Cr Fergeus,

Seconded Cr James

That Council notes the outcomes of the pilot Junior Advisory Group and the planned activity for 2020.

CARRIED

3. CORPORATE SERVICES

3.1 Consultancy Report

Moved Cr Tsoi,

Seconded Cr Fergeus

That Council notes the attached summary of completed and current Consultancy engagements for the period ending 31 December 2019.

CARRIED

4. INFRASTRUCTURE

4.1 Tender For Supply of One Recycling and Garbage Collection Truck

Moved Cr Little,

Seconded Cr Fergeus

That Council:

- 1. Awards the tender from Garwood International Pty Ltd for supply of one recycling and garbage collection truck, Contract No. 2016051 for a fixed Lump Sum of \$406,798 with an extra \$10,000 for Contingencies;*
- 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 \$416,798.*

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

CARRIED

4.2 Tender For Strategic Drainage Improvements – Dandenong Road To Worchester Street, Huntingdale

Moved Cr Fergeus,

Seconded Cr Tsoi

That Council:

- 1. Awards the tender from Comar Constructions Pty Ltd for Strategic Drainage Improvements – Dandenong Road to Worchester Street, Huntingdale, Contract No. 2020072 for a fixed Lump Sum of \$413,277.70 with an extra \$41,730 for Contingencies and \$83,270 for Provisional Items (executable at Council's option);*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract will commence on 2 March 2020 and the expected completion date is 15 May 2020; and*
- 4. Notes that the anticipated total Project Expenditure including the fixed Lump Sum, Contingencies, Design and Project Management Fees and Provisional Items is \$588,877.70.*

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

CARRIED

4.3 Tender For Melbourne Water Pipe Track (Highbury Road To Utah Road), Glen Waverley – Gravel Shared Pathway Construction

Moved Cr McCluskey,

Seconded Cr Tsoi

That Council:

- 1. Awards the tender from Urban Civil Constructions Group Pty Ltd for Melbourne Water Pipe Track (Highbury Rd to Utah Rd), Glen Waverley – Gravel Shared Pathway Construction, Contract No. 2020071 for a fixed Lump Sum of \$377,393.50 with an extra \$41,535 for Contingencies and \$13,465 for Provisional Items (executable at Council's option);*
- 2. Authorises the Chief Executive Officer to execute the contract agreement;*
- 3. Notes that the contract will commence on 16 March 2020 and the expected completion date is within 10 weeks from commencement of works; and*
- 4. Notes that the anticipated total project expenditure including the fixed Lump Sum, Contingencies, Design and Project Management Fees and Provisional Items is \$454,768.50.*

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

CARRIED

4.4 Procurement Contract For Natural Gas Supply To Large Tariff Sites

Moved Cr Saloumi,

Seconded Cr Little

That Council:

- 1. Awards the tender from Origin Energy for Supply of Natural Gas to Large Tariff Sites, Contract No. 2020104 for a commodity based contract with an estimated annual contract value of \$350,000 and an estimated total contract value of \$1,050,000, GST Inclusive;*
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement.*
- 3. Notes that the contract will commence on 1 January 2020 and will conclude on 31 December 2022 with no extension options.*

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Assembly of Councillors Record

Moved Cr Tsoi,

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 Conflicts of Interest For Advisory Committees Policy

Moved Cr McCluskey,

Seconded Cr Tsoi

That Council:

- 1. Adopts the revised "Conflicts of Interest For Advisory Committees Policy".*
- 2. Directs officers to forward the policy to all Council's advisory committees that have non-councillor members.*

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications

Moved Cr James,

Seconded Cr Saloumi

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

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Jet Australia Foundation</i>	<i>20th Annual Sankranti & Harvest Festival 18/01/2020. Requesting hire of Council facility</i>	<i>\$500</i>

CARRIED

6.2 Alternative to Glyphosate

Moved Cr Fergeus,

Seconded Cr Saloumi

That Council:

1. Notes the current social and environmental concerns about the Glyphosate including:

- a. *The classification of glyphosate as ‘probably carcinogenic to humans’ by the World Health Organisation’s International Agency for Research on Cancer (IARC)ⁱ;*
- b. *The outcome of recent American Court cases¹ in which it was decided that certain products containing glyphosate were a substantial factor in causing the Non-Hodgkins lymphoma suffered by the claimantsⁱⁱ;*

Approves Council participation in the MAV/Deakin University study on weed management strategy-alternative to Glyphosate, and have a report back to Council as soon as practicable.

CARRIED

6.3 Climate Emergency

Moved Cr Fergeus,

Seconded Cr Saloumi

That Council:

Agrees that we are facing a climate emergency and that urgent action is required by all levels of government.

RIGHT OF REPLY

At the conclusion of discussion on this item, Cr Fergeus, as the mover of the motion, exercised his Right of Reply.

EXTENSION OF TIME TO SPEAK

Moved Cr Fergeus,

Seconded Cr James

That Cr Fergeus be granted an additional 1 minutes to speak.

CARRIED

Cr Fergeus concluded his Right of Reply.

The motion was put to the vote and declared lost.

LOST

DIVISION

A division was called.

For: Crs Fergeus, Saloumi

Against: Crs McCluskey, Klisaris, Tsoi, James, Davies, Zographos, Little

7. COMMITTEE REPORTS

7.1 Audit & Risk Committee Minutes

Moved Cr McCluskey,

Seconded Cr Tsoi

That Council:

- 1. Notes the unconfirmed minutes of the 3 December 2019 Audit & Risk Committee (the Committee);*
- 2. Request the Committee provide an annual report to Council as required by Council's 24 September 2019 decision; and*
- 3. Notes that the minutes 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

7.2 Monash Gallery of Art: Recommendations For Committee of Management Member

Moved Cr McCluskey,

Seconded Cr Tsoi

That Council:

- 1. Approves the appointment of David Rosetzky to the Monash Gallery of Art Committee of Management for a term of three years from 31 March 2020 – 31 March 2023; and*
- 2. Notes that Les Walkling's tenure on the Monash Gallery of Art Committee of Management concludes on 31 March 2020.*

CARRIED

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

Moved Cr Tsoi,

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 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 8.48 pm.

OPEN COUNCIL

The Council returned to open Council at 9.02 pm.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Nil

The Mayor declared the meeting closed at 9.03 pm

MAYOR:

DATED THIS DAY OF 2020