



CITY OF  
**MONASH**

**MINUTES OF THE ORDINARY MEETING OF  
COUNCIL  
HELD ON 26 JUNE 2018**

**at 7.00 pm**

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

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**MINUTES OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY  
ON 26 JUNE 2018 AT 7.00 PM.**

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

**APOLOGIES:**

Crs S James and T Zographos

**DISCLOSURES OF INTEREST**

The Mayor: Item 1.5

Cr Davies: Item 7.4

Cr Saloumi: Item 9.1

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL  
MEETING HELD ON 29 MAY 2018**

Moved Cr Paterson,

Seconded Cr McCluskey

*That the minutes of the Ordinary Meeting of the Council held on 29 May 2018, be taken as read and confirmed.*

**CARRIED**

**RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS**

Cr Paterson tabled a petition from residents concerned about the disproportionate number of multi-dwelling proposals in Armstrong Street, Mount Waverley.

**PUBLIC QUESTION TIME**

The Mayor advised that 1 question had been received.

As the submitter of the question was not at the meeting, the Mayor advised that the response would be forwarded to them, in writing.

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**OFFICERS' REPORTS**

**1. CITY DEVELOPMENT**

**1.1 Amendment C140 To The Monash Planning Scheme – Land To the Rear of 52 Golf Road, Oakleigh South**

Moved Cr Little,

Seconded Cr McCluskey

*That Council resolves to adopt Amendment C140 to the Monash Planning Scheme and pursuant to Section 31 of the Planning and Environment Act 1987, submit the Amendment to the Minister for Planning for approval and gazettal.*

**CARRIED**

**1.2 374-384 Blackburn Road, Glen Waverley Development and Use of the Land For A Place of Worship, Construction of A New Building, Reduction In Car Parking Provision**

Moved Cr Paterson,

Seconded Cr Tsoi

*That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/48008) for the development and use for the purpose of a place of worship (demolition of existing building and construction of a new building), alteration of access to a road zone category 1 and a reduction in the standard car parking rate, at 374-384 Blackburn Road, Glen Waverley subject to the following conditions:*

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

*The plans must be generally in accordance with the plans submitted with the application, but modified to show:*

- a) External walls of the building to be of brick, brick veneer or stone(as required by covenants C812500, C900483 and C726109 registered on titles to the land)*
- b) Deletion of the pedestrian path extending along the eastern setback to the building.*
- c) The eastern line of car parking spaces and retaining wall setback an additional 700mm from the eastern title boundary in accordance with EKIST Ref: TPA03 Revision 2 titled "EKIST MARKUP 07.05/2018.*
- d) Removal of car space in front setback to Stableford Avenue (adjacent to access way) and replacement with soft landscaping to the satisfaction of the Responsible Authority.*
- e) Splaying of north west corner of carpark (deletion of adjacent car space required) and its replacement with soft landscaping to the satisfaction of the Responsible Authority in accordance with EKIST Ref: TPA03 Revision 2 titled "EKIST MARKUP 07.05/2018.*

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- f) *North east and north west corners of buildings recessed to 7.1 metres from the Stableford Avenue title boundary in accordance with the plan prepared by EKIST Ref: TPA04 Revision 1 titled "EKIST MARKUP 07.05/2018.*
  - g) *Details of the proposed landscaping and fencing of the outdoor infant play area fronting Blackburn Road.*
  - h) *Deletion of note to relocate bus stop. The existing bus stop must be retained in its current position and its location shown on the site plan.*
  - i) *Screening along the eastern boundary to a height of not less than 2 metres above the finished floor level opposite the ground floor office*
  - j) *Left in/left out access arrangements to Blackburn Road to the satisfaction of the Responsible Authority.*
  - k) *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 each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.*
  - l) *A minimum of 2 accessible car parking spaces provided on site. The accessible parking spaces should be designed in accordance with the Australian Standard for Off-Street Parking for people with disabilities, AS/NZS 2890.6. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm. The headroom above each dedicated space and adjacent shared area shall be a minimum of 2500mm.*
  - m) *Deletion of any section of the proposed brick retaining wall within the easement along the eastern boundary.*
  - n) *Details of proposed security measures for the site and carpark outside of operating hours*
  - o) *Details of the proposed lighting measures for the site. All lighting must be baffled and located so as not to cause nuisance to adjoining and nearby residential properties.*
2. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*
  3. *Before the occupation of the buildings allowed by this permit, landscaping 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.*
  4. *The total number of persons on site must not exceed 390 persons excluding Christmas and Easter services (and other significant holy days on the Christian Calendar) where not more than 590 persons may be onsite at any one time unless otherwise approved in writing by the Responsible Authority.*
  5. *The total number of persons attending weekday activities (other than church services) must not exceed 250 unless otherwise approved in writing by the Responsible Authority.*

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6. *Unity Services and Youth Group must cease activities by no later than 10.00 pm and the premises vacated by 10.30 pm, unless further approved in writing by the Responsible Authority.*
  7. *Prior to the use commencing, a traffic management plan must be submitted and endorsed by the Responsible Authority. The plan must address traffic management measures to manage traffic and car parking when significant patron numbers are expected on Special Holy Days (e.g. Christmas and Easter services).*
  8. *A minimum of 10 bicycle parking spaces must be provided on site. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme*
  9. *The amenity of the area must not be detrimentally affected by the use or development, through the:*
    - a) *transport of materials, goods or commodities to or from the land;*
    - b) *appearance of any building, works or materials;*
    - c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;*
    - d) *presence of vermin;*
  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. *Any waste storage rooms must be constructed so to prevent the entrance of vermin and must be able to be easily cleaned. The floor must be graded to a sewer connection located within the waste storage room.*

### Traffic

13. *Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:*
  - a) *constructed to the satisfaction of the Responsible Authority;*
  - b) *properly formed to such levels that they can be used in accordance with the plans;*
  - c) *surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;*
  - d) *drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;*
  - e) *line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.*

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

- 14. 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: 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. Driveway 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. A passing area at least 6.1m wide and 7m long provided at the Blackburn Road entrance of the property.*

*Vic Roads Conditions*

- 15. Unless otherwise agreed in writing by VicRoads, before the development starts, amended plans must be submitted to and approved by the Roads Corporation (VicRoads). When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plan must be generally in accordance with the Proposed Site Plan (Job No. 14P0710, Rev 2 Drawing TPA03 dated 15 July 2017), and annotated as but modified to include:*
- a. Clearly dimensioned plans showing the proposed access point on Blackburn Road;*
  - b. Traffic splitter island showing left-in/ left-out access point;*
  - c. Signage and line marking plan to reinforce turning movements out of the site*
- 16. Prior to the commencement of use of the development hereby approved, a sealed access 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 (RA) and at no cost to VicRoads.*
- 17. Prior to the occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads.*
- 18. Prior to the commencement of the use of the development hereby approved, the access crossover and associated works must be provided and available for use.*
- 19. Vehicles must enter and exit the land in a forward direction at all times.*
- 20. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.*
- 21. The accessible parking space must be designed in accordance with the Australian Standards for off-Street Parking for people with disabilities, AS/NZS 2890.6.*

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22. *The loading and unloading of goods from vehicles must only be carried out on the land.*

*Transport for Victoria conditions*

23. *The permit holder must take all reasonable steps to ensure that disruption to bus operation along Blackburn Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing [customerservice@ptv.gov.au](mailto:customerservice@ptv.gov.au)*
24. *The existing bus stop and associated infrastructure on Blackburn Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction, is to be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.*

*Drainage conditions*

25. *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.*
26. *Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge.*
27. *The design of the stormwater system must direct the entire site's stormwater drainage to the north-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the nature strip to be constructed 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.*
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. *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 cleared detailed on endorsed plans forming part of this permit.*

*Construction Management Plan*

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30. *Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:*
- a) measures to control noise, dust and water runoff;*
  - b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
  - c) the location of where building materials are to be kept during construction;*
  - d) site security;*
  - e) 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).*
31. *The owner and management of the premises must ensure that any noise emanating from the premises, during and post construction, must not exceed the standards of the State Environment Protection Policies No. N1 and must on request provide evidence to Council of Compliance with the policies.*
32. *Air-conditioning and other plant and equipment installed on or within the buildings must be so positioned and baffled that any noise emitted complies with the appropriate Australian Standards and EPA requirements.*
33. *At the immediate request of the Responsible Authority noise testing must be taken to demonstrate compliance with EPA noise requirements. Noise testing is to be undertaken at no cost to the Responsible Authority.*
34. *Motors for equipment and air-conditioning/heating units to be located where no noise nuisance created to neighbours or insulated/sound proofed*
35. *This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:*
- The development is not started before 2 years from the date of issue.*
  - The development is not completed before 4 years from the date of issue.*
- In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date,*



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*where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.*

**NOTES:**

- A. Building approval must be obtained prior to the commencement of the above approved works.*
- B. 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.*
- C. Unless no permit is required under the Monash Planning Scheme, no sign must be constructed or displayed without a further written approval from the Responsible Authority.*
- D. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.*
- E. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.*
- F. Any new drainage connections onto a Council easement drain and work within the road reserve requires the approval of the City of Monash's Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.*
- G. Engineering permits must be obtained for new or altered vehicle crossings and civil works within the road reserve and these works are to be inspected by Council (tel. 9518 3690).*
- H. Any redundant crossings are to be removed and reinstated with kerb and channel to the satisfaction of Council.*
- I. One printed copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage requirements of this permit.*
- J. An on-site detention system for storm events up to the 1% AEP event is to be retained on-site 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 at ground level and discharge by gravity.*

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- K. 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.*

**CARRIED**

- 1.3 636-638 Blackburn Road & 27 Finch Street, Notting Hill Construction of 19 Townhouses (Up To Three Storeys In Height)**

Moved Cr Klisaris,

Seconded Cr Tsoi

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*That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/48238) for the construction of multiple dwellings (19 townhouses up to three storeys in height), reduction in the visitor car parking requirement and alteration of access to a road in a Road Zone Category 1, at 636-638 Blackburn Road & 27 Finch Street, Notting Hill subject to the following conditions:*

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

*The plans must be generally in accordance with the plans submitted with the application, but modified to show:*

- a) The development setback a minimum of 4.0 metres to Finch Street.*
- b) Level 2 balconies along the Finch Street southern elevation recessed a minimum of 1.6 metres from the level 1 façade edge.*
- c) Façade modifications and plan changes as detailed within plans provided to Council on 1 May 2018 providing for:
  - i. Additional articulation/variation in materiality of the Finch Street façade to provide for perceived massing breaks.*
  - ii. Two storey façade presentation, additional timber elements and vertical garden feature to the western elevation.*
  - iii. Two storey façade presentation, additional timber elements to the eastern elevation of dwelling 1.**
- d) The angled dividing/part walls of upper level balconies straightened and incorporated into a veranda/weather protection structure.*
- e) The level 2 eastern façade of dwelling 1 recessed by a minimum of 1.0 metre and the dwelling internally reconfigured accordingly.*
- f) The level 2 western façade recessed by a minimum of 1.0m.*
- g) Provision of additional fenestration to the upper level habitable rooms along the western façade of the development.*
- h) Provision of double glazing and/or acoustic protection to windows of the western façade of the development.*
- i) Provision of a pedestrian entrance orientated to Blackburn Road to dwelling 9 and dwelling 10.*
- j) Secluded private open space areas dimensioned to provide for 35m<sup>2</sup> of secluded private open space with a minimum dimension of 5m.*
- k) Provision of screening to prevent overlooking from level 1 north facing bedroom windows of dwelling 19.*
- l) Heating, cooling and hot water units adequately screened to ensure that they are not visible from outside the property.*
- m) Heating, cooling and hot water units located outside the easement*

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*along the eastern boundary of 27 Finch Street.*

- n) A detailed schedule of all materials and finishes including coloured elevations and perspectives.*
- o) The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly integrated, located and/or screened to compliment the development.*
- p) Increasing the number of tandem car spaces within the basement (to be allocated as pairs to dwellings) and provide no less than 37 resident and 3 visitor car spaces on-site. Car parking provided on-site in accordance with the requirements of Clause 52.06-5 Table 1.*
- q) The vehicle crossing, driveway and basement ramp designed to provide safe two way access to the satisfaction of the responsible authority.*
- r) Car spaces 3, 33 and 37 widened to 3.0m.*

*All to the satisfaction of the responsible authority.*

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*
- 4. 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.*
- 5. 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.*
- 6. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:*
  - a) The method of collection of garbage and recyclables for uses;*
  - b) Designation of methods of utilizing a private waste collection service;*
  - c) Appropriate areas of bin storage on site and areas for bin storage on collection days;*
  - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;*
  - e) Litter management.*

*A copy of this plan must be submitted to Council for approval. Once approved the Waste Management Plan will be endorsed to form part of*

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*this permit.*

7. *Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:*
- a) *measures to control noise, dust and water runoff;*
  - b) *prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;*
  - c) *the location of where building materials are to be kept during construction;*
  - d) *site security;*
  - e) *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.)*

*Once approved the plan will be endorsed to form part of this permit.*

8. *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.*
9. *Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1*
10. *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*

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*on site;*

- b) provision of canopy trees at approximately 5.0m intervals along each street frontage with a minimum mature height equal to the height of the roof of the proposed building to frame and soften the building;*
- c) planter boxes within the courtyard mews area to provide for planting of vegetation with a mature height of not less than 6.0m, irrigation and any required supporting measures;*
- d) detail of any planter boxes including growing medium and drainage;*
- e) provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development;*
- f) planting to soften the appearance of hard surface areas such as driveways and other paved areas;*
- g) 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;*
- h) the location and details of all fencing;*
- i) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;*
- j) 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.*

- 11. 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.*
- 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 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.*

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- 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.*

- 13. *Prior to the occupation any of the dwellings approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to those relevant completed dwellings ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.*
- 14. *Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:*
  - a) *constructed to the satisfaction of the Responsible Authority;*
  - b) *properly formed to such levels that they can be used in accordance with the plans;*
  - c) *surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;*
  - d) *drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;*
  - e) *line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.*

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

- 15. *On-site visitor parking spaces are required to be clearly marked.*
- 16. *The car park layout of the development shall generally follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.*
- 17. *Stormwater drainage must be provided to the site to the satisfaction of the responsible authority. Approval of City of Monash Engineering Department is required prior to any works commencing.*

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18. *The existing redundant crossings are to be removed and replaced with kerb and channel to the satisfaction of the responsible authority.*

*Vic Roads condition (ref: 24277/18)*

19. *Prior to the commencement of the use or occupation of the development, redundant vehicle crossing at Blackburn Road must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.*
20. *Expiry of permit:*  
*In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:*
- *The development is not started before 2 years from the date of issue.*
  - *The development is not completed before 4 years from the date of issue.*
- In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.*

*NOTES:*

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *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.*
3. *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.*
4. *Consultation should take place with Council respect of the removal of the vehicular crossing and reinstatement works.*
5. *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.*
6. *The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:*
  - *a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or*



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- *shaping the internal driveway so that stormwater is collected in grated pits within the property; and or*
  - *another Council approved equivalent.*

*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.*

- 7. The nominated point of stormwater connection for the site is to the south-east corner of the property where the entire site's stormwater drainage must be collected and free drained via a pipe to the Council pit in the nature strip of No 27 Finch Street 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. If the point of connection cannot be located then notify Council's Engineering Department immediately.*
- 8. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.*
- 9. 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's Engineering Department. A refundable security deposit of \$1,000 is to be paid prior to the drainage works commencing.*
- 10. Detention system requirements for above property are as follows:-*
  - *Minimum storage = 21.16 m<sup>3</sup>*
  - *Maximum discharge rate = 14.14 l/s*
  - *Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.*
- 11. One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.*
- 12. 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.*
- 13. 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*

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*included on the certificate.*

14. *A formal request to be forwarded to Council and Yarra Valley Water for removal of rear easement of No 636 and No 638, Blackburn Road.*
15. *The developer is liable for rectification of damages to the 900 x 600mm Council easement pits located in north eastern side of No 27 Finch Street.*
16. *The 225 mm Council drain in the easements is to be CCTV and sent in for our review. The asset may be required to be reconstructed.*
17. *“Building Over Easement” approval is required for pedestrian walk way over the easement along eastern boundary of No 27 Finch Street. Approval should be given subject to:*
  - *Council approval being obtained;*
  - *A construction joint being made along the easement line.*
18. *Tree planting should be kept clear of the drainage easement.*
19. *Residents of the approved development will not be entitled to car parking permits for on street car parking.*

**CARRIED**

#### **1.4 Town Planning Schedules**

Moved Cr Tsoi,

Seconded Cr Fergeus

*That the report containing the Town Planning Schedules be noted.*

**CARRIED**

#### **1.5 Footpath Trading and Access Policy**

NOTE: The Mayor disclosed an interest in this item as he has a close professional relationship with business owners in Eaton Mall, and left the meeting prior to Council’s consideration of the item and returned to the Chamber after the vote on the item had been concluded.

ACTING CHAIRPERSON

In the absence of the Mayor from the Chamber, the Deputy Mayor assumed control of the meeting as Acting Chairperson.

Moved Cr Fergeus,

Seconded Cr Paterson

*That:*

- 
- 1) *Council notes that the consultation process on the Revised Footpath Trading and Access Policy 2018 closed on 9 May 2018.*
  - 2) *Council notes that 923 submissions were received (902 via the on-line platform) including a submission from the Oakleigh Village Traders Association which was supported by 334 signatories.*
  - 3) *Notes that 94.58% of submissions received did not support the changes proposed in the Revised Footpath Trading and Access Policy 2018 generally because of the effect it would have on smoking in outdoor trading areas.*
  - 4) *That Council notes the options to move forward following the consultation which are:*
    - a) *simply note the report and the outcome of the consultation, or:*
    - b) *adopt the Revised Footpath Trading and Access Policy 2018 and direct that it be implemented.*

Cr Lake asked the Chief Executive Officer if any disclosure, other than the Mayor's, had submitted a disclosure of interest in respect of this matter.

The Chief Executive Officer advised the Council that no other disclosure of interest, in relation to this matter, had been received.

Cr Saloumi said that 95% of survey respondents wanted the current policy retained and it was important not to cause difficulty and put more imposts on traders. She added that traders needed certainty and that the current policy should be retained.

Cr Fergeus said that the purpose of the policy review was clear and comments relating to smoking around Eaton Mall showed that the issue was a concern to traders. He added that the Council had a broader vision for the municipality, as a whole. Cr Fergeus noted that there had been important feedback, through the survey, on accessibility issues and other matters that needed careful consideration. He also commented that the Council would need to talk to traders' associations about footpath trading in the future.

The Acting Chairperson said that a number of the survey responses raised issues that that the Council needed to address, such as accessibility and crowded trading areas. He also noted that the language and approach used by some of the respondents was disappointing.

**CARRIED**

## **2. COMMUNITY DEVELOPMENT AND SERVICES**

### **2.1 A Healthy and Resilient Monash: Integrated Plan 2017-2021 – Year One Evaluation Summary**

Moved Cr Fergeus,

Seconded Cr Little

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*That Council notes the achievements outlined within the Healthy and Resilient Monash: Integrated Plan 2017-2021 Year One Actions Evaluation Summary.*

**CARRIED**

**3. CORPORATE SERVICES**

**3.1 Cultural Recreation Land Act (CRLA) Policy Review**

Moved Cr Paterson,

Seconded Cr Little

*That Council, in relation to the Cultural Recreation Lands Act 1963:*

- 1) Endorses the revised Cultural Recreation Lands Policy (CRLA Policy) incorporating;*
  - a) retaining the current discount for;*

*the Riversdale Golf Club, Metropolitan Golf Club and Huntingdale Golf Club – and the clubs be advised that Council is agreeable to discussions regarding an agreement (to apply from 2019/20) which may provide for;*

    - (i) a greater/lesser discount subject to the clubs meeting conditions which may include increased community benefit, recognition of the economic benefit to the local area, local purchasing, social procurement and profile/branding for the Council;*
    - (b) retaining the current discount for;*
      - (i) Glen Iris Valley Recreation Club; and*
      - (ii) Hawthorn Football Club Ltd (Waverley Park);*
  - (c) noting that the following Clubs, as from 1 July 2018, do not qualify for Cultural Recreation Lands status and therefore will be rated under the provisions of the Local Government Act 1989;*
    - (i) Victorian Homing Association Inc.;*
    - (ii) Mulgrave Country Club;*
    - (iii) Oakleigh Rifle Club Inc.; and*
    - (iv) Oakleigh and Caulfield District Angling Club;*
  - (d) That an amount, equivalent to the CRLA discount, be applied as a waiver, under the Local Government Act 1989, to the municipal rates for 2018/19 for;*
    - (i) Victorian Homing Association Inc.;*
    - (ii) Oakleigh Rifle Club Inc.; and*
    - (iii) Oakleigh and Caulfield Districts Angling Club.*
- (2) Endorses the review findings that determines Council owned leased properties, used exclusively for outdoor recreation use (including ancillary buildings);*
  - (a) be rated under the CRLA Policy; and*
  - (b) commence proceedings to vary the current property leases to include provision for Council to pay for any CRLA charges, Municipal rates, fire services property levies and water rates from 1 July 2018; and*

- 
- (3) Writes to each of the affected Clubs to advise the above determinations and further, to invite any of the Clubs to make a submission to Council if they believe that the determinations will create undue financial burden.**

**AMENDMENT**

Cr McCluskey moved the following amendment, which was agreed to by the mover and seconder of the motion and the Council and was therefore incorporated into and became part of the substantive motion:

**Following its review of the arrangements in place for properties in Monash that are rated under the Cultural Recreation Lands Act 1963, Council resolves:**

- 1. On an in principle basis, that it supports the revised Cultural Recreation Lands Policy (CRLA Policy) attached to this report to be implemented on and from 1 July 2019, incorporating:**

**a) retaining the current discount for:**

**the Riversdale Golf Club, Metropolitan Golf Club and Huntingdale Golf Club and the clubs be advised that Council is agreeable to discussions regarding an agreement (to apply from 2019/20) which may provide for;**

- (i) a greater/lesser discount subject to the clubs meeting conditions which may include increased community benefit, recognition of the economic benefit to the local area, local purchasing, social procurement and profile/branding for the Council;**

**(b) retaining the current discount for:**

- (i) Glen Iris Valley Recreation Club; and  
(ii) Hawthorn Football Club Ltd (Waverley Park);**

- (c) noting that the following Clubs, as from 1 July 2019, will not qualify for Cultural Recreation Lands status and therefore will be rated under the provisions of the Local Government Act 1989:**

- (i) Victorian Homing Association Inc.;**  
**(ii) Mulgrave Country Club;**  
**(iii) Oakleigh Rifle Club Inc.; and**  
**(iv) Oakleigh and Caulfield District Angling Club;**

- (d) That an amount, equivalent to the CRLA discount, be applied as a waiver, under the Local Government Act 1989, to the municipal rates for 2019/20 and in all subsequent rating years unless Council resolves otherwise, for:**

- (i) Victorian Homing Association Inc.;**  
**(ii) Oakleigh Rifle Club Inc.; and**  
**(iii) Oakleigh and Caulfield Districts Angling Club;**

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*(2) On an in principle basis, that it endorses the review findings that determines Council owned leased properties, used exclusively for outdoor recreation use (including ancillary buildings):*

*(a) be rated under the CRLA Policy; and*

*(b) commence processes to vary the current property leases to include provision for Council to fund all CRLA charges, Municipal rates, fire services property levies and water rates from 1 July 2019; and*

*(3) To write to each of the affected Clubs to advise of the above in-principle determinations and to invite any Club to make a submission to Council if they believe that the determinations will create undue financial burden or are unreasonable; and*

*(4) Its intention to make a final decision on this matter at the Council meeting to be held on 26 August 2018.*

Cr McCluskey said that the amendment sought to provide the affected parties the opportunity to seek rate relief.

Cr Fergeus said that a majority decision was being sought on this issue and that when the process had commenced there had been a range of views amongst Councillors on this matter.

**CARRIED**

DIVISION

A Division was called.

For: Crs Little, Fergeus, Paterson, McCluskey, Klisaris, Tsoi, Lake

Against: Crs Davies and Saloumi

PROCEDURAL MOTION

Moved Cr Klisaris,

Seconded Cr Paterson

*That item 7.7 on the agenda be brought forward as the next item for consideration by Council.*

**CARRIED**

**7.7 Report on Submissions For Draft Budget 2018/2019**

Moved Cr Paterson,

Seconded Cr Little

*That Council:*

- 
1. *receives the report from the S223 Committee of Council (the Committee) on the submissions received for the proposed Budget 2018/19 (the Committee Report); and*
  2. *having considered the Committee Report, endorses the recommendations of the Committee:*
    - a. *to not accept the Essential Service Commission rate cap variation of 2.57% and to introduce a separate service charge – “Recycling Levy” of \$22 per rateable property and also make provision for a waiver of \$22 for every eligible pensioner ratepayer; and*
    - b. *no other changes be made to the proposed 2018/19 Annual Budget resulting from the submissions; and*
  3. *each submitter to the proposed 2018/19 Budget, be thanked for their submission to the Budget development process and be advised of the outcome of the reports to adopt the Budget, in writing.*

Cr Fergeus noted that he was not present at the adjourned s.223 meeting held on 20 June 2018 and requested that that be corrected. He said that had he been present, he would have advocated for the acceptance of the increase to the rate cap approved by the ESC as that would put the Council in a better long term financial position. Cr Fergeus noted that although the Council had consulted on a waste charge, it was under a different set of circumstances and the proposition was different. He said that the current proposal was a knee-jerk reaction to the present recycling environment and was not sure that all aspects of the situation had been canvassed.

Cr Little said that there had been a massive change in recycling costs, resulting in the Council being \$1.5 million out of pocket. He noted that the ESC had not agreed to a 1.2 percent increase in the rate cap and had offered a lower increase, basing its decision on the Council recovering its costs over a 10 year period. Cr Little said that the Council did not consider this was appropriate.

Cr Davies said that he was comfortable with the proposed Budget and the Council was in a strong financial position. He added that given the \$20 million surplus, perhaps a waste levy wasn't needed, but he was agnostic about that and would support the proposed Budget.

Cr Saloumi said that she supported accepting the rate cap variation proposed by the ESC, as it had also been based on an analysis by Deloitte. She said that the Council's core business was waste, roads, footpaths and drainage and then there were Councillors' pet projects. Cr Saloumi said that the Council should concentrate on its core business first. She said that the Council had a surplus, that the rate cap increase would be \$4 per property and the Council had the opportunity to levy a waste charge in the future. Cr Saloumi said that the recycling issue was an Australia-wide concern and that the Council needed to better educate the community on recycling, to reduce instances of contaminated waste.

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Cr Lake said that this was a straightforward discussion; the Council had previously \$850k for recycling and now that had increased to \$1.5 million. He said that the Council could seek to cut \$1.5 million from the Budget or introduce a levy. Cr Lake said that Monash already had the lowest rates in Victoria and it had no choice but to either seek an increase in the rate cap or introduce a waste levy. He added that the ESC decision on the rate cap did not solve the Council's problem and therefore the waste levy was the only option – an option that the ESC agreed with.

Cr McCluskey said that he was not an advocate of a waste levy, until recently. He said that he partly agreed with Cr Saloumi, but the problem will exist for more than 2 years. Cr McCluskey said that he had changed his position and was in support of a levy. He thanked those members of the public who had taken the time to make a submission and those who spoke before the committee, in support of their submission.

**CARRIED**

#### DIVISION

For: Crs Little, Paterson, McCluskey, Klisaris, Tsoi, Lake, Davies

Against: Crs Fergeus, Saloumi

### **3.2 Adoption of 2018/19 Annual Budget**

Moved Cr Klisaris,

Seconded Cr McCluskey

*That Council, having prepared and given public notice of the proposed 2018/19 Annual Budget in accordance with Sections 129 of the Local Government Act 1989 (the Act), and having conducted a consultative process, including having received and considered submissions, as required under Section 223 of the Act, resolves:*

- 1. that the 2018/19 Annual Budget be adopted in accordance with Section 130 of the Act in the same form as the proposed 2018/19 Annual Budget of which Council gave public notice, with the agreed adjustments to the Comprehensive Income Statement, Cash Flow, Capital Works Statement and Strategic Resource Plan as outlined in the body of this report;*
- 2. to declare in respect of the 2018/19 financial and rating year and in accordance with Sections 158 and 161 and Part 8A - Rate Caps of the Act that the estimated amount it intends to raise by way of General Rate Income is \$119,420,389, comprising:*
  - a) an amount of \$119,211,642 which is intended to be raised by the General Rates; and*
  - b) an amount of \$208,747 in lieu of rates in accordance with the Cultural and Recreational Lands Act 1963;*
- 3. to provide a Council funded rebate of \$50 to each eligible pensioner towards*



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*their Council rates in 2018/19 to ease some of the household budget pressures (estimated cost \$675,000);*

4. *that Council does not intend to have a municipal charge;*
5. *that Council intends to have a service charge raised under Section 162 of the Act and referred to as the "Recycling Levy" of \$22 per rateable property (Net income \$1,478,000);*
6. *to provide a waiver under Section 171 the Act for eligible pensioners of \$22 to offset the impact of the Recycling Levy. (estimated cost \$260,150);*
7. *that there being no change in the valuation system, notes that Section 161(2)(iii) of the Act does not apply;*
8. *that the rates will be raised by the application of Differential Rates:*
  - a) *the General Residential Rate of 0.00141486 cents in the dollar applied to the Capital Improved Value (CIV) of all residential rateable land; and*
  - b) *the General Non-Residential Rate of 0.00175623 cents in the dollar applied to the Capital Improved Value (CIV) of all non-residential rateable land;*
9. *that the declaration of the General Residential Rate and General Non-Residential Rate will contribute to the equitable and efficient carrying out of its functions. The Rates will be applied to all rateable property;*
10. *that the Rates will be separately levied in respect of each portion of rateable land for which Council has a separate valuation (unless Council has determined a charge in lieu of rates in accordance with the Cultural and Recreational Lands Act 1963);*
11. *that, Council provides a concession of 60% of the relevant rate for qualifying properties in accordance with the Cultural and Recreational Lands Act 1963 (CRLA);*
12. *that in accordance with Section 167 of the Act, the rates and charges must be paid:*
  - a) *in a lump sum on or before 14 February 2019; or*
  - b) *by 4 instalments on or before:*
    - *1 October 2018;*
    - *30 November 2018;*
    - *28 February 2019; and*
    - *31 May 2019; or*
  - c) *by 10 instalments (direct debit only) on or before:*
    - *3 September 2018;*
    - *1 October 2018;*
    - *1 November 2018;*
    - *3 December 2018;*
    - *2 January 2019;*
    - *1 February 2019;*
    - *1 March 2019;*
    - *1 April 2019;*
    - *1 May 2019; and*

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• **3 June 2019**

- 13. that interest will be applied to overdue rates payments and charges in accordance with Section 172 of the Act. The rate of the interest which is payable on the rates and charges which have not been paid by the dates specified, is fixed in accordance with Section 2 of the Penalty Interest Rates Act 1983;**
- 14. that for overdue non-instalment payers, an additional 21 days from the 14 February will be allowed to pay any overdue rates, before the application of the interest referred to in part 13 of this resolution; and**
- 15. to give public notice of its decision to adopt the 2018/19 Annual Budget in accordance with the Act.**

AMENDMENT

Moved Cr Saloumi,

Seconded Cr Paterson

***That drainage works for 6 Doubell Close Glen Waverley be included in the 2018/2019 Annual Budget, and funded from the Council's surplus.***

Cr Saloumi said that the owners of the property had had 8 years of stress because of flooding to the property and that many years ago they had been given incorrect advice by someone representing the Council regarding the construction of their house, which resulted in the flooding. Cr Saloumi said that she was not saying that anyone currently representing the Council was necessarily at fault. Cr Saloumi noted that drainage works in the court were planned to take place in the future. Cr Saloumi said that this was about residents' safety and this issue also related to a part of the Council's core business – drainage.

Cr Lake said that this had been a Budget bid that he had submitted, but which had not been successful. He said that he could not support the amendment as money did not grow on trees and the proposal would cost \$500k, which could not come from Council's cash reserves, which were earmarked for future capital works. Cr Lake said that he didn't agree that Council was at fault for the situation the property owners were in and the matter had been dealt with by the Building Appeals Board. He said that he sympathised with the owners' situation and could possibly support the proposal as part of a future Budget process.

Cr Davies said that he shared Cr Lake's view and the proposal needed to go through a proper assessment as part of the Council's Budget process. He could therefore not support the amendment.

The Mayor spoke in support of the amendment, noting that the problem affected a number of properties and that proposed works to address it were 6 to 8 years away. He said that his concern was for the community and the Council could afford to undertake the drainage works.

**LOST**



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SUBSTANTIVE MOTION

Cr Lake said that the consequence of the decision regarding the levy, for most ratepayers will be a fixed cost of \$22, on an average rate bill of \$1,600. This will be an extra \$22 on top of the 2 percent rate increase, which had been approved across the State. He noted that the annual rate increase in Monash has been around 6 percent. The inclusion of the levy still represented a modest increase to ratepayers. Cr Lake noted that pensioners would not have the levy applied to their properties, as the \$22 levy would subsidise them.

Cr Fergeus thanked those members of the public who made submissions on the Budget, noting the quality of the submissions and that more submissions had been received than for the previous year. He highlighted a number of elements in the Budget. He noted that the Council had received a considerable amount of external funding that would go towards \$2 million work of cycling works from Monash University through to Clayton and that the money would not be received by Council, but spent directly on the works. Cr Fergeus noted that there would be significant works on cycling infrastructure in the city, moving forward. He said that the Council was spending more than \$4 million in footpath works, with such infrastructure having a high level of importance for the community as a whole, and for people with disabilities, the elderly and those with young children. Cr Fergeus thanked his colleagues for supporting projects that he had put forward for funding, including water fountains along Scotchmans Creek Trail, which was a suggestion from local residents, an allocation of funds for a sustainability hub.

Cr Fergeus asked the Director Community Development and Services what the plans were for the Evelyn Street play space.

EXTENSION OF TIME TO SPEAK

Moved Cr Fergeus,

Seconded Cr Paterson

*That Cr Fergeus be granted an extension of time to speak, of 1 minute.*

**CARRIED**

The Director Community Development and Services advised that a design had been prepared and would be available on Council's website. The plans were based upon initial community feedback

Cr Fergeus continued, saying that the most persistent residents that he had encountered had been advocating for the play space and he noted that the project would be completed.

Cr Little said that the issue relating to the drainage matter that Cr Saloumi raised pointed to an issue that faces Council, overall, in that the Council has a lot of infrastructure below the surface, relating to stormwater drainage and much of it needs upgrading. He said that Council officers had developed a priority list for such work,

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which will be carried out over the next 10 to 15 years. Cr Little said that this highlighted the difficulties in the Council seeking to frame a Budget with a 2.5 % cap. Cr Little said that the surplus that had been referred to in previous discussions did not exist, as it went into Council's capital expenditure program, which is why the waste levy was needed. Cr Little commended the Budget.

Cr McCluskey thanked the Chief Financial Officer and other Council staff for their work on the Budget. He said that he looked forward to a streamlining of the Budget process. Cr McCluskey said that there was sympathy in the Council for the residents of Dobell Court and noted that several Councillors were not in favour of the waste levy. That, combined with drainage works in Dobell Court would result in the Council having a \$2 million shortfall. He noted that the works would be undertaken in the future. Cr McCluskey noted that there were many positive projects included in the Budget, some of which were reliant on external funding

The Mayor said that he embraced the Budget process, noting that it was the most important body of work the Council would undertake, as a collective, in any financial year. He said that as the lowest rating Council with a Budget of around \$190 million, it delivered remarkable outcomes for the community, which made Monash the envy of others in the sector. The Mayor said that the Council had the opportunity to make a positive impact on the community and deliver far-reaching outcomes, each year.

**CARRIED**

### **3.3 Industrial Special Risks Insurance Renewal**

Moved Cr Paterson,

Seconded Cr Klisaris

*That Council renews its Industrial Special Risks (Assets) insurance with the Jardine Mutual Asset Protection Plan (JMAPP) scheme for the period 4pm, 30 June 2018 to 4pm, 30 June 2019 for an estimated sum of \$440,092.80 (GST exclusive).*

**CARRIED**

### **3.4 Public Liability, Products Liability and Professional Indemnity Insurance Services**

Moved Cr Little,

Seconded Cr Fergus

*That Council renews its membership of the mutual liability insurance scheme with MAV Insurance, Liability Mutual Insurance, for the period 4pm 30 June 2018 to 4pm 30 June 2019 for the sum of \$586,882.00 (GST exclusive).*

**CARRIED**

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**4. INFRASTRUCTURE**

**4.1 Tender For Clayton Community Centre Cleaning Contract**

Moved Cr Tsoi,

Seconded Cr Klisaris

*That Council:*

- 1. Accepts the tender from Alpha Corporate Property Services for Contract No. CF2018109, for the Clayton Community Centre Cleaning for a period of one (1) year plus extension options for four (4) one year periods on an annual basis in accordance with the schedule of rates submitted in the tender at an estimated annual cost of \$199,106 (GST inclusive) which is \$1,057,080 (GST Inclusive) over the five year contract period.*
- 2. Authorises the Chief Executive Officer to execute the contract agreement.*
- 3. Authorises the Chief Executive Officer to approve each of the extension options and CPI adjustment of the contract agreement, subject to satisfactory performance.*

**CARRIED**

**5. CHIEF EXECUTIVE OFFICER'S REPORTS**

**5.1 Assembly of Councillors Record**

Moved Cr Klisaris,

Seconded Cr McCluskey

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

**CARRIED**

**5.2 Amendment to Meeting Procedures Code 2017**

Moved Cr McCluskey,

Seconded Cr Little

- A. That clause 12.1 of the Meeting Procedures Code 2017, be amended by:*
- 1. Substituting the figure and words "13 days", with the figure and words "14 days".*
  - 2. Including, after the words "Chief Executive Officer", the words "or any officer nominated by the Chief Executive Officer".*
  - 3. Clause 12.2 be amended by substituting the figure "4" with the figure "5".*
- B. A notice be published in the local press and on Council's website, advising of the amendment to the Meeting Procedures Code 2017.*

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*C. That a revised version of the Meeting Procedures Code 2017 be made publicly available and circulated to all councillors.*

**CARRIED**

**6. NOTICES OF MOTION**

**6.1 Discretionary Fund Applications**

Moved Cr Klisaris,

Seconded Cr McCluskey

*That Council resolves to approve the following application for funding from the Councillors Discretionary Expenditure Fund:*

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Chris Nielsen</i>	<i>Donation towards competing in national sporting event</i>	<i>\$250</i>
<i>Rotary Club of Waverley</i>	<i>Hire charge for use of Council facility for fund raising event</i>	<i>\$1,000</i>

**CARRIED**

**6.2 Multicultural Moon Light Festival**

Moved Cr Tsoi,

Seconded Cr Klisaris

*That Council approves the allocation of \$58,000 for the Multicultural Moon Light Festival, a community and cultural celebration in Glen Waverley to be held on the evening of Saturday 22 September 2018.*

Cr Tsoi expressed his thanks those who had contributed to the proposal, and to his colleagues, particularly the Mayor, for their support of the motion. He noted that the proposal would support multiculturalism in the city.

Cr Fergus agreed that Council needed to promote multiculturalism in the city. However, he noted that the Council had just passed the Budget and this proposal would mean adding extra expenditure. He said that if Notices of motion were to continue to be submitted, that sought to commit extra funding, then a mechanism was needed as part of the Budget process to provide for events as they came up. Cr Fergus said that he would not support the motion, but could exercise his right to abstain, as he agreed with its intent.

Cr Saloumi said that as a member of the Multicultural Advisory Committee she supported the motion's intent, but noted that there were 3 similar festivals funded through the Community Grants Program, and all held in September. She

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added that if the festival was held, it would take half the car spaces in Central Car Park – 120 to 130 spaces and this would add to existing problems regarding parking in the Activity Centre. Cr Saloumi said that the event would be better placed in Mount Waverley, as it would not be competing with a cinema and not taking car parking from a congested area. Cr Saloumi said that she was concerned about the reaction of the Glen Waverley traders if the motion was carried and suggested that it be postponed for 1 year, to allow all 4 festivals to be combined.

In response to a question from Cr Paterson, the Director Community Development and Services advised Council that the 3 festivals funded by the Community Grants Program were open to the wider community, but were quite small, local festivals

The Mayor congratulated Cr Tsoi for bringing the motion to Council, having done a considerable amount of work to bring it to this point. The Mayor said that the Council's role was to promote and enhance the diversity of the community, and the motion was seeking to do that. He added that work would be done to seek to bring the 3 local festivals together, with Council's. The Mayor added that Hamilton Place had been investigated as a possible alternative site; however, the conclusion was reached that it was not suitable. He said that there would not be an impact on traders; only good things could come out of this, as any time people were brought together there were positive outcomes. The Mayor said that it was open to all Councillors, at any time of the year to bring forward ideas or proposals for consideration. He said that he supported the proposal to include funding in the Budget process for events or proposals, as they arose, as part of a discretionary fund.

**CARRIED**

## **7. COMMITTEE REPORTS**

### **7.1 Environmental Advisory Committee Terms of Reference**

Moved Cr Fergeus,

Seconded Cr Little

*That Council approves the updated Terms of Reference for the Environmental Advisory Committee.*

**CARRIED**



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## 7.2 Monash Neighbourhood Matching Grants

Moved Cr Paterson,

Seconded Cr McCluskey

*That Council accepts the Monash Community Grants Evaluation Panel recommendation to fund a total of \$3,900 for a one-off cash allocation through the Monash Neighbourhood Matching Grant applications as follows:*

- 1. Chess tables for Clayton*
- 2. Ashwood gateway community garden*

**CARRIED**

## 7.3 Disability Advisory Committee – Appointment of New Committee Members

Moved Cr Fergeus,

Seconded Cr Klisaris

*That Council endorses the appointment of the following six (6) people to the Disability Advisory Committee, each for a two (2) year term:*

- Wanda Egerton*
- Smrity Bagga*
- Leanne Grosvenor*
- Zoe Broomhead*
- Ian Cunningham*
- Di Gow*

Cr Fergeus said that it was his first year as the Councillor representative on and chairperson of the committee and one of its primary activities recently has been to recruit new members and there was an excellent range of candidates submitted for Council's approval; people with lived experiences of disability, as well as people working in the disability sector. They were experienced as advocates in representing their community. He said that the candidates would make an important contribution to the advisory committee.

**CARRIED**

## 7.4 Responsible Investment

NOTE: Cr Davies disclosed an interest in this item, as he is the Chairperson of the Pinewood Branch of the Bendigo Bank. He left the meeting prior to Council's consideration of the item and returned to the Chamber after the vote on the item had been concluded.

Moved Cr Fergeus,

Seconded Cr Little

*That Council:*

- 1. Notes that Council has no direct investment (shareholdings) in any fossil fuel company or fossil fuel aligned company.*

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2. *Commits to adopting a positive screening approach for Council's investment with financial institutions by actively investing with fossil free financial institutions within the parameters of Council's investment policy.*
  3. *Advocates for fossil free financial institutions to improve their credit rating and financial rate of return.*
  4. *Amends Council's investment policy to allow for long-term investments in financial institutions receiving a 'BBB' credit rating from leading credit ratings agencies.*
  5. *Gives preference to fossil fuel free financial institutions when tendering for transactional banking services, providing:*
    - a) *these services are offered at a comparable rate to services available from other compliant financial institutions at the time;*
    - b) *these services represent 'value for money';*
    - c) *the financial institution and product is otherwise compliant with Council policy.*
  6. *Gives preference to fossil fuel free Authorised Deposit-Taking Institutions when making deposits if:*
    - a) *the rate of return on investment is greater than or equal to the rates of other Authorised Deposit-Taking Institutions which comply with Council's investment policy and are available at the time;*
    - b) *the financial institution and product is otherwise compliant with Council policy.*
  7. *Gives preference to fossil fuel free financial institutions when borrowing money if:*
    - a) *applicable interest rates are lesser than or equal to interest rates available to Council from other compliant financial institutions;*
    - b) *the financial institution and product is otherwise compliant with Council policy.*
  8. *Includes a report on Council's compliance with these new parameters within future annual reports of Council.*

Cr Fergeus said that the Committee and its working group took on the comments from Councillors regarding the motion submitted on this matter, in 2017. He said that there had been some issues of concern around the Vision Super Fund and the possible negative impact to Council of changing investment practices. Cr Fergeus said that the current motion removed those issues and put forward a proposal reflecting Council's values as stated in the Council Plan, around climate change and protection of the environment, while ensuring that Council was investing responsibly and choosing banking partners that aligned with those values. He said that the motion would not cause a financial impact on Council

**CARRIED**

#### **7.5 Monash Gallery of Art Strategic Plan 2018 - 2022**

Moved Cr McCluskey,

Seconded Cr Klisaris

*That Council endorses the Monash Gallery of Art Strategic Plan 2018 – 2022*

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Cr McCluskey congratulated the Monash Gallery of Art Committee, commending the strategic direction that the Committee was moving in, to make the best of what was considered by some as Council's "jewel in the crown", ie the Monash Gallery of Art. Cr McCluskey noted that the Committee, MGA staff and the Friends of the MGA contributed to the development of the MGA strategic plan.

Cr Davies said that the direction the Committee was going was very positive. He noted that the new committee members were making a strong contribution

Cr Little said that the gallery was the jewel in the crown and few people knew about it. He noted a new dynamism becoming apparent in the committee and the commitment to bring exciting photographic exhibitions to the gallery and to the community. Cr Little said that he considered that the gallery's hours of operation needed to be reviewed, allowing it to be open in the evenings. He commended the strategy to Council.

The Mayor commended the work of the Chairperson of the Committee and Gallery Director and their future plans. He said that the Gallery was the jewel in the crown and housed the biggest photographic collection in the southern hemisphere.

**CARRIED**

#### **7.6 Multicultural Advisory Committee – Appointment of New Committee Members**

Moved Cr Klisaris,

Seconded Cr Tsoi

***That Council endorses the appointment of the following ten (10) people to the Multicultural Advisory Committee, each for a two (2) year term:***

- ***Konstantina Kouroutsidou***
- ***Shivam Arora***
- ***Lena Kojadelian***
- ***Richard Ng***
- ***May Hu***
- ***Theresa Ssali***
- ***Harvey Foenander***
- ***Isata Victoria Mandoh***
- ***Balamurugan Krishnan***
- ***Jian-Min Li***

Cr Saloumi said that she, together with the Mayor and Cr Tsoi, were fortunate enough to be on the interview panel for the new members of the committee. She said that it was a fantastic group. She noted the wide range of communities that these candidates represented.

Cr Tsoi congratulated the proposed new members of the committee. He said that the Council did not just talk about, but actively promoted multiculturalism

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Cr Davies commended the new members of the committee, noting that he knew some of them and that they would make a great contribution to the committee.

The Mayor stated that there had been candidates from many backgrounds, who had a great interest and capacity to assist the Council in better understanding and engaging with its community and he looked forward to the positive impact that the recommended candidates, as new members of the advisory committee, would make in those endeavours.

**CARRIED**

**8. URGENT BUSINESS**

Nil.

**9. CONFIDENTIAL BUSINESS**

Moved Cr McCluskey,

Seconded Cr Klisaris

*That Council, having reviewed and considered the certificates in relation to the matters listed for confidential business, and being satisfied that it is appropriate and necessary to consider these matters 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 certificates.*

**10. PERSONAL EXPLANATIONS**

Nil.

**11. COUNCILLORS' REPORTS**

**11.1** Cr Davies advised Council his attendance at Mulgrave Reserve for a business lunch with the State Leader of the Opposition, the Hon Matthew Guy MP making an announcement that the Liberal Party would invest \$200,000 to support the pavilion redevelopment, if the party won the 2018 State election. Cr Davies said that he was looking forward to progress on the reserve master plan.

**11.2** Cr Little noted the attendance of 5 Councillors at the ALGA National General Assembly in Canberra . He noted that approximately 90 motions were passed, with most of them seeking Federal Government funding. He noted that over the years Federal Government funding to the sector had reduced by half. Cr Little said that the conference offered a considerable amount of interesting and valuable ideas.

**11.3** Cr Saloumi

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- a) noted her attendance at the ALGA National General Assembly, which was attended by 600 participants. She advised that at the recycling seminar she learned that one of the EAC members was involved in a company that recycles paint and paint tins and had developed a number of patents.
  - b) Attended a refugee barbeque at the Clayton Community Centre, and hosted by Vic Police and the Lions Club
  - c) Attended the Dragon Boat Dinner, hosted by the Chinese Professionals Association
  - d) Attended Ahmadiyya Islamic Women's Association luncheon
  - e) Attended a Burger Association
  - f) Attended the MGA Legacy Exhibition
  - g) Attended Children's "Hot Shots" photographic exhibition

**11.4** Cr Tsoi advised Council that he had attended a Tai Chi exercise class at Brandon Park Community Centre, together with the Mayor, an event that was well attended

**11.5** Cr McCluskey advised Council of his attendance:

- a) with Cr Paterson, at the CPEC gala dinner, noting the great work done by that organisation for people with cerebral palsy. He noted the amount of money raised for CPEC at the dinner. Cr McCluskey noted that Matt Haknel, who has cerebral palsy and who raised initiatives that he wanted to explore with the Council regarding aiding cerebral palsy sufferers in Council's aquatic centres.
- b) Jumper presentation of the Waverley Warriors Women's over 30's AFL team, which was part of a new 6 team league

The Mayor declared the meeting closed at 9.05 pm

**MAYOR:** .....

**DATED THIS ..... DAY OF ..... 2018**