



CITY OF
MONASH

MINUTES OF THE MEETING OF

COUNCIL

HELD ON 29 MARCH 2022

at 7.00 pm

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

MINUTES OF THE MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 29 MARCH 2022 AT 7.00 PM.

PRESENT:

Councillors S James (Mayor), T Samardzija (Deputy Mayor), A de Silva, J Fergeus, P Klisaris, G Lake, B Little, N Luo, S McCluskey, T Zographos

APOLOGIES

Councillor R Paterson

DISCLOSURES OF INTEREST

Nil.

CONFIRMATION OF MINUTES OF THE COUNCIL MEETING HELD ON 22 FEBRUARY 2022

Moved Cr Little

Seconded Cr Luo

That the minutes of the Meeting of the Council held on 22 February 2022, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

PETITION

Cr Fergeus tabled a petition of 328 signatures from the Friends of Scotchman's Creek and Valley Reserve which is in response to a proposed development at 444-454 Waverley Road, Mount Waverley.

Moved Cr Fergeus

Seconded Cr James

That the petition be received.

CARRIED

PUBLIC QUESTION TIME

The Mayor advised that 8 questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Town Planning Schedules

Moved Cr Samardzija Seconded Cr Zographos

That the report containing the Town Planning Schedules be noted.

CARRIED

1.2 1354-1358 Dandenong Road, Hughesdale - Use and development of the land for a shop (supermarket)

Moved Cr Little Seconded Cr James

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/52884) for the use and development of the land for a shop (supermarket and shops), the display of internally illuminated and non-illuminated business identification and pole signage, a reduction of car parking and alteration of access to a road in a Transport Zone 2, at 1354-1358 Dandenong Road, Hughesdale, subject to the following conditions:

Amended Plans Required

- 1. *Before the use and development commences, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by Parallel Workshop Pty Ltd, incorporating Revision A-C changes, dated 24 February 2022, but modified to show:***
 - a) On TP101, removal of the 'Planterbox & Pot Plant on Slab Landscape' notation at the northern corner of the site to allow for deep root planting.***
 - b) On TP201, reduction of the advertising content so that is it no greater than 30% of the overall sign area and orientated towards Dandenong Road. The remainder of the structure can be painted in a shade or muted tone, to the satisfaction of the Responsible Authority.***
 - c) The placement of lifestyle imagery along the south elevation as it presents to Neerim Road limited to the building only and removed from all glazed areas to permit visibly into the premises from the street.***
 - d) The provision of in-ground planting including one (1) canopy tree and lower plantings at the north-west corner of the site, and extended along the Dandenong Road frontage, towards the closest car parking bay.***

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- e) *The provision of in-ground planting including two (2) canopy trees as well as lower plantings within the 4.1 metre frontage of the existing building towards Dandenong Road, whilst retaining a pedestrian accessway in this location.*
 - f) *The provision of creepers to cover the mesh fence on the west side of the site south of SGN-01. The creepers are to be of a type that will cascade down and soften the appearance of the west facing retaining wall in that location. Greening of the existing retaining wall and a more subtle presentation of this structure is sought.*
 - g) *The provision of a medium height canopy trees and lower plantings in the area north of the emergency egress door, and along the western property boundary between the supermarket the existing signboard to be retained.*
 - h) *Improved landscaping (shrubs, creepers, grasses or the like) to the existing garden beds located forward of the car park and loading bay area, along the Neerim Grove frontage.*
 - i) *Directional signs and line marking to ensure the entry only arrangement to the Dandenong Road is clear.*
 - j) *The redundant crossover on Neerim Road to be removed and replaced with kerb and channel.*
 - k) *The two existing street trees located either side of the new crossover to Neerim Grove identified with the notation 'Prior to commencement of the development including works, the two existing Prunus street trees are to be removed by Council for replacement at the full cost of the developer'.*
 - l) *A Landscape Plan in accordance with Condition 3.*

All to the satisfaction of the Responsible Authority

Layout not to be Altered

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

Landscaping Plan

3. *Concurrent with the endorsement of any plans requested 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. The plans is to show:*
 - a) *A planting schedule of all proposed trees, shrubs and ground covers which will include the size of all plants (at planting and at maturity, pot size, botanical names and quantities. Semi mature plants are to be used in the design.*
 - b) *Details on how the landscaping areas will be maintained including irrigation.*
 - c) *Details on any specific site preparation works required to undertake the landscaping.*
 - d) *Details on tree protection fencing proposed for street trees abutting the site on the east side of Neerim Grove. The trees must be protected by temporary rectangular wire fencing as per Australian Standards, erected prior to commencement of works until completion pursuant to AS 4970.*

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- e) Before the occupation of any 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 thereafter maintained to the satisfaction of the Responsible Authority.*

Waste Management Plan

- 4. The provisions, recommendations and requirements of the endorsed Waste Management Plan prepared by Low Impact Development Consulting dated 16 February 2022, are to be implemented and complied with to the satisfaction of the Responsible Authority.*

Street Tree Removal & Replacement

- 5. The two existing street Prunus trees impacted by the proposed crossover to Neerim Grove will be removed by Council and replaced at the full cost of the developer prior to commencement of the development including works.*

Signage

- 6. The location, layout, dimensions, structures and features of the approved sign(s) shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.*
- 7. Prior to the erection of the approved signs, all existing signs on the subject land must be removed to the satisfaction of the Responsible Authority.*
- 8. The intensity of lighting associated with the illumination of the advertising sign(s) must be limited so as not to cause glare or be a distraction to motorists in adjoining streets or cause a loss of amenity in the surrounding area to the satisfaction of the Responsible Authority.*
- 9. Signs advertising goods and services must, to the satisfaction of the Responsible Authority, only be for goods and services available on the land for which this permit is granted.*
- 10. Bunting, streamers, flags, wind-vanes or the like must not be displayed without the written consent of the Responsible Authority.*
- 11. No lifestyle images are to be displayed other than in accordance with plans endorsed under this permit.*

Hours of Operation

- 12. The use allowed by this permit, including deliveries, may operate only during the following hours, except with the prior written consent of the Responsible Authority:*

- *Monday to Sunday (including public holidays) 7:00am to 10:00pm.*

Delivery Hours

13. All deliveries 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 deliveries permitted*

to the satisfaction of the Responsible Authority.

External lighting

14. All external lighting must be designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.

Storage of Goods

15. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.

Traffic and Car Parking

16. Before the use starts or any building is occupied, 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.*

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

18. No less than 63 car spaces (24 indoor and 39 outdoor) must be provided on the land including spaces clearly marked for the disabled to the satisfaction of the Responsible Authority.

19. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.

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20. *The areas set aside for car parking shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purpose.*
 21. *Low intensity / baffled lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.*
 22. *All loading and unloading of vehicles must be carried out within the designated loading bay and must be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.*
 23. *Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.*
 24. *All staff parking is to be accommodated within the site at all times.*
 25. *Signs and line marking are to be installed within the outdoor car park to ensure there is no confusion about the entry only arrangement to the satisfaction of the Responsible Authority.*
 26. *To avoid cars parking in the open areas adjacent to the central parking spaces (ground floor open car park) hatching line markings are to be painted on the surface in accordance with Australian Standards.*
 27. *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.*
 28. *All new vehicle crossings are to be no closer than 1.0 metre, measured at the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.*
 29. *All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.*

Waste Collection

30. *Waste collection only to be carried out within hours prescribed by EPA guidelines.*
31. *No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public, unless as otherwise approved under the Waste Management*

Plan, and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

Drainage

- 32. The site must be drained to the satisfaction of the Responsible Authority.***
- 33. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.***
- 34. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge to the satisfaction of the Responsible Authority. Approval of any detention system is required by the City of Monash prior to works commencing, or any alternate system.***

Amenity of the Area

- 35. 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; and***
 - d) presence of vermin.***

All to the satisfaction of the Responsible Authority.

Location of Equipment

- 36. Motors for equipment and air-conditioning/heating units to be located to limit noise nuisance created to neighbours or insulated/sound proofed in accordance with any applicable EPA legislation.***

Services Location

- 37. 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.***

Department of Transport (REF: PPR 37368/21)

- 38. Prior to the occupation of the development, the disused/redundant vehicle crossing on the Dandenong Road service lane must be removed, and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.***

Satisfactory Continuation and Completion

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

Time for Starting and Completion

40. 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 has not started before 2 years from the date of issue.***
- The development is not completed before 4 years from the date of issue.***
- The use is not started 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 (6) months afterwards if the use or the development has not commenced; or***
- 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.

41. The approved signs of this Permit will expire 15 years from the date of issue of this permit.

NOTES

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.

All costs associated with the removal and replacement of a tree or trees are to be borne by the resident or landowner who has requested the removal. Please contact Council's Horticultural Department to establish the tree valuation and removal timing.

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.

The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve and be to the satisfaction of the Responsible Authority. 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.*

The nominated point of stormwater connection for the site is to the south-west corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the Council pit in the naturestrip via the existing property connection. (A new pit is to be constructed to Council standards if a pit does not exist, is in poor condition or is not a Council standard pit). Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.

- A. A detailed plan of the access arrangements to the site must be submitted to the Responsible Authority for approval. A Road Opening Permit, with associated refundable security bond, will be required from Council's Engineering Department prior to the roadworks commencing.*
- B. Department of Transport - The proposed development requires works within the arterial road reserve. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.*

AMENDMENT

Moved Cr Zographos

That point 12 relating to Hours of Operations is edited to Monday to Sunday (including public holidays) 7:00am to 7:00pm.

There was no seconder and the amendment lapsed.

LAPSED

AMENDMENT

Moved Cr Zographos

Seconded Cr Samardzija

That point 12 relating to Hours of Operations is edited to Monday to Sunday (including public holidays) 7:00am to 9:00pm.

DIVISION

For: T Zographos, B Little, T Samardzija, S James, N Luo

Against: P Klisaris, G Lake, J Fergeus, A de Silva

Abstain: S McCluskey

CARRIED

SUBSTANTIVE MOTION

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

CARRIED

1.3 178A Warrigal Road, Oakleigh – Restoration of roof to existing retained shop and construction of new double storey townhouse

Moved Cr Little

Seconded Cr Luo

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/52573) for buildings and works to the existing shop and the construction of a dwelling at 178A Warrigal Road, Oakleigh, subject to the conditions:

Amended Plans

- 1. Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council (Sheets TP1-TP11), Revision D dated October 2022, prepared by Modarc) but modified to show:***
 - a. A minimum rear boundary building setback of 5.5 metres;***
 - b. The east facing living room window to be a highlight window, and the east elevations amended accordingly;***
 - c. The location and design of postal provision for both the shop and new dwelling along the Warrigal Road building façade, including details of the dwelling identification along this frontage.***
 - d. The location and design of any proposed electricity supply meter boxes.***
 - e. The location and details of tree protection measures as outlined within the Tree Management Plan in accordance with Condition 6 of this permit, with all nominated trees clearly identified and numbered on both site and landscape plans, and a summary of the requirements of the Tree Management Plan to be annotated on the development and landscape plans.***
 - f. Any amendments to the required footing details, as required by the Tree Management Plan required by Condition 6.***
 - g. Reference to the signage on the western elevation removed from the plans.***
 - h. A Landscape Plan in accordance with condition 3 of this Permit.***

All to the satisfaction of the Responsible Authority.

Layout not to be Altered

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

Landscape Plan

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3. *Concurrent with the endorsement of any plans requested 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. The plan must show any planting proposed and details of proposed surface finishes including pathways, accessways, car parking and terrace.*

Tree Protection

4. *Before any development (including demolition) starts on the land, a tree protection fence must be erected around all trees that are to be retained, or are located within or adjacent to any works area (including trees on adjacent land). The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority.'*
5. *No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained during the demolition, excavation and construction period of the development hereby permitted without the prior written consent of the Responsible Authority.*
6. *Prior to the endorsement of the plans referred to in Condition 1 of this permit or the commencement of any works (including demolition or levelling of the site), a Tree Management Plan prepared by a qualified arborist to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When the Tree Management Plan is endorsed it will then form part of the permit. The report must:*
- a. *Set out recommendations and actions required to minimise damage as a result of buildings and works (including any demolition, vegetation clearance, earthworks or works arising from the provision of underground services) to the health of trees to be retained on adjoining properties, to the satisfaction of the Responsible Authority.*
 - b. *The type of footings required within tree protection zones.*

The recommendations contained in the endorsed report must be implemented to the satisfaction of the Responsible Authority.

Landscaping Prior to Occupation

7. *Before the occupation of any 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 thereafter maintained to the satisfaction of the Responsible Authority.*

Drainage

8. *The site must be drained to the satisfaction of the Responsible Authority.*

Waste Management

9. *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.*

Vehicle Crossovers

- 10. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.**
- 11. Car spaces shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.**

Urban Design

- 12. The walls on the boundary of adjoining properties shall be cleaned and finished in a manner to the satisfaction of the Responsible Authority.**

Construction Management

- 13. Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) 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 CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:**
 - a. Appropriate measures to control noise, dust and water and sediment laden runoff;**
 - b. Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;**
 - c. Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;**
 - d. A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network;**
 - e. A program for the cleaning and maintaining surrounding road surfaces;**
 - f. 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;**
 - g. Measures to provide for public safety and site security;**
 - h. 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;**
 - i. A Traffic Management Plan showing truck routes to and from the site;**
 - j. A 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;**
 - k. Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;**
 - l. The provision of contact details of key construction site staff; and**

m. Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:

- i. Monday to Friday (inclusive) – 7.00am to 6.00pm;*
- ii. Saturday – 9.00am to 1.00pm;*
- iii. Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)*
- iv. No works are permitted on Sundays or Public Holidays.*

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

Satisfactory Continuation and Completion

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

Permit Expiry

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

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

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

- a. within six (6) months afterwards if the development has not commenced; or*
- b. 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

A. Building permit approval must be obtained prior to the commencement of the 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. Engineering permits must be obtained for new or altered or removal of vehicle crossings, works within the Road Reserve and for connections to Councils drains / Council pits / Kerb & Channel and these works are to be inspected by Council.

D. A plan detailing the drainage works must be submitted to the Engineering Division prior to the commencement of works for approval. The plans are to show sufficient

information to determine that the drainage works will meet all drainage requirements of this permit.

- E. 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; or any alternate system.*
- F. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.*
- G. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.*
- H. No Signs*
Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
- I. Variation to Planning Permit*
Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- J. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.*

AMENDMENT

Moved Cr James

Seconded Cr McCluskey

Add point 1(i) which reads "The Western elevation corrected to show a maximum overall building height of 5.2 metres."

CARRIED

SUBSTANTIVE MOTION

The substantive motion was put to the vote after debate and declared carried.

CARRIED

1.4 Future of School Crossing Supervision Program

Moved Cr James

Seconded Cr Little

That Council:

1. *Recognises that child safety is and remains the primary consideration associated with the School Crossing Supervision Program.*
2. *Notes that Council has written to the State Government and all Monash schools informing them that Council is seriously considering its future role in funding school crossing supervision as this is a service that relates to schools and the State Government's functions rather than local government functions, and outlining the reasons for this as per Council's resolution at its 30 November 2021 Council meeting, and invited feedback by 25 February 2022.*
3. *Notes that Council has written to the Mayors of all other Victorian councils and the Municipal Association of Victoria seeking their views on the question of the sustainability and appropriateness of local government funding for, and provision of, school crossing supervision services.*
4. *Notes the feedback received as detailed in this report and attachments 1 and 2.*
5. *Resolves that the Mayor, convene a meeting with:*
 - (a) *The MAV and Mayors and senior officers of the councils that provided a response to Council as well as an invitation to all other Mayors and senior officers from metropolitan councils (should they wish to attend) to explore:*
 - i. *the common ground on the School Crossings issue with a view to commencing an advocacy campaign to the State Government;*
 - ii. *a focus on full cost recovery (inclusive of on-costs) for the provision of the school crossing supervisor service;*
 - iii. *the opportunity (inclusive of cost) to investigate and, where appropriate, implement alternative traffic management arrangements at school crossings such as:*
 - *Wombat Crossing – raised pavement with line marking and signs;*
 - *Pedestrian crossing – Line marking with flashing lights; and*
 - *Pedestrian operated signals; and*
 - iv. *the opportunity appropriateness for schools to nominate and provide school crossing supervisors be they volunteers or otherwise.*
 - (b) *Relevant Ministers (at the appropriate time when the outcomes of the above points have been discussed amongst Councils and a way forward has been agreed) including the Minister for Roads and Road Safety and the Minister for Education, with a view to investigating alternative arrangements for the funding and provision of school crossing supervisors.*
6. *Makes available \$15,000 to give effect to paragraph 5 of this Resolution and provide for a facilitated session(s), understanding that Council will request a financial contribution from other participating councils to provide for any external advice and to facilitate any agreed outcomes.*
7. *Convenes a forum with schools within the Municipality to explore the opportunity for schools to nominate and provide school crossing supervisors at no cost to Council.*

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- 8. Notes that it will receive a report and update at the appropriate time regarding the progress and any outcomes of the discussions with other councils and the relevant Minister(s), any forum with schools within the Municipality and as needed.*
 - 9. Continues providing school crossing supervisors under the terms of School Crossing Supervision Contract No. 2022069 that has been awarded which provides for school crossing supervision services until 31 December 2022 with two six month extensions by which time the outcomes of the recommendations of this report will be better known.*

CARRIED

1.5 Enhanced Outdoor Dining

Moved Cr Samardzija

Seconded Cr Luo

That Council:

- 1. Notes that enhanced outdoor dining opportunities on footpaths, roads and reserves were temporary measures (primarily funded by the State Government, with Council also resolving to waive associated costs) that have been available over the 2020/21 and 21/22 financial years.*
- 2. Since the easing/removal of the pandemic restrictions that affected hospitality traders, trading has increased steadily in Activity Centres.*
- 3. Notes that the enhanced outdoor dining areas continue to be vacant or have little use most of the time and are most popular on Thursday, Friday and Saturday nights.*
- 4. Notes that the permits issued by Council for temporary enhanced dining are due to expire on 30 June 2022.*
- 5. Resolves that with the return to more normal trading arrangements, the easing/removal of restrictions and announcements by Government that future lockdowns and restrictions are less likely, it is appropriate to return our Activity Centres to their original state, including making these areas available for carparking.*
- 6. Directs officers to commence the process (including writing to traders who currently enjoy enhanced outdoor dining areas) advising that Council will not issue further approvals to occupy these areas, and the trader is required to cease trading in these areas on 30 June 2022, and must remove all furniture and other enhancements including structures, marquees and anything else from Council land including but not limited to reserves, roads, carparks and footpaths no later than 31 July 2022 so that the areas may be decommissioned.*

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- 7. Notes that some traders have made their own commercial decision to further enhance these temporary outdoor dining areas at some cost to them understanding the temporary nature of the occupation.**
- 8. Resolves that where a request is made by a trader to continue operating within these areas, or to not remove structures, marquees and other enhancement, that the requirements of Council's footpath trading policy apply, and permits will not be granted to use or occupy Council land unless permitted by the policy. For the avoidance of doubt, Council reinforces that these areas were never intended to be permanent and that these structures, marquees and enhancements must be removed in accordance with point 6 of this resolution.**
- 9. Directs that where the requirements of point 6 of this resolution have not been complied with, that officers undertake all the necessary steps and processes to give effect to Council's resolution, including the ultimate removal of any offending structures by Council with all associated costs being borne by the former permit holder.**
- 10. Directs officers to write to all traders who will be impacted by the resolution being the holders of enhanced outdoor dining permits to advise them of the dates and processes that will see these areas decommissioned and all structures and enhancements removed no later than 31 July 2022.**

AMENDMENT

Moved Cr Zographos

Seconded Cr Klisaris

Adds to points 5 and 6 "with the exception of outside 66 Portman Street and 20 Chester Street, Oakleigh".

LOST

SUBSTANTIVE MOTION

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

DIVISION

For: Councillors S James, T Samardzija, A de Silva, J Fergeus, G Lake, B Little, N Luo, S McCluskey

Against: Councillors T Zographos, P Klisaris

CARRIED

2. COMMUNITY SERVICES

2.1 2021/22 Monash Quick Response Grants Program Recipients

Moved Cr McCluskey Seconded Cr Fergeus

That Council notes the successful applications that have been funded through the two streams of the Quick Response Grant program during the period 4 February to 9 March 2022 to a total of \$11,868.18.

CARRIED

2.2 7 Dorrington Drive, Mount Waverley – Future Use

Moved Cr James Seconded Cr Samardzija

That Council approves the use of the site at 7 Dorrington Drive, Mount Waverley for the development of an Early Years Hub which will contribute to the community's access to kindergarten and additional supports for young children and their families.

CARRIED

3. CORPORATE SERVICES

Nil.

4. INFRASTRUCTURE & ENVIRONMENT

Nil.

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Councillors' Meeting Records

Moved Cr Zographos Seconded Cr McCluskey

That Council notes the record of Committee Meetings and Informal Councillors' Meetings.

CARRIED

5.2 Tender for Provision of Facilities Maintenance and Management Services

Moved Cr Little

Seconded Cr Luo

That Council:

1. Awards the tender from Campeyn Group Pty Ltd for the Provision of Facilities Maintenance and Management Services, Contract No. 2022009 including:

a. Part A for a fixed Lump Sum of \$1,280,764 per annum and an estimated Schedule of Rates spend of \$500,000 per annum for reactive and planned works, for an estimated total component value of \$11,233,300 inclusive of all available extension options;

b. Part B for a schedule of rates based contract with an estimated annual contract value of \$977,000 and estimated planned expenditure of \$700,000 per annum, for an estimated total component value of \$10,581,000 inclusive of all available extension options;

c. Part C for a schedule of rates based contract with an estimated annual contract value of \$901,417 and estimated planned expenditure of \$700,000 per annum, for an estimated total component value of \$10,102,000 inclusive of all available extension.

2. Authorises the Chief Executive Officer to execute the contract agreement;

3. Notes that the Services for this contract are proposed to commence April 1st 2022 with an initial term of two (2) years with two (2) separate extension options of two (2) years each with an estimated total contract value (for Parts A, B and C) of \$31,916,000 inclusive of all available extension options (assuming 2% CPI indexation) and authorises the Chief Executive Officer to approve extension options subject to satisfactory performance.

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

CARRIED

5.3 CCTV Policy

Moved Cr Samardzija Seconded Cr McCluskey

That Council adopts the attached CCTV Policy.

AMENDMENT

Moved Cr Fergeus Seconded Cr de Silva

Remove category one from the policy and renumber other categories accordingly.

LOST

SUBSTANTIVE MOTION

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

DIVISION

For: Councillors S James, T Samardzija, P Klisaris, G Lake, B Little, N Luo, S McCluskey, T Zographos,

Against: Councillors A de Silva, J Fergeus

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications

Moved Cr McCluskey Seconded Cr Little

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

<i>APPLICANT</i>	<i>PURPOSE</i>	<i>AMOUNT RECOMMENDED</i>
<i>Clayton District Cricket Club</i>	<i>Purchase of a Junior Flicx Pitch. Requesting a donation.</i>	<i>\$1,000.00</i>
<i>Waverley Bonsai Group</i>	<i>Annual Bonsai Show held at the Mount Waverley Community Centre. Requesting hall hire funding.</i>	<i>\$1,000.00</i>

CARRIED

6.2 Support for the Thrive by Five Campaign

Moved Cr James

Seconded Cr Klisaris

That Council:

- 1. Endorse the Thrive by Five campaign to support high-quality, universally accessible and affordable early learning and childcare*
- 2. Formally advise the Municipal Association of Victoria and the Australian Local Government Association, that Council has endorsed the Thrive by Five campaign and supports the Associations in their involvement in the campaign*
- 3. Write to Prime Minister Scott Morrison, the Leader of the Opposition Anthony Albanese, the Minister for Education and Youth Alan Tudge, the Shadow Minister for Early Childhood Education and Youth Amanda Rishworth and local Federal Members of Parliament, seeking bipartisan support for the campaigns objectives*

CARRIED

6.3 Intergovernmental Panel on Climate Change

Moved Cr Fergeus

Seconded Cr James

That Council:

- 1. Notes the Intergovernmental Panel on Climate Change's recent report "Climate Change 2022: Impacts, Adaptation and Vulnerability" ;*
- 2. Acknowledges the unprecedented levels of urgency declared by the IPCC and other scientific bodies with regard to the need to drastically reduce emissions and limit global warming to 1.5°C.*

CARRIED

6.4 Name Change to the Monash Seminar & Training Centre

Moved Cr Lake

Seconded Cr James

That Council change the name of the 'Monash Seminar and Training Centre' to 'Oakleigh Chambers'.

CARRIED

7. COMMITTEE REPORTS

Nil.

8. URGENT BUSINESS

Nil.

9. CONFIDENTIAL BUSINESS

Nil.

10. PERSONAL EXPLANATIONS

Nil.

11. COUNCILLORS' REPORTS

Nil.

The Mayor declared the meeting closed at 8:23pm.


MAYOR:

DATED THE 31ST OF MAY 2022