



CITY OF  
MONASH

# **MINUTES**

**MEETING OF COUNCIL**

**HELD ON**

**TUESDAY 26 SEPTEMBER 2023**

**at 7:00 PM**

**COUNCIL CHAMBER**

**CIVIC CENTRE, 293 SPRINGVALE ROAD, GLEN WAVERLEY**

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## 1 ACKNOWLEDGEMENT OF COUNTRY

Monash Council acknowledges the Traditional Owners of the lands on which we meet, the Wurundjeri Woi Wurrung and Bunurong People, and recognises their continuing connection to the land and waterways.

We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

## 2 PRESENT AND APOLOGIES

### PRESENT:

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

Officers: J Doake, R Hopkins, P Panagakos, D Wain, J Robertson, J Sessler, R Evans, S McNamee, M Gibson, R Pedder, R Russell

### APOLOGIES

NIL.

## 3 DISCLOSURES OF INTEREST

## 4 CONFIRMATION OF MINUTES

### 4.1 Confirmation of Minutes of the Meeting of Council

Moved: Cr Zographos      Seconded: Cr Luo

**That the minutes of the following Meeting of Council be taken as read and confirmed.**

- **Meeting of Council held on 29 August 2023**

**CARRIED**

## **5 RECEPTION AND READING OF PETITIONS, JOINT LETTERS AND MEMORIALS**

Moved: Cr Zographos    Seconded: Cr Luo

Cr Samardzija tabled a petition of 21 signatures from residents regarding road safety and the installation of speed humps in Cherry Street, Glen Waverley.

**CARRIED**

## **6 PUBLIC QUESTION TIME**

The Mayor advised that fifteen (15) questions had been received.

## **7 OFFICERS' REPORTS**

## 7.1 City Development

### 7.1.1 TOWN PLANNING SCHEDULE REPORT

Moved: Cr James

Seconded: Cr Little

#### RECOMMENDATION

That Council notes the report containing the Town Planning Schedules.

CARRIED

### 7.1.2 PLANNING SCHEME AMENDMENT C167 - MOUNT WAVERLEY ACTIVITY CENTRE - CONSIDERATION OF SUBMISSIONS

Moved: Cr Little

Seconded: Cr James

#### RECOMMENDATION

That Council

1. Notes and considers all submissions received in response to proposed Amendment C167.
2. Notes and endorses the officer comment and recommendations to the issues raised by submissions as outlined in this officer report and Attachment 1.
3. Endorses the recommended changes to proposed Amendment C167 as outlined in this report and Attachment 1 for the purpose of Council's position on the proposed amendment for the panel hearing.
4. Request that the Minister for Planning appoint an independent planning panel under part 8 of the Planning and Environment Act 1987 to consider the submissions to proposed Amendment C167 to the Monash Planning Scheme.
5. Refers all submissions on proposed Amendment C167 to the planning panel appointed by the Minister for Planning.
6. Notifies all submitters of Councils resolutions on proposed Amendment C167 as set out above.

## AMENDED MOTION

Moved: Cr Paterson      Seconded: Cr de Silva

## AMENDED RECOMMENDATION

That Council

1. Notes and considers all submissions received in response to proposed Amendment C167.
2. Notes and endorses the officer comment and recommendations to the issues raised by submissions as outlined in this officer report and Attachment 1.
3. In addition to the changes outlined in this report, modifies Amendment C167 to ensure that the planning policy and controls provide for a strong preference to retain canopy trees in any redevelopment of the land bounded by Virginia Street, Alexander Street, Winbourne Road and the laneway to the rear of the shops fronting Stephenson's Road, and where not appropriate to retain, that replacement canopy trees are established, in order to maintain the village feel, soften the impact of any buildings, reduce the impact of built form on ambient temperature and improve the garden character of any redevelopment of this land.
4. Endorses the recommended changes to proposed Amendment C167 as outlined in this report, Attachment 1 and Recommendation 3, for the purpose of Council's position on the proposed amendment for the panel hearing.
5. Request that the Minister for Planning appoint an independent planning panel under part 8 of the Planning and Environment Act 1987 to consider the submissions to proposed Amendment C167 to the Monash Planning Scheme. To see the topic I forgot about that sorry when you sorry what are you saying you forgot about
6. Refers all submissions on proposed Amendment C167 to the planning panel appointed by the Minister for Planning.
7. Notifies all submitters of Council's resolutions on proposed Amendment C167 as set out above.

CARRIED

### 7.1.3 MONASH AFFORDABLE HOUSING STRATEGY

Moved: Cr Fergeus      Seconded: Cr Paterson

## RECOMMENDATION

That Council:

1. Receives and notes the feedback made in response to the community consultation that occurred in July and August 2023 on the draft Monash Affordable Housing Strategy.
2. Notes the Officer's response and recommendations to submissions as outlined in this report and in Attachment 1 (Consultation Report)

3. Endorses the changes proposed to the Monash Affordable Housing Strategy as set out in this report and the amended Monash Affordable Housing Strategy.
4. Adopts the amended Monash Affordable Housing Strategy in accordance with the proposed changes set out in this report and appended as Attachment 2 (finalised Monash Affordable Housing Strategy)
5. Notes that if adopted, a report will be presented to a future Council meeting to consider the changes to the Monash Planning Scheme to implement potential planning scheme actions of the Monash Affordable Housing Strategy.

CARRIED

#### 7.1.4 SRL EAST PRECINCTS DISCUSSION PAPER: BRIEFING AND SUBMISSION

Moved: Cr Fergeus

Seconded: Cr de Silva

#### RECOMMENDATION

That Council:

1. Notes the contents of the Suburban Rail Loop (SRL) Precincts Discussion Paper.
2. Notes the issues contained in this report and endorses the submission on behalf of Monash City Council in response to the SRL Precincts: Discussion Paper.

CARRIED

#### 7.1.5 RE-IMAGINING GLEN WAVERLEY A PROPOSED NEW GLEN WAVERLEY CIVIC PRECINCT - OUTCOME OF COMMUNITY CONSULTATION

Moved: Cr Lake

Seconded: Cr Luo

#### RECOMMENDATION

1. Notes that in accordance with Council's decision at its meeting on 30 May 2023, community consultation on the project occurred between 12 July 2023 and 23 August 2023 (6 weeks duration) via:
  - a. an on-line survey via ShapeMonash.
  - b. a telephone survey completed by JWS Research.
  - c. the opportunity to provide written feedback.(collectively "community consultation").

There were 3,011 visitors and 612 contributions received via the ShapeMonash page and a total of 36 written submissions. The outcomes of the above community consultation are contained in the Attachments to this report.

2. Notes that four predominate themes emerged from the community consultation being:
  - a. Existing facility limitations and need for modern replacement, proposed hall and office accommodation.
  - b. Project cost and funding model.
  - c. Distribution of funds to other projects/suburbs.
  - d. Glen Waverley Activity Centre redevelopment & loss of car parking.

Further noting that there were sub-themes or tags identified in the responses to the ShapeMonash survey and JWS Research telephone survey, and these have been collated and responded to in Attachment 4.

3. Receives and notes the results of community consultation on the Project.

## AMENDED MOTION

Moved: Cr McCluskey      Seconded: Cr Samardzija

## AMENDMENT

**That Council:**

1. Notes that in accordance with Council's decision at its meeting on 30 May 2023, community consultation on the project occurred between 12 July 2023 and 23 August 2023 (6 weeks duration) via:
  - a. an on-line survey via ShapeMonash.
  - b. a telephone survey completed by JWS Research.
  - c. The opportunity to provide written feedback.

(collectively "community consultation").

There were 3,011 visitors and 612 contributions received via the ShapeMonash page and a total of 36 written submissions. The outcomes of the above community consultation are contained in the Attachments to this report.

2. Notes that four predominate themes emerged from the community consultation being:
  - a. Existing facility limitations and need for modern replacement, proposed hall and office accommodation.
  - b. Project cost and funding model.
  - c. Distribution of funds to other projects/suburbs.
  - d. Glen Waverley Activity Centre redevelopment & loss of car parking.

Further noting that there were sub-themes or tags identified in the responses to the ShapeMonash survey and JWS Research telephone survey, and these have been collated and responded to in Attachment 4.

3. Receives and notes the results of community consultation on the Project.
4. Directs officers to develop an alternative concept design for the Glen Waverley Civic Precinct Project incorporating the following considerations:

- a. A reduced library floor space (approximately 2,500-3,000 sqm) which continues to provide for a children's area with an activity space, parents' room, a youth area.
  - b. Deletion of the community events and meeting space (Civic Hall).
  - c. Explore flexible and configurable meeting spaces for small and medium sized groups for use by library users and the Monash Community.
  - d. Retention of office space to replace the rented space in the Ibis building, however looking at how this area may be reduced and its functionality increased.
  - e. Consideration of a reduced level of on-site car parking commensurate with the new concept design.
  - f. Consider any further value management opportunities that may be possible to reduce the overall cost of the project, including the costs and benefits of retaining the additional office space, and designing to allow for the possibility of future additions.
5. Allocates \$200k from the 2023/24 budget (from the \$2.5M allocated to the detailed design as per Council's resolution of 30 April 2023) to enable this work to occur.
  6. Directs officers to report back to Council when the concept design(s) has/have been completed (no later than the May 2024 meeting of Council), so that it and the next steps may be considered.
  7. In addition to the matters in point 1 above, anticipating the substantial quantum and once-off nature of funds expected to be received from the SRLA's compulsory acquisition of 31-39 and 41-47 Montclair Avenue and Glendale Avenue resolves:
    - a. Its desire to (in addition to providing a reduced Civic Precinct Project) provide for other works across the Municipality that provide an enduring benefit to the community so that Council can ensure it spends these funds in a way that maximises the return to the community.
    - b. Resolves in recognition of the enduring benefits of investing in open space that \$15 million be allocated to Council's open space Land Acquisition Reserve.
    - c. Directs officers to provide advice to Council of other investment categories and suggested funding allocations for any residual funds that officers assess will deliver the highest returns on investment to our community and help Council support council plans and strategies. A non-exhaustive list of such categories includes: a public toilet strategy fund; improving accessibility fund; community facility upgrade fund; and an active transport fund.

LOST

#### DIVISION

For: Cr Samardzija (called for a division), Cr Little, Cr McCluskey and Cr Zographos

Against: Cr Luo, Cr de Silva, Cr Fergeus, Cr James, Cr Klisaris, Cr Lake and Cr Paterson

Abstained: Nil

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**AFTER THE AMENDED MOTION WAS LOST, THE ORIGINAL MOTION WAS CARRIED**

## 7.2 Community Services

### 7.2.1 JACK EDWARDS RESERVE - DOG OFF-LEASH AREA CHANGE

Moved: Cr Klisaris

Seconded: Cr Zographos

#### RECOMMENDATION

##### That Council

1. Notes the community feedback received in relation to the proposed off-leash area change at Jack Edwards Reserve as presented in Attachment A - Consultation Report.
2. Resolves to change the dog off-leash area classification at Jack Edwards Reserve to:
  - (a) no dogs on the turf pitch
  - (b) dogs prohibited in the spectator areas surrounding the turf and synthetic pitches as depicted in yellow in the image below, two hours before and after National Premier League Victoria games and otherwise when either pitch is being used for scheduled games or training.



3. Adopts the amendment to Dog Control Order – Number 6 pursuant to section 26(2) of the Domestic Animals Act 1994 in the form described in Attachment B.

**CARRIED**

## DIVISION

For: Cr Samardzija, Cr Luo, Cr Fergeus, Cr Klisaris, Cr Lake, Cr McCluskey, Cr Paterson and Cr Zographos

Against: Cr James and Cr Little

Abstained: Cr de Silva

## 7.2.2 MONASH HEALTH AND WELLBEING PLAN 2021-2025 YEARS ONE AND TWO EVALUATION REPORT

Moved: Cr Fergeus

Seconded: Cr Paterson

### RECOMMENDATION

That Council notes the achievements outlined within the Years One and Two Evaluation of the Monash Health and Wellbeing Plan 2021-2025.

CARRIED

## 7.2.3 2023/24 MONASH QUICK RESPONSE GRANTS PROGRAM RECIPIENTS - SEPTEMBER

Moved: Cr Samardzija

Seconded: Cr Luo

### RECOMMENDATION

That Council notes the successful applications that have been funded through the Quick Response Grant program during the period 13 July to 23 August 2023 to a total of \$16,017.46.

CARRIED

## 7.2.4 COMMUNITY ORGANISATION LOAN GUARANTEE POLICY - WAVERLEY HOCKEY CLUB

Moved: Cr McCluskey      Seconded: Cr Paterson

### RECOMMENDATION

That Council:

1. Acts as a guarantor for Waverley Hockey Club for a loan of up to \$200,000 for the replacement of the synthetic hockey pitch surface at Ashwood Reserve on the condition that the club enters into a funding agreement with Council.
2. Allocates up to a maximum of \$200,000 of funds, secured through the Local Roads and Community Infrastructure Program (LRCIP) grant to fund Council's portion of the project costs.
3. Authorises the club to undertake the procurement and project management for the replacement of the synthetic hockey pitch surface at Ashwood Reserve.

CARRIED

## 7.2.5 OAKLEIGH GOLF COURSE FUTURE PLANNING

Moved: Cr Fergeus      Seconded: Cr Samardzija

### RECOMMENDATION

That Council:

1. Approves the future development options (Attachment 1) and the Oakleigh Golf Course Options Overview (Attachment 2) for public exhibition and invite community feedback on the options.
2. Considers the findings of the community consultation at a future meeting.

CARRIED

### DIVISION

**For:** Cr Samardzija, Cr Luo, Cr de Silva, Cr Fergeus, Cr Lake, Cr Little, Cr McCluskey and Cr Paterson

**Against:** Cr Klisaris and Cr Zographos

**Abstained:** Cr James

## **7.2.6 CONTRACT NO. 2022168 MANAGEMENT CONTRACT FOR GLEN WAVERLEY SPORTS HUB & OAKLEIGH GOLF COURSE**

Moved: Cr Samardzija    Seconded: Cr Little

### **RECOMMENDATION**

**That Council:**

- 1. Awards the tender for the Management and Operation of Glen Waverley Sports Hub and Oakleigh Golf Course (Contract No. 2022168) to BlueFit Pty Ltd for an initial contract period of five years commencing in February 2024;**
- 2. Authorises the Chief Executive Officer to execute the contract agreement; and**
- 3. Authorises the Chief Executive Officer, at their discretion, to approve the extension option of five years subject to satisfactory performance.**

**CARRIED**

## **7.3 Corporate Services**

### **7.3.1 OFFICE PRODUCTS AND WORKPLACE CONSUMABLES (CONTRACT NUMBER 2024055)**

Moved: Cr McCluskey    Seconded: Cr Little

### **RECOMMENDATION**

**That Council:**

- 1. Approves access to the Procurement Australia Contract 2606/0845 for provision of Office Products and Workplace Consumables, under Council Contract No. 2024055 for a schedule of rates-based contract with an estimated contract value of \$300,000 for the initial term and an estimated total contract value of \$500,000 inclusive of all available extension options;**
- 2. Authorises the Chief Executive Officer or her delegate to execute the contract agreement; and**
- 3. Notes that the contract initial term ends on 30 June 2026 and the contract also has two extension options of one year each and authorises the Chief Executive Officer to approve extension options subject to Procurement Australia extension approval and satisfactory performance for the City of Monash; and**

**\*all dollar figures are GST Inclusive unless stated otherwise.**

**CARRIED**

## 7.3.2 2022/23 FINANCIAL & PERFORMANCE STATEMENTS

Moved: Cr Samardzija      Seconded: Cr Little

### RECOMMENDATION

**That Council:**

1. notes the draft City of Monash 2022/23 Annual Financial Statements, Performance Statement and Governance and Management checklist (the Statements) prepared in Accordance with the Local Government Act 2020;
2. notes the 14 September 2023 recommendation of Council's Audit & Risk Committee in relation to the Statements;
3. adopts the Statements "in principle" prior to them being provided to the Victorian Auditor-General's Office for audit sign off;
4. nominates the Mayor and Deputy Mayor to certify the Statements in their final form; and
5. authorises the nominated Councillors and Officers to accept any further recommended changes to the Statements by the Victorian Auditor-General's Office.

**CARRIED**

## 7.4 City Services

### 7.4.1 TENDER FOR CARLSON RESERVE PAVILION REDEVELOPMENT - 2023241

Moved: Cr Klisaris      Seconded: Cr Little

### RECOMMENDATION

**That Council:**

1. Awards the tender from KL Modular Systems (Aust) Pty Ltd for Carlson Reserve Pavilion Redevelopment, Contract No. 2023241 for a fixed Lump Sum of \$2,176,053.87, Provisional Items of \$214,500 and \$440,000 for Contingencies;
2. Authorises the Chief Executive Officer to execute the contract agreement;
3. Notes that the contract is anticipated to commence in October 2023 and the expected completion date is August 2024; and
4. Notes that the anticipated project expenditure including the fixed Lump Sum, Project Management/Delivery Fees and Provisional Items is \$2,635,127.87 with a further allocation of \$440,000 for Contingencies.

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

**CARRIED**

## **7.4.2 2020047B CLEANING SERVICES - GROUP 4 SANITARY SERVICES; 2020047C CLEANING SERVICES - GROUP 3 CLEANING PUBLIC CONVENIENCES AND BBQS - VARIATIONS EXCEEDING OFFICERS' DELEGATION - NON-EXCEPTIONAL CIRCUMSTANCES**

Moved: Cr Lake

Seconded: Cr Luo

### **RECOMMENDATION**

**That Council:**

- 1. Approves a variation to Contract 2020047B Cleaning Services - Group 4 Sanitary Services, by Oita Facility Management Pty Ltd in the amount of \$126,000 being greater than 10% of the original contract sum awarded, for the remainder of the contract should all options be exercised;**
- 2. Notes that the revised total 2020047B contract value will be increased from \$687,174 to \$813,174 inclusive of all available extension options;**
- 3. Approves a variation to Contract 2020047C Cleaning Services - Group 3 Cleaning Public Conveniences and BBQs in the amount of \$725,220 being greater than 10% of the original contract sum awarded, for the remainder of the contract should all options be exercised; and**
- 4. Notes that the revised total 2020047C contract value will be increased from \$1,502,927 to \$2,228,147 inclusive of all available extension options.**

**CARRIED**

## **7.4.3 RECORD OF COMMITTEE MEETINGS AND INFORMAL COUNCILLORS MEETINGS**

Moved: Cr Samardzija

Seconded: Cr Fergeus

### **RECOMMENDATION**

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

**CARRIED**

#### 7.4.4 INSURANCE PORTFOLIO RENEWAL 2023/24

Moved: Cr Little

Seconded: Cr Luo

#### RECOMMENDATION

That Council notes the report.

CARRIED

#### 7.4.5 S6 INSTRUMENT - DELEGATION FROM COUNCIL DIRECTLY TO COUNCIL STAFF

Moved: Cr Samardzija

Seconded: Cr Luo

#### RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Monash City Council (Council) resolves that -

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in the instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of this instrument all previous delegations to Council staff relating to the powers, duties and functions set out in the instrument (other than to the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

### 7.5 Chief Executive Officer

NIL

## 8 NOTICES OF MOTION

### 8.1 NOM NO. 12 - PROTECTING TREES IN MONASH

Moved: Cr Fergeus

Seconded: Cr Paterson

#### MOTION

That Council:

1. Notes that Officers have been in discussions and worked closely with State Government planners about improving tree removal controls in Monash since mid-2019, and residents are still no closer to realising the benefits that would stem from their implementation four years later.
2. Notes that the City of Maroondah has had permanent Significant Landscape Overlay tree controls in place since July 2004.
3. Notes that the neighbouring City of Whitehorse has had interim tree removal controls in place across the municipality since 2017 and the “permanent controls” were approved in 2020. These originally had a sunset clause of 12 months but have been extended three times.
4. Notes that Council’s similar proposals for interim and permanent tree removal controls have either been refused or remain on hold with the State government.
5. Notes that canopy vegetation across Monash continues to decline in the absence of appropriate tree removal and replacement controls, and this absence is also accelerating increases in urban heat.
6. Notes that the State Government blueprint for Melbourne, Plan Melbourne, identified the need for improved tree controls and planning mechanisms for greening Melbourne through Cooling and Greening – Action 91, in 2017, with a short-term delivery time frame of 0-5 years and that despite the 5 years elapsing, nothing has happened.
7. Notes that Officers have dedicated many hours to participation in numerous workshops, planning sessions and to providing examples of and comprehensive feedback on potential tree controls with representatives of the Department of Transport and Planning, including offering Monash as a potential pilot area for planning controls, and to date nothing has happened.
8. Notes that an August 17, 2023, article in The Age newspaper on tree loss across eastern Melbourne reported that a “Victorian government spokesman said councils had the responsibility for protection of sensitive landscapes and a “suite” of controls to use to protect trees.” (Refer Attachment 1.)
9. Advises the Minister for Planning of Council’s extreme and growing frustration with:
  - a. The Department of Transport and Planning failing to consider Monash Councils strategically justified and repeated requests for tree controls properly and equitably, despite these controls already applying in the Cities of Maroondah and Whitehorse;
  - b. Lengthy and ongoing delays in implementing consistent state-wide tree removal and greening controls; and
  - c. The absence of any outcomes on Action 91 – Cooling and Greening of Plan Melbourne.

10. Requests that the Minister for Planning either:
  - a. Approve Councils request for interim tree removal controls across Monash through the Significant Landscape Overlay; or
  - b. Implement the proposed state-wide tree removal controls; as a matter of urgency (i.e. within 2 months).
11. Writes to local members of parliament advising of the above and requesting their support in the introduction of improved tree removal controls in Monash.

CARRIED

## 8.2 NOM NO. 13 - DEVELOPER CONTACT REGISTER

Moved: Cr Samardzija    Seconded: Cr Fergeus

### MOTION

That Council:

1. Implements a compulsory “Developer Contact Register” from 1 December 2023. The register will require Councillors to list all contact with Developers (phone, email, text, messaging applications, written mail, face to face and the like) in relation to any proposed, current, or future planning applications within the City of Monash.
2. Defines “Developer” as an individual, body corporate or company engaged in a business that:
  - a. regularly makes planning applications in connection with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit, with the exclusion of single dwelling residential developments; and
  - b. includes any consultant, lobbyist, advisor, agent, representative or person closely associated with a Developer and who is appointed to promote or advocate for the Developer’s interests or proposal, except when they are representing someone who is not regularly involved in the making of relevant planning applications or the development of land.
3. Determines that the Developer Contact Register will include the name of the Councillor and Developer, date and time of contact, type/ method of conduct, relevant properties, nature of issues covered, Councillor responses, and any other matters considered relevant after consideration of an officer report at the November 2023 Council meeting.
4. Publishes the Developer Contact Register on the Council Website and updates it monthly.
5. Directs the CEO to arrange a report to the November 2023 Council meeting which recommends:

- (a) guidelines on the reporting of any contact between Councillors and Developers relating to a planning or development proposal, including proposals in a preliminary stage,
- (b) the final format of the Developer Contact Register,
- (c) potential changes to the Councillor Code of Conduct which reinforce the Developer Contact Register, and
- (d) any other matter which officers believe are appropriate.

LOST

#### DIVISION

For: Cr Samardzija, Cr de Silva and Cr Fergeus

Against: Cr Luo, Cr James, Cr Klisaris, Cr Lake, Cr Little, Cr McCluskey, Cr Paterson and Cr Zographos

Abstained: Nil

### 8.3 NOM NO. 14 - CLAYTON ACTIVITY CENTRE COMMITTEE

Moved: Cr Fergeus

Seconded: Cr de Silva

#### MOTION

That Council:

1. Establish a Committee consisting of the Oakleigh Ward Councillors, supported by the CEO, Director City Development, Director Community Services, Director City Services and their delegates as required, to provide:
  - high level advice and input into major projects and Council strategies in Clayton, including implications for Council arising from the Suburban Rail Loop project in Clayton and Monash University.
  - a conduit for consultation and engagement between Council and the Clayton Traders Association, local residents and other traders and key stakeholders in Clayton, and;
2. Appoints Cr Fergeus as Chair of the Committee until the conclusion of the current term of Council.

## AMENDED MOTION

RESOLUTION NUMBER: OCM23/46

Moved: Cr James

Seconded: Cr Luo

## MOTION

That Council:

1. **Establish a Committee consisting of the Oakleigh Ward Councillors, supported by the CEO, Director City Development, Director Community Services, Director City Services and their delegates as required, to provide:**
  - **high level advice and input into major projects and Council strategies in Clayton, including implications for Council arising from the Suburban Rail Loop project in Clayton and Monash University.**
  - **a conduit for consultation and engagement between Council and the Clayton Traders Association, local residents and other traders and key stakeholders in Clayton, and;**
2. **Appoints Cr Fergeus as Chair of the Committee until the conclusion of the current term of Council.**
3. **Notes that the committee will invite representatives from the Clayton Traders Association, and as needed representatives from community organisations, agencies or service providers who operate in the Clayton Activity Centre, to at least two meetings of the committee per year, where they are able to discuss matters relevant to the Clayton Activity Centre with the committee and officers.**

**CARRIED**

## 8.4 NOM NO 15 - SUPPORTING LOCAL FOSTER CARERS

Moved: Cr Fergeus

Seconded: Cr de Silva

## MOTION

That Council:

1. **Notes the advocacy campaign run by the Foster Care Association of Victoria (FCAV) and PCA Families seeking an increase to the care allowance provided to volunteer foster carers;**
2. **Notes that a foster carer in Monash caring for a child of up to 7 years of age only receive \$217.80 per week to cover general household, education and health expenses<sup>[1]</sup>;**
3. **Notes that up to 60% of carers are financing the costs of care out of their own pocket and that 80% of those carers are women<sup>[2]</sup>;**

4. Supports the position of the FCAV and PCA Families in seeking an increase in the care allowance to meet the true costs of care;
5. Writes to the FCAV and PCA Families notifying them of Council's support;
6. Acknowledges the critical work of foster carers in Monash and thanks them for their service to our community.

<sup>[1]</sup> [https://www.fcav.org.au/images/Letter\\_to\\_Ministers.pdf](https://www.fcav.org.au/images/Letter_to_Ministers.pdf)

<sup>[2]</sup> [https://www.fcav.org.au/images/Letter\\_to\\_Ministers.pdf](https://www.fcav.org.au/images/Letter_to_Ministers.pdf)

<sup>[3]</sup> <https://www.fcav.org.au/news/carer-allowance-analysis-by-jurisdiction>

CARRIED

## 8.5 NOM NO. 16 - GLEN WAVERLEY CIVIC PRECINCT PROJECT

Moved: Cr Lake

Seconded: Cr Luo

### MOTION

Having considered the public consultation feedback on the Glen Waverley Civic Precinct Project (Project) reported separately in this Agenda, Council:

1. Resolves to approve and progress the Project in line with this resolution.
2. Authorises the expenditure of the \$2.5m amount included in Council's 2023/24 budget and a further \$5.5m foreshadowed for the 2024/25 budget to complete the detailed design, construction drawings and tender documentation (Detailed Design), as a staged tender process.
3. Directs that the following matters be further considered by officers and the Glen Waverley Activity Centre Advisory Committee (Advisory Committee) during the Detailed Design stage:
  - a. Ensuring that the community events and meeting spaces to be designed are flexible and highly configurable multi-purpose spaces that can be used for a range of purposes including larger events, performances and smaller community group meetings.
  - b. Revisiting the design, form and architectural features of the building so that they are simplified and sympathetic to and sit harmoniously with the existing Harry Seidler designed Civic Centre building.
  - c. Opportunities for increased landscaping and greenery being incorporated into the design and areas immediately surrounding the site, including maximising opportunities for canopy trees and water sensitive urban design.

- d. Any other opportunities to improve the design which are responsive to the community consultation feedback.
4. Directs that officers and the Advisory Committee identify value management opportunities within the current design with an aim of reducing the overall cost.
  5. Reiterates its previous resolution that the cost of the Project will be solely funded from the proceeds of the sale of Council's land to the Suburban Rail Loop Authority and the sale of 281 Springvale Road Glen Waverley (Central Car Park).
  6. Agrees to apply the Public Open Space contribution percentage rate to the sale price it achieves for the Central Car Park and allocates this amount to Council's public open space Land Acquisition Reserve (or if such a reserve does not exist at the point of sale, to a reserve established for this purpose).
  7. Agrees to allocate any surplus funds remaining from the total land sales after all Project costs (Library and Civic Precinct, delivery of the public plaza abutting the central carpark site and the widening of Railway Parade North and any other ancillary costs associated with the sale of the land or public works that are required) are to be directed to Council's open space Land Acquisition Reserve.
  8. Directs the CEO or her delegate to commence the process to excise a lot of approximately 1,000sqm for retention by Council for development as a public plaza (Lot A) from the Central Car Park land comprised in certificate of title volume 11617 folio 563 (Land). For the purpose of this resolution the balance of the Land is described as Lot B.
  9. Resolves to commence community engagement pursuant to section 114(2)(b) of the *Local Government Act 2020 (Vic)* (the Act) for the sale of Lot B, by publishing a public notice describing the proposed sale (Proposal) as follows:
    - a. The sale will be by way of a public process;
    - b. The successful purchaser will be required to enter into a contract of sale requiring:
      - i. settlement to occur within the earlier of
      - ii. 90 days of the date of sale or
      - iii. 14 days from registration of Lot B;
      - iv. the registration on the title to Lot B of an agreement pursuant to section 173 of the *Planning and Environment Act 1987(Vic)* that includes the following obligations:
        1. to design, construct and maintain an active interface between any development of Lot B and the public plaza;
        2. to provide a footpath along the Railway Parade North frontage of the Land over which the purchaser can cantilever its development;and

3. the Land must remain as a public carpark managed by Council until such time as construction of any approved development on the Land is ready to commence.
10. Invites submissions on the Proposal for a period of at least 28 days from the date of publication of the public notice on Council's website in accordance with section 114(2)(a)(i) of the Act.
11. Notes Council's intention to combine approximately 500m<sup>2</sup> of Council-owned land currently used as footpath/nature strip areas along Railway Parade North, Kingsway and Coleman Parade with Lot A to create a larger public plaza area (approximately 1,500 sqm total).
12. Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to fulfil the requirements of section 114 of the Act and Council's Community Engagement Policy in respect of the Proposal.
13. Appoints a Committee of Council comprising the Mayor and Glen Waverley Ward Councillors to hear any submitters requesting to be heard in support of their submissions, and to consider any submissions received, at a meeting to be held on a date and time to be determined by the CEO and to be held at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley, or at such later date and time as the Chief Executive Officer may determine.
14. Following the meeting of the Committee, directs the Committee to provide a report to Council on its considerations, including whether any submissions were received and, if so, a summary of those submissions, and make a recommendation to Council on whether or not to proceed with the Proposal

**CARRIED**

#### **DIVISION**

**For:** Cr Luo, Cr de Silva, Cr Fergeus, Cr James, Cr Klisaris, Cr Lake, Cr Little and Cr Paterson  
**Against:** Cr Samardzija, Cr McCluskey and Cr Zographos  
**Abstained:** Nil

#### **PROCEDURAL MOTION**

Moved: Cr Lake                      Seconded: Cr Luo

**That Cr Lake be provided an additional one (1) minute speaking time.**

**CARRIED**

## 8.6 CNCL21 - COUNCIL'S DISCRETIONARY EXPENDITURE FUND APPLICATIONS

Moved: Cr Samardzija    Seconded: Cr Zographos

### MOTION

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

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
Australia South Asia Society Inc	The group is seeking financial support to cover expenses for their event at the Monash Hall.	\$330.80
Waverley Scale Modelling Club Inc	The group is seeking financial support to cover venue hire costs for their Interclub 2023 event at the Mount Waverley Youth Centre Hall.	\$300.00

CARRIED

## 9 URGENT BUSINESS

Nil.

## 10 CONSIDERATIONS OF WRITTEN REPORTS OF COMMITTEES

Nil.

## 11 PERSONAL EXPLANATIONS

Cr T Samardzija addressed comments made by Cr Lake in his time discussing Item 8.5. NOM No. 16 - Glen Waverley Civic Precinct Project.

Cr N Luo called out regarding how many Councillors live in Wards. There are six Councillors who live in their Wards.

Cr Lake addressed that he does not live in the Ward.

## 12 COUNCILLORS' REPORTS

Cr T Zographos acknowledged Daniel Andrews' work as the recently resigned Victorian Premier.

Cr S James also acknowledged Daniel Andrews work as Victorian Premier. Cr S James thanked Bill from the Clayton Advisory Committee for his work to bring the community together.

## 13 CONFIDENTIAL BUSINESS

NIL

## 14 MEETING CLOSURE

The Mayor declared the meeting closed at 9.35pm.

**MAYOR:** 

**DATED: 31 October 2023**