



ESSENTIAL SERVICES COMMISSION
Local Government

Higher cap – Application cover sheet (2018-19)

Council name

Monash City Council

Contact person and phone number

Danny Wain

9518 3508 / 0438 570 215

Base Average Rate (\$): (e.g. \$1,800)

1,477.44

Proposed increase for 2018-19: (e.g. 5%, \$4,000,000)

Proposed increase in Average Rate (%)	3.53%
Proposed increase in prescribed rate revenue (\$)	\$1,492,000

Proposed increase for following year(s): (e.g. 5%, 2%, \$4,000,000)

2019-20	Proposed increase in Average Rate (%)	CPI
	Proposed increase in prescribed rate revenue (\$)	
	<i>Note: Assumed rate of forecast CPI (%)</i>	
2020-21	Proposed increase in Average Rate (%)	CPI
	Proposed increase in prescribed rate revenue (\$)	
	<i>Note: Assumed rate of forecast CPI (%)</i>	
2021-22	Proposed increase in Average Rate (%)	CPI
	Proposed increase in prescribed rate revenue (\$)	
	<i>Note: Assumed rate of forecast CPI (%)</i>	

Attachments:

1. Supporting Evidence Statement
2. Council sign-off
3. Budget Baseline Information Template

Links

1. [2016–17 Annual Report](#)
2. [2017–18 Budget](#)
3. [Council Plan / Strategic Resource Plan](#)
4. [Waste Management Strategy](#)

Summary of the key reason(s) for the application: *(Please limit response to two pages)*

China's recent restrictions on the quality of recycling materials they will accept has led to a global recycling crisis. Australian companies that process recycling have either ceased accepting recycling or are seeking significant contract changes to continue accepting recycling.

Monash City Council adopted the 2017-27 Waste Management Strategy on 30 January 2018. Whilst in 2015/16 Monash diverted 51% of residential waste from landfill, the Strategy targets an increase to 60% by 2022 and 75% by 2027.

Monash City has needed to sign up for a new 2 year contract to be able to maintain our kerbside recycling service and diversion of waste from landfill. This contract has a \$1.5 million financial cost to Council per annum (+ CPI in future years).

Council determined to recoup this cost through a higher rate cap, seeking ESC approval to increase average rates by 3.53% equating to the 2.25% rate cap + an additional 1.28% rate increase.

Unlike most Victorian Councils, Monash City Council does not have a separate waste charge from which to recoup this increased cost.



Higher Rate Cap Application 2018/19 - Supporting Evidence

Monash City Council
29 March 2018

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Proposed Cap

Key Points

1. Council has moved to sustain its waste management services for the next 2 years
2. New recycling contract has led to a \$1.5M per annum negative impact on the Budget for Council
3. Council wishes to recover this \$1.5M impact
4. No reason to expect that things will improve in the next 10 years given the uncertainty in the marketplace
5. Rate revenue increase to offset \$1.5M = a 1 year 1.28% additional rate increase on 2017/18 average rate
6. Council will financially be no better off over 10 years once the contract cost and rate revenue are included in the 2018/19 Budget

Monash City Council has renewed its recycling contract with Visy from March 2018. The financial impact of processing Monash's kerbside recycling has resulted in a \$1.5M cost to Council's 2018/19 Budget compared to the previous contract. This cost comprises the shift from a recycling rebate to Council to a recycling charge on Council per tonne of recycling.

Over 10 years the changed recycling processing contract amounts to a cost to Monash of \$17M (allowing for a 2.5% CPI), or \$19M over 10 years if the impact with lost interest is taken into consideration.

Council resolved at its 27 February 2018 meeting to finalise a contract extension for two years and to recover the cost of this contract through a higher rate cap. Based on the 2017/18 average rate, Council would need to increase 2018/19 rates by 1.28% above the 2.25% rate cap to offset the \$1.5M cost.

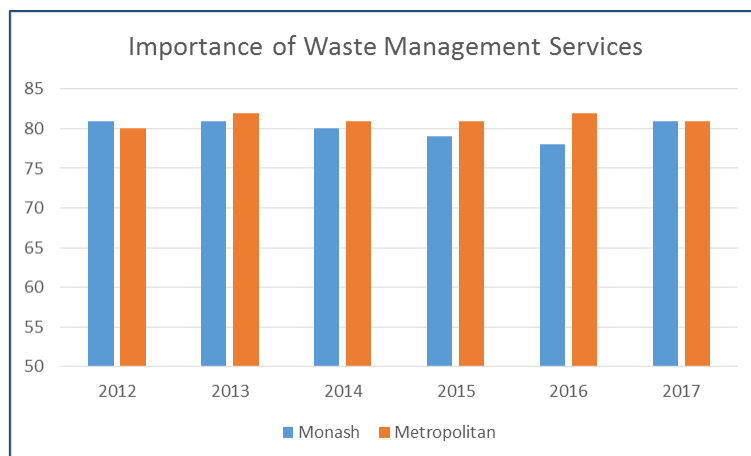
Reasons for a Higher Rate Cap Application

Key Points

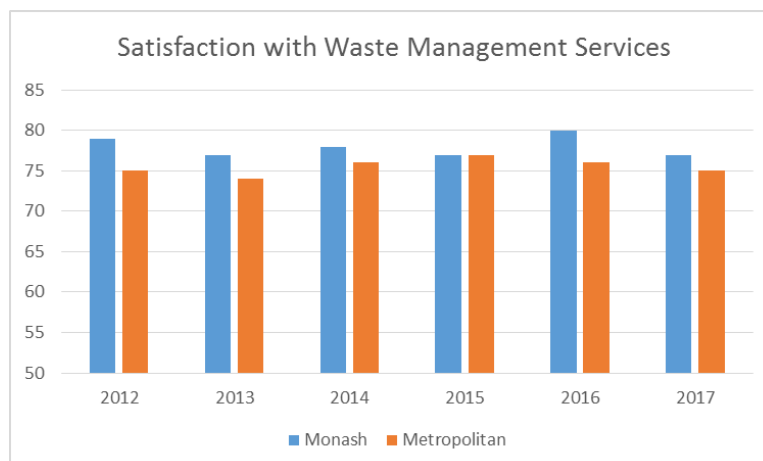
1. Council is implementing its 2018 Waste Management Strategy
2. Council’s waste services are well respected by the community and there is a strong desire by the community to maintain these service levels
3. The immediacy of the crisis impacting global recycling collection and processing required an urgent contractual response by Council.
4. The cost of sustaining waste services is too large to absorb within the funding required for Council’s existing service delivery

Waste Management Services

Waste management services are a fundamental local government service. The annual Community Satisfaction Survey, conducted by Local Government Victoria, shows that consistently Monash residents rate waste management services as the most important service Council provides. In the 2017 survey, 87% of Monash residents rated waste management services as ‘extremely’ or ‘very’ important.



Monash has also received consistently high ratings on satisfaction with its waste management services, in the annual Community Satisfaction Survey. As the chart above shows, Monash scores significantly above the metropolitan average in five out of six years. In 2017, 76% of respondents rated Monash’s waste management service as ‘very good’ or ‘good’.



Link: www.monash.vic.gov.au/About-Us/Council/Our-Performance/Community-Satisfaction-Surveys

Monash Waste Management Strategy

Monash's 2017-21 Council Plan recognises the significance of waste management as both a highly valued service and as critical to our City's sustainability. This is recognised in the structure of the Council Plan as:

Council Plan	
Strategic Objective	A Liveable and Sustainable City
Strategy	Delivering responsive and sustainable waste management services
Priority Project	Implementing new Waste Strategy
Strategic Indicator	Increased waste diverted from landfill

Council recently adopted its Waste Management Strategy (2017-27) following extensive consultation during 2017. The Strategy sets out five goals:

1. To increase waste diversion from landfill;
2. To minimise waste generation;
3. Leading the way;
4. Serving our customers; and
5. Pride in our city.

Council is working to reduce waste (residual), and to increase recycling, progressively over the next 10 years, as part of achieving its higher target of 75% of waste diverted from landfill (see Table below).

	Current 2015/16	Target 2022	Target 2027
Waste Diversion rate	51%	60%	75%
Recycling kgs per tenement per year	222	240	260
Residual kgs per tenement per year	454	420	400

Maintaining the continuity of the City's recycling service is a critical part of achieving Council's strategic waste management objectives. Renewing Council's current recycling contract was critical in maintaining this service – any impact on services would be likely to set back Monash's diversion rates.

Link: www.monash.vic.gov.au/Services/Rubbish-amp-Recycling/Hard-Waste-Collection-Options

Service Options

In late 2017 Monash sent information and a questionnaire to all ratepayers and tenants. Over 1 in 3 ratepayers responded (35.6%) and over 1 in 10 tenants (11.3%) amounting to 30,918 completed questionnaires returned.

Respondents were asked whether they would like to:

1. continue the existing waste services, with one fixed hard waste collection and an additional at-call, at-cost, hard waste collection; or,
2. continue the existing waste services, with two hard waste, two bundled green waste and two cardboard at-call collections per year, funded through a general waste charge.

Overwhelmingly respondents chose the first option of an additional at-call, at-cost, hard waste collection (76% in favour). Respondents were also asked if option2 was chosen would they support pensioners receiving a 50% discount on the waste charge, with 64% supporting a discount, 22% not supporting it and 14% not answering.

Link: www.monash.vic.gov.au/About-Us/Council/Have-Your-Say/Draft-Waste-Management-Strategy-and-Hard-Waste-Collection-Options

Funding of waste management services

Monash City Council has funded waste services through the general rate levied on all property assessments and is one of the few Councils not to have introduced a waste charge. Council proposes to fund the increased recycling costs through the same general rate.

The additional \$1.5M annual cost for recycling services may not appear significant in the context of Council's \$181M total 2017/18 revenue. However, Monash's Long Term Financial Plan only allows for \$1M of operational initiatives each year (i.e. service improvements and projects) of which \$0.5M is allowed for recurrent expenditure and \$0.5M for one-off projects. These initiatives need to fund increasing service costs from a growing residential population as well as funding projects to manage the city's growth and change such as undertaking structure plans.

Other Pressures

Monash City Council faces a range of other financial pressures that it also needs to manage including allowing for any future top ups required for the defined benefits superannuation obligation, sustaining adequate investment in asset renewal, managing legacy landfill sites and obligations outside of the municipality, servicing a growing community with increasing expectations of Council.

Community Engagement

Key Points

1. Council consulted the community as part of the Budget process in October 2015, November 2016 and November 2017
 2. Council consulted the community on the waste strategy in February 2017
 3. Council consulted the community on the option of a waste charge for an increased waste service level in October-December 2017
 4. Community supports current waste services with improvements able to be funded from within existing services (i.e. adopted Strategy)
-

Annual Community Survey

As noted in the earlier section on the reason for Monash 'applying for a higher rate cap', community survey feedback demonstrates the high importance of, and strong satisfaction with, Monash's waste services.

Link: www.monash.vic.gov.au/About-Us/Council/Our-Performance/Community-Satisfaction-Surveys

Waste Management Strategy

As noted earlier, Council undertook consultation to inform the development of its Waste Management Strategy as well as to feedback on the draft Strategy. Council adopted this Strategy on 30th January 2018.

Hard and Green Waste Collections

As noted earlier, Council engaged ratepayers and tenants to consider options to enhance hard and green waste collection. Over 31,000 community members responded (29% response rate) with overwhelming support (76%) to retain the existing service – one scheduled annual hard and green waste collection – with an optional, at call, at cost, hard waste collection to be offered in 2018.

Higher Rate Cap Application

Due to the need to address the recycling crisis promptly, Council has written to all households and ratepayers to notify them of Council's decision, the issue that has arisen and why pursuing a higher rate cap is the appropriate option for Monash.

Due to the immediacy and severity of the global recycling crisis there has not been sufficient time for Council to engage the community on waste management again. Council is aware of the strong community view to continue Monash's kerbside waste and recycling collection, and with a need to lock in a recycling contract to ensure the continuity of our waste service, it was considered more responsible to proceed with a higher rate cap application and make the community aware of why this is the case.

Council published a Media Release on the recycling crisis on 8th March and is preparing to send a letter to all residents and ratepayers notifying them that Council has guaranteed the continuity of the service and intends to seek a higher rate cap to offset the cost.

Link: www.monash.vic.gov.au/About-Us/News/Council-locks-in-recycling-service

Efficiency

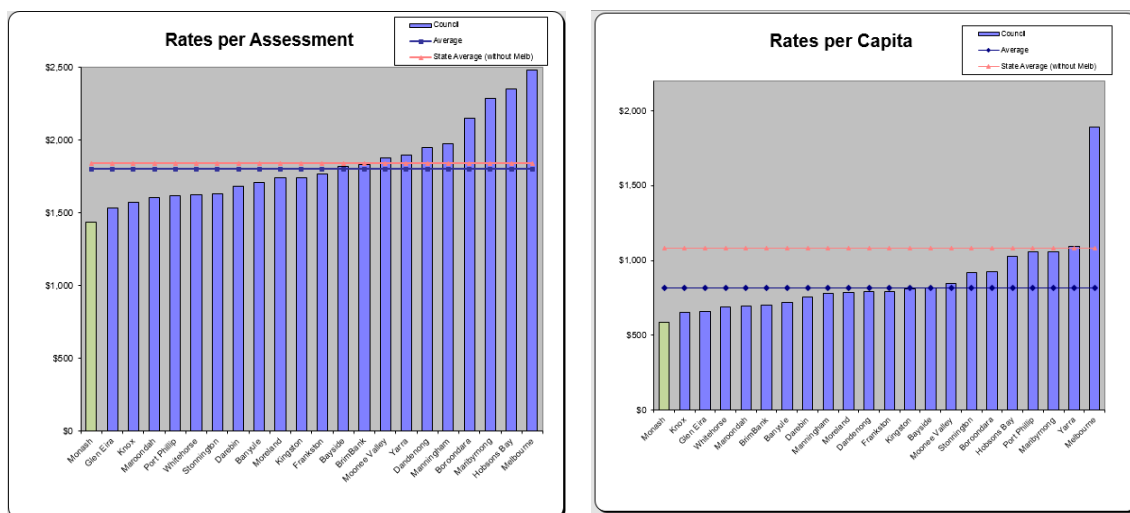
Key Points

1. Monash historically low rating & spending Council
2. Worked hard to improve financial sustainability: reduce service costs, repay debt, improve asset renewal

Monash City Council can demonstrate its overall efficiency as a local government through its historically low rating and spending history. Additionally, Council has worked hard to service a growing community within existing resources.

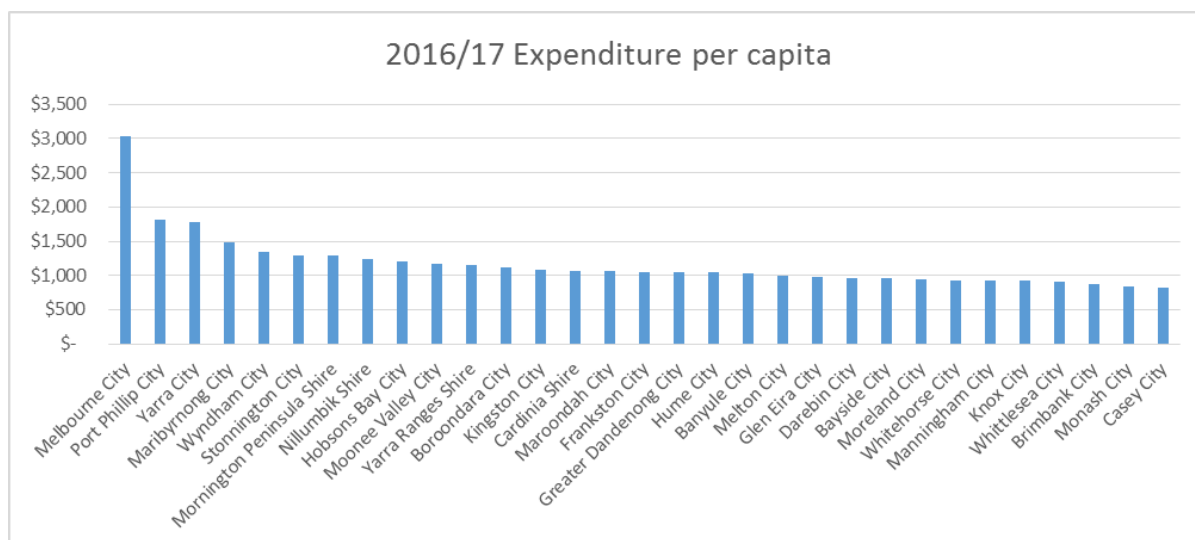
Lowest Rates & Expenditure

Monash has for some time been Melbourne’s lowest rating Council. The two charts below (drawn from 2015/16 Annual Report data collated by Strategy Plus) show that Monash has the lowest average property rates in Metropolitan Melbourne, per assessment and per capita.



The low property rates is consistent with Monash being one of the lowest spending Councils in Victoria (LGPRF data). Monash recorded the 2nd lowest expenditure per capita in Victoria in 2016/17 (\$845 per person) and in the previous two years was the lowest spending.

If Monash spent at the Similar Council average (\$1,206 per capita), Council would have had an additional \$69 million to spend in 2016/17. Even if Monash spent at Knox’s level (the lowest spending neighbouring Council, \$918 per capita), there would have been an additional \$14 million to spend in 2016/17.



Monash also records the 5th lowest value of infrastructure per capita in Victoria. In 2016/17, Monash had \$4,314 worth of infrastructure per capita, below the Similar Council average of \$5,868 per capita.

Again, if Monash had infrastructure per capita at the level of the Similar Council average it would have \$299 million additional infrastructure in 2016/17. Even at Boroondara’s level, (the next highest spending neighbouring Council, \$4,776 per capita) Monash would have additional \$88m in infrastructure.

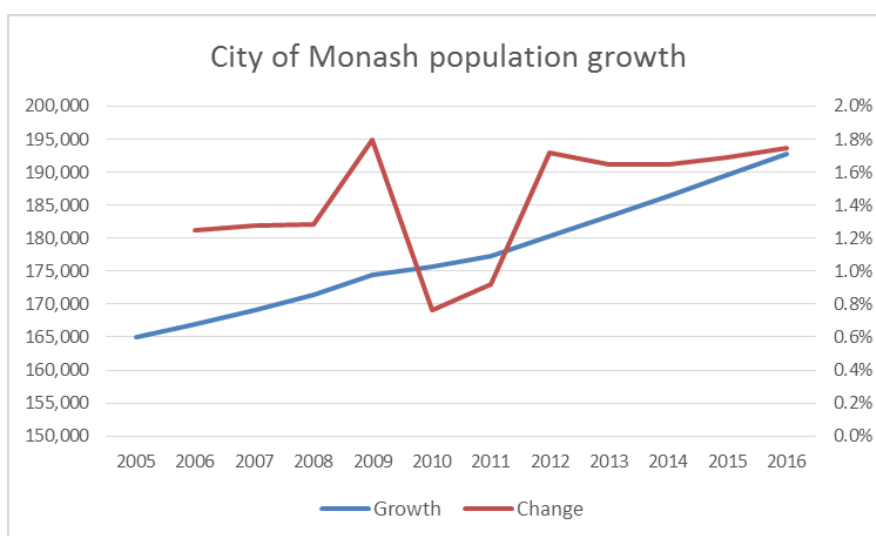
Link: <http://knowyourcouncil.vic.gov.au>

Efficient Services

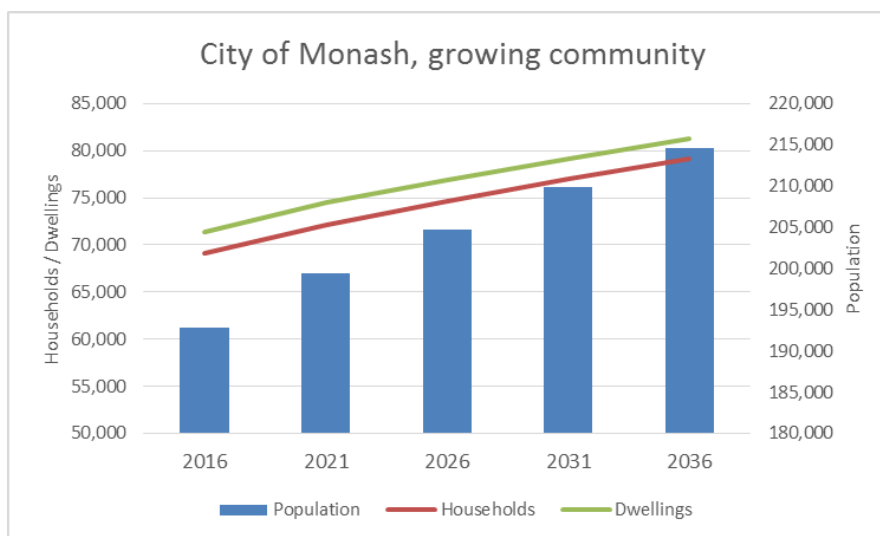
Aside from Council’s relatively low expenditure, Monash has been driving service improvement and efficiency to be able to service a growing community.

Population Growth & Development

Monash grew by an estimated 25,840 residents in the 10 years to June 2016, or an average of 1.4% per annum.



Over the twenty years to 2036, Monash is forecast to grow by another 21,799 residents, This equates to an additional 10,024 dwellings.



This development and growth is triggering a need to increase and / or upgrade the City's infrastructure such as multi-storey car parks, storm water drains and activity centres. This is additional to the wave of asset renewal now due as the assets built during the suburban development of the 1960's and 1970's reach their end of life.

Link: www.monash.vic.gov.au/About-Us/Our-Profile-amp-Growth

Best Value program

Monash has run a 'best value' program since 2013/14 with the aim to achieve cost savings or additional income of at least the \$500,000 per annum factored into the Long Term Financial Plan.

Example returns over the years include a \$379k reduction in consultants, \$173k reduction in printing services, \$152k savings from ceasing vacation care services and \$1.3M reduced utility costs over 2 years from improved street lighting.

Continuous Improvement Framework

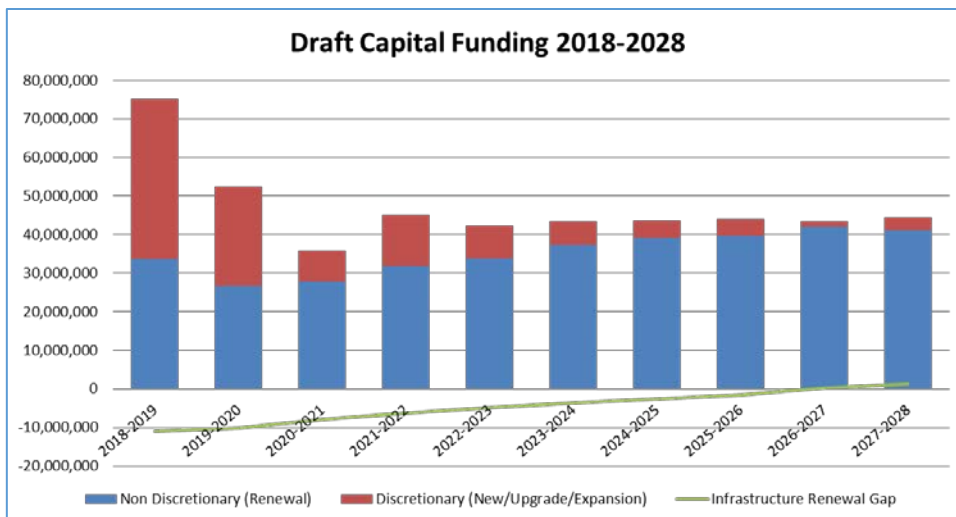
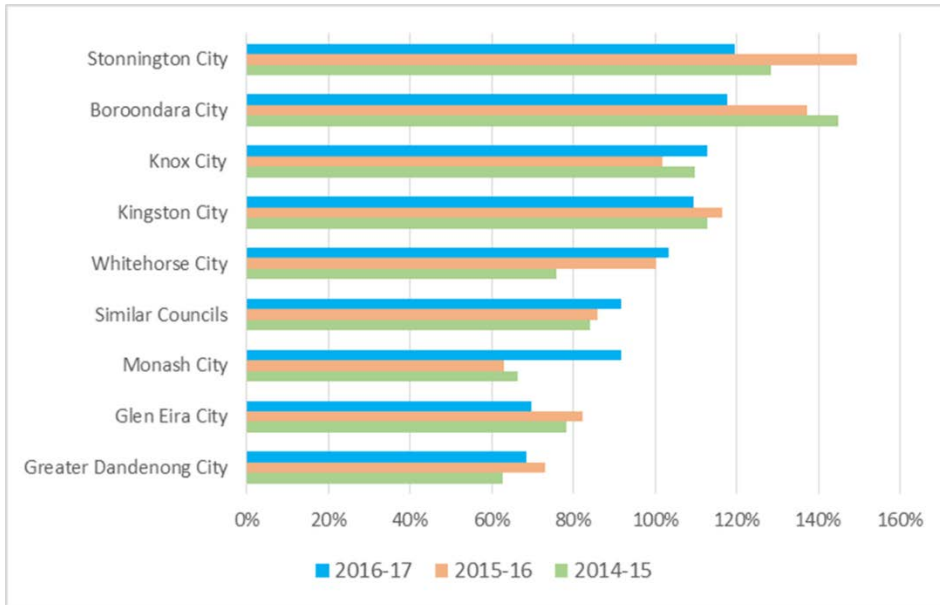
The Best Value program will be replaced by a Continuous Improvement Framework, to be developed during 2017/18, recognising that there have been progressively fewer simple opportunities to reduce costs or increase revenue following the program's success.

The Continuous Improvement Framework will focus on identifying opportunities for better service delivery and to increase productivity, within Monash's existing resources. This action is a Priority Project of the 2017-21 Council Plan and an initiative of the 2017/18 Budget.

Capital Works Renewal

Monash's capital works program has been relatively small, indicative of its low property rates. Recognising the need to improve its asset renewal, Council has both increased the size of the Capital Works program and sustained a higher proportion of its program on asset renewal works.

In the two charts below it can be seen that Monash has increase its asset renewal expenditure (relative to depreciation) from 66% in 2014/15 to 92% in 2016/17, and that renewal expenditure is increasing from around \$30M to over \$40M by 2027/28 at the same time closing Monash's renewal gap.



Link: <http://knowyourcouncil.vic.gov.au>

Link: www.monash.vic.gov.au/About-Us/Council/Publications/Budget

Rate Capping Efficiency

As noted by the ESC in the recent *Advising a local government efficiency factor – final paper*, in the first two years of the FGRS the Minister has set the rate cap at CPI below the ESC’s recommended rate cap based on the formula incorporating a Wages Index component. Monash has absorbed this efficiency cut additional to its own efficiency and improvement programs.

Link: www.esc.vic.gov.au/document/local-government/57349-advising-a-local-government-efficiency-factor-final-paper

Alternative Funding & Offsets

Key Points

1. Monash one of a few Victorian Councils that does not have a waste charge
 2. Borrowing money to fund long term operational expenses is not financially responsible
 3. No opportunity to grow operational / untied grant income
 4. Parking contributions have been used to fund improvements in parking (capital works)
 5. Other financial commitments / liabilities that our reserve is needed to fund
 6. Have progressively been reviewing, streamlining & ceasing services
-

Waste Charges

Monash City Council does not have a waste charge and in recent community consultation there was little interest in introducing a waste charge. Council funds waste management services through its consolidated revenue, as it does most of its services.

Introducing a waste charge will incur significant administrative costs, representing a less efficient way of recovering enough funds to offset increased recycling costs – estimated at a waste charge of around \$20 per property assessment.

Borrowings

Monash City Council does not consider that it is financially prudent for Council to borrow funds to pay for an ongoing operational cost. The overall impact of the increased recycling cost is estimated to be \$20M over 10 years.

Monash at the end of June 2017 was one of only nine Victorian Councils with no debt and one of only six Councils that made no loan repayments.

Link: <http://knowyourcouncil.vic.gov.au>

Income sources

Monash is the 2nd lowest spending Victorian Council per capita. The flip side to this is that Monash is also the lowest rating Council, receives 8th lowest 'Recurrent grants per head of municipal population' at \$121 per capita, and has the 2nd lowest 'Own source revenue per head of municipal population' at \$795 per capita.

There are limited options for Council to raise additional income without impacting community service use (Fees & charges) or moving into more entrepreneurial activities that come with risk.

Link: <http://knowyourcouncil.vic.gov.au>

Service Cuts

Having recently been through the sale of its residential aged care service, Council is aware of the significant time and disruption required to engage the community in ceasing or reducing service delivery. Whilst Council will continue to assess the services it delivers, including Home & Community Care services in June 2020, frequently these come with embedded costs (not least of which can be staff redundancies and transitions) that do not generate 'savings' for a number of years.

In addressing an immediate and substantial cost to Council, service cuts are not an appropriate response, rather they should be considered as long term options for consideration as part of long term planning.

One-off Savings

A short term issue could be addressed through a cut to Monash's Capital Works program or drawing on reserves, however this is neither sustainable nor responsible where the issue is long-term. Either option will defer the problem to a future Council.

Case Studies

A series of case studies are illustrated below demonstrating Council's commitment to focusing on core services and maximising the services it can deliver from its limited revenue over the last decade or so.

Mount Waverley Youth Centre & Mount Waverley Community Centre refurbishment

A \$3.2M refurbishment project to modernise two 1970's community centres, self-funded through the sale of land.

Link: www.monash.vic.gov.au/About-Us/Council/Have-Your-Say/Refurbishment-of-Mount-Waverley-Community-Centre-and-Mount-Waverley-Youth-Centre

Atkinson St, Oakleigh multi-story Car Park

Conversion of a ground level car park to a \$7.5M three level car park, funded in part through parking waivers collected from planning permit changes (\$1.0M).

Link: www.monash.vic.gov.au/About-Us/Council-Projects/New-multi-deck-car-park-in-Atkinson-Street-Oakleigh

Residential Aged Care

Monash sold its residential aged care service in 2014, raising \$21.8M that Council has used to pay off outstanding debt and funding capital works projects. The sale moved the aged care facilities to an organisation that specialises in residential aged care.

Link: www.monash.vic.gov.au/About-Us/News/Sale-of-aged-care-facilities-to-Royal-Freemasons

Home and Community Care for Younger Persons

Monash recently decided to cease delivery of the Home and Community Care – Program for Younger People (HAAC-PYP) as of 30 June 2018. With the transition to the National Disability Insurance Scheme (NDIS) the State Government is reducing funding for the service and Council decided it would leave the service delivery to other local community service providers.

Link: www.monash.vic.gov.au/About-Us/News/Council39s-role-in-Home-and-Community-Care-Program-for-Younger-People

Parking Services outsourced

Council contracted out most of its parking enforcement service in the early 2000's. This indicates that Council considers what are the best delivery options for each service.

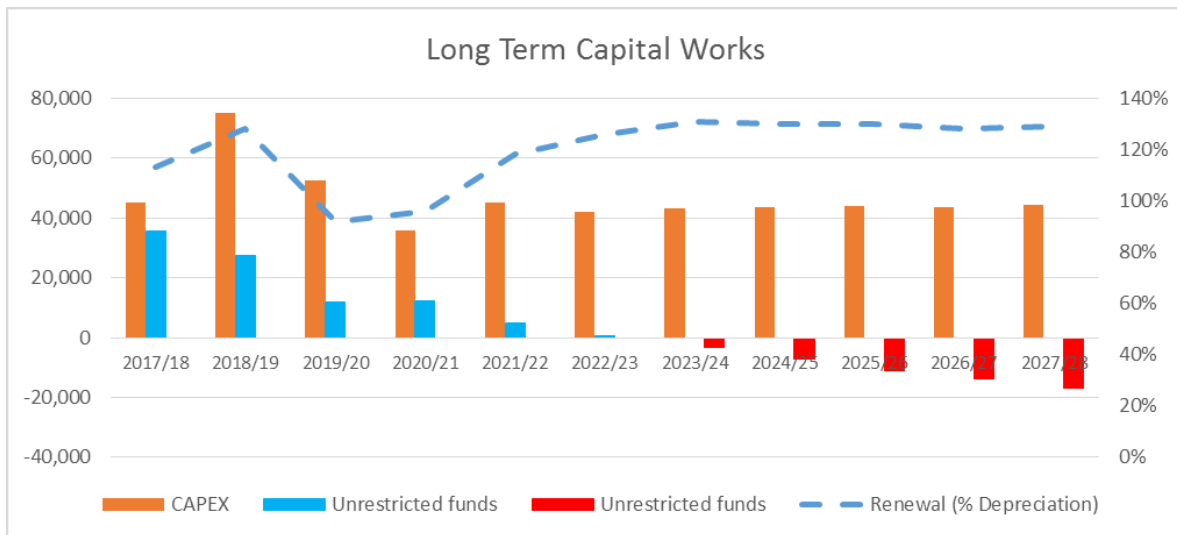
Long Term Planning

Key Points

1. Maintain financial sustainability in medium to long term
2. Sustain a capital works program in medium to long term that can meet renewal targets
3. Compound effect of increased recycling costs would take \$16.8M out of 10 year LTFP

Capital Works – Renewal targets

Monash is focused on increasing the proportion of its long term Capital Works expenditure to a level that ensures we are able to sustain our asset renewal. The Chart below shows that Monash will sustain its asset renewal expenditure (as a % of depreciation) over 120% across the 10 years. There is a minor dip in 2019/20 and 2020/21 due to major renewal projects being brought forward in to 2018/19.





CITY OF
MONASH

**DECISIONS OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 27 FEBRUARY 2018**

at 7.00 pm

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

**DECISIONS OF THE ORDINARY MEETING OF THE MONASH CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, SPRINGVALE ROAD GLEN WAVERLEY
ON 27 FEBRUARY 2018 AT 7.00 PM.**

**CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD ON 30 JANUARY 2018**

That the minutes of the Ordinary Meeting of the Council held on 30 January 2018, be taken as read and confirmed.

CARRIED

RECEPTION AND READING OF PETITIONS, JOINT LETTERS & MEMORIALS

PUBLIC QUESTION TIME

The Mayor advised that 2 questions had been received.

OFFICERS' REPORTS

1. CITY DEVELOPMENT

1.1 Draft Monash Open Space Strategy Consultation Summary

That Council:

- 1 Notes that the submissions received to the Open Space Strategy were generally supportive of the strategic directions of the Open Space Strategy and that the majority of submissions related specific issues or suggested specific improvements to Public Open Space Network.*
- 2. Modifies the draft Monash Open Space Strategy in accordance with officer recommendations set out in this report.*
- 3. Notes that officers will finalise the development of Monash Open Space Strategy including:
 - relevant planning scheme amendment documentation,
 - reviewing the funding mechanisms for new public open space and improvements to existing public open space;
 - an investigation of the options for Developer Contributions; and
 - the development of an assessment program to assist in the implementing the open space strategy and prioritising improvements to the open space network.*
- 4. Notes that a further report to finalise the open space strategy and the implementation initiatives set out under point 4 will be presented to Council in June 2018.*

CARRIED

1.2 Update on Parking Precinct Plans For Glen Waverley and Oakleigh Activity Centres

That Council:

1. *Notes the decision of the Minister for Planning to refuse to approve Amendment C103 and refuse to authorise the exhibition of Amendment C133 which proposed the introduction of new parking overlays for the Glen Waverley and Oakleigh Activity Centres.*
2. *Resolve to cease accepting cash in lieu financial contributions under the existing parking overlays contained in the Monash Planning Scheme as the overlays are considered fully subscribed.*
3. *Notes that as the overlays are fully subscribed future permit applications will be required to provide car parking in accordance with the parking rates set out in the parking overlays of the Monash Planning Scheme.*
4. *Notes that the Minister for Planning has indicated that the existing Parking Overlays in Glen Waverley and Oakleigh will be removed at some time in the future.*
5. *Notes when the parking overlays are removed parking provision will be assessed individually and may be reduced or waived without a financial contribution until a new parking overlay is introduced.*
6. *Notes that officers are currently in discussion with representatives from the Department of Environment Land Water & Planning for the preparation of revised parking contribution for the Glen Waverley and Oakleigh Activity Centres.*
7. *Writes to owners and occupiers in the Glen Waverley and Oakleigh Parking Overlay areas to advise them of the Ministers decision and the cessation of the cash in lieu option under the current parking overlays.*
8. *Notes that a further report will be presented to Council upon completion of the review of revised planning parking contribution schemes.*

CARRIED

1.3 Amendment C140 To The Monash Planning Scheme – Land At Rear of 52 Golf Road, Oakleigh South

That Council:

1. *Requests the Minister for Planning to authorise Council, pursuant to Section 8A of the Planning and Environment Act 1987, to prepare Amendment C140 to the Monash Planning Scheme to rezone land to the rear 52 Golf Road, Oakleigh South from Public Use Zone (PUZ2) to Special Use Zone 3 (SUZ3).*
2. *Pursuant to Section 20(1) of the Act, applies for an exemption from the notification requirements of Section 19.*
3. *Authorises the Director City Development to prepare and exhibit the planning scheme amendment in accordance with this report.*

CARRIED

1.4 4-6 Windmill Court And 101-127 Whalley Drive, Wheelers Hill Construction of A Three Storey Residential Aged Care Facility

That Council resolves to issue a Notice of Decision to Grant a Planning Permit (TPA/47534) for the construction of a three storey residential aged care facility (attached to the existing Windmill Court premises), associated buildings and works, reduction in the applicable car parking requirement and removal of vegetation, at 4-6 Windmill Court and 101-127 Whalley Drive, Wheelers 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. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.*

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

- a) *Provision of bicycle parking spaces including associated amenities in accordance with the nursing home rate as required by Clause 52.34.*
- b) *Car parking spaces (4) along Jury Street relocated elsewhere within the site and landscaping reinstated along the Jury Street frontage.*
- c) *Detailed plans of car parking spaces within the Windmill Court porte cochere including swept path analysis.*
- d) *A corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of each vehicle crossing to provide a clear view of pedestrians on the footpath of Windmill Court and Jury Street access points.*
- e) *Existing car spaces along the western side of Batty Street utilised for shipping container storage re-instated as staff car parking associated with the approved development.*

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 commenced it must be continued and completed to the satisfaction of the Responsible Authority.*
4. *No more than 80 residents are to be accommodated within the premises unless otherwise approved in writing by the Responsible Authority.*
5. *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.*

-
6. *All existing vegetation shown on the endorsed plans must be suitably marked before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.*
 7. *Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.*
 8. *All work within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.*
 9. *No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.*
 10. *No form of public address or alarm system may be installed so as to be audible from outside the site.*
 11. *No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.*
 12. *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.*
 13. *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 by private contractor. The Waste Management Plan shall provide for:*
 - a) *The method of collection of garbage and recyclables for uses;*
 - b) *Designation of methods of collection including the need to provide for private services;*
 - 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 and approved by Council. Once approved the plan will be endorsed to form part of this permit.
 14. *Any infectious or potentially infectious wastes (as defined by the EPA) shall be properly segregated in containers colour coded yellow for infectious wastes and orange for potentially infectious wastes. Any prescribed waste which leaves the premises of generation must be disposed of in accordance with Environmental Protection Authority (EPA) requirements.*
 15. *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.*
 16. *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).*

17. No less than 23 car spaces are to be provided on the land for the development including any required accessible car spaces.

18. Prior to occupation of any new premises hereby permitted, a Parking Management Plan detailing the management and allocation of car parking on the site must be submitted to and approved by the Responsible Authority.

The amended Parking Management Plan must be generally in accordance with the approved Parking Management Plan, but modified to detail:

- Provision of no less than 23 car spaces allocated to the Windmill Court Residential Aged Care premises.*
- Provision and adequacy of car parking to service other uses undertaken on the land;*
- Equitable allocation and management of car parking of car parking throughout the development including allocation of staff and visitor car parking.*

The Parking Management Plan may be amended with the written consent of the Responsible Authority. When approved the Parking Management Plan will be endorsed to form part of this permit.

19. 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.

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20. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.*
 21. *The car parking 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.*
 22. *On-site visitor parking spaces are required to be clearly marked.*
 23. *Mechanical parking used to meet the car parking requirement provided must be:*
 - *At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.*
 - *Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.*
 - *The design and operation is to the satisfaction of the responsible authority.*
 24. *Bicycle facilities to the development hereby permitted must be provided in accordance with the provisions detailed in Clause 52.34 of the Monash Planning Scheme.*
 25. *A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-*
 - a) *The location of all existing trees and other vegetation to be retained on site.*
 - b) *Provision of canopy trees with spreading crowns located throughout the site including the courtyard spaces within the development.*
 - c) *Planting to soften the appearance of hard surface areas such as driveways and other paved areas.*
 - d) *A schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material*
 - e) *The location and details of all fencing.*
 - f) *The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.*
 - g) *Details of all proposed hard surface materials including pathways, patio or decked areas.*

When approved the plan will be endorsed and will then form part of the permit.
 26. *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.*
 27. *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.*
 28. *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.*

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- 29. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.**

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is site is to the existing internal drainage network where the entire sites stormwater must be collected must be collected and free drained via pipe to the pit in the rear easement to Council Standards. If the point of discharge cannot be located then notify Council's Engineering Division immediately.

The drainage plans must also provide for:

- a) Construction of a 300mm drain along the southern & western boundaries of the property, including from the existing pit in the adjacent southern property easement to a new pit in the new southern easement.*
 - b) Construction of a 300mm drain under the footpath/nature-strip (to connect to a new nature-strip pit) and the road pavement to connect to the drainage pit in front of 9 Windmill Court. All drains are to be constructed to Council Standards.*
 - c) Construction of junction pits (minimum 900 x 600mm) within the new southern easement, south-west corner and in the nature-strip to Council standards.*
 - d) The existing 225mm outlet from the pit in the adjacent southern property easement capped.*
- 30. 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 the driveway onto the footpath. Such a system may include either:**
- a) a trench grate (150 mm 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.*
- 31. Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing.**
- 32. A new 2.0m wide drainage easement is to be created along the southern & western boundaries of 4-6 Windmill Court, Wheelers Hill. The easement must be lodged on Title prior to occupation of the approved development.**
- 33. Prior to occupation of the approved development a new 300mm drain is to be constructed along the southern & western boundaries of the property, including from the existing pit in the adjacent southern property easement to a new pit in the new southern easement. A new 300mm drain is to be constructed under the footpath/nature-strip (to connect to a new nature-strip pit) and the road pavement to connect to the drainage pit in front of 9 Windmill Court. All drains are to be constructed to Council Standards.**
- 34. Junction pits (minimum 900 x 600mm) are to be constructed in the new southern easement, south-west corner and in the nature-strip to Council standards.**

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35. *The existing 225mm outlet from the pit in the adjacent southern property easement is to be capped.*
36. *The drainage works will be required to be inspected by Council at key stages. Upon completion of the above, CCTV footage of the new 300mm drain is to be submitted to Council for approval. The existing 225mm Council drain in the western easement of 101-121 Whalley Drive will be assigned as a private asset and will become the responsibility of the owner of the land. It is not a requirement for it to be removed.*
37. *The loading and unloading of goods from vehicles must only be carried out on the land.*
38. *Deliveries to and from the site including the collection of waste must only take place between the hours of 7:00am-6:00pm Monday to Saturday.*
39. *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.*
 - 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 endorsed plans forming part of this permit.*

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.

40. *Prior to the occupation any of the development 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 all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.*
41. *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, 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-

1. *Building approval must be obtained prior to the commencement of the above approved works.*
2. *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.*
3. *Unless no permit is required under the planning scheme other signs must not be constructed or displayed without a further permit.*
4. *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.*
5. *Any new drainage 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.*
6. *Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains and these works are to be inspected by Council (tel. 9518 3555).*
7. *An onsite detention system for storm events up to the 1% AEP event to be retained on site for any new basement car park being constructed. 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.*
8. *Stormwater detention requirements may be obtained from Council's Engineering Department prior to the design of any stormwater detention system.*
9. *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.*
10. *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.*
11. *The accessible parking spaces should generally be designed (other than length of space which may encroach into the adjacent access way width by 500mm) 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.*

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12. *In the event that any parking restrictions are introduced in the surrounding area, this development will not be granted parking permits.*
 13. *Approval of each new or modified vehicle crossing is required from Council's Engineering Department.*

The proposed crossings are to be constructed in accordance with the City of Monash standards.

CARRIED

1.5 Town Planning Schedules

That the report containing the Town Planning Schedules be noted.

CARRIED

1.6 Telstra Corporation Limited Lease Renewal – Part of 75-77 Haverbrack Drive, Mulgrave

That Council resolves to:

1. *Commence the statutory procedure under section 190 of the Local Government Act 1989 ("the Act") by advertising Council's Notice of Intention to renew the Lease for a low impact telecommunications facility located on Council's land 75-77 Haverbrack Drive Mulgrave to Telstra Corporation Limited ("Telstra") on the following terms and conditions:
Rent: \$12,500 per annum + GST
Rent Reviews: Increased by 3.5% annually
Term: 10 years
*Further Term: Two (2) further terms of five (5) years**
2. *Appoints a Committee of Council, comprising of the Mulgrave Ward Councillors to consider submissions received under Section 223 of the Act on Tuesday 10 April 2018.*
3. *In the event of there being no submission received, to enter into a new lease with Telstra and Council authorises the Chief Executive Officer or her delegate, on behalf of Council, to sign and seal all documentation required to effect the lease.*

CARRIED

2. COMMUNITY DEVELOPMENT AND SERVICES

2.1 Council's Role In Home And Community Care – Program For Younger People

That Council notes the outcome of the negotiations agreed to at the November 2017 Council meeting, resulting in Council ceasing to be a provider of the State Government's Home and Community Care – Program for Younger People, as of 30 June 2018.

CARRIED

2.2 Active Reserves Facility Hierarchy and Capital Works Prioritisation Model

That Council endorses the Active Reserves Facility Hierarchy and the Active Monash Capital Works Priorities Framework.

CARRIED

2.3 Sports Ground Fees and Charges

That Council:

1. *Adopts and implements the new turf sports ground fees and charges policy from the 2018/19 summer season, and in doing so, notes that the proposed sports ground fees and charges policy is based on recouping a percentage of sports ground maintenance costs as follows:*
 - a. *a 15% recovery of annual maintenance costs for natural turf playing fields;*
 - b. *junior fees (13-17 years) to be set at 50% of senior fees and under 13 year old team fees to be set at 25% of senior fees; and*
 - c. *turf wicket users to incur an additional 15% turf wicket maintenance levy.*
2. *Phases in fee increases over a two year period for clubs that experience fee increases of 15% or more as a result of this policy;*
3. *Adopts and implements the new tiered schedule of fees and charges for synthetic sports surfaces from March 2018;*
4. *Applies the new fees and charges for synthetic surfaces retrospectively for use of Jack Edwards Reserve by the resident tenant clubs and their 2015/16 and 2016/17 invoices for synthetic surface usage be amended to reflect the revised fees accordingly; and*
5. *Requires any outstanding club fees and charges be paid in full (except when a Council-approved repayment scheme has been negotiated) before new season ground allocations are granted to clubs.*

CARRIED

2.4 Linkage Grant Scheme Application

That Council formally participates in the joint application with the Centre for Population Health Research (Deakin University) for a three year Australian Research Council Linkage Grant focussed on 'Developing innovative local level responses to reduce and prevent poker machine harm'.

CARRIED

3. CORPORATE SERVICES

3.1 2017/18 Financial Management and Capital Works Progress Report – Second Quarter December 2017

That Council:

- 1. Notes the Quarterly Financial Management, Annual Plan and Capital Works Progress Report for the period ending 31 December 2017, presented in accordance with Section 138 of the Local Government Act 1989.*
- 2. Approves the variations contained therein.*

CARRIED

4. INFRASTRUCTURE

Nil

5. CHIEF EXECUTIVE OFFICER'S REPORTS

5.1 Assembly of Councillors Record

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

CARRIED

5.2 Sir John Monash Awards

That Council endorses the Sir John Monash Awards ceremony to be rescheduled to an evening held no later than September, each year, commencing in 2018.

CARRIED

6. NOTICES OF MOTION

6.1 Discretionary Fund Applications

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>
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<i>Monash Oakleigh Community Support & Information Service Inc</i>	<i>Hire charge of Council facility and donation towards costs for volunteer activity on 21.5.18</i>	\$650
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CARRIED

6.2 LGBTIQ Community Needs Assessment

That Council consults with the Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/Questioning (LGBTIQ) community to determine the priorities, programs and/or activities that Council could progress, with findings to be presented in a report of the consultation for consideration at the June 2018 Council meeting.

CARRIED

6.3 National Local Road & Transport Congress Report

That Council receives the report from Cr James on his attendance at the National Local Roads & Transport Congress, held in November 2017.

CARRIED

7. COMMITTEE REPORTS

Nil

8. URGENT BUSINESS

That Council considers the acceptance of a contractual matter as an Item of Urgent Business, as part of the Confidential Business section of the agenda for the 27 February 2018 Council meeting.

CARRIED

That Council considers the acceptance of the matter of the contribution of \$20,000 towards a community and cultural celebration in Eaton Mall, Oakleigh on 25 March 2018, as an item of Urgent Business.

CARRIED

That Council approves an allocation of \$20,000, to support the Oakleigh Traders Association contribution of \$15,000 to host and deliver a community and cultural celebration in Eaton Mall Oakleigh, for the visit to the City of Monash by the Evzones Presidential Guard on Greek National Day, 25 March 2018.

CARRIED

9. CONFIDENTIAL BUSINESS

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.

CARRIED

RETURN TO OPEN COUNCIL

On returning to open Council, the Mayor confirmed that the Council had carried the following resolution:

That Council:

- 1. Following the recent collapse of international markets for roadside collectable recycling materials authorises the Chief Executive Officer to negotiate a two-year extension to the recycling contract (no. 2010122) with Visy Paper Pty Ltd (trading as Visy Recycling) at a revised contract rate and payment terms, ensuring collection and receipt of Council's roadside recyclables.*
- 2. Writes to the ESC advising Council intends to seek a rate cap variation for the 2018/19 rating year for an amount equivalent to the additional associated costs.*
- 3. In the event that the request for a variation is not successful, proceeds to consider implementing a limited waste charge in the 2018/19 draft budget to recover the shortfall (with due consideration of this impact on eligible pensioners).*
- 4. Makes application to the State Government to access its entitlement of the \$13 million package for councils and industry to support the ongoing kerbside collection of household recyclable waste for any shortfall in recycling receipts between 1 April 2018 and 30 June 2018.*

10. PERSONAL EXPLANATIONS

Nil

11. COUNCILLORS' REPORTS

The Mayor declared the meeting closed at 9.15 pm

MAYOR:

DATED THIS DAY OF 2018