



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 26 June 2017

at 7.00pm

Members: Cr Denise Massoud (Mayor), Cr Blair Barker, Cr Bill Bennett,
Cr Raylene Carr, Cr Prue Cutts, Cr Andrew Davenport,
Cr Sharon Ellis, Cr Tina Liu, Cr Andrew Munroe,
Cr Ben Stennett

Mr Jeff Green
Acting Chief Executive Officer

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AGENDA

1 PRAYER

1a Prayer for Council

We give thanks, O God, for the Men and Women of the past whose generous devotion to the common good has been the making of our City.

Grant that our own generation may build worthily on the foundations they have laid.

Direct our minds that all we plan and determine, is for the wellbeing of our City.

Amen.

1b Aboriginal Reconciliation Statement

"In the spirit of reconciliation, Whitehorse City Council acknowledges the Wurundjeri people as the traditional custodians of the land we are meeting on. We pay our respects to their Elders past and present."

2 WELCOME AND APOLOGIES

3 DISCLOSURE OF CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 15 May 2017 and Confidential Ordinary Council Meeting 15 May 2017

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 15 May 2017 and Confidential Ordinary Council Meeting 15 May 2017 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 105 - Cr Davenport

That Council:

A Having:

- 1. Considered all written submissions;**
- 2. Heard the presentations of submissions;**
- 3. Received the report of the Special Committee (minutes extract Attachment A) of its meeting held on 13 June 2017; and**
- 4. Considered officer comments (as attached Attachment B), now adopt the Proposed Budget 2017/18 inclusive of the Strategic Resource Plan 2017-2021 (Attachment C) with the modifications at 5 in accordance with Section 130 of the Local Government Act 1989.**
- 5. a) Parking Fee for Council Car Parks at Cambridge Street, Harrow Street and Ellingworth Pde be reduced to zero for Saturday, and allow \$5,000 for signage.**
b) Box Hill Mall Permits fee is increased 2.5% from 2016/2017 levels;
c) Cease Fair Trade program;
d) Cease Rebates for solar, water tanks, batteries etc;
e) Cease Whitehorse Scholarship Program;
f) Cease (3) Swing Pop Boom Concerts;
g) Cease Built Environment Awards;
h) Cease Business Newsletter;
i) Cease Whitehorse Business Week;

B Thank persons making submissions in writing for their contribution and advise them of the outcome of Council's decision.

C Authorise the Chief Executive Officer to give public notice of Council's decision in accordance with Section 130(2) of the Local Government Act 1989 and submit a copy of the budget to the Minister in accordance with Section 130(4) of the Local Government Act 1989.

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Strategic Planning

9.1.1 Amendment C193 to the Whitehorse Planning Scheme - rezoning 289-291 Morack Road, Vermont South

ATTACHMENT

SUMMARY

On 12 October 2016 Council received a request to consider an amendment to the Whitehorse Planning Scheme for the site at 289-291 Morack Road, Vermont South. The amendment seeks to:

- Rezone the site from Commonwealth Land to part General Residential Zone and part Neighbourhood Residential Zone;
- Rezone part of the existing Urban Floodway Zone land to the General Residential Zone; and
- Apply the Environmental Audit Overlay and Design and Development Overlay (Schedule 10) to the land.

This report discusses the amendment request and recommends that Council seek authorisation from the Minister for Planning to prepare and exhibit Amendment C193 to the Whitehorse Planning Scheme.

RECOMMENDATION

That Council as the Planning Authority, seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whitehorse Planning Scheme in accordance with the documents in Attachment 1 for the land at 289-291 Morack Road, Vermont South to:

- i. Rezone a part of the site that is currently designated as Commonwealth Land to the Neighbourhood Residential Zone - Schedule 5;***
- ii. Rezone a part of the site that is currently designated as Commonwealth Land to General Residential Zone - Schedule 5;***
- iii. Rezone a part of the existing Urban Floodway Zone land to the General Residential Zone - Schedule 5;***
- iv. Introduce and apply the Design and Development Overlay – Schedule 10 (DDO10); and***
- v. Apply the Environmental Audit Overlay (EAO).***

BACKGROUND

On behalf of Across Property Developments Pty Ltd, Pro Urban (the proponent) has submitted a request to Council to amend the Whitehorse Planning Scheme (Planning Scheme) by rezoning land at 289-291 Morack Road, Vermont South (the site) from Commonwealth Land (CA) to part General Residential Zone – Schedule 5 (GRZ5) and part Neighbourhood Residential Zone – Schedule 5 (NRZ5).

The request also seeks to rezone a part of the site that is currently located within the Urban Floodway Zone (UFZ) to GRZ5 and introduce and apply Schedule 10 to the Design and Development Overlay (DDO10) to the site. Finally, the request seeks to apply the Environmental Audit Overlay (EAO) to the site.

9.1.1

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History

Rates information indicates that the site was purchased by the Commonwealth of Australia in June 1988 on behalf of Telecom (now known as Telstra) for the construction of a telecommunication tower. In the late 1980s, Telecom requested a rezoning of their parcel of land. Following a Council resolution to rezone the site and agreement by the landowner to the south fronting onto Burwood Highway to rezone their property, the property to the south was consequently rezoned via a planning scheme amendment, as per Council's resolution, yet the subject site remained as Commonwealth Land.

It is not known why the site was not included in this rezoning. Rates information documents the site being sold by the Commonwealth of Australia and purchased by the immediate past owners in December 1993. A building permit was issued in November 1994 to convert the existing building to a dwelling.

The previous owners sought to rezone the site to a residential zone. As the site was sold by the Commonwealth of Australia, and has been in private ownership for some time, it was considered reasonable to rezone the site to a zone more reflective of its ownership status, that is, not Commonwealth Land.

After extensive correspondence with the previous owners, a strategic assessment of the site was conducted in late 2014, which concluded that a residential zone was the most appropriate zone for the site. This was on the basis that the land had been used for residential purposes for some time, and that it forms an interface between parkland and commercial uses fronting Burwood Highway.

The zoning of the site was discussed with the then Department of Transport, Planning and Local Infrastructure (DTPLI). The Department's legal team indicated that the title search was sufficient to indicate that the site was no longer required for Commonwealth purposes, and they indicated support for a residential zoning via a section 20(4) process.

The site was included in Whitehorse Amendment C159 which proposed to correct various anomalies and errors identified in the Planning Scheme. However, upon representations by the landowners at the time, the site was removed from the Amendment by the Department of Environment, Land, Water and Planning (DELWP) prior to the approval of the Amendment. DELWP did not raise any concerns with rezoning the site to a residential zone but advised that any rezoning, and any application of overlays on the site, needs to proceed through a normal amendment process with full exhibition and the consideration of any submissions by an independent panel.

The site has subsequently changed ownership. Council officers have had several meetings with the current owners to determine an appropriate zone/s for the site prior to this amendment request.

The site and surrounds (Refer Figure 1)

The site has a total area of 11,582m². The site has one vehicle crossover from Morack Road and vehicle access is also available from Burwood Highway through the site to the south. The site is currently occupied by a small building in the centre of the site, which was used by the previous owners as a dwelling. Other smaller buildings are located on the eastern portion of the site and a large part of the site is covered by asphalt.

The site is bounded by Morack Road to the west, Morack Public Golf Course to the north, Dandenong Creek to the east and a storage facility and medical centre to the south. The land located to the west across Morack Road is a residential area included in NRZ5 and Neighbourhood Character Precinct - Garden Suburban Precinct 7.

The preferred character in Garden Suburban Precinct 7 is contemporary dwellings sitting within larger lots, comprising established gardens containing substantial vegetation. Any future development that is close to the Dandenong Creek environs should be sited so that the overall visibility of the development is minimised when viewed from the creek corridor.

9.1.1

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A row of trees is located along the northern and southern boundaries and a stand of trees is located towards the Morack Road frontage. The part of the site currently included in the UFZ also contains vegetation.

Land uses in the immediate area include Council's Vermont South Recycling and Waste Transfer Centre, a Motocross park and a commercial property on Burwood Highway with large tenancies including Officeworks and Bunnings.



Figure 1 – Aerial photography of the site and surrounding area

Current planning controls (Refer Figures 2 and 3)

The subject site is currently included as Commonwealth Land and is located outside the jurisdiction of the Whitehorse Planning Scheme. The eastern third of the site is included in the Urban Floodway Zone.

The site is partially covered by the Special Building Overlay and Land Subject to Inundation Overlay.

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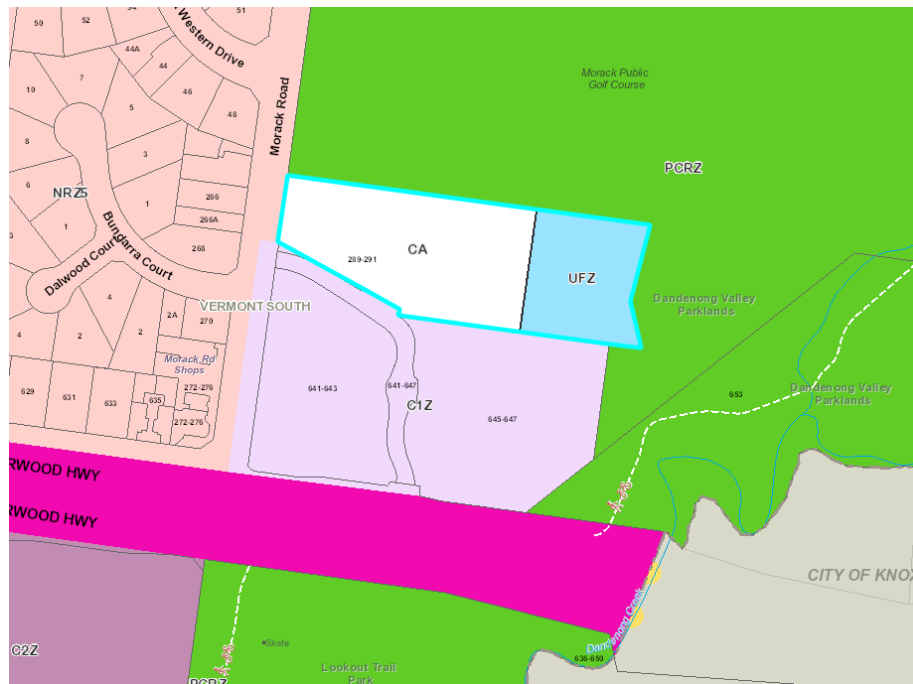


Figure 2 – Current zoning of the site and surrounding area

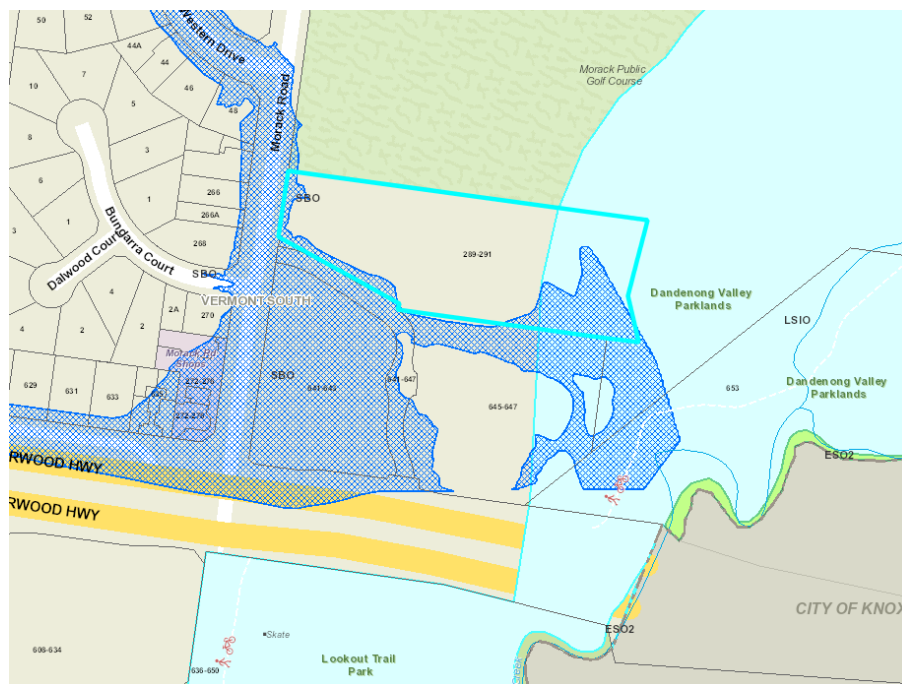


Figure 3 – Current overlays applicable to the site and surrounding area

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Proposal

As shown in Figure 4, and in the documents in Attachment 1, the Amendment seeks to:

- Rezone a part of the site that is currently located within Commonwealth Land to Neighbourhood Residential Zone – Schedule 5;
- Rezone a part of the site that is currently located within Commonwealth Land to General Residential Zone - Schedule 5;
- Rezone part of the existing Urban Floodway Zone to General Residential Zone – Schedule 5;
- Introduce and apply a Design and Development Overlay – Schedule 10 to the entire site.
- Apply an Environmental Audit Overlay to the site.

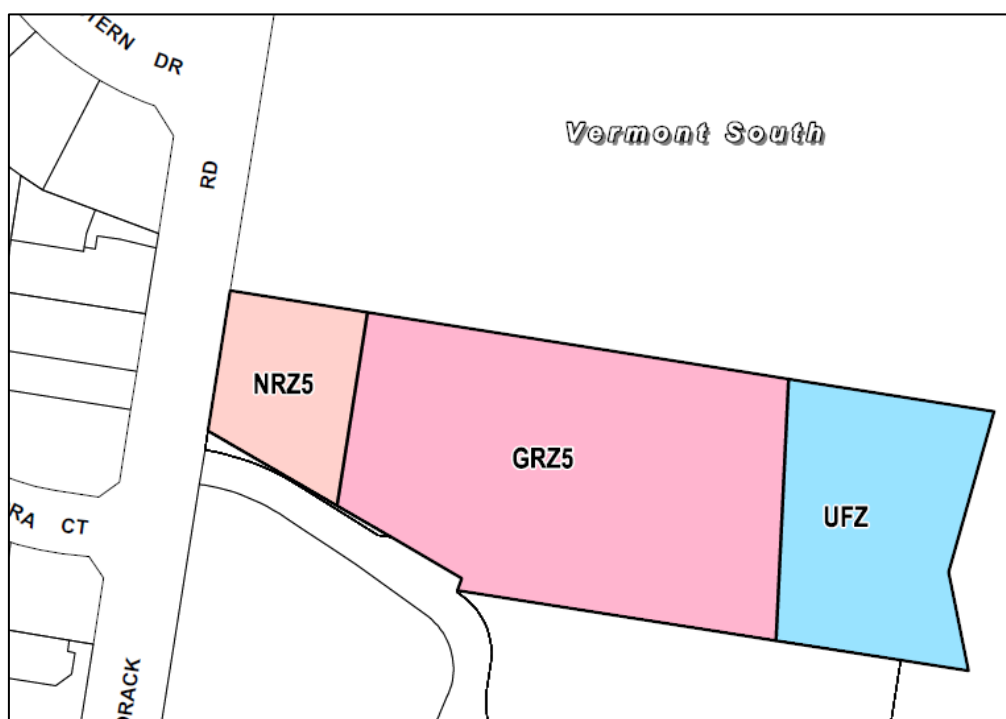


Figure 4 – Proposed zoning

Proposed Neighbourhood Residential Zone – Schedule 5 (NRZ5)

The NRZ5 applies to the existing residential properties along Morack Road to the west of the site. The existing NRZ5 schedule proposed to be applied to the Morack Road frontage of the site includes variations to the ResCode requirements which will direct outcomes for any future development on this parcel. The maximum height allowed in NRZ5 is 2 storeys/9m at any point. The NRZ also requires a minimum garden area to be provided.

The NRZ part of the site will front Morack Road for the full width and with sufficient depth to allow for a single row of dwellings facing Morack Road. Officers are therefore satisfied that this part of the site proposed as NRZ is appropriate as it will require that any future development on this portion to be of a scale, form and character that is consistent with the surrounding area. This will respect the existing neighbourhood character and respond to the site's location in close proximity to the Dandenong Creek environs.

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Proposed General Residential Zone – Schedule 5 (GRZ5)

The balance of the existing Commonwealth Land, and part of the land currently zoned UFZ, is proposed to be rezoned to GRZ5. The GRZ5 contains a blank schedule and currently applies to a small number of sites in the municipality. These sites include part of the former Burwood Brickworks in Burwood East, 15-31 Hay Street, Box Hill South, 1030 and 1048 Whitehorse Road, Box Hill and to several parcels included in the Healesville Freeway Reservation in Vermont and Vermont South.

The GRZ5 does not include any variations to the ResCode requirements in the Planning Scheme, therefore the GRZ5 allows a maximum height of 3 storeys/11 m at any point. The GRZ also requires a minimum garden area to be provided.

Clause 22.03 (Residential Development) of the Planning Scheme states that new development in the form of flats and apartments should only be located in Substantial Change areas, which were largely translated to the Residential Growth Zone. Therefore apartments will not be supported by Council on this site.

The extent of the rezoning of the UFZ was informed by advice obtained by the proponent from Melbourne Water which advised that it has no objection to moving the UFZ boundary and subsequent rezoning of that part of the current UFZ. The realignment would effectively move the boundary approximately 12m to the east of the existing boundary.

Melbourne Water have advised that the moving of the UFZ line is approximately 1 metre below flood level, which is the maximum flood depth that Melbourne Water considers suitable for allowing filling for development.

When development proceeds the UFZ line would be the limit of filling into the floodplain, and preference would be for the filling to be done with a maintainable batter slope to the satisfaction of Melbourne Water. No filling should extend onto neighbouring properties. The existing UFZ boundary appears to line up with the brick building, and is well above flood level for most of its length.

Council does not have any assets on the site, as the pipes are owned and managed by Melbourne Water. Council's Engineering Assets Unit has not had any consultations with Melbourne Water regarding this site; however they have advised that Melbourne Water will ultimately make the decision regarding any rezoning of the UFZ land.

Officers are satisfied that the proposed GRZ5 is appropriate for the site as it discourages apartment developments and requires any future development to be cognisant of the existing residential development and surrounding environs.

Proposed Design and Development Overlay – Schedule 10 (DDO10)

The Amendment request proposes to introduce a new schedule to the Design and Development Overlay and apply it to the entire site. The proposed Schedule 10 to the DDO confirms design objectives for the site, permit requirements and general requirements for built form, site design and transition, and landscape and streetscape design.

The proposed Schedule also provides guidance and responds to the interfaces with the Morack Golf Course and Dandenong Creek environs. The proposed Schedule includes a suite of decision guidelines to provide direction for any future planning permit applications for the site.

Officers have held multiple discussions with the proponent to ensure that the proposed DDO provided appropriate controls for any future development on the site. Officers are satisfied that the proposed DDO will provide appropriate direction for any future built form and in particular, respect the existing neighbourhood character and environs.

9.1.1

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Proposed Environmental Audit Overlay (EAO)

The EAO will ensure any future sensitive use of the land will be suitably protected from potential contamination resulting from any former uses of the site.

Under Clause 45.03-1 of the Planning Scheme the application of the EAO requires that before any sensitive use (such as a residential use, child care centre, pre-school centre or primacy school) commences or before the works associated with a sensitive use commence, either

- A certificate of environmental audit must be issued for the land in accordance with the *Environment Protection Act 1970*; or
- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with the Act that the environmental conditions of the land are suitable for the sensitive use.

DISCUSSION

In considering the proposed Amendment, Council must have regard to the Strategic Assessment Guidelines as required by Ministerial Direction No. 11, as well as the Ministerial Direction titled "The Form and Content of Planning Schemes".

Ministerial Direction 11 outlines issues which should be addressed to establish the need for an amendment and whether the proposed provisions are appropriate for the purpose for which they have been developed.

The Ministerial Direction about the form and content of schemes requires a planning scheme amendment to be prepared and presented in accordance with the style guide and written in plain English.

Why is the Amendment required?

The site is predominantly designated as Commonwealth Land and sits outside the Planning Scheme. The site was purchased by the Commonwealth of Australia in June 1988 on behalf of Telecom (now known as Telstra). Rates information documents the subject site being sold by the Commonwealth of Australia in December 1993. A building permit was issued in November 1994 to convert the existing building to a dwelling.

The land has now been sold to a new owner who wishes to facilitate a more suitable zone on the grounds that the site is no longer owned by the Commonwealth; that the existing zoning doesn't reflect its current residential use, and that the existing zone is placing limitations on the use of the property.

The zoning of the site has been discussed with the Department of Environment, Land, Water and Planning. The Department's legal team indicated that a title search is sufficient to indicate that the site is no longer required for Commonwealth purposes, and they have indicated support for a residential zoning.

Furthermore, the extent of the UFZ applied to the land has been revised in accordance with advice from Melbourne Water. The current extent of the UFZ has been deemed unnecessary by Melbourne Water, and the revised boundary will have no material impact on the intent of the UFZ.

9.1.1

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How does the Amendment implement the objectives of planning in Victoria?

The objectives of planning in Victoria are outlined within Section 4(1) of the *Planning and Environment Act 1987*. They include:

- Provide for the fair, orderly, economic and sustainable use and development of land by providing increased opportunities for residential development on a site that is within an existing residential area and has been previously used for residential purposes.
- Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity by acknowledging the importance of maintaining the integrity of the adjoining Dandenong Creek Environs, and further, ensuring any future development does not detrimentally impact on the creek environs.

The application of the DDO10 will provide certainty to future built form outcomes. DDO10 will ensure a transition of height and massing between larger scale development fronting Burwood Highway to the south, and the lower-scale residential development to the west, the golf course to the north and the Dandenong Creek environs to the east.

The application of the EAO will also ensure a safe environment for all, by ensuring any contaminated land is remediated prior to the development of any sensitive land use.

Following Telecom's discontinuance of use of the land, the site has a more recent history of being used for residential purposes with the previous owners residing in a dwelling on the site, despite its Commonwealth Zone and by virtue sitting outside the controls of the Planning Scheme.

Therefore the Amendment will facilitate a rezoning that brings the site into the Planning Scheme and provide for the orderly development of the land into the future. Furthermore, the UFZ prohibits numerous land uses. In accordance with advice from Melbourne Water a portion of the UFZ is to be rezoned in order to facilitate appropriate future development.

How does the Amendment address any environmental, social and economic effects?

The Amendment is unlikely to have any significant impacts on the environment to the west and south as these adjoining areas are currently developed to a standard expected in an established urban area. The Amendment itself is unlikely to have any significant impacts on the environment to the north and east however, along the boundary to the north and east there is vegetation that will need to be considered by any future development on the site.

The proposed DDO confirms design objectives for the site and provides guidance around front setbacks to Morack Road, side setbacks to the Golf Course and Creek environs land, and preferred building heights.

The rezoning of the site to GRZ5 and NRZ5 will allow the site to be developed in the future for residential dwellings that complement the existing residential area. Any future development of the site will need to be cognisant of the interfaces to the surrounding residential area and Dandenong Creek environs and respect the character of the surrounding area.

The GRZ5 and NRZ5 will provide for further housing opportunities in the local area, as well as employment opportunities during the construction phase of any future development.

Does the Amendment address relevant bushfire risk?

The site is included within a Bushfire Prone Area, which extends along Dandenong Creek. Special bushfire construction measures will be adhered to, as outlined in the Bushfire Prone Areas report. These construction measures will ensure that bushfire risk associated with future development is appropriately managed.

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Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The proposed Amendment complies with the new Ministerial Direction on the Form and Content of Planning Schemes and Strategic Assessment Guidelines. Other Ministerial Directions that are applicable include:

- Ministerial Direction No.1 - Potentially Contaminated Land

This requires the planning authority to be satisfied that any land proposed for sensitive uses is free from potential contamination. Site investigations will be conducted to ascertain the potential levels of contamination, and an EAO will be applied to the site as part of the Amendment to ensure compliance with this Direction.

- Ministerial Direction No.9 – Metropolitan Strategy

The Ministerial Direction outlines the requirements of planning scheme amendments to demonstrate their consideration of relevant directions or policies of Plan Melbourne. The Amendment is consistent with the directions of *Plan Melbourne* as outlined below:

Direction 2.1 – Manage the supply of new housing in the right locations to meet the

population growth and create a sustainable city: The Amendment will facilitate the rezoning of currently underutilized land for the potential supply of new housing close to existing infrastructure which will assist in providing additional accommodation within an accessible urban location.

Direction 2.2 – Deliver more housing closer to jobs and public transport: The Amendment will facilitate the rezoning of land that could be developed in the future for residential dwellings that are in close proximity to existing employment and public transport. This will reduce the reliance on private vehicles and provide for employment within the local area.

Direction 2.4 – Facilitate decision making processes for housing in the right locations: The Amendment will facilitate a decision making process involving various stakeholders to provide for land that could accommodate future housing.

Direction 5.1 – Create a city of 20 minute neighbourhoods: Plan Melbourne seeks to create 20 minute neighbourhoods where local services, shops and facilities are within a 20 minute walk, cycle or public transport journey from a residence. The Amendment seeks to achieve this Direction as it will rezone land that can be developed for dwellings in the future. This will provide for additional housing stock within close proximity to local shops and services.

- Ministerial Direction No.15 – Planning Scheme Amendment Process

The purpose of this Direction is to set times for completing steps in the planning scheme amendment process. The Amendment is proposed to adhere to the times set for exhibition and notice of amendment, with Council to give notice of the amendment within 40 business days of receiving authorisation.

9.1.1

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How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The Amendment is consistent with the State Planning Policy Framework, and in particular, complements the following directives:

- Clause 11.02-1 Supply of Urban Land discusses the supply of urban land and notes the objective “to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”. The rezoning of the sites to GRZ5 and NRZ5 will increase the supply of land available for residential uses.
- Clause 11.04-2 Housing Choice and Affordability aims to provide for a “diversity of housing in defined locations that cater for different households and are close to jobs and services”. The Amendment proposes to rezone land for future residential development that is close to existing services, shops and employment in the municipality and wider area.
- Clause 16.01-1 Integrated Housing discusses increasing the supply of housing in existing urban areas and ensuring the planning system supports the quantity and type of housing. The rezoning proposed as part of the Amendment will result in an increase in the quantity of land available for housing, close to existing services in an established urban area.
- Clause 16.01-4 Housing Diversity aims to provide for a range of housing types to meet increasingly diverse needs by ensuring housing stock matches demand by widening house choice. It also seeks to encourage the development of well-designed medium density housing which respects the neighbourhood character and improves housing choice. The rezoning included in the Amendment will provide for further residentially zoned land that could accommodate medium density housing. The application of the proposed DDO would mean any future development is cognisant and respects the existing neighbourhood character.
- Clause 16.01-2 Location of Residential Development
The Amendment locates new housing within close proximity to activity centres. Future residents of residential development will benefit from the site’s proximity to jobs, services, and transport.
- Clause 18.01-1 Integrated Transport aims to integrate land-use and transport. The site is located approximately 100m to the north of Morack Road and Burwood Highway, which is serviced by bus routes 732 to Upper Ferntree Gully and the 736 to Blackburn. Furthermore, there is a bike path along Morack Road, directly adjoining the site’s western interface. This allows for access to the site by private vehicle, public transport and active transport and integrates the land uses on the site with the surrounding uses and transport modes. There is also a shared path along Dandenong Creek, which provides connections to the broader area.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment is consistent with the Local Planning Policy Framework, and in particular, complements the following directives:

- Clause 21.05 Environment notes that several areas in the City have special natural, environmental or historic significance and one of the objectives is “to facilitate environmental protection and improvements to known assets include water”. A key strategy is to “manage development along the City’s waterways to ensure there is no detrimental impact on water quality”. As the site is located adjacent to the Dandenong Creek environs it is important that the Amendment protects and enhances this area. The proposed DDO recognises the interface with the creek and includes a design objective that aims “to introduce a high quality landscape treatment to the site, and within setbacks, which contributes positively to the street and Dandenong Creek environs”.

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- Clause 21.06-3 Housing Location identifies key issues as providing appropriate housing growth in locations with potential amenity considerations and encouraging housing in locations with good access to public transport and services. In limited change areas, to which the site is adjacent, the objectives include ensuring new development protects and reinforces the environmental values and/or preferred future neighbourhood character of the area and ensuring new development includes some limited medium density development. The proposed Amendment will provide additional land for housing with access to public transport and services.
- Clause 21.06-4 Housing Diversity identifies a key issue as encouraging a broader range of housing types to meet the differing needs of the future population through the lifecycle. Objectives to address the key issues include diversifying the variety of housing types in the municipality. The rezoning will provide for further residentially zoned land that is available to contribute to the diversity of housing in the City of Whitehorse.
- Clause 22.03-2 Residential Development includes many objectives around residential development in the municipality including to ensure development contributes to the preferred neighbourhood character where specified, to ensure that new development does not detract from the natural environment and ecological systems, and to recognize the potential for change as a result of new social and economic conditions, changing housing preferences and State and local planning policies.
- The proposed rezoning to NRZ5 along the Morack Road frontage will ensure that any future development contributes to the neighbourhood character that currently exists in the established residential area. The proposed application of the DDO10 will identify design objectives for the site and provides guidance around front setbacks to Morack Road, side setbacks to the Golf Course and Creek environs land, and preferred building heights. The rezoning of the site will also allow for future development that will contribute to the City's housing stock.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment is consistent with the intent and use of the Victorian Planning Provisions (VPPs) as it seeks to apply the NRZ5 and GRZ5. The NRZ is the appropriate zone to ensure the neighbourhood character in the context of the immediate Morack Road streetscape is maintained, and that the future development in the NRZ5 reflects relevant elements of the Garden Suburban 7 Precinct on the western side of Morack Road, pursuant to the directives of the Whitehorse Neighbourhood Character Study 2014.

Schedule 5 has been chosen for the GRZ as it currently represents a blank schedule to the Zone, with no variations. This will require any future development on the site to give consideration to the ResCode requirements which limit development to 3 storeys.

Officers believe that the blank schedule to the GRZ is appropriate to apply to a large site and the proposed DDO will address the overall built form in this context.

The application of DDO10 assists in tailoring the built form outcome within the rezoned land to appropriately respond to each interface. In particular, DDO10 provisions consider the relationship of any future development with the Morack Road, the Morack Public Golf Course, the Dandenong Creek Trail, and the Dandenong Creek Environs.

How does the Amendment address the views of any relevant agency?

Melbourne Water has been consulted in relation to the Amendment, and its advice has informed the allowable extent of the existing UFZ to be rezoned to GRZ. The revision was deemed viable, as the realigned boundary was still consistent with the purpose of the UFZ, which, in addition to implementing State and Local Planning Policy, includes:

- To identify waterways, major flood paths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

9.1.1

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- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting. To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

The revised boundary line was compliant with the above directives. The extent of the previous UFZ zoning has been considered unnecessary by Melbourne Water.

There are no additional referral agencies that require notification as part of the proposed Amendment, and therefore, no views from additional referral agencies has been sought. When the Amendment is exhibited, the views of any additional relevant agencies and public authorities will be sought.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

There is no impact on the transport system created by the proposed Amendment. The subject sites are located adjacent to bus routes along Burwood Highway and there is unlikely to be a growth in private vehicle usage or public transport patronage substantially higher than what the transport network currently experiences. Any future planning permit application will be assessed for vehicle usage and transport patronage.

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

There are no additional impacts on resources or administration costs associated with this proposed Amendment. The Planning and Building Department is resourced to assess any future planning permit application/s that may follow the proposed Amendment.

CONSULTATION

If Council resolves to prepare the Amendment, it will be placed on public exhibition for a minimum of one (1) calendar month. The exhibition will include the advertising of the proposed Amendment to the owners and occupiers of the subject site and surrounding properties. These requirements are in addition to the need to publish a notice in the Whitehorse Leader and the Government Gazette and to notify specific Ministers and referral authorities.

At the end of the exhibition period Council will consider any submissions received about the Amendment and if necessary refer them to an independent panel appointed by the Minister for Planning. Following a public hearing, any panel will report back to Council and Council will then have to determine whether to adopt the Amendment. The Minister for Planning may then decide whether or not to approve the Amendment.

Melbourne Water has been consulted regarding the rezoning of part of the UFZ to GRZ5 and advised that it has no objection to an amendment to the UFZ boundary. No views from other referral authorities or any agencies have been sought in relation to this Amendment. If the Amendment is exhibited, the views of additional relevant agencies and public authorities will be sought during the exhibition stage of the Amendment process.

FINANCIAL IMPLICATIONS

The Amendment will have minimal financial implications for Council. The proponent has paid the initial fee for Council's assessment of the Amendment.

If the Amendment is authorised by Council to be prepared and exhibited, the proponent will be required to bear all subsequent costs and fees associated with the Amendment, including exhibition, consideration of submissions and Planning Panel costs.

9.1.1

(cont)

Council requested written receipt of agreement from the proponent to pay all costs prior to preparing the Amendment and lodging it with the Minister for exhibition. On 16 May 2017 Council received confirmation that the proponent will bear all future costs and fees associated with the Amendment.

POLICY IMPLICATIONS

The proposed Amendment will meet several strategic objectives in the Council Plan, including:

Strategic Direction 2: Maintain and enhance our built environment to ensure a liveable and sustainable city.

The proposed rezoning of the site will support this direction as it proposes to rezone land currently outside the Planning Scheme to a zone that allows the site to be developed for future housing. This supports and promotes greater housing diversity and housing stock in an established urban area, while the proposed DDO10 seeks to balance future development while respecting and responding to the landscape and natural environment.

Strategic Direction 5: Support a healthy local economy

The proposed rezoning to NRZ5 and GRZ5 will support this direction as it allows for the future development of residential uses. This will support the current local and broader economy through employment during the construction of a future development on the site.

CONCLUSION

The proposed rezoning of the land from Commonwealth Land to part Neighbourhood Residential Zone and part General Residential Zone is considered appropriate. The site is currently designated as Commonwealth Land however the Commonwealth of Australia disposed of the land approximately 14 years ago and the land was subsequently occupied by private landowners.


Therefore the Amendment will facilitate a rezoning that brings the site into the Planning Scheme and provides for the orderly development of the land into the future. Additionally, the Amendment will also facilitate a more suitable zone that considers the adjoining uses.

The rezoning will allow the future development of the site with uses that are consistent with its location. The rezoning will allow development that provides for a range of uses which complement the location adjacent to an existing residential area, the Morack Golf Course, Dandenong Creek environs and commercial uses fronting Burwood Highway.

The application of the DDO will provide design guidance for any future built form on the site, including landscaping and streetscape design, and transition to more sensitive land uses, including the existing residential development to the west, Morack Golf Course to the north and Dandenong Creek environs to the east. The application of the EAO will ensure any future sensitive use of the land will be suitably protected from potential contamination resulting from any former uses of the site.

It is therefore recommended that Council support the Amendment request as shown in Attachment 1, and seek authorisation from the Minister for Planning to prepare and exhibit the Amendment to the Whitehorse Planning Scheme.

ATTACHMENT

- 1 Amendment C193 documents 

9.1.2 104 - 168 Hawthorn Road, Forest Hill - Forest Ridge Development Plan

ATTACHMENT

SUMMARY

10 Consulting Group has lodged a development plan for the former ATV-0 Studio site at Forest Hill, as required under the Development Plan Overlay (Schedule 5) that applies to the land. If approved by Council the development plan will be used to guide future planning permit applications for each stage of the development and their assessment, and will exempt applications that comply with the development plan from the usual notice and review processes under the Planning and Environment Act 1987.

This report recommends that Council places the proposed development plan for the site on display for public comment for 14 days as required under the Development Plan Overlay.

RECOMMENDATION

That Council, having received a development plan at Attachments 2 - 4 for the former ATV-O site at 104 - 168 Hawthorn Road, Forest Hill as required under Clause 3.0 of Schedule 5 to the Development Plan Overlay:

- 1. Place the development plan on display for public comment for a period of 14 days.***
- 2. Request at the conclusion of the display period a further report be prepared and presented to Council on feedback received from the community.***
- 3. Pursue necessary changes to the development plan to address Council's concerns concurrent with display and consideration of community feedback on the development plan.***

BACKGROUND

Existing site

A Development Plan titled 'Forest Ridge Development Plan' has been lodged for the site at 104-168 Hawthorn Road, Forest Hill (refer Attachments 2 - 4). The site is approximately 9.04 hectares in area, with a frontage of 392 metres to Hawthorn Road and 89 metres to Springvale Road.

The site contains the former ATV Channel O Television Studios, which were constructed in 1963 on an original twenty acre site of a former apple orchard. The studio was officially opened on 1 August 1964. ATV-0 was the first station in Australia to broadcast in colour in 1967. The broadcast signal was changed to Channel 10 in 1978 and from 1980 became known as Network 10. After 30 years of operating in Forest Hill, ATV0 vacated the studio complex in 1992 and moved to premises in South Yarra.

The Nunawading complex has continued to be used for the production of particular Network 10 programmes, including the Neighbours television series, which has been produced and filmed at the Studios (currently leased by Fremantle Media) and the nearby Pin Oak Court, Vermont South.

9.1.2 (cont)

The site is currently zoned Residential Growth Zone Schedule 2 (RGZ2) and a Development Plan Overlay Schedule 5 (DPO5) applies to the site as outlined in Figure 1 below. The centre of the site which can be seen in Figure 2 below is currently occupied by the studios, which include an administration block and the studio, which is approximately 15 metres in height. The studios are surrounded by the scenery store, a large metal framed antenna and associated car parking. The site also includes a number of studio houses and film sets used for the filming of the Neighbours television series. Additionally, the site includes a 13 lot subdivision adjoining the southern boundary which was lodged prior to the approval of the DPO5 to the site in 2014 via Amendment C110 and was afforded subsequent transitional provisions. The subdivision was approved in 2015.

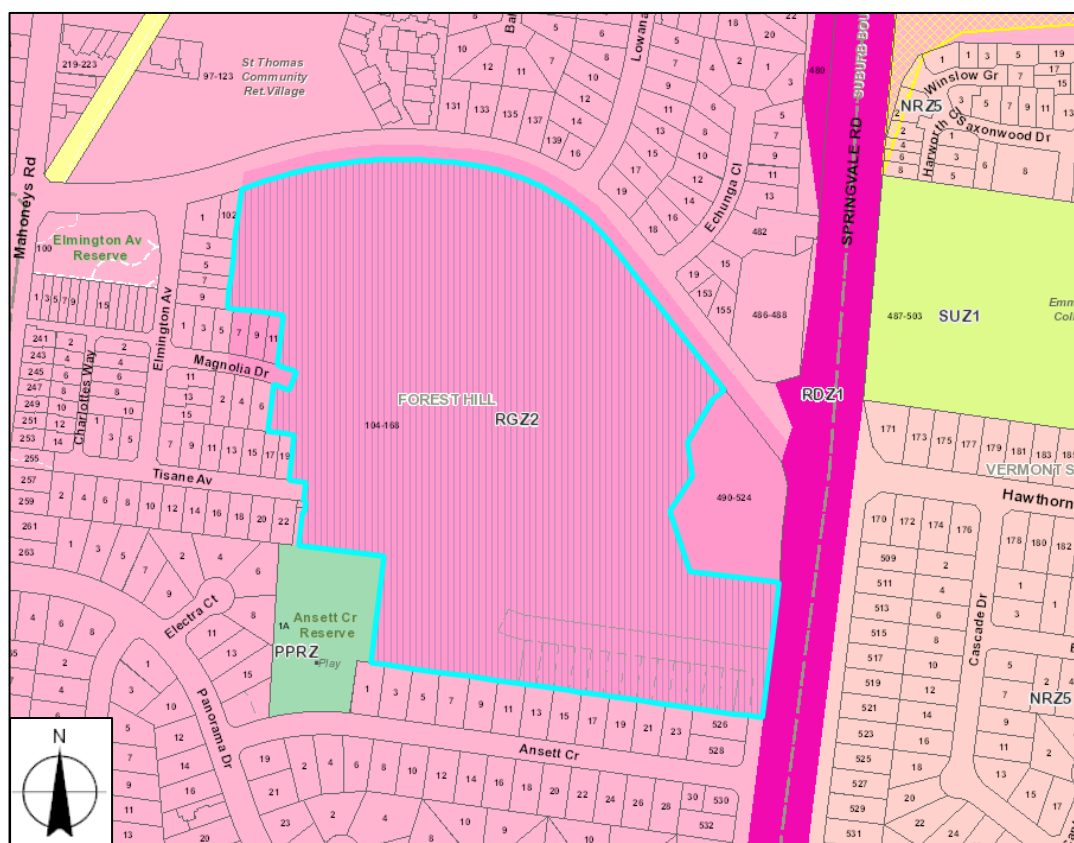


Figure 1 – Zoning

9.1.2 (cont)



Figure 2 – Aerial Image

Planning Scheme Amendment C157 (Part Two)

Amendment C157 (Part Two) to the Whitehorse Planning Scheme (Planning Scheme) proposed to include part of the subject site in the schedule to the Heritage Overlay (HO) as HO272 (refer Figure 3). At its meeting on 8 August 2016 Council resolved to submit the amendment to the Minister for Planning for approval. The Minister for Planning has informed Council of his decision to approve Amendment C157 (Part Two) with changes, including to reduce the extent of the Heritage Overlay (refer Figure 4) to the three main buildings, the administrative block, studio block and scenery store as well as the transmission tower. The amendment was formally gazetted into the Planning Scheme on 1 June 2017.

The proposed site specific heritage overlay that Council submitted to the Minister for Planning covered a rectangular shaped portion of the site, including a frontage with Hawthorn Road. The proposed extent of the HO is shown in Figure 3 below:

9.1.2
(cont)

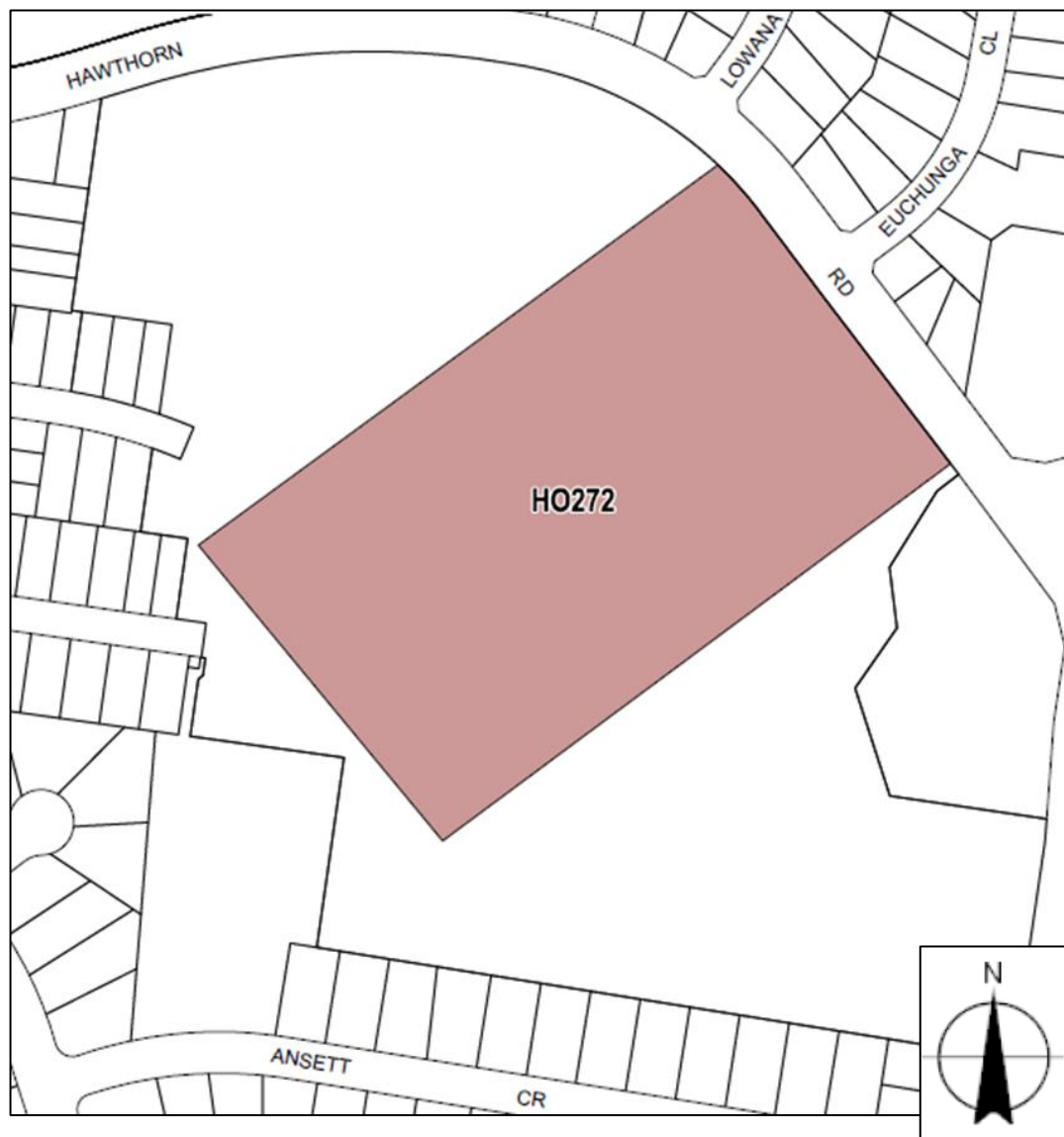


Figure 3 – Proposed Heritage Overlay C157 Part Two (as exhibited)

9.1.2
(cont)

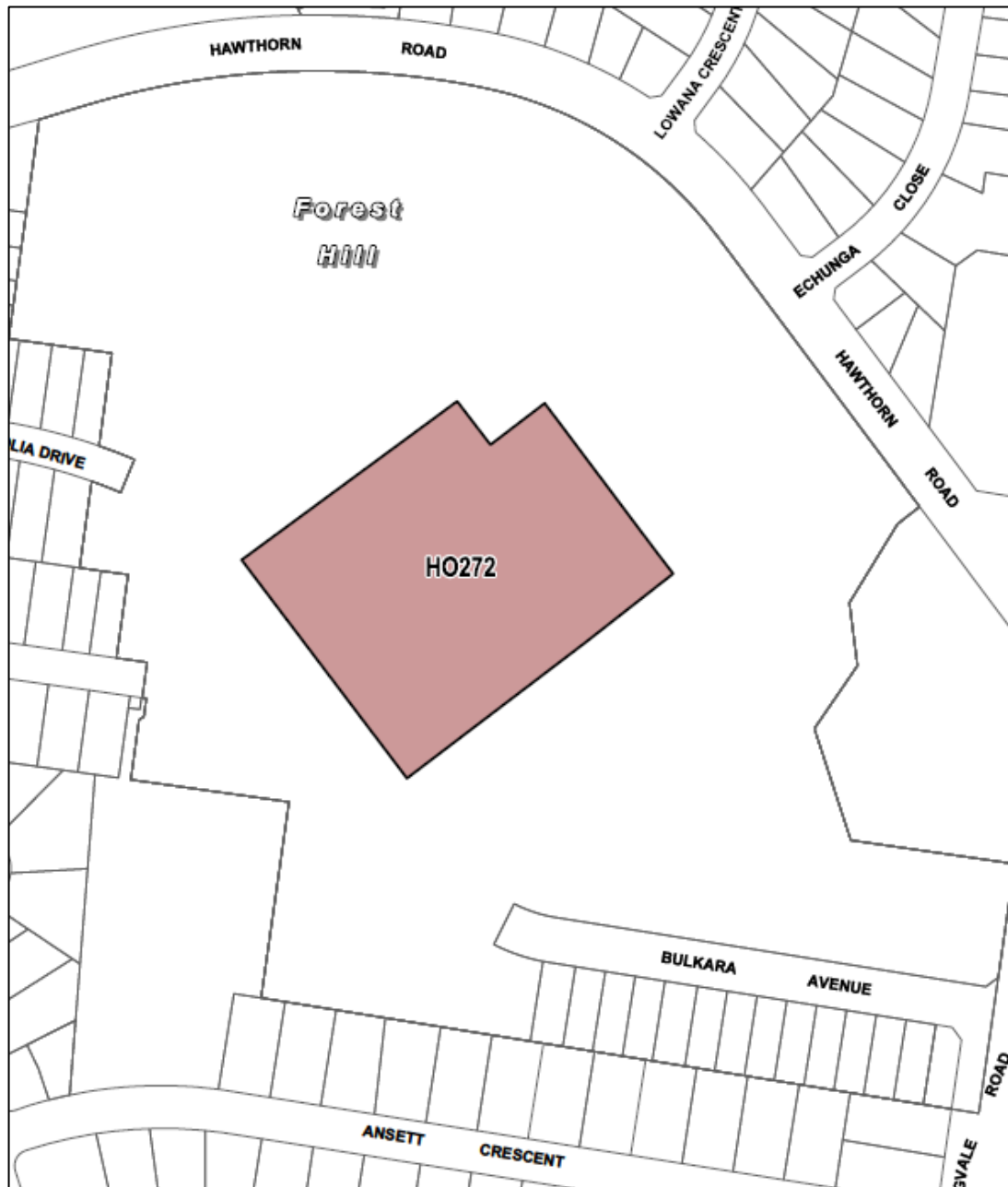


Figure 4 – Approved Heritage Overlay C157 Part Two

9.1.2 (cont)

Surrounding Development

The subject site is surrounded by primarily residential properties. The properties adjoining to the west of the subject site were previously developed by the current owner of the subject site, Bazem Pty Ltd. These properties were part of a 48 lot subdivision permit which was lodged with Council in 2004 and was subsequently approved by VCAT in 2006. The construction of these dwellings commenced in 2008 and was completed by 2015. The development is primarily two storey detached buildings, along with a small number of townhouses.

The site has direct access to Hawthorn Road and adjoins an existing medical centre to the east. The built form along Hawthorn Road is a traditional residential built form of one to two storey detached dwellings. Land abutting the southern boundary is used for housing, with generally a single storey built form.

The site has direct access to Springvale Road, which is a major arterial road managed by VicRoads.

Strategic Context

Tally Ho Activity Centre

The subject site was previously recognised as part of the Tally Ho Activity Centre, which is centred 550m south of the site at the intersection of Springvale Road and Burwood Highway. However, as part of Amendment C110 to the Planning Scheme the independent panel recommended that the site should be excluded from the Activity Centre on the basis of physical separation from the core of the Activity Centre.

Whitehorse Housing Strategy 2014

The site is identified as a substantial change area in the *Whitehorse Housing Strategy 2014* and within local policy 21.06 of the Planning Scheme. Substantial Change areas provide for housing growth with increased densities, including inside designated structure plan boundaries and opportunity areas, in accordance with the relevant plans as well as around most train stations, adjoining tram routes and around larger activity centres.

Planning Scheme Amendment C110

Amendment C110 implemented the *Tally Ho Major Activity Centre Urban Design Framework 2007* and the *Tally Ho Urban Design and Landscape Guidelines 2013* by amending the Local Planning Policy Framework at Clauses 21.05, 21.06, 21.07, 22.06 and 22.08 of the Planning Scheme.

The Amendment applied DPO5 to the site. The Amendment was on public exhibition from 13 March 2014 to 14 April 2014. A Planning Panel hearing was held on 12 and 13 August 2014 to consider all the submissions received in response to the exhibition.

Council considered the Planning Panel recommendations at its meeting on 8 December 2014 where it also resolved to adopt the Amendment. The Minister for Planning subsequently approved the amendment on 30 September 2015 and it came into effect on 22 October 2015 when the Amendment was published in the Victorian Government Gazette.

Development Plan Overlay Schedule 5 (DPO5)

DPO5 requires that a 'development plan' is prepared to the satisfaction of the responsible authority generally before a permit can be granted to use or subdivide land, remove or create easements, construct a building or construct or carry out works. A development plan may be prepared and implemented in stages.

9.1.2

(cont)

DPO5 specifies conditions and requirements for permits, and requirements for a development plan including the information that the plan needs to contain. The Development Plan will be primarily assessed against the requirements of Schedule 5 to the DPO (Attachment 1) and the decision guidelines at Clause 65 of the planning scheme.

Planning permits must be generally in accordance with the approved development plan. The development plan will therefore guide future planning permit applications for each stage of the development and needs to contain sufficient information for Council to assess these applications.

Planning permit applications that are generally in accordance with an approved development plan will be exempt from the usual notice and review processes under the *Planning and Environment Act 1987*. Hence the Development Plan needs to be carefully considered by Council before a decision is made whether to approve the Development Plan or not.

In order to assist Council in this process, Clause 3 in DPO5 requires the display of a development plan (or a substantial amendment to an approved plan) for public comment for a period of at least 14 days. Council must consider any comments received in response to display of the plan before making a decision whether to approve the plan. Therefore, in most instances, it is anticipated that display of the development plan will be the final opportunity for the community to make comment on the proposed development.

Request to Display Development Plan

The proposed Development Plan was lodged on 6 October 2016 by 10 Consulting Group on behalf of Bazem Pty Ltd for consideration by Council (Attachments 2 - 4). Since then officers have had a number of meetings and discussions with the applicant. This has resulted in updated documents and further information being resubmitted by 10 Consulting Group.

The Development Plan is proposed to be undertaken in five stages. The Development Plan before Council is for the majority of the site, while the central studio portion of the site will be subject to a separate development plan which is allowable under the DPO.

The Development Plan submitted comprises the following documents:

Development Plan Report (10 Consulting Group, May 2017), as shown in Attachment 2.

The Development Plan Report includes relevant background to the application with specialist inputs appended, including the following:

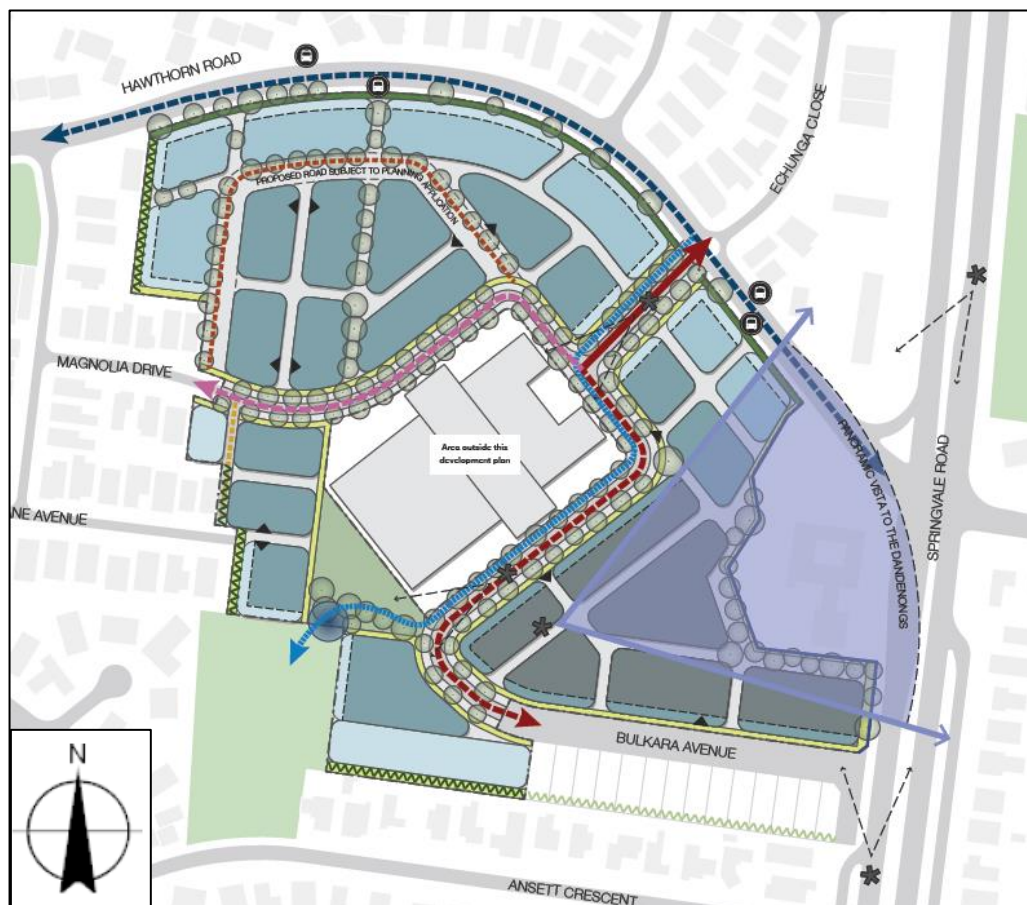
- Development Plan and Development Plan Guidelines – SJB Architects
- Movement Network and Conceptual Functional Layout Plans – GTA Consultants
- Landscape Concept Plans - SMEC

Supplementary Reports

- Attachment 3 -Forest Ridge -Development Plan Assessment -Transport Impact Assessment - GTA Consultants
- Attachment 4 – Former ATV 0 Television Studios - Heritage Advice –Bryce Raworth Pty Ltd.

The Development Plan is supported by a Design Response (Figure 5 below) that has been prepared by SJB Architects.

9.1.2 (cont)



MOVEMENT AND LINKS

- Access road - 19 meters
- Primary road - 16.5 meters
- Secondary road - 13 meters
- Ancillary road - 13 meters
- Laneway
- Existing bicycle route
- Primary shared pedestrian and bicycle link
- Vehicular access to basement car parking
- Community link to public open space
- Bus stop

INDICATIVE BUILT FORM

- 2 storeys
- 3 storeys
- 4 storeys
- 6 storeys

SETBACKS

- Ground level setback
- Landscaped setback
- Built form setback

LANDSCAPE AND OPEN SPACES

- Indicative street tree planting
- New public open space
- Planted interface
- Existing planted interface alignment

Figure 5 – Development Plan Concept

9.1.2

(cont)

The Development Plan proposes the following:

- The potential for 600- 700 dwellings;
- A built form of six storeys that transitions to two storeys at the sites edges where it interfaces with residential properties;
- An internal road system with the main access via a proposed roundabout on Hawthorn Road, along with a proposed left in left out access on Springvale Road;
- Public Open Space of 2,275m² in the south west corner of the site;
- A central driveway from Hawthorn Road that provides views into the site from Hawthorn Road;
- Proposed development envelopes to the frontage of the heritage studios and removal of later 1970's/80's addition to the building;
- A designated shared cycling/pedestrian path and pedestrian paths through the site;
- The opportunity to provide an active retail frontage to Springvale Road.

Preliminary review of the Development Plan is outlined in the Discussion below.

DISCUSSION

The Development Plan will be assessed by officers against the requirements of the DPO5 and the relevant requirements of the Planning Scheme following display of the plan for community comment.

Importantly, upon preliminary review of the Development Plan, there are some concerns that officers consider that the proponent ought to address for approval of the Development Plan:

Heritage

Council officers and Council's Heritage Advisor have concerns in regard to how the proposed Development Plan will impact on the significant heritage place. With the gazettal of the Minister for Planning's decision to reduce the extent of the proposed Heritage Overlay, officers have concerns in regard to the following:

- The proposed development of buildings up to four storeys in height in front of the studios that will constrict the views of the significant heritage place in its original setting; and
- There is a lack of detail at this stage as to how the proposed built form will be sympathetic to the heritage place.

Built Form

There is concern in regard to the Built Form proposed in the Development Plan. Officers have raised concerns with the applicant about the proposed six storey built forms and their extent in the Development Plan. Any development that is proposed to exceed the 13.5m discretionary height control of the RGZ2 requires significant justification. Officers consider that this strategic justification has not been addressed in the Development Plan.

Officers have concerns with the proposed four storey interface with existing residential properties to the west and consider that a 2 storey transition should be incorporated into the Development Plan to provide an appropriate height transition. Additionally, a six storey built form fronting Springvale Road is of concern. Officers consider a more appropriate response would be a more generous setback to Springvale Road with a four storey built form.

Further, it is considered that the proposed built form setback along Hawthorn Road is inadequate. The Development Plan proposes a 3.5m setback; Officers consider this to be an unacceptable response and seek a greater setback.

Landscaping

Officers also consider that the DPO5 requires more information about existing trees onsite. The Development Plan should be updated to provide this information and provide commentary for greater consideration of tree retention measures on site.

9.1.2

(cont)

Transport

Officers consider that further demonstration and commentary is required to detail how the proposed pedestrian and cycle links will integrate with the surrounding network. Further, the Development Plan should be updated to clearly reflect that there will not be vehicular access onto Hawthorn Road, other than the one major access point at the proposed roundabout.

Community Infrastructure

The proposed Development Plan estimates the potential for 1500-1800 new residents. Officers consider that this additional anticipated population warrants the provision of a community infrastructure assessment to determine the impacts on surrounding facilities and services, and the need for any additional community infrastructure.

Future Public Asset Responsibilities and Agreements

There are various agreements under section 173 of the *Planning and Environment Act 1987* that may be required. Agreements may be needed in relation to responsibility for future public assets such as:

- Roads, traffic management and transport infrastructure;
- Public open space and related infrastructure;
- Stormwater management;
- Street trees;
- Any new community infrastructure that may be needed;
- Staging (e.g.: delivery of key infrastructure and handover of responsibilities); and
- Maintenance agreements / Asset management.

The applicant has not detailed who will take on a number of asset management responsibilities. Decisions are yet to be made on future responsibility for any assets and infrastructure which requires detail on the development with future planning permit applications.

CONSULTATION

As noted above, the DPO5 requires display of a Development Plan (or a substantial amendment to an approved plan) for public comment for a period of 14 days. Council must consider any comments received in response to display of the plan before making a decision whether to approve the plan (or amendment to an approved plan).

The following community engagement program is proposed:

- Consultation period of at least 14 days;
- Notification via the Council web site, mail out to landowners and occupiers in the local area and to stakeholders, agencies, local shopping centres and interested persons;
- Whitehorse Leader advertisements in consecutive editions during the consultation period;
- Notices on the site;
- Documents on display at Council's service centres, libraries in Whitehorse, and on the Whitehorse web site;
- Feedback captured via written submissions.

FINANCIAL IMPLICATIONS

Community consultation expenses will be recouped from the applicant. To date, internal officer expertise has been committed from all divisions across Council to review the Development Plan.

Ongoing internal officer input will be required to finalise and approve the Development Plan and to assess future planning permits and building and works approvals. Resourcing required for future planning permit approvals will be partly offset by notice exemptions in the DPO.

9.1.2

(cont)

There will be future cost implications to Council if it assumes ownership and / or responsibility for future maintenance and management of any public infrastructure on the site. This would include ongoing operational budget for maintenance and management of matters such as open space, roads, drains, lighting, potential stormwater treatment, street trees, and waste collection, as well as capital works into the future to improve and replace public assets. Further detail on the development during subsequent planning permit applications is needed to estimate these costs.

The applicant has not detailed who will take on future ownership and maintenance of assets and officers will be progressing discussions with the applicant to finalise these arrangements.

Infrastructure needed for the development will be provided or required as part of the development at the proponent's cost.

POLICY IMPLICATIONS

The *Council Plan 2016 - 2020* and relevant Council strategies have all informed Council's approach to the future of this strategic development site.

The Development Plan is consistent with *Strategic Direction 2* in the Council Plan which seeks to maintain and enhance our built environment to ensure a liveable and sustainable city. In particular *Strategy 2.1.4* is to support and promote greater housing diversity balanced with preserving the heritage, landscape, cultural and natural environments.

Key relevant policies in the Planning Scheme include:

- Clause 21.04 Strategic Directions includes the site as a Strategic Redevelopment Site;
- Clause 21.06 Housing includes the site as substantial change.

CONCLUSION





A Development Plan has been prepared by 10 Consulting Group on behalf of the site owner Bazem Pty Ltd, as required under Clause 43.04-1 of the DPO. Clause 3.0 of Schedule 5 to the DPO requires that the Development Plan be placed on display for public comment for a period of 14 days.

Council officers have undertaken a preliminary review of the proposed Development Plan in line with the DPO5 and the Planning Scheme. Council officers have some initial concerns, as outlined in this report, about some elements of the Development Plan, however, it is considered that the Development Plan can advance to display for public comment.

Concurrent with display of the Development Plan and consideration of any community feedback received, Council officers will continue to review the Development Plan and pursue any necessary changes to the document to address concerns, and progress, as appropriate, discussions with 10 Consulting Group Pty Ltd in relation to future agreements on the provision of and responsibility for public infrastructure.

It is therefore recommended that Council resolve to place the Development Plan for the site on display for the requisite comment period and pursue the necessary changes as outlined in this report.

ATTACHMENT

- 1 Development Plan Overlay Schedule 5 
- 2 Forest Ridge Development Plan May 2017 
- 3 GTA Traffic Impact Assessment 
- 4 Heritage Advice - Bryce Raworth 

9.1.3 Review of Heritage Assistance Fund

SUMMARY

A review of the Whitehorse Heritage Assistance Fund has been undertaken as a result of a Council resolution on 13 February 2017. This report discusses the background to the Heritage Assistance Fund and the review which has been undertaken.

As a result of the review amendments are proposed to the funding criteria which have been considered by the Whitehorse Heritage Steering Committee.

RECOMMENDATION

That Council:

- 1. Notes the report.***
 - 2. Authorises Officers to update the Heritage Assistance Fund eligibility criteria in line with the recommendation from the resolution dated 13 February 2017 and this report.***
-

BACKGROUND

The Whitehorse Heritage Assistance Fund (HAF) commenced in 2005. The fund was created following an investigation into heritage incentives, to relieve the actual or perceived burden of owning a property within the Heritage Overlay in Whitehorse. The fund was created to encourage the preservation of properties by providing financial assistance towards maintenance costs associated with a owning a significant heritage property.

Since the fund began in 2005, Whitehorse City Council has undertaken an additional five heritage studies. These studies were implemented through five separate planning scheme amendments to the Whitehorse Planning Scheme (Planning Scheme) and are summarised below:

- Amendment C74 - City of Whitehorse Individual Properties Review 2006: Gem of Box Hill, Courthouse Estate & Mates Housing Estate, and Windsor Park Estate & Elmore Houses, Blackburn (HLCD Pty Ltd). Resulted in 32 individual and 1 precinct (8 properties) being included in the Heritage Overlay;
- Amendment C129 - William Street Precinct Report 2010 (HLCD Pty Ltd). Resulted in 1 precinct (9 properties) being included in the Heritage Overlay;
- Amendment C140 - City of Whitehorse Heritage Assessments 2010 (HLCD Pty Ltd). Resulted in 28 individual places and 1 precinct (5 properties) being included in the Heritage Overlay;
- Amendment C157 - Whitehorse Heritage Review 2012 (Coleman Architects Pty Ltd). Resulted in 29 individual places and 3 precincts (271 properties) being included in the Heritage Overlay. Part Two of the amendment seeking to apply a Heritage Overlay to one (1) individual place has been approved by the Minister for Planning with changes. However, Part Two of the amendment has not been formally gazetted into the Whitehorse Planning Scheme as of this report.
- Amendment C172 – City of Whitehorse Post-1945 Heritage Study 2014 (Built Heritage Pty Ltd). Resulted in 16 Individual places and 2 precincts (14 Properties) being included in the Heritage Overlay.

These five planning scheme amendments have resulted in an additional 412 properties being included on the Heritage Overlay, which has brought the total number of properties covered by the Heritage Overlay in the Planning Scheme to 1325 places.

Since 2005, the HAF has had ongoing financial commitment from Council. The HAF has had two funding increases from the original \$10,000 in 2005/2006. The first funding increase was in 2006/2007 which saw a \$5,000 increase to \$15,000 in total. The second increase was \$10,000 in 2012/2013 which increased the total funding to \$25,000.

9.1.3

(cont)

While the funding has increased, property owners or grant applicants are expected to contribute financially to the cost of the project for which they are applying. Accordingly, each application can seek funding of up to 80 per cent of the total cost of the project, with the maximum grant per application being \$1000. A summary of the HAF since 2005/2006, which details the successful applications and the financial level of assistance from Council is provided below:

Financial Year	Total Applications	Successful applications	Council Allocated Funds
2005/2006	14	12	\$10,000
2006/2007	19	17	\$15,000
2007/2008	18	15	\$15,000
2008/2009	41	25	\$15,000
2009/2010	22	18	\$15,000
2010/2011	40	17	\$15,000
2011/2012	37	16	\$15,000
2012/2013	42	30	\$25,000
2013/2014	37	26	\$25,000
2014/2015	39	28	\$25,000
2015/2016	33	24	\$25,000
2016/2017	48	22	\$25,000
Total	390	250	\$225,000

Over twelve years, the HAF has provided \$225,000 in funding to support 250 applications from individuals, community groups and organisations in their endeavours to maintain properties of heritage significance in the municipality.

Since its inception the awareness and popularity of the HAF has grown significantly. In the 2016/2017 financial year, Council received its most applications for the HAF with 48 being lodged. Of the successful 22 applications, the total value of the works quoted was \$201,283.

At the Special Committee meeting on Monday 13 February 2017, Council resolved the following motion to review the Heritage Assistance Fund:

Item 7.1 – Review of Heritage Assistance Fund

1. Refer to the 2017/18 budget process an increase in the Heritage Assistance Fund to \$40,000 per annum.
2. Increases the maximum assistance available to \$2,000 per heritage application.
3. Increases the maximum contribution up to 100% of the proposed project subject to Council's discretion.
4. Refers the funding conditions to the Heritage Committee for review and receive a report back from the Heritage Committee by June 2017.

Officers referred the motion to the Whitehorse Heritage Steering Committee for discussion.

9.1.3

(cont)

DISCUSSION

The Whitehorse Heritage Steering Committee met on the 18th April 2017 to discuss the motion that was resolved at the Special Committee meeting on Monday 13 February 2017.

The committee discussed the potential implications of the proposed motion and agreed that it would not have a significant impact on the HAF assessment process. The Whitehorse Heritage Steering Committee supports the motion to increase the maximum assistance from \$1,000 to \$2,000 and to increase funding up to 100% of each application, subject to Council's discretion. The committee considered that these changes would further encourage and assist property owners with the maintenance and enhancement of their heritage properties.

The committee also noted that the motion would only require minor alterations to Council's current HAF assessment criteria and application process. The HAF applications are internally assessed against standard eligibility criteria and include criteria such as heritage significance of building/property, demonstrated need for the project, location, method and appropriateness of works along with procedural requirements such as providing cost estimates for the proposed works.

If an application meets the required eligibility criteria it is then progressed to a further detailed assessment. All applications are assessed individually and given a score against the assessment criteria. These applications are then compiled and a funding recommendation is presented to the Whitehorse Heritage Steering Committee. The committee reviews all applications and provides a funding recommendation to the General Manager City Development for approval.

CONSULTATION

As noted above the motion was referred to the Whitehorse Heritage Steering Committee, who supported the motion in full. The Draft budget is currently on public exhibition with a report due back to Council on Tuesday 13 June 2017. Therefore the community has the ability to be engaged on the funding increase through the annual budget process. As of this report, it is not known if there were any submissions about the increase in HAF funding.

FINANCIAL IMPLICATIONS

It is considered that no additional staffing resources will be required to administer the proposed changes to the HAF. However, Council will incur future costs associated with increasing the HAF from \$25,000 to \$40,000 per annum. If the 2017-18 budget is approved these costs will be covered by the budget.

POLICY IMPLICATIONS

The proposed increase of funding, maximum assistance and maximum contribution subject to Council's discretion for the HAF supports Strategic Direction 2 of the Council Plan 2016-2020 which is to maintain and enhance our built environment to ensure a liveable and sustainable city by ensuring that significant buildings are preserved.

CONCLUSION

The motion raised at the Special Committee meeting on Monday 13 February 2017 is supported by Council Officers and the Whitehorse Heritage Steering Committee. The items in the motion will provide further incentive for owners of properties in the Heritage Overlay to maintain and enhance these significant buildings. Increasing the funding of HAF will potentially allow for Council to support more property owners and fully fund vital maintenance works.

It is recommended that Council note the report and that officers update the HAF eligibility criteria for 2017/2018 in line with the recommendation from Council's resolution dated 13 February 2017.

Engineering and Environmental

9.1.4 Tender Evaluation (Contract 20041) 836-850 Whitehorse Road, Box Hill

SUMMARY

To consider tenders received for the streetscape renewal works adjacent to 836-850 Whitehorse Road, Box Hill and to recommend acceptance of the tender received from The Trustee for The GP Bluestone Unit Trust, trading as GP Bluestone, for the amount of \$663,479.62, including GST.

RECOMMENDATION

That Council accept the tender and sign the formal contract document for Contract 20041 – 836-850 Whitehorse Road, Box Hill received from The Trustee for The GP Bluestone Unit Trust (ABN 21 664 700 435), of 8A Epson Street, Laverton, Victoria 3028, trading as GP Bluestone, for the tendered amount of \$663,479.62, including GST.

BACKGROUND

In recent years, Council has completed streetscape renewal works within the State Government designated Metropolitan Activity Centre (MAC) of Box Hill. These works have focused on key locations within the MAC to ensure Box Hill users are provided with accessible, functional, comfortable and sustainable public spaces. The proposed streetscape renewal works adjacent to the development site at 836 - 850 Whitehorse Road, Box Hill will support an expected increase in pedestrian traffic once the development is completed.

The proposed streetscape renewal works use the Box Hill Structure Plan (2007) and Box Hill CAA Urban Landscape Design Guidelines (2011) as the base for their design. These strategies define a standard of quality, style and consistency in public realm treatments within the MAC.

The renewal works, as per previous streetscape renewals in the MAC, incorporate bluestone paving, granite feature paving and street furniture. Further to this, street tree planting, some exposed aggregate paving and streamlined planter boxes have been incorporated into the streetscape design. Five street trees are to be removed as part of these works and are to be replaced with five new street trees that are better suited to the urban environment and site context. An existing Yarra Valley Water water main located along the Whitehorse Road frontage of the development site requires relocation as requested by Yarra Valley Water, to provide for the construction of the planter boxes as part of the streetscape works.

The works provide a mutual benefit for Council and the development site, in that a high quality and consistent streetscape treatment will be constructed in this part of the MAC as an overall precinct development. The treatment includes a significant contribution by the development group that will satisfy several Planning Conditions relating to the streetscape. The works are proposed to be completed in stages to accommodate for building occupancy.

9.1.4

(cont)

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 8 April 2017 and were closed on Wednesday 3 May 2017. A total of seven (7) tenders were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Tenderers experience in provision of similar services;
- Quality of Tenderers Work;
- Proposed construction methodology;
- Availability of tenderer to complete the works; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

The tender submissions were evaluated using a weighted averages method, equal opportunity and OHS were assessed on a Pass/Fail basis. The results of the assessment are summarised in the attached Tender Evaluation Form.

The Trustee for The GP Bluestone Unit Trust is the recommended tenderer for this Contract and has been ranked the highest in the Evaluation Matrix. It has proven, extensive experience including the use of significant quantities of bluestone paving on past projects, and demonstrated it can complete the works to a high standard and within the specified timeframe. References in relation to previous projects it has worked on were excellent, with high quality projects being delivered for Citywide, the City of Melbourne and the City of Whitehorse in the past.

The recommended Tenderer has included a suitably qualified Contractor as part of their Tender to complete the relocation of approximately 30 metres of a Yarra Valley Water water main, as requested by Yarra Valley Water. The developer has agreed to pay the total costs for the water main relocation as part of their streetscape upgrade contribution to Council.

The development group are providing a significant contribution towards the completion of the streetscape works which essentially allows for the upgrade of this portion of streetscape sooner than Council would otherwise undertake. This contribution will go towards a superior palette of materials and reinforce Council's commitment and priority in providing streetscape treatments within the MAC that are consistent with strategies and principles supporting Box Hill as a Metropolitan Activity Centre.

The tender received from The Trustee for The GP Bluestone Unit Trust is considered to be the best value for money for this Contract.

CONSULTATION

This project has been developed in consultation with representatives from the development group of 836-850 Whitehorse Road, Box Hill. Internal stakeholders from the Planning and Building Department, CityWorks and ParksWide Departments have also been consulted throughout the design and its development.

External stakeholders including VicRoads and Yarra Valley Water have also been consulted.

Premises in near proximity to the works will be advised in writing of the proposed works and expected impacts of construction before works commence.

9.1.4

(cont)

FINANCIAL IMPLICATIONS

A standard business viability assessment of the preferred tenderer has been considered.

This project will be part funded by the adjacent development by way of a contribution towards the streetscape upgrade works.

	Budget	Expenditure
Developer Contribution as per Condition 38 of Permit WH/2014/763 (Amended) in relation to the requirements of the 173 Agreement	\$ 490,385	
2014-49 Box Hill CAA (2017/18 Draft Budget)	\$ 250,000	
Total Budget	\$ 740,385	
Preferred tenderer's lump sum offer (including GST)		\$ 663,480
Less GST		- \$ 60,316
Net cost to Council		\$ 603,164
Developer Contribution to Contingencies		\$ 36,000
Plus Council Contribution to Contingencies		\$ 24,316
Plus Project Management Fee (Council Cost)		\$ 60,316
Tree removal and planting		\$ 10,000
Sub Total		\$ 694,630
Plus Expenditure to date (T813)		\$ 13,217
Total Expenditure		\$ 720,579

9.1.5 Laneway 302 (Between 134 and 136 Canterbury Road, Blackburn South) – Road Required for Public Use and to be Open to Public Traffic

FILE NUMBER: 52/07/302

SUMMARY

The purpose of this report is for Council to give notice of its intention to declare, by resolution, that the laneway known by Council as Laneway 302 (located between 134 and 136 Canterbury Road, Blackburn South) is a road that is reasonably required for public use and is to be open to public traffic.

RECOMMENDATION

That Council, in accordance with section 204(2) of the Local Government Act 1989 (LGA), and every other power given to Council enabling it to:

- 1. In accordance with sections 207A(c) and 223 of the LGA, directs that public notice be given in the Whitehorse Leader newspaper and published on Council's Internet website of 'the intention of Council to declare, by resolution, at its ordinary meeting to be held on 26 June 2017 that the road known by Council as Laneway 302 is reasonably required for public use and is to be open to public traffic' (road). (The road is located between 134 and 136 Canterbury Road, Blackburn South and is shown set aside or appropriated as a road on plan of subdivision LP31183 lodged at the Land Titles Office on 9 August 1955).*
- 2. Directs that separate letters enclosing a copy of the public notice be sent to the persons who are the owners and occupiers of the properties in and around the area which generally surround the road, including the owners and occupiers of the properties adjoining the road (and including the owner and occupier of 136 Canterbury Road, Blackburn South who has entered into occupation of a part of the road), advising of Council's intention to declare, by resolution, that the road is reasonably required for public use and is to be open to public traffic.*
- 3. In accordance with section 223(1)(b)(i) of the LGA directs that a Committee of Council is to hear any persons who in their written submissions under section 223 of the LGA have requested that they be heard in support of their submissions and appoints and authorises Councillors Munroe and Massoud (or their appointed nominees, so long as they are serving Councillors) to be members of the Committee that is established by Council to hear any persons who in their written submissions under section 223 of the LGA have requested that they be heard in support of their submissions.*
- 4. Authorises the Manager of Engineering and Environmental Services or the person for the time being acting in that position to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 207A(c) and 223 of the LGA.*

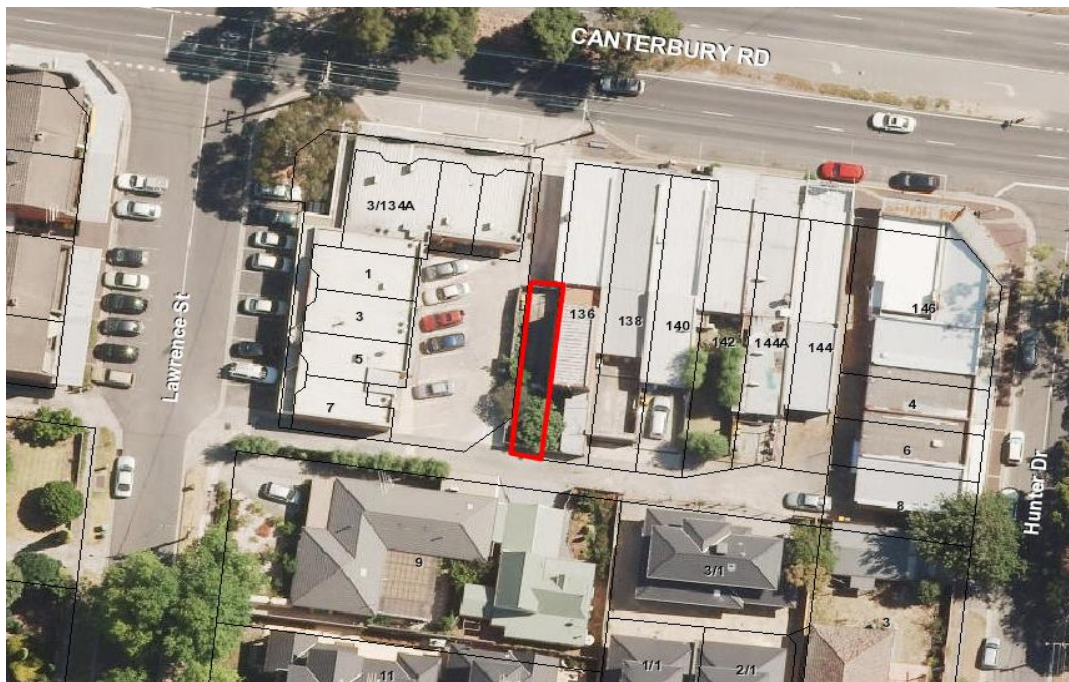
BACKGROUND

This report relates to the unconstructed laneway that is referred to and known by Council as Laneway 302 (the **laneway** or the **road**). The relevant section of laneway is located between 134 Canterbury Road and 136 Canterbury Road, Blackburn South and is shown set aside or appropriated as a road on plan of subdivision LP31183 lodged at the Land Titles Office on 9 August 1955.

9.1.5 (cont)

The property owner and occupier of 136 Canterbury Road have without permission from Council constructed a fence that encloses a section of the laneway. The fence is for the full width of the laneway which is 3 metres and approximately 18 metres long from the rear boundary of 136 Canterbury Road. The fence is a paling timber fence with steel access gates at each end. The fence blocks through access through and along the laneway.

The section of laneway that is enclosed is shown in red on the image below.



Currently vehicles and pedestrians wanting to have access between 134 and 136 Canterbury Road are traversing across the car park at the rear of 134 Canterbury Road, which is private property. The occupation of the laneway also restricts the car parking that can be provided at the rear of 134 Canterbury Road. The fact that the laneway is blocked means that vehicles that turn into the laneway may have to reverse out into Canterbury Road if they cannot access through the private car park at the rear of 134 Canterbury Road.

DISCUSSION

The status of the laneway is that it is classified by Council as an 'unconstructed' road. It has not been constructed to Council's standards and therefore it is not registered as a public road on Council's register of public roads under the Road Management Act 2004, although it nonetheless may be (and is presently considered by Council to be) a public highway within the meaning of the Local Government Act 1989 (**LGA**) and the common law (primarily based on past usage by the public). In these circumstances, and whether or not the road is a public highway, Council assumes no responsibility for the inspection, repair or maintenance of such roads because Council's current policy is that it does not ordinarily maintain unconstructed roads throughout the municipality.

However, and whether or not the laneway is already a public highway, it is still considered that the laneway is a 'road'. This is because it is and remains shown as set aside or appropriated as a road on plan of subdivision LP31183 lodged at the Land Titles Office on 9 August 1955. As such, the laneway is considered to be and remain under the discretionary care, management and control of Council. It is Council's present position that all of the properties which adjoin the road, and members of the public generally, have a lawful right to use the whole of the road. On this basis, it is considered that the road cannot, without the permission and authority of Council, be lawfully obstructed so as to limit, restrict or prevent any rights of access, vehicular or pedestrian, over and along the road.

9.1.5

(cont)

Section 204(2) of the LGA provides that, "A Council may, by resolution, declare a road that is reasonably required for public use to be open to public traffic."

It follows that, if Council is ultimately able to form the view that the road is "reasonably required for public use" and should be "open to public traffic", then Council has the power to make a declaration to this effect.

Assuming the road is not already a public highway, the making of such a declaration by Council does not, of itself, make the road a public highway. This means that, in the future and if through changed circumstances, Council were to form the view that the road is no longer "reasonably required for public use" and should no longer be "open to public traffic", then Council would have the power to pass another resolution so as to give effect to this view, without the need to commence a separate statutory process to formally discontinue the road.

CONSULTATION

On 24 October 2016 (and following the request of some property owners of 134 Canterbury Road), Council sent a consultation letter and survey to 43 property owners and occupiers in and around the local area asking whether or not they supported a proposal to open the section of the laneway that is occupied.

A total of 21 responses were received (49% response rate), with 67% supporting the proposal, and 33% opposing the proposal.

If Council adopts the recommendations in this report, the 43 property owners and occupiers in and around the local area will be sent a notice from Council advising of Council's intention to declare, by resolution, that the laneway is reasonably required for public use and is to be open to public traffic.

A public notice would also be published in the Whitehorse Leader newspaper and on Council's Internet website. Persons may make a written submission to Council (under sections 207A(c) and 223 of the LGA) and they have a right to be heard in support of their submission by a Committee of Council appointed for that purpose. It is recommended that the Ward Councillors, Cr Munroe and Cr Massoud, be appointed as the members of the Committee to hear any submissions.

Council would then need to formally consider any submissions which are received and any report of the Committee hearing submitters before a final decision is made by Council at a subsequent meeting of Council.

FINANCIAL IMPLICATIONS

If approval is given to open the laneway to public traffic, Council will take steps to require the property owner of 136 Canterbury Road to remove the fencing and gates from around the enclosed and occupied land and obstructions from the land, failing which Council will take such steps itself at the cost of the property owner of 136 Canterbury Road utilising other powers available to Council under the LGA.

Council would need to fund from its Operational Budget the administrative and legal costs associated with the declaration and the opening of the laneway, estimated to be approximately \$12,000. Council is advised that the property owner of 136 Canterbury Road may seek to claim the occupied section of road by adverse possession and this could lead to a legal dispute between Council and the property owner.

9.1.6 Review of Council's Road Management Plan

SUMMARY

The purpose of this report (review report) is to summarise and present to Council the results of the review of Council's Road Management Plan as required by section 54(5) of the Road Management Act 2004 and Division 1, Part 3, of the Road Management (General) Regulations 2016. It is recommended that the findings and conclusions of the review, as set out in this report, be adopted by Council and that a subsequent amendment of the Road Management Plan proceeds in accordance with the results of the review. This report, following adoption by Council, constitutes the review report required by regulation 9(2) of the Road Management (General) Regulations 2016..

RECOMMENDATION

That Council:

- 1. In accordance with the requirements of section 54(5) of the Road Management Act 2004 and Division 1, Part 3, of the Road Management (General) Regulations 2016 in relation to the review of Council's Road Management Plan, Council hereby adopts the findings and conclusions of the review of Council's Road Management Plan, as set out in this report.***
 - 2. That, as a result of the review, Council proceeds to commence the separate and further statutory process to amend its Road Management Plan in accordance with the findings and conclusions of the review, including any other amendments (subject to Council's further consideration) that may result from the further public consultation process to be undertaken by Council, or from any other comments and recommendations made by Council departments or other relevant stakeholders.***
 - 3. The findings and conclusions of the review, as set out in this report, be made available for copying or inspection at the place where the Council's Road Management Plan may be inspected or obtained in accordance with section 55(1)(b) of the Road Management Act and on the Internet site maintained by Council.***
-

BACKGROUND

The Chief Executive Officer, acting under delegated authority pursuant to section 98(1) of the Local Government Act 1989, and in accordance with the requirements of section 54(5) of the Road Management Act 2004 and Division 1, Part 3, of the Road Management (General) Regulations 2016 (and in particular regulations 8 and 9) (the **Regulations**) in relation to the review of Council's Road Management Plan directed that the process to conduct a review of Council's Road Management Plan be commenced (the **review**) on 15 March 2017, and completed by 30 June 2017.

It is no longer a statutory requirement for Council to give public notice of the proposed review or to invite submissions from the public in relation to the review.

Council adopted its first Road Management Plan in October 2004, and also approved the Public Roads Register (which lists all the roads throughout the municipal district which Council considers are "reasonably required for general public use", and which are subject to the requirements specified in the Road Management Plan), in accordance with the requirements of Division 5 of the Road Management Act 2004.

Council adopted its current Road Management Plan on 17 August 2015 after reviewing the 2009 version of the Road Management Plan.

9.1.6

(cont)

The Roads Register has, since its first adoption by Council, had six revisions that have been adopted by the Manager Engineering and Environmental Services under delegation, dated 20 January 2005, 3 February 2006, 14 October 2006, 17 November 2006, 19 February 2010 and 16 October 2013 respectively.

The Road Management Plan provides Council with a legal “Policy Defence” in civil liability against claims of negligence or breach of statutory duty arising from the standard and condition of the roads and road related infrastructure that are under Council’s administration. In short, the Road Management Plan details how, and by what standards and priorities, Council will inspect, repair and maintain its public roads in the context of available budgetary and other resources.

Council’s insurers undertake an annual risk assessment and audit of Council operations in relation to Public and Professional Liability and the results influence Council’s insurance premiums. Council’s Road Management Plan and compliance with the Plan is included in these assessments by Council’s insurers.

The purpose of the review is to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and road related infrastructure to which the Plan applies are appropriate.

Appropriate Council departments and other stakeholders have been consulted and the review has now been completed. Following the review, this report is presented to Council for noting and adoption. The report outlines the results of the review and provides recommendations to Council on amendments to the Road Management Plan.

This report otherwise constitutes – and is presented to Council as – the written report summarising the findings and conclusions of the review now undertaken in accordance with the requirements of the Regulations (**review report**).

Following the review and Council’s adoption of the review report, Council, subsequently and under a separate statutory process, will be requested to proceed to amend its Road Management Plan.

DISCUSSION

Process and procedure

In accordance with the Road Management Act and the Regulations, there are a number of matters Council must do, and then subsequently may do, following the review of the Road Management Plan.

- First, Council must produce a written report (being this Council report and being the report which also constitutes the review report) summarising the findings and conclusions of the review, and make the review report available for copying or inspection at the place where the Road Management Plan may be inspected or obtained in accordance with section 55(1)(b) of the Road Management Act and on the Internet site maintained by Council.
- Secondly, Council may then decide to amend the Road Management Plan. Amendments that are recommended to Council may come from this review, the public consultation process required to be undertaken by Council when amending the Plan, or from comments and recommendations made by Council departments or other stakeholders, or a combination of all of these. The amendment of the Road Management Plan is a separate statutory process from the review which is the subject of this review report. The proposed detailed amendments of the Road Management Plan will be presented to Council in a further report and this will require the giving public notice and a consideration of any submissions (because the review report recommends to Council that Council amend its Road management Plan in a manner that requires the giving of public notice under regulation 10).

9.1.6

(cont)

Report summarising findings and conclusions of review

The results of the review of the Road Management Plan and the recommended changes are summarised as follows:

- Update references to Council's current Asset Management Policy and Strategy.
- Update references to the current Council Plan.
- Update information relating to setting levels of service and how this relates to previous Best Value Service Reviews.
- Update information relating to the performance management and internal auditing process including reviewing the audit timeframes.
- Update the section on 'Standards for Construction, Expansion, Upgrade, Renewal and Refurbishment' to include references to all relevant standards including Council standards, Austroads guidelines, Australian Standards and VicRoads standards.
- Update information relating to Occupational Health and Safety.
- Reference Council's Risk Management Strategy and include relevant claim forms.
- Update information relating to Council's budget for road funding.
- Revise the standards of maintenance for various Council infrastructure assets such as roads and footpaths, including inspection frequencies, in order to ensure that the standards (while still considered to be reasonable) are in fact attainable, having regard to the resources which Council has allocated (and will continue to allocate) to the fulfilment of Council's road management functions.

This report and review meets the compliance requirements of the Road Management Act and the Road Management (General) Regulations 2016 for Council to review Council's Road Management Plan by 30 June 2017.

Subject to acceptance of this review report by Council, a further report will be presented to Council recommending the detailed changes to the Road Management Plan which are required to give effect to the findings and conclusion of the review. This will then require the commencement of a separate statutory process, including the giving of public notice and a consideration by Council of any public submissions received.

It is recommended that Council notes and adopts the findings and conclusions of the review of the Road Management Plan as set out above and that it adopts this report as the review report for the purposes of regulation 9(2) of the Regulations.

CONSULTATION

Relevant Council Departments were consulted as part of the review.

FINANCIAL IMPLICATIONS

The type of road assets and the inspection, maintenance and repair standards included in the Road Management Plan directly relate to Council budget allocations as well as acceptable, appropriate and reasonable standards of safety, asset management, levels of service and risk minimisation strategies. Budgetary and resource implications were also taken into account as a part of the review, insofar as they determine the standards of inspection, maintenance and repair which are being recommended to Council.

POLICY IMPLICATIONS

The review has concluded that amendments, both in relation to substantive changes and also to change administrative procedures and responsibilities and to make changes that are fundamentally declaratory or of a machinery nature, are required to the Road Management Plan.

9.2 HUMAN SERVICES

9.2.1 Renaming Harding Street Reserve, Surrey Hills to Bluebell Hill Reserve.

SUMMARY

Council received a request from the Harding Street Reserve Advisory Committee for the reserve located at 16-18 Harding Street, Surrey Hills to be formally named 'Bluebell Hill' Reserve. Council Officers have completed a consultation process which referred to the statutory requirements for naming features recommended by the Office of Geographic Names. This report provides details on the consultation and information on the proposal for Council's final consideration and approval.

RECOMMENDATION

That Council:

- 1. Approve the name change from Harding Street Reserve to Bluebell Hill Reserve.***
 - 2. Refer the name change to the Registrar, Office of Geographic Names for endorsement.***
-

BACKGROUND

The reserve located at 16-18 Harding Street, Surrey Hills (the reserve) is classified as a local open space area which is bordered by Harding Street, Erasmus Street, and a number of residential properties. The reserve is 0.788 ha in size and is the home of the Bluebell Hill Tennis Club which consists of two community tennis courts and a clubhouse. The reserve also includes a lookout, informal seating, a playground, linking paths and a number of established garden beds including mature trees. Local residents would typically use the reserve to play tennis, visit the playground, informal games of cricket or football and passive recreation.

The Harding Street Reserve Advisory Committee have requested that the reserve be formally named 'Bluebell Hill' reserve to reflect the site's historical links to farmland in the 1860s.

DISCUSSION

Council received a request from the Harding Street Reserve Advisory Committee for the open space area currently known as Harding Street Reserve in Surrey Hills to be formally named 'Bluebell Hill' reserve. The request included the signatures of 43 residents surrounding the reserve, who are in support of the proposal.

Although there is no specific or stand-alone policy for the naming of an open space area where a place name is requested rather than a request to name an open space area to commemorate a person, the naming or renaming of any Council facility, including parks and reserves is subject to Council's *Criteria and Procedures for Naming Council Facilities after Individuals* Policy (naming policy). Other relevant procedural requirements within the naming policy include consideration of guidelines within the *Geographic Place Names Act 1998*. The proposal to name the reserve 'Bluebell Hill' reserve conforms to the requirements of the Act and Council's naming policy.

9.2.1

(cont)

A 30 day consultation process with the community has been undertaken seeking support or objections to the proposal.

- Overall 20 submissions were received, 19 in support and 1 submission suggesting an alternate name. No objections to the name were received.

The renaming reflects historical links to the reserve. Originally in the 1850's the parkland was a quarry.

As the area developed local identity John Barratt established a farm in the 1860s on top of the nearby hill in Harding Street. A copy of the auction notice confirmed the name 'Bluebell Hill' when John Barratt placed the farm on the market in 1868.

Council officers believe the name will also provide consistency alongside the existing tennis facility established in the reserve that has previously changed its name to be known as the Bluebell Hill Tennis Club.

CONSULTATION

The proposal was advertised for a 30 day consultation process (conforming to the Office of Geographic Names guidelines) allowing the community an opportunity to comment. This process included:

- Email to Harding Street Reserve Advisory Committee advising them of the process.
- The Whitehorse community was informed via advertisement in the Whitehorse Leader and Whitehorse News (Distribution the week of March 27th 2017).
- Council's website.
- Mail out to local residents (238 letters in total).

Overall 20 submissions were received, 19 in support and 1 submission suggesting an alternate name. No objections to the name were received.

FINANCIAL IMPLICATIONS

If the proposed name is approved, the naming policy calls for Council to arrange for the installation of identification signage for the reserve. The reserve would require an identification sign at the Harding Street entrance which would include a double panel sign that also identifies the Bluebell Hill Tennis Club, consistent with Council's signage guidelines. The financial cost is estimated at \$4,500 and will be covered in existing budgets.

9.3 CORPORATE REPORTS

9.3.1 Adoption of the Proposed Budget 2017/18 and Draft Strategic Resource Plan 2017-2021

ATTACHMENT

SUMMARY

This report recommends that Council adopt the Proposed Budget 2017/18, which incorporates the Strategic Resource Plan, in accordance with Sections 126, 127 and 130 of the Local Government Act 1989.

RECOMMENDATION

That Council:

A Having:

- 1. Considered all written submissions;***
- 2. Heard the presentations of submissions;***
- 3. Received the report of the Special Committee (minutes extract Attachment 1) of its meeting held on 13 June 2017; and***
- 4. Considered officer comments (as attached Attachment 2),***

now adopt the Proposed Budget 2017/18 inclusive of the Strategic Resource Plan 2017-2021 (Attachment 3) in accordance with Section 130 of the Local Government Act 1989.

B Thank persons making submissions in writing for their contribution and advise them of the outcome of Council's decision.

C Authorise the Chief Executive Officer to give public notice of Council's decision in accordance with Section 130(2) of the Local Government Act 1989 and submit a copy of the budget to the Minister in accordance with Section 130(4) of the Local Government Act 1989.

BACKGROUND

The Proposed Budget 2017/18 was presented to the Special Council meeting on 24 April 2017 and public notice advertised, in accordance with Section 129(1) and (3) of the *Local Government Act 1989*, in The Age newspaper on Saturday 29 April 2017.

The Proposed Budget 2017/18 was available for public inspection for 28 days after publication of the notice, in accordance with the *Local Government Act 1989* and the *Local Government (Planning & Reporting) Regulations 2014*.

Submissions regarding the Proposed Budget 2017/18 were required to be received by Sunday 28 May 2017 for consideration by Council at its Special Committee meeting, held on Tuesday 13 June 2017. The details of submissions received are contained in Attachment 1 of this report.

DISCUSSION

The Proposed Budget 2017/18 is in line with Council's long-term financial plan, and ensures that Council continues to meet the community's demand for high quality services and facilities while maintaining its financial sustainability into the future.

The Proposed Budget 2017/18 has been prepared with emphasis for the coming year on a continuation of service delivery for our community, providing consistency and support for our residents. The budget funds a range of community services including health and family services, home and community care, the maintenance of community facilities, parks, gardens, playgrounds, infrastructure, waste and recycling collection, and building and planning services. In addition, the Capital Works Program provides for a sustainable level of funding for the renewal of the community's infrastructure and an investment in major community facilities such as the development of the Nunawading Community Hub and redevelopment of the Whitehorse Centre.

9.3.1

(cont)

The key features of the Proposed Budget 2017/18 are:

An operational budget that enables the delivery of services to the community including:

- \$14.51 million Sustainability, Waste and Recycling
- \$14.33 million Home and Community Care
- \$12.34 million Leisure Facilities
- \$11.26 million Health and Family Services
- \$10.47 million ParksWide (maintenance of sports fields, parks and gardens)
- \$7.83 million City Works (depot operations, maintenance of footpaths, drains and roads)
- \$6.95 million Recycling and Waste Centre
- \$6.89 million Planning and Building Services
- \$5.61 million Arts and Cultural Services
- \$5.27 million Compliance (Community Laws, parking, school crossings, risk, insurance and emergency management)
- \$5.09 million Libraries
- \$4.69 million Engineering
- \$3.68 million Major Projects and Buildings
- \$2.08 million Community Development
- \$1.02 million Parks Planning and Recreation
- \$0.94 million Investment and Economic Development
- \$0.66 million Assets and Capital Works

A \$43 million Capital Works Program comprising:

- \$19.52 million for land, building and building improvements
- \$5.77 million for roads, bridges and off street car parks
- \$5.27 million for plant and equipment
- \$3.48 million for parks, open space and streetscapes
- \$3.19 million for drainage improvements and waste management
- \$3.03 million for footpaths and cycleways
- \$2.87 million for recreational, leisure and community facilities

9.3.1

(cont)

KEY PRESSURES AND CHALLENGES

In preparing this Budget, Council considered a number of external and internal influences. These include:

- The average rate will rise by 2.0% in 2017/18 in line with the order by the Minister for Local Government in December 2016 under the *Fair Go Rates System*
- Changing community needs and expectations as a result of an ageing and increasingly culturally diverse population
- The cost of maintaining Council's infrastructure assets. This is to ensure that infrastructure assets are provided to support services that are appropriate, accessible, responsive and sustainable to the community
- Cost shifting by other levels of government. Cost shifting occurs where local government provides a service to the community on behalf of the State or Federal Governments. Over time, the funds received by Council do not increase in line with real cost increases
- A further 2.0% increase in the State Government landfill levy to an anticipated cost of \$63.27 per tonne, representing a 603% increase over the past nine years
- Increasing community expectations for Council to be a leader in environmental sustainability
- Continuing low interest rates restricting Council's ability to generate earnings on cash and investments; and
- Enterprise Agreement wage increase of 2.0% or \$26 per week, whichever is greater effective from September 2017.

CONSULTATION

The Proposed Budget has been carefully prepared following consultation with the community throughout the year. Council values the feedback it receives from community members to understand what services and facilities are important to the community and to determine the focus of future priorities. Consultations that have informed the development of this Budget include a significant *Your Say Whitehorse* community engagement program to develop our *Proposed Council Plan 2017-2021*, the 2016 Community Satisfaction Survey, consideration of prior year public budget submissions, and consultation on various Council strategies and plans.

Council invited the community to provide feedback to better understand their needs and expectations of Council through the *Your Say Whitehorse* campaign, which was held in late 2016 during the early stages of development of the *Proposed Council Plan 2017-2021* and *Municipal Health and Wellbeing Plan 2017-2021*. In total, 1,260 people participated in this campaign which included an extensive survey, community workshop, online discussion forum and five pop-up events at various locations across the municipality.

9.3.1

(cont)

Public submissions

Council received seven formal submissions/comments on the Proposed Budget 2017/18. Four people spoke in support of their submission at the Special Committee meeting.

Submissions were received from the following:

#	Name	Issue(s) Raised
1	Mrs S. Dalton	Supports Whitehorse Centre redevelopment
2	Ms Simone Clifford	Does not support Whitehorse Centre redevelopment
3	Mr Murray Crow	Improved parking for Surrey Hills train station
4	Mr Kenneth Weeks	Elgar Park landscape plan for miniature railway
5	Utassy Ballet School Parents Association	Supports Whitehorse Centre redevelopment and requests that the ballet school's future needs be respected
6	Mr Colin Carter	Various issues including opposition to Nunawading Community Hub and Whitehorse Centre redevelopments, local laws enforcement, capital expenditure, Council efficiency, and Budget and Council Plan consultation
7	Mrs S. Hayes and Mr K. Hayes, Directors and Principal Utassy Ballet School	Provides conditional support of Whitehorse Centre redevelopment

The full text of the submissions are attached, included in Attachment 1.

The following people spoke to their submissions:

	Name
1	Mr K. Weeks
2	Mr C. Carter
3	Mrs S. Hayes, representative of Utassy Ballet School Parents Association
4	Mrs S. Hayes Director and Principal Utassy Ballet School

CHANGES TO THE PROPOSED BUDGET 2017/18

Subsequent to approving the Proposed Budget 2017/18 on Monday 24 April 2017, Council has received notification of expected funding levels which vary from earlier budget estimates. The Proposed Budget 2017/18 has been updated to reflect the following changes:

- Council has been notified that \$2.20 million (approximately half) of the estimated 2017/18 Financial Assistance Grant from the Victoria Grants Commission will be brought forward and paid to Council in June 2017,
- Council has been advised of the expected school crossing subsidy amount for 2017/18, which is \$35,000 lower than previously budgeted, and
- Three new fees for the Watts Street Car Park have also been added to the fees and charges schedule in Appendix A of the Proposed Budget 2017/18 after Council resolution at the Ordinary Council Meeting held 15 May 2017 (Agenda Item 13.2).

ATTACHMENT

- 1 Extract Special Committee Minutes 13 June 2017 Inclusive of Submissions ➡ 
- 2 Submissions Table 2017-18 ➡ 
- 3 Proposed Budget 2017-18 ➡ 

9.3.2 Adoption of the Proposed Council Plan 2017-2021

ATTACHMENT

SUMMARY

This report recommends that Council adopt the Proposed Council Plan 2017-2021, which incorporates the Strategic Resource Plan as required under the Local Government Act 1989.

RECOMMENDATION

That Council:

- 1. Adopt the proposed Council Plan 2017-2021 as the overarching strategic document which sets out the goals, related approach and measures of success for the next four year period, and which contributes to the achievement of the Council Vision 2013-2023;***
- 2. Acknowledge that the Strategic Resource Plan contained in the Council Plan 2017-2021 does not commit Council's resources until the consideration of the Annual Budget each year;***
- 3. Authorise the Chief Executive Officer to give public notice and submit a copy of the Council Plan 2017-2021 to the Minister of Local Government in accordance with Section 125 (5) of the Local Government Act 1989.***

BACKGROUND

As required by the Local Government Act 1989, Section 125, Council is required to prepare a council plan. The council plan must include strategic objectives, strategies for achieving these objectives and strategic indicators for monitoring achievement of the strategic objectives.

The Council Plan was developed through an extensive community engagement campaign, *Your Say Whitehorse*, which provided Councillors, community and staff with an opportunity to inform and guide the new Council Plan.

Through this community engagement, Council has developed a series of goals (strategic objectives) which form the overarching guidance for Council in this Council Plan. These goals are underpinned by the Strategic Directions contained within our community's long-term vision, '*Council Vision 2013-2023*', which are a broad set of statements that articulate the aspirations of our community for the municipality's future.

Under each goal within the Council Plan, Council has listed the approach (strategies) to achieving that goal, including measures of success (strategic indicators).

Council has also featured the relevant strategies, plans and policies that are externally focused and which support the relevant goal/s. Furthermore, Council has also included the services it delivers. Service delivery is a key driver for the achievement of each goal.

DISCUSSION

The proposed Council Plan 2017-2021 will guide Council over the next four years to ensure the city continues to be a healthy, prosperous and sustainable community supported by strong leadership and community partnerships.

9.3.2

(cont)

The proposed Council Plan 2017-2021 is underpinned by the five Strategic Directions contained within our community's long-term vision, '*Council Vision 2013-2023*'. These are as follows;

1. Strategic Direction 1 – Support a healthy, vibrant, inclusive and diverse community
2. Strategic Direction 2 – Maintain and enhance our built environment to ensure a liveable and sustainable city
3. Strategic Direction 3 – Protect and enhance our open spaces and natural environments
4. Strategic Direction 4 – Strategic leadership and open and accessible government; and
5. Strategic Direction 5 – Support a healthy local economy.

The proposed Council Plan has seven goals (strategic objectives) which form the overarching guidance for Council. This in turn is then supported by 33 related approaches (strategies) to be implemented over the next four years to help achieve these goals, including 74 measures of success (strategic indicators).

The proposed Council Plan also incorporates a Strategic Resource Plan which identifies the resources required over the next four years to deliver on the Council Plan. The Strategic Resource Plan includes a financial allocation based on Council's Long Term Financial Plan, Human Resource Strategy, Rating Information, Borrowing Strategy, and Asset Management Strategy. The Plan also contains a set of financial statements as required by legislation.

CONSULTATION

Whitehorse City Council embarked on one of its most comprehensive community engagement programs, *Your Say Whitehorse*. The *Your Say Whitehorse* campaign provided a range of avenues for engagement with the community during November and December 2016. *Your Say Whitehorse* was designed to help build and inform two key strategic and legislated documents, the Council Plan 2017-2021 and the Municipal Public Health and Wellbeing Plan 2017-2021.

During the five week *Your Say Whitehorse* community engagement process, Councillors, residents, visitors, community groups, employees, stakeholders and local businesses were invited to share their thoughts through various community engagement activities ranging from completing a survey (in person, in writing or online), to attending a community workshop, visiting a pop-up event or going online to the *Your Say Whitehorse* discussion forum/website.

The many opportunities to be involved were widely promoted, with the *Your Say Whitehorse* program reaching approximately 165,000 people through distribution of the Whitehorse Leader and Whitehorse News, and more than 10,200 people directly targeted through distribution of postcards and surveys. The program was also promoted through community networks. The program reached a wide group of people, including Whitehorse's harder to reach groups. In addition, Councillors actively participated in the program at the pop up events, soliciting feedback individually, through engaging with their networks to complete surveys, as well as facilitating sessions to gain community feedback.

The Whitehorse City Council Community Engagement Findings report describes the engagement program and the key findings from participant feedback and is available online on Council's website. In total, 1260 people participated in this consultation campaign.

Advertisements providing formal public notification of the adoption of the proposed Council Plan 2017-2021 for consultation were placed in The Age on Saturday 29 April 2017 and the Whitehorse Leader on Monday 1 May 2017.

Council received no responses in relation to the proposed Council Plan 2017-2021.

9.3.2

(cont)

FINANCIAL IMPLICATIONS

The proposed Council Plan 2017-2021 identifies proposed broad strategies that will guide Council's actions over the next four years and in so doing inform the development of the next four Council budgets. It aims to ensure that Council remains financially sustainable over the next four years and for the longer term.

POLICY IMPLICATIONS

Council Plan 2017-2021

ATTACHMENT

- 1 Proposed Council Plan 2017-2021 

9.3.3 Review of Council's Procurement Policy

FILE NUMBER: SF08/2
ATTACHMENT

SUMMARY

This report presents a reviewed Procurement Policy (June 2017) for consideration and adoption by Council.

RECOMMENDATION

That Council adopts the Procurement Policy dated June 2017, as presented in Attachment 1.

BACKGROUND

Section 186A of the Local Government Act 1989 requires Council to prepare, approve and comply with a procurement policy that encompasses the principles, processes and procedures that are applied to the purchase of goods, services and works.

The legislation requires the policy to be reviewed once in each financial year.

Council adopted the current Procurement Policy on 27 June 2016. A review of the Policy has been undertaken and a revised policy is attached (see Attachment 1).

DISCUSSION

It is recognised that effective procurement management is essential to ensure that Council achieves compliance, transparency, open and fair competition, value for money and good governance.

The Procurement Policy (the Policy) encompasses these goals and provides a robust foundation for the conduct of procurement activities by Council.

Minor improvements have been made to the Policy to ensure that it continues to reflect best practice in the Local Government industry.

CONSULTATION

Council engaged consultant Russell Kennedy Lawyers in May 2015 to conduct review of the Procurement Policy. Their report confirmed that the policy reflects best practice in local government procurement. All policy additions and amendments recommended were made by Council to further strengthen purchasing activities and system processes.

Following recent consultation with various Managers, Coordinators and procurement officers, minor amendments have been made to this Policy.

Upon adoption, the revised Policy will be posted on Council's website and will be made available to the public in hard copy format at the Whitehorse Civic Centre.

FINANCIAL IMPLICATIONS

A key objective of the Policy is to deliver value for money for Council (and therefore ratepayers) in the form of social, economic and environmental benefits.

POLICY IMPLICATIONS

The Procurement Policy dated June 2017 will replace the current Procurement Policy dated June 2016 in Council's Corporate Policy Manual.

ATTACHMENT

- 1 Draft Procurement Policy 

9.3.4 Tender Evaluation (Contract 20039) Provision of Debt Recovery Services

ATTACHMENT

SUMMARY

To consider Tenders received for the Provision of Debt Recovery Services and to recommend the acceptance of the Tender received from Recoveries & Reconstruction (Aust) Pty Ltd, for the amount of \$992,500 including GST and to consider the overall project expenditure.

RECOMMENDATION

That Council accept the tender and sign the formal contract document for Contract number 20039 for the Provision of Debt Recovery Services received from Recoveries & Reconstruction (Aust) Pty Ltd (ABN 96 072 086 125), of Suite 2, 93 Watton Street, Werribee, for the tendered amount of \$198,500 per annum including GST; as part of the total expected project expenditure of \$992,500, including GST for a five year period.

BACKGROUND

The successful Tenderer is required to collect overdue monies due to Council for statutory outstanding rates and charges levied in accordance with Part 8 of the *Local Government Act 1989* (the LGA) and for "Fees for Service" (additional garbage services) debts.

The proposed contract is a single five years term, with no further options.

Provisions under section 180 of the LGA allow all Victorian Councils to recover unpaid rates and charges via the Magistrates' Court. Before proceeding to the Magistrates' Court, several steps are taken in an attempt to recover the unpaid rates and charges, these being:

- An Overdue Notice,
- A Letter of Demand if the debt remains unpaid after the Overdue Notice.

Council's practice has been that ratepayers receiving a pension rebate and any ratepayer with a debt below the average residential rate for the relevant financial year, receive a Letter of Demand but they are not pursued via the Magistrates' Court process. The reason for this is that the costs associated with the Magistrates' Court process are costly and these costs are added to the unpaid rate and charge debt.

Additionally, Council when collecting unpaid rates and charges apply the principles contained within the Victorian Model Litigant Guidelines.

Debt recovery on Fees for Service debts is not completed in accordance with the LGA; this is because these debts are not a charge on the property and are consequently a debtor.

The current contract, Contract 11056, expires 15 July 2017 and all options to extend the current Contract have expired.

DISCUSSION

The tender was advertised on Saturday 1 April 2017 in The Age newspaper and on Council's website, and closed on Thursday 27 April 2017. Five tenders were received.

The tenders were evaluated against the following criteria:

- Financial Benefit to Council;
- Online Provision of System Functionality;
- Experience in Large and Small Debt Recovery;
- Methodology in the Debt Collection Process; and
- Occupational Health & Safety, Equal Opportunity and Business Viability.

9.3.4

(cont)

Recoveries & Reconstruction's (R&R) experience in debt recovery and their methodology regarding the debt collection process was considered to be very good by the Evaluation Panel.

The points of difference with R&R, was the financial benefit to Council and their comprehensive online system.

R&R's price was the lowest of the five tenderer's and all costs can be passed onto the ratepayer, which means no cost to Council. Additionally, R&R included collecting the Fee for Service debt at no cost to Council.

R&R's online system provided high quality functionality, which will deliver efficiencies for Council and better customer service to ratepayers and debtors.

Their awareness and knowledge of legislative requirements was strong and Local Government is their sole focus, meaning their business revolves around servicing the needs of Local Government clients only.

R&R has other councils as clients for debt recovery in both rates and charges and sundry debtors. Industry performance indicators show a successful collection rate on unpaid accounts.

The tender received from R&R is considered to be the best value for money for this Contract by the Evaluation Panel.

CONSULTATION

Anne Dalton from Anne Dalton & Associates, a member of the Whole of Government Probity Panel (Victoria) was appointed as Probity Advisor.

Site visits were conducted at the offices of the two shortlisted tenderer's specifically for the purpose of viewing their online systems and functionality.

Referees from four other Councils were consulted and each provided satisfactory references of R&R.

R&R's business viability has been professionally examined and rated as very strong.

FINANCIAL IMPLICATIONS

The tender price used in the evaluation was based on the standard debt recovery process for unpaid rates, commencing with issuing debt collection letters through to issuing Summons for Oral Examination.

Also considered in the evaluation was the entire debt collection process for Fees for Service.

POLICY IMPLICATIONS

The Rates Hardship Assistance Policy will be used in conjunction with any hardship claims received from a ratepayer. Any ratepayer who is eligible for hardship will be treated in accordance with the policy.

ATTACHMENT

- 1 Probity Report Anne Dalton & Associates - Provision of Debt Recovery Services ➡ 

9.3.5 Tender Evaluation (Contract 20035) Provision of Parking Services

FILE NUMBER: 17/80246

SUMMARY

To consider tenders received for the Provision of Parking Services and to recommend the acceptance of the tender received from Tenix Solutions.

RECOMMENDATION

That Council accept the tender and sign the formal contract document for Contract 20035 for the Provision of Parking Services received from Tenix Solutions (ABN 73 075 154 755), of Level 5, 277 William Street, Melbourne 3000, for the tendered amount of \$550,750.20, including GST.

BACKGROUND

Council at its meeting of 12 December 2016 considered a report on the Provision of Parking Services and resolved to:

- “1. Endorse the report;
2. Approve a tender document be prepared for the provision of field staff to deliver an extended parking service trial;
3. Approve that the trial be conducted for two years with a one year option to extend subject to a final assessment and report to Council on the outcome
4. Approve the employment of an additional Compliance Support Officer for the term of the trial”

As a result, tenders were invited to assist Council manage an extended parking enforcement program by providing additional resources to address peak and extended hours parking demands.

DISCUSSION

The services tendered by Council are an important part of the broader parking management program with the aim to improve equitable access to limited parking spaces, promotion of turnover of trade opportunities after hours responsiveness and provision of special needs parking such as disabled parking and loading, bus and taxi zones over an extended period.

The tender was advertised in The Age newspaper and Council's website on Saturday 11 March 2017 and was closed on 29 March 2017. Three (3) tenders were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Experience in the provision of a similar service;
- Capacity to provide the service;
- Ability to provide the service within the timeframe.

Of the three tendered offers, one provider demonstrated a clear capacity and capability to deliver the tendered service through existing similar contracts with local government authorities.

Tenix Solutions have been providing Parking Enforcement solutions, specifically the management of on street operations for in excess of 14 years and are currently providing parking enforcement in the municipalities of Monash, Glen Eira, Hume and Stonnington.

9.3.5

(cont)

Tenix staff are trained and have extensive experience in management of the Road Rules, client expectations and achievement of deliverables. The unsuccessful tenders were unable to demonstrate experience or staff expertise in the delivery of the tendered service.

The compliant tender response submitted by Tenix Solutions clearly outlines how they intend to deliver the services required, a robust reporting framework and addresses all the prerequisite criteria of the tender. The tender submitted demonstrates:

- A proven track record of the provision of similar services;
- High level of accuracy and reliability backed up by reference checks; and
- Capacity to deliver services required and achieve projected outcomes.

CONSULTATION

FINANCIAL IMPLICATIONS

	Budget	Expenditure
Preferred tenderer's lump sum offer (including GST)		\$550,750.20
Less GST		-\$50,064
Net cost to Council		\$500,642
Total Expenditure		\$500,642.20

Additional ongoing costs associated with this project include employment of a Compliance Support Officer for back office support and the acquisition of equipment to enable the service to be delivered.

Based on performance standards of the tender it is anticipated that the initiative will be cost positive.

9.3.6 Tender Evaluation (Contract 20042) Provision of Animal Pound Services

FILE NUMBER: SF17/200

SUMMARY

To consider tenders received for the provision of animal pound services and to recommend the acceptance of the tender received from Victorian Animal Aid Trust, trading as Animal Aid, on a Schedule of Rates basis for a period of 3 years commencing on August 1, 2017 and to consider the estimated expenditure over the life of the contract.

RECOMMENDATION

That Council:

- 1. Accept the tender and sign the formal contract document for Contract 20042 for the provision of animal pound services received from Victorian Animal Aid Trust (ABN 80 004 260 244), of 35 Killara Road Coldstream Victoria 3770 trading as Animal Aid, on a Schedule of Rates basis for a period of 3 years commencing on August 1, 2017***
- 2. Authorise the Chief Executive Officer to award an extension of this contract, subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term.***

BACKGROUND

Through a contractor, Council operates a pound facility for housing stray and seized animals which Council and the community bring to the pound facility. Impounded animals are provided with accommodation and care in accordance with relevant legislation, including the provision of veterinary services as required.

The contract with the RSPCA expired in November 2016 with services currently being provided by agreement.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday April 8, 2017 and were closed on May 8. Tenders from the RSPCA and the Victorian Animal Aid Trust (VAAT) were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- The Tenderer's experience in the provision of similar services;
- Tenderer's capacity to provide the services; and
- Occupational Health & Safety and Equal Opportunity

Councils have a statutory responsibility to accept animals impounded by staff or surrendered by the public. As part of the previous contract with the RSPCA, Council agreed to also pay for public impounds

In 2016 951 animals were impounded at the RSPCA with 562 handed in by the public and 133 animals were surrendered by their owners. Of the 500 requests to Council to collect stray and wandering animals, 50% were returned to their owners avoiding the necessity of being impounded with 256 animals being impounded.

9.3.6

(cont)

Both tenders submitted demonstrated:

- Extensive experience in the provision of animal pound services with existing contracts with multiple local governments;
- Accessible support services such as veterinary and rehoming capabilities,
- Staff expertise in the provision of similar services,
- Accessibility by the public seven days a week;
- Facilities capable of servicing the contract; and
- Experience in the care and management of domestic animals.

While the capabilities and capacity to deliver the tendered service were similar, the cost of the provision of the service was substantially different.

The RSPCA advised in December 2016 of an increase in their fee structure over the previous contract levels of 300% due to increased operational costs and funding shortfalls. The tender submitted by the RSPCA confirmed this advice with substantial fee increases across all levels of the tendered service provision.

While the RSPCA tender brings advantages of a location in Burwood and experience in provision of the service to the Whitehorse community, the tender received from Animal Aid is considered to provide the best value for money for this Contract.

FINANCIAL IMPLICATIONS

The contract for the provision of animal pound services is based on a Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

Using impound data for the 2016 calendar year including the fate of the animal, the fee structure submitted by both tenderers was applied to each nominated category. The financial analysis of the two tender offers resulted in a projected annual cost for the VAAT being significantly lower than that of RSPCA for the provision of the animal pound service.

The tender calculation is based on all 951 animals being impounded including the 562 public impounds. However, based on the fact that Council reunite approximately 50% of animals it collects rather than impounding them, the tendered amount of VAAT potentially will be further reduced as council staff will have an opportunity to treat those animals prior to them going into the pound.

Savings presented by VAAT tender however will be partially offset by the cost of servicing the contract.

As the VAAT are based in Coldstream staff time and the cost of impounding animals will increase. It is anticipated staff time to impound animals will increase from approximately 10% of one EFT to 40% of one EFT.

Other additional expenditure will be incurred including \$12,000 per year in motor vehicle operating costs and a once off payment of \$5,000 to retrofit vehicles with rear air conditioning units to enable the keeping of animals prior to transportation to the pound.

The estimated expenditure under this contract over the initial contract term is \$516,945 including GST. This expenditure will increase to approximately \$861,575 including GST (plus an additional annual 2% CPI increase) if the option to extend the contract are exercised.

The costs incurred under this contract will be charged to the relevant recurrent budgets.

9.3.7 Investigation into the Transparency of Local Government Decision Making

SUMMARY

Ombudsman released her report, 'Investigation into the Transparency of Local Government Decision-Making', on the 15 December 2016. The Ombudsman reports that almost 25% of complaints received by her Office relate to local government, and this investigation was launched in response to continued complaints regarding a lack of transparency in operations and decision-making.

The Ombudsman's investigation was wide-reaching, and its findings will have implications for all councils across Victoria. The investigation found that although most councils in Victoria are not engaging in widespread, deliberate, secretive behaviour, some councils are not upholding public interest by failing to give sufficient attention to transparency, or to balance it appropriately with the need for efficiency.

RECOMMENDATION

That Council commends the work of the Ombudsman and concurs and supports the practical suggestions and recommendations leading to greater transparency in the local government sector and the ongoing commitment of Whitehorse Council to continue to promote the principles of transparency and accountability.

BACKGROUND

Council at its meeting held on 30 January 2017 resolved:

That Council receive a report from officers which responds to the Victorian Ombudsman's report titled 'Investigation into the Transparency of Local Government Decision Making' dated December 2016.

The investigation by the Victorian Ombudsman has revealed that of the 3,400 complaints about local government in 2015-16, a portion related to complaints about decisions being made in secret or behind closed doors.

The investigation was conducted in two stages. Stage 1 consisted of an overview of the state's 79 councils, and meetings with 26 past and current Councillors, Mayors, council staff and local government peak bodies. Stage 2 involved the examination of 12 focus councils.

The investigation looked into how councils conduct their decision-making, including in open council meetings, closed council meetings, outside meetings and under delegated authority (that is, decisions made by the Chief Executive Officer and Council officers on behalf of the Council).

The Ombudsman found that with so many different council decision-making structures and processes in place, transparency of local government decisions can be random in nature, and at times, ad hoc.

However, conversely, the Ombudsman also found that some councils are proactive in being transparent by using social media to engage with their communities and promote meetings, and using live streaming to facilitate public engagement with council meetings.

9.3.7

(cont)

Some other key findings of the Ombudsman's investigation include:

- The way the public wants to engage with councils and receive information about decisions is changing with an expectation that information will be quickly and easily accessible via council websites.
- The notice of motion process can be a transparent way for councillors to raise issues at council meetings. However, where notices of motion are raised without adequate time to be thoroughly researched, they can affect both the quality of decision making and transparency. There are examples of notices of motion being used inappropriately to decide matters affecting both council policy and budget.
- Debate is a crucial aspect of council meetings that assists the public to understand the reasons for council decisions and demonstrates that each decision has been critically considered by councillors. However, there is evidence that in some cases, discussion in briefing sessions, where councillors feel they can be more open, comes at the expense of debate in the chamber.

The Ombudsman's report drives home the importance of councils being open and accessible to the public, with exceptions to this rule being applied with great care.

DISCUSSION

Critical points for Council to note from the report include the following:

"Accessibility is no longer simply about ensuring physical access to the council chamber. As the public become increasingly used to engaging with organisations and receiving information through digital media, it is essential that councils keep pace with these expectations, while ensuring that more traditional methods, such as visiting council offices, are still available."

"Open council meetings give the public an opportunity to see their elected representatives at work. Providing easy access to council meetings encourages attendance and interest in council activity, which in turn improves the transparency and accountability of decision making."

"Live streaming / broadcasting of meetings and public participation in open meetings were identified as factors which "have an impact on the accessibility and transparency of decision making"

"Even when decisions are made in an open and minuted council meetings the full story of how and why a decision is made is not always told"

"Many of the unseen influences on council decisions are linked to councillor conduct...These influences may present risks to the transparency of council decision making and include; undeclared personal interests; intimidating councillor behaviour; undeclared external influences; factions/bloc voting; and councillors influencing officer reports"

"There are a range of unseen factors which can impact on council decision making...tacit agreements or arrangements reached outside council meetings, including during briefing sessions for councillors"

The Ombudsman concludes that: *"when councils make decisions on behalf of their communities and the information related to those decisions is not made accessible to the public, this reduces community confidence that council is acting in the public interest. The exceptions to openness should be limited and applied with great care."*

9.3.7

(cont)

Council's decision-making practices are in line with this fundamental principle and there is a high level of administrative scrutiny applied to utilising the relevant section of the Local Government Act 1989 (the Act) to nominate a matter as 'confidential'. The majority of these confidential matters apply to contractual matters. A minimum of Council reports are discussed in closed Council in accordance with the Local Government Act 1989 (the Act), such as a decision about a commercial in-confidence matter or other similar issue, the vast majority of these decisions are still made available to the public in the Council meeting minutes.

The website 'Know your Council' performance measures indicates that Whitehorse's result in regard to the percentage of meetings closed to the public is 8.65% compared to similar councils at 9.45% and around the state average of (11.57%). The low number of meetings held in confidence is an indication of a high level of transparency at Council. Decisions made by Council at meetings closed to the public are in accordance with the requirements of Section 89 of the Act and include contractual and personnel matters, proposed developments and legal advice. During 2015-16, Council considered some matters which by nature were ongoing over a number of meeting cycles. Examples include sale of Council owned land, consideration of potential land acquisition of additional open space, which are appropriate and in accordance with the requirements of the Act due to the sensitive, legal and liability issues affecting the parties involved.

Residents have access to a number of avenues to understand how the decision has been made, through attending Council and Committee meetings, Council minutes, media releases, Whitehorse leader column and advertorials, specific services Facebook pages, community meetings, Public submissions, Council question time and website, ongoing community engagement, events and activities and other tools. Residents may not always agree with Council decisions, but the transparency allows them to understand the reasoning and discussion behind the decision.

The Ombudsman's report highlights that demonstrating an active and ongoing commitment to transparency is critical to good governance in all aspects of council business.

Being proactive in communicating Council decisions and engaging with our community are top priorities of Council. This is evident in the diverse array of mediums we have in place to keep residents informed of issues affecting their everyday lives.

Transparency and accountability in decision-making is critical to good governance, and strengthening transparent decision-making will assist

The Recommendations in the report (p. 148), cover a broad range of matters, most of which are recommendations pertaining to a higher level of prescription by the State Government regarding council meetings and governance for incorporation into legislation or regulation.

The Ombudsman made six recommendations to the Victorian Government and Local Government Victoria regarding policy and legislative changes to enhance transparency in the local government sector.

The six recommendations in the report generally cover:

- Prospective suggestions for the review of the Local Government Act,
- Suggested guidance for a number of matters pertaining to council meeting processes,
- Suggested amendment to the FOI Act, in regard to closed meetings of Council
- Suggesting a uniform Councillor Code of Conduct and training,
- Suggesting governance and meeting procedure review.

9.3.7

(cont)

Councillors will note that the State Government response from DELWP (the relevant government department) on page 178 of the report where the Department states disagreement with a number of the matters recommended by the Ombudsman. This suggests that these may not subsequently be incorporated into any legislative or regulatory framework as prescribed. Most notable of the Department's comments pertain to the conflict between many of the recommendations and the intention of the Local Government Act review currently underway which seeks to *"acknowledge the unique status of local government as a constitutionally recognised tier of government.....for this reason a key objective of the review is to enhance the autonomy of councils. However, this is balanced against the State's interest in ensuring the sector is functional and appropriately governed"*. The tenor of the Department's response is not to move to the prescriptive frameworks suggested by the Ombudsman's report, but rather to provide best practice approaches that do not detract from council's independence.

With respect to a couple of the more practical suggestions in the Ombudsman's report from a Whitehorse perspective the following is being considered and or actioned:

Audio Recording of Meetings

Officers have explored the inclusion of audio recordings on Council's website. The outgoing cost of this is approximately \$15,000 (ex GST) plus officer time. This cost is already included in Council's draft budget for 2017/2018, with some further investigation occurring with regard to the legal implications of publishing content and the associated risk management issues, given that council meetings do not carry an equivalent to parliamentary privilege.

It is noted the Department of Environment, Land, Water and Planning (DELWP) is concerned that audio recording of closed meetings potentially increases the risk of confidential information being inappropriately disclosed. Nor is it certain that audio recording councillors during closed meetings is the most effective means of improving councillor behaviour. The Department does not support the Ombudsman's recommendation on this matter.

Distribution of Council Agenda

The question of timing of distribution of council agendas is also canvassed by the Ombudsman with a recommendation of 5 days availability to the community. We have extended the distribution of the public agendas and minutes to make them available on the Council website on Wednesdays being 5 days prior to meetings.

Confidentiality sunset provision

A requirement for councils to include a 'sunset' provision in relation to all items discussed in closed meetings, which specifies a date or event after which the information will no longer be confidential without a further resolution of council. Officers in preparing a report and recommendation can suggest a 'sunset' date as applicable to the contents of the report and/or decision and if agreed, confidentiality would no longer apply from that date. In the event a date is not applicable, a particular event could be specified as when confidentiality no longer applies. Due diligence and care should be applied to ensure matters involving privacy and reputation, or privileged legal advice is not breached. It is noted the Department of Environment, Land, Water and Planning does not support a fixed sun-setting provision.

9.3.7

(cont)

Review of Meeting Guides

Review of meeting guides to limit the ability of tacit agreements or arrangements being reached outside Council meetings, including during briefing sessions for Councillors. Whitehorse Councillor Briefing sessions and adopted charters provide for the following:

- *Reports are not presented for Councillor Pre-determination of issues being put to a subsequent Council/Committee forum; for debate on the ultimate officer recommendation being put to Council; or to invite Councillor Pre-approval of any subsequent recommendation by officers. These informal and confidential briefing sessions provide the opportunity for Councillors to be informed, to discuss, challenge, question and clarify matters of Council business and meeting agendas. They are also for Councillors to discuss policy formulation and direction. They are not a forum for debate.*

It is a matter for the Chair (Mayor) to chair the meeting to ensure that proper conduct and process is applied to ensure compliance and transparency and this is managed well at Whitehorse.

Current Statutory Transparency requirements include:

- Agendas for and minutes of (public) Ordinary and Special Meetings of Council
- Audit Committee Provisions
- Conflict of Interest Provisions
- Corporate Policies available on Council's website
- Councillor Code of Conduct
- Councillor Entitlements and Reimbursement of Expenses
- Equal Opportunity Officer and Plan
- Equal Opportunity and Protected Disclosure incident reporting - Annual Report
- Human Rights Provisions
- List of Donations and Grants
- Local Government Performance Reporting Framework
- Minutes of (public) Special Committee Meetings
- Procurement Policy
- Protected Disclosure Procedures
- Public Notice Submission process for Key Strategies, Budget, Council Plan, Proposed Sale of Council Property
- Register of Authorised Officers appointed under section 224(1A) of the Act
- Register of Delegations under sections 87(1) and 98(4) of the Act
- Register of Interstate and Overseas Travel by Councillors and Officers
- Register of all Land Leases where Council is the lessor
- Register of Interest returns by Councillors, Senior and Nominated Officers and Independent Audit Advisory Committee members
- Staff Code of Conduct provisions

CONCLUSION

Council commends the work of the Ombudsman and concurs with the practical transparency suggestions and recommendations and that they be further considered as a contribution towards the review of the Local Government Act.

CONSULTATION

Not applicable

9.3.8 Municipal Association Act Review

ATTACHMENT

SUMMARY

This report seeks Council's approval to endorse the MAV submission on behalf of the sector in regard to the review of the Municipal Association Act 1907.

RECOMMENDATION

That Council:

- 1. Note the consultation paper issued by the Department of Environment, Land, Water and Planning (DELWP) in May 2017 (as attached)***
- 2. Endorse the MAV submission (as attached)***
- 3. Advise DELWP that Council supports the MAV Submission (as amended) and the creation of contemporary legislation that delivers a governance and accountability framework for the MAV to perform its functions and represent, promote and support the interests of Victorian Councils.***

DISCUSSION

The Municipal Association Act 1907 ('the Act') is currently under review.

The review seeks to develop contemporary legislation for the Municipal Association of Victoria (MAV), to enable it to perform its functions and represent, promote and support the interests of Victorian councils.

The review also seeks to address the recommendations set out in the Victorian Auditor-General's review of the effectiveness of support for Local Government.

This is the first comprehensive review of the Act since its enactment in 1907 and presents an unparalleled opportunity to ensure contemporary standards of governance and accountability are embedded in the Act, and that the range of services and support provided to councils and councillors is properly reflected.

A consultation paper setting out the proposed reforms to the Act has been circulated to all councils by DELWP. A copy of this document is attached.

The key objectives of the proposed reforms are to:

- Provide a clear understanding of the MAV's roles and responsibilities;
- Embed contemporary processes to ensure integrity and good conduct;
- Provide a framework of strategic planning and performance monitoring against desired outcomes;
- Create an obligation to report and be accountable to member councils;
- Provide for a comprehensive insurance regulatory framework.

A copy of the MAV submission is also attached which is sound and reasonable in its approach and it is recommended Council support it and advise the MAV and DELWP accordingly.

CONSULTATION

Councillors discussed and reviewed the MAV Submission at a briefing session

9.3.8

(cont)

FINANCIAL IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Not applicable.

ATTACHMENT

- 1 MAV Review Consultation Paper [!\[\]\(2cbb40928a34ecf5ce700a63c52aa374_img.jpg\)](#)
- 2 MAV Draft Submission to the MAV Review Consultation Paper [!\[\]\(ce05ba64c497267b6ad2e23c0c6ca4e1_img.jpg\)](#)

9.3.9 Delegated Decisions April 2017

SUMMARY

The following activity was undertaken by officers under delegated authority during April 2017.

RECOMMENDATION

That the report of decisions made by officers under Instruments of Delegation for the month of April 2017 be noted.

DELEGATION	FUNCTION	Number for April 2016	Number for April 2017
Planning and Environment Act 1987	Delegated Decisions	111	101
	Strategic Planning Decisions	2	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		24	15
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	61	55
Liquor Control Reform Act 1998	Objections and Prosecutions	2	Nil
Food Act 1984	Food Act Orders	2	5
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	1	2
Local Government Act 1989	Temporary Road Closures	5	3
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	1	2
	Property Sales and Leases	1	2
	Documents to which Council seal affixed	1	1
	Vendor Payments	1020	1104
	Parking Amendments	12	4
	Parking Infringements written off (not able to be collected)	295	276

9.3.9

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS APRIL 2017

All decisions are the subject of conditions which may in some circumstances alter the use of development approved, or specific grounds of refusal is an application is not supported.

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
50	03-04-17	Application Lapsed	1 Holberry St, Nunawading	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
1052	03-04-17	Application Lapsed	521 Belmore Rd, Mont Albert North	Elgar	Storage of miniature railway equipment	Other
1121	06-04-17	Application Lapsed	100 Elgar Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings and alteration of access to a Road in a Road Zone Category 1	Multiple Dwellings
208	21-04-17	Delegate Approval - S72 Amendment	15 Wellington Ave, Blackburn	Central	Construction of a double storey dwelling at the rear of an existing dwelling, two lot subdivision and tree removal	Permit Amendment
242	21-04-17	Delegate Approval - S72 Amendment	18 Grandview Rd, Box Hill South	Riversdale	Construction of three dwellings including one triple storey dwelling and two double storey dwellings	Permit Amendment
259	20-04-17	Delegate Approval - S72 Amendment	177 Holland Rd, Burwood East	Riversdale	Amendment to Planning Permit WH/2015/259 (Issued for the construction of two (2) double storey dwellings) for modifications to Dwelling 2 by way of increased the setback from the rear boundary	Permit Amendment
346	27-04-17	Delegate Approval - S72 Amendment	20 Rose St, Box Hill	Elgar	Construction of two (2) double storey dwellings and a 1.5m high front fence	Permit Amendment
413	26-04-17	Delegate Approval - S72 Amendment	7 Eckersley Crt, Blackburn South	Central	Buildings and works to construct a double storey dwelling and works within 4 metres of protected trees	Permit Amendment
530	27-04-17	Delegate Approval - S72 Amendment	19 Premier Ave, Mitcham	Springfield	Construction of two double storey dwellings	Permit Amendment
648	21-04-17	Delegate Approval - S72 Amendment	17 Worrall St, Burwood	Riversdale	Construction of three double storey dwellings	Permit Amendment

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
891	18-04-17	Delegate Approval - S72 Amendment	14 Peter St, Box Hill North	Elgar	Construction of two (2) double storey side by side dwellings	Permit Amendment
923	03-04-17	Delegate Approval - S72 Amendment	7 Linlithgow St, Mitcham	Springfield	2 lot subdivision	Permit Amendment
931	03-04-17	Delegate Approval - S72 Amendment	42H Albany Cres, Surrey Hills	Elgar	Amendment to Planning Permit WH/2014/931 (issued for construction of two double storey dwellings and subdivision of land) to convert carport to garage and construct garage with access to Sydenham Lane	Permit Amendment
1032	05-04-17	Delegate Approval - S72 Amendment	109 Husband Rd, Forest Hill	Morack	Construction of two (2) double storey dwellings	Permit Amendment
1067	13-04-17	Delegate Approval - S72 Amendment	5 Surrey St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Permit Amendment
41	26-04-17	Delegate NOD Issued	2/60-64 Foch St, Box Hill South	Riversdale	First floor extension on a site less than 300 m2	Single Dwelling < 300m2
140	27-04-17	Delegate NOD Issued	6 Parkside Ave, Box Hill	Elgar	Construction of two double storey dwellings	Multiple Dwellings
314	04-04-17	Delegate NOD Issued	467 Burwood Hwy, Vermont South	Morack	Construction of a part four and part five storey apartment building (plus basement) and removal of easement	Multiple Dwellings
457	21-04-17	Delegate NOD Issued	3 Shaun Ave, Blackburn South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
468	21-04-17	Delegate NOD Issued	31 Bentley St, Surrey Hills	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
493	28-04-17	Delegate NOD Issued	150 Canterbury Rd, Blackburn South	Central	Use and development of the land for the purpose of a dental surgery and reduction in car parking	Residential (Other)
757	21-04-17	Delegate NOD Issued	8 First Ave, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
850	19-04-17	Delegate NOD Issued	2 Julie St, Blackburn North	Central	Construction of two double storey dwellings and associated subdivision of the land into two lots	Multiple Dwellings
889	12-04-17	Delegate NOD Issued	86-88 Springvale Rd, Nunawading	Springfield	Development and use of the land for the purpose of a child care centre	Child Care Centre
926	26-04-17	Delegate NOD Issued	14 Roselea St, Box Hill North	Elgar	The construction of six (6) double storey dwellings	Multiple Dwellings
1084	21-04-17	Delegate NOD Issued	116 Mahoneys Rd, Forest Hill	Central	Three new double storey dwellings	Multiple Dwellings
1092	26-04-17	Delegate NOD Issued	493 Whitehorse Rd, Mitcham	Springfield	Buildings and works (to change building facade), reduction in car parking, sale and consumption of liquor associated with a restaurant use and display of an internally illuminated business identification signage.	Liquor Licence
4	13-04-17	Delegate Permit Issued	43 McCulloch St, Nunawading	Springfield	Two lot subdivision (to retain existing house on proposed lot 1 and lot 2 vacant land)	Subdivision
13	10-04-17	Delegate Permit Issued	14 Stanley Grv, Blackburn	Central	Construction of three double storey dwellings	Multiple Dwellings
31	13-04-17	Delegate Permit Issued	19 Wellington Ave, Blackburn	Central	Construction of swimming pool in Significant Landscape Overlay	Special Landscape Area
44	28-04-17	Delegate Permit Issued	19 Redland Drv, Mitcham	Springfield	Construction of a mezzanine floor within the existing warehouse	Industrial
60	27-04-17	Delegate Permit Issued	Bus Shelter opposite the address 1-19 Burwood Highway, Burwood	Riversdale	Two (2) single sided illuminated electronic promotion sign on an existing bus shelter (stop id 31101)	Advertising Sign
114	26-04-17	Delegate Permit Issued	249 Canterbury Rd, Forest Hill	Springfield	Installation of one double sided internally illuminated sign (business identification pylon)	Advertising Sign

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
120	21-04-17	Delegate Permit Issued	1031E Whitehorse Rd, Box Hill	Elgar	Use of land for the sale and consumption of liquor	Liquor Licence
132	18-04-17	Delegate Permit Issued	27 Summit Rd, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
147	18-04-17	Delegate Permit Issued	19 Church St, Mitcham	Springfield	Four (4) lot subdivision	Subdivision
161	11-04-17	Delegate Permit Issued	1000 Whitehorse Rd, Box Hill	Elgar	Two (2) lot Subdivision	Subdivision
167	13-04-17	Delegate Permit Issued	1/3 Lusk Drv, Vermont	Morack	Buildings and works for the construction of a verandah	Single Dwelling < 300m2
193	26-04-17	Delegate Permit Issued	34 Dorking Rd, Box Hill	Elgar	Display of internally illuminated business identification signage	Advertising Sign
198	21-04-17	Delegate Permit Issued	5 Valma Crt, Forest Hill	Springfield	Three (3) lot subdivision	Subdivision
206	10-04-17	Delegate Permit Issued	29 Romoly Drv, Forest Hill	Central	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
216	10-04-17	Delegate Permit Issued	19 Rosstrevor Cres, Mitcham	Springfield	Tree removal within the significant landscape overlay for home extension	VicSmart - General Application
226	18-04-17	Delegate Permit Issued	71 Junction Rd, Nunawading	Springfield	Two (2) lot subdivision	VicSmart - Subdivision
233	18-04-17	Delegate Permit Issued	63 Vicki St, Forest Hill	Central	Two (2) lot subdivision	Subdivision
237	10-04-17	Delegate Permit Issued	14 Rosalind Cres, Blackburn	Central	Tree removal	VicSmart - General Application
244	24-04-17	Delegate Permit Issued	14 Denis St, Vermont	Springfield	Two (2) lot subdivision	Subdivision
248	18-04-17	Delegate Permit Issued	78 Dorking Rd, Box Hill North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
252	21-04-17	Delegate Permit Issued	22 Currie St, Box Hill North	Elgar	Inground pool	VicSmart - General Application
257	24-04-17	Delegate Permit Issued	7 Langtree Crt, Blackburn	Central	Two (2) lot subdivision	Subdivision
261	27-04-17	Delegate Permit Issued	10A Knightsbridge Ave, Nunawading	Springfield	Construction of a 1.8m high front fence (brick & steel)	VicSmart - General Application
262	28-04-17	Delegate Permit Issued	3 Alexander St, Box Hill	Elgar	External painting	VicSmart - General Application

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
324	03-04-17	Delegate Permit Issued	14 Delany Ave, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
376	18-04-17	Delegate Permit Issued	543 Middleborough Rd, Box Hill North	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
396	12-04-17	Delegate Permit Issued	15 Jellicoe St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
538	27-04-17	Delegate Permit Issued	18 Nandina St, Forest Hill	Springfield	Buildings and works associated with the construction of (2) double-storey part triple-storey dwellings	Multiple Dwellings
546	24-04-17	Delegate Permit Issued	65 Katrina St, Blackburn North	Central	Construction of a three (3) storey mixed-use building comprising one shop, three dwellings, a rooftop terrace and a basement level and the waiver of loading bay requirements	Business
562	10-04-17	Delegate Permit Issued	11 Peacock St, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
573	18-04-17	Delegate Permit Issued	38 Roslyn St, Burwood	Riversdale	Development of two double storey dwellings	Multiple Dwellings
583	18-04-17	Delegate Permit Issued	1 Lindau Drv, Vermont South	Morack	Part demolition of an existing dwelling and addition of a second dwelling	Multiple Dwellings
640	24-04-17	Delegate Permit Issued	150 Elgar Rd, Box Hill South	Riversdale	Change of use to a Medical Centre, the construction of buildings and works to the existing dwelling associated with a Section 2 Use, and a reduction of the car parking rate pursuant to Clause 52.06-3.	Residential (Other)
653	27-04-17	Delegate Permit Issued	60 Heatherdale Rd, Mitcham	Springfield	Construction of two dwellings and a two lot subdivision	Multiple Dwellings
676	10-04-17	Delegate Permit Issued	8 Alexander St, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
688	28-04-17	Delegate Permit Issued	41 Peter Ave, Blackburn North	Central	Alterations and additions to the existing dwelling	Single Dwelling < 300m2

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
699	27-04-17	Delegate Permit Issued	78 Burwood Hwy, Burwood East	Riversdale	The construction of six (6) three storey dwellings access and altering access to a Road in Road Zone category 1	Multiple Dwellings
705	10-04-17	Delegate Permit Issued	2 Springfield Rd, Blackburn	Central	Use and development of the land for a convenience restaurant, advertising signage, the partial removal of easement E-1 as shown on PC360555F, a reduction to the required bicycle facilities and alteration of access to a Road in a Road Zone (Category 1)	Residential (Other)
712	10-04-17	Delegate Permit Issued	5 Horfield Ave, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
713	10-04-17	Delegate Permit Issued	20 Edwards St, Burwood	Riversdale	Development of three double storey dwellings	Multiple Dwellings
716	24-04-17	Delegate Permit Issued	44 Pendle St, Box Hill	Elgar	Construction of two double storey dwellings	Multiple Dwellings
728	10-04-17	Delegate Permit Issued	11 Haros Ave, Nunawading	Springfield	Construction of six double storey dwellings	Multiple Dwellings
735	26-04-17	Delegate Permit Issued	66 Surrey Rd, Blackburn North	Central	Construction of two(2) double storey townhouses and alteration of a Road zone	Multiple Dwellings
770	28-04-17	Delegate Permit Issued	68 Eley Rd, Burwood	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
795	19-04-17	Delegate Permit Issued	22 Sandy St, Nunawading	Springfield	Construction of two double storey dwellings with an existing dwelling	Multiple Dwellings
815	28-04-17	Delegate Permit Issued	104 Elgar Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
862	24-04-17	Delegate Permit Issued	938 Canterbury Rd, Box Hill South	Riversdale	The construction of two (2) double storey dwellings, use of the land for a dwelling under the Public Acquisition Overlay Schedule 4, and alteration of access to a Road in a Road Zone, Category 1.	Multiple Dwellings
871	28-04-17	Delegate Permit Issued	116 Dorking Rd, Box Hill North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
887	18-04-17	Delegate Permit Issued	11 Farleigh Ave, Burwood	Riversdale	Construction of three (3) double-storey dwellings	Multiple Dwellings
893	18-04-17	Delegate Permit Issued	3 The Ave, Blackburn	Central	Buildings and works to extend a dwelling	Special Landscape Area
910	28-04-17	Delegate Permit Issued	125 Springvale Rd, Nunawading	Springfield	Construction of two double storey dwellings, a two lot subdivision and alteration of access to a Road Zone Category 1	Multiple Dwellings
940	24-04-17	Delegate Permit Issued	1 Orient Ave, Mitcham	Springfield	Two lot subdivision and tree removal in accordance with the attached plans	Subdivision
1003	21-04-17	Delegate Permit Issued	33 Canterbury Rd, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
1011	03-04-17	Delegate Permit Issued	1 Karwitha St, Vermont	Morack	Two new dwellings - double storey townhouses	Multiple Dwellings
1040	18-04-17	Delegate Permit Issued	8 Trinian St, Vermont	Morack	Construction of two double storey dwellings	Multiple Dwellings
1122	20-04-17	Delegate Permit Issued	906 Canterbury Rd, Box Hill South	Riversdale	Convert part of the existing grocery store into a takeaway shop	Business
1133	18-04-17	Delegate Permit Issued	18 Second Ave, Box Hill North	Elgar	Two (2) lot subdivision	VicSmart - Subdivision
1154	21-04-17	Delegate Permit Issued	5 Christina St, Burwood	Riversdale	Construction of a double storey dwelling to the rear of the existing dwelling	Permit Amendment

9.3.9
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1179	07-04-17	Delegate Permit Issued	78 Middleborough Rd, Burwood East	Riversdale	Two (2) lot Subdivision (PS808262Q)	Subdivision
22	26-04-17	Delegate Refusal Issued	11 Ireland St, Burwood	Riversdale	Three dwellings on two lots	Multiple Dwellings
102	28-04-17	Delegate Refusal Issued	1/65 Orchard Cres, Mont AlbertNorth	Elgar	Removal of two trees	Vegetation Protection Overlay
201	12-04-17	Delegate Refusal Issued	134-136 Station St, Burwood	Riversdale	Construction of six double storey dwellings with basement car parking and removal of access to a Road in a Road Zone Category 1	Multiple Dwellings
209	03-04-17	Delegate Refusal Issued	207 Central Rd, Nunawading	Springfield	Removal of one tree	VicSmart - General Application
227	10-04-17	Delegate Refusal Issued	15 Creek Rd, Mitcham	Springfield	To remove the algerian oak next to our house (due to limb drop and the significant damage it is causing to our home)	VicSmart - General Application
666	07-04-17	Delegate Refusal Issued	19 Loudon Rd, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
1042	26-04-17	Delegate Refusal Issued	36 Arnott St, Mont AlbertNorth	Elgar	Construction of a second dwelling on a lot. Building and works within a special building overlay	Multiple Dwellings
1109	12-04-17	Delegate Refusal Issued	813-823 Whitehorse Rd, Mont Albert	Elgar	Construction of an 18 storey building (plus basement), residential use (plus retail and office), reduction of carparking and bicycle parking requirements, variation to loading bay requirements, and alteration of access to a Road zone category 1	Business
223	03-04-17	No Permit Required	27 Carrington Rd, Box Hill	Elgar	Display business signage	VicSmart - General Application
1017	19-04-17	Permit Corrected	5 Karen St, Box Hill North	Elgar	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings

9.3.9

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
510	05-04-17	Withdrawn	62 Davis St, Burwood East	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
512	24-04-17	Withdrawn	34 Dorking Rd, Box Hill	Elgar	Construction of 221 bed residential aged care facility and ancillary adult day over three levels plus basement in two stages	Permit Amendment
772	26-04-17	Withdrawn	80-80A South Pde, Blackburn	Central	Buildings and works to extend existing restaurant, reduction in car parking and waiver of loading bay	Permit Amendment
1001	04-04-17	Withdrawn	934-940 Whitehorse Rd, Box Hill	Elgar	Proposed chemist	Business

BUILDING DISPENSATIONS/APPLICATIONS APRIL 2017

Address	Date	Ward	Result
14 Lulworth Street, Blackburn North	21-04-17	Central	Consent Granted R426
17 Bridgeford Avenue, Blackburn North	20-04-17	Central	Consent Granted R411, R415, R409
23 Indra Road, Blackburn South	28-04-17	Central	Consent Granted R411
25 Jackson Street, Forest Hill	07-04-17	Central	Consent Granted R409
25 Sandgate Road, Blackburn South	28-04-17	Central	Consent Granted R414
31 Rosalind Crescent, Blackburn	24-04-17	Central	Consent Granted R414, R409
4 Rosslyn Street, Blackburn South	28-04-17	Central	Consent Granted R411
43 Salisbury Avenue, Blackburn	27-04-17	Central	Consent Granted R409
6 Rosen Street, Blackburn South	11-04-17	Central	Consent Granted R414
17 Bridgeford Avenue, Blackburn North	20-04-17	Central	Consent Refused R410
18 Salisbury Avenue, Blackburn	21-04-17	Central	Consent Refused R409
14 Rostrevor Parade, Mont Albert	07-04-17	Elgar	Consent Granted R420
17 Lawford Street, Box Hill North	05-04-17	Elgar	Consent Granted R424, R427
29 Tyrrell Street, Mont Albert North	11-04-17	Elgar	Consent Granted R604
3 Inglis Street, Box Hill North	05-04-17	Elgar	Consent Granted R414
14 Morris Avenue, Mont Albert North	05-04-17	Elgar	Consent Refused R415, R414
66 Boondara Road, Mont Albert North	19-04-17	Elgar	Consent Refused R409
13 Hampshire Road, Forest Hill	03-04-17	Morack	Amendment Approved R417
23 Lusk drive, Vermont	20-04-17	Morack	Consent Granted R424, R427
24 Overland Drive, Vermont South	21-04-17	Morack	Consent Granted R415
28 Ansett Crescent, Forest Hill	28-04-17	Morack	Consent Granted R409
32 Hampshire Road, Forest Hill	10-04-17	Morack	Consent Granted R409
488 Burwood highway, Vermont South	20-04-17	Morack	Consent Granted R424
1/15 Renown Street, Burwood	20-04-17	Riversdale	Amendment Approved R424
1 Jenner Street, Blackburn South	10-04-17	Riversdale	Consent Granted R409, R414

9.3.9

(cont)

Address	Date	Ward	Result
1147 Riversdale Road, Box Hill South	27-04-17	Riversdale	Consent Granted R604
12 Cadorna Street, Box Hill South	10-04-17	Riversdale	Consent Granted R426
16 Pembroke Street, Surrey Hills	11-04-17	Riversdale	Consent Granted R420
17 Drewett Street, Surrey Hills	10-04-17	Riversdale	Consent Granted R415
28 Fowler Street, Box Hill South	28-04-17	Riversdale	Consent Granted R424
3 Mathilde Road, Surrey Hills	05-04-17	Riversdale	Consent Granted R424
35 Bermuda Drive, Blackburn South	20-04-17	Riversdale	Consent Refused R409
20 Morton Street, Box Hill South	04-04-17	Riversdale	Withdrawn R409
16 Holberry Street, Nunawading	20-04-17	Springfield	Amendment Approved R411
1 Lombard Road, Vermont	05-04-17	Springfield	Consent Granted R409, R411
1 Owen Street, Mitcham	20-04-17	Springfield	Consent Granted R414, R411, R412
14 Oleanda Crescent, Nunawading	21-04-17	Springfield	Consent Granted R414
14 Oleanda Crescent, Nunawading	21-04-17	Springfield	Consent Granted R415
19 Boyle Street, Forest Hill	07-04-17	Springfield	Consent Granted R415
21 Ashwood Drive, Nunawading	11-04-17	Springfield	Consent Granted R414
433 Mitcham Road, Mitcham	10-04-17	Springfield	Consent Granted R414
47 Rosstrevor Crescent, Mitcham	05-04-17	Springfield	Consent Granted R414, R409
54 Menin Road, Forest Hill	10-04-17	Springfield	Consent Granted R411
1 Lombard Road, Vermont	07-04-17	Springfield	Consent Refused R417

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – APRIL 2017

Under the Planning and Environment Act 1987

Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION APRIL 2017

Contract	Service
20020	Banksia Street Shops & Banksia-Waratah Playspace Upgrade
20022	Box Hill Gardens Respite From The City

REGISTER OF PROPERTY DOCUMENTS EXECUTED APRIL 2017

Property Address	Document Type	Document Detail
59 Nicholson Street, Nunawading	Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989
59 Nicholson Street; Nunawading	Creation of Easement Deed	Section 45 (1) of Transfer of Land Act 1958

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – APRIL 2017

Instrument of Appointment of Authorised Officer under Planning & Environment Act 1987
(Council Resolution 18-04-2017)

9.3.9

(cont)

PARKING RESTRICTIONS APPROVED BY DELEGATION APRIL 2017

Address:	Carrington Road, Box Hill: from the western boundary of 111 Carrington Road to the eastern boundary of 109 Carrington Road – south side
Previously:	4 '2-Hour, 7.30am to 7.30pm, Monday to Saturday' parking spaces
Now:	4 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
Address:	Luckie Street, Nunawading: from 10m west of Springvale Road to 26m west of Springvale Road – north side
Previously:	3 'Unrestricted' parking spaces
Now:	3 'No Stopping' parking spaces
Address:	Luckie Street, Nunawading: from 10m west of Springvale Road to 25m west of Springvale Road – south side
Previously:	2 'Unrestricted' parking spaces
Now:	2 'No Stopping' parking spaces
Address:	Doncaster East Road, Mitcham: from 18m south of Burnett Street to 30m south of Burnett Street – west side
Previously:	1 'Unrestricted' parking spaces
Now:	1 'No Stopping' parking space

VENDOR PAYMENT SUMMARY – SUMS PAID DURING APRIL 2017

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
04/04/2017	\$3,143.00	1	EFT
06/04/2017	\$4,311.84	7	EFC
06/04/2017	\$53,647.11	53	CHQ
06/04/2017	\$295,215.29	47	EFT
07/04/2017	\$39,598.76	2	EFT
13/04/2017	\$4,685.96	9	EFC
13/04/2017	\$26,244.38	52	CHQ
13/04/2017	\$2,317,060.74	313	EFT
20/04/2017	\$16,412.23	10	EFC
20/04/2017	\$40,363.07	56	CHQ
20/04/2017	\$228,678.46	41	EFT
20/04/2017	\$2,272.00	1	EFC
27/04/2017	\$2,823.23	11	EFC
27/04/2017	\$2,823.23	11	EFC
27/04/2017	\$47,412.98	80	CHQ
27/04/2017	\$5,034,853.17	410	EFT
MONTHLY LEASE	\$73,000.00		DD
GROSS	\$8,119,545.45	1104	
CANCELLED PAYMENTS	-\$15,089.33	-36	
NETT	\$8,177,456.12	1068	

**10 REPORTS FROM DELEGATES, SPECIAL COMMITTEE
RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS
RECORDS**

10.1 Reports by Delegates

(NB: Reports only from Councillors appointed by Council as delegates to community organisations/committees/groups)

RECOMMENDATION

That the reports from delegates be received and noted.

**10.2 Recommendations from the Special Committee of Council
Meeting of 13 June 2017**

Nil

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
08-05-17 3.00-5.00pm	Box Hill First <ul style="list-style-type: none"> Box Hill Metropolitan Activity Centre Update Recap from Stakeholders Workshop Evolution of Group Advocacy 	Cr Massoud (Mayor & Chair) Cr Bennett Cr Carr Cr Ellis Cr Liu	J Green P Warner P Smith W Gerhard A Egan I Kostopoulos J Nikas D Vincent-Smith	Nil	Nil
15-05-17 6.30-7.00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> Item 10.1.1 - 801-805 Whitehorse Road, Mont Albert & 1 Kingsley Crescent, Mont Albert 10.1.2A-1-3 Kinkora Road, Blackburn 	Cr Massoud (Mayor & Chair) Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett	N Duff J Green P Warner T Wilkinson P Smith A De Fazio S Freud J Russell	Nil	Nil
22-05-17 4.00 -6.00pm	Judging for Sustainability Awards	Cr Massoud (Mayor & Chair) Cr Bennett Cr Cutts Cr Liu	I Kostopoulos W Gerhard L Maloney I Moodie F Perrone K Smyth I Barnes	Conflict of Interest disclosed in an award category	Cr Cutts was assigned to judge another category and was not involved in the category where the disclosure was made
05-06-17 6.30-9.40pm	Strategic Planning Session <ul style="list-style-type: none"> Finance Update Capital Works Tree Education Program Update Whitehorse Public Tree Management Pound Management Tender Municipal Public Health & Wellbeing Plan Update & Workshop 	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Stennett NB Cr Stennett arrived at 6.47pm	N Duff J Green P Warner T Wilkinson P Smith R Sheehan S Cann D Comazzetto M Wells A Egan N Brown D Edwards D Seddon B Upston R Hood	Nil	Nil

10.3
(cont)

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
13-06-17 6.45 – 11.15pm	Councillor Briefing Session <ul style="list-style-type: none"> 820 Whitehorse road Box Hill-VCAT Proceedings Special Committee Agenda/Other Business Draft Council Agenda 26 June 2017 Submission Deliberations from Special Committee Agenda items 	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Stennett NB Cr Stennett left the meeting 11.00pm	(ACEO) J Green (AGMCD) K Marriott P Warner T Wilkinson P Smith A De Fazio S Freud J Russell A Egan J Hansen G Pottinger I Kostopoulos S Cann J Blythe D Cavenagh A Ghastine M Tate T Peak S Morison	Cr Davenport declared a conflict of Interest in Item 9.3.4 Tender Evaluation of (Contract 20035) Provision of Parking Services	Cr Davenport left the meeting at 10.10pm prior to the discussion and returned at 10.30pm after discussion on Item 9.3.4 concluded
14-06-17 6.00 - 9.00pm	Community Grants Councillor Panel <ul style="list-style-type: none"> 2017-2018 Annual grant applications 	Cr Massoud (Mayor) Cr Bennett Cr Cutts Cr Ellis Cr Liu	D Seddon J Lyons	The following Councillors declared a Conflict of Interest: Cr Bennett - Vermont South Lions Club; Cr Ellis – ALKIRA; Cr Liu – Asian Business Association & Taiwanese Business Association; Cr Massoud – Whitehorse Community Chest	Councillors Bennett and Ellis remained at the meeting however were not involved in discussion on the item in which they had declared a Conflict of Interest. Cr Liu left the meeting for discussion on Taiwanese Business Association grant (the Asian Business Association grant was not discussed at this meeting) (The Whitehorse Community Chest grant was not discussed at this meeting.)

RECOMMENDATION

That the record of Assembly of Councillors be received and noted.

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

RECOMMENDATION

That the record of reports on conferences/seminars attendance be received and noted.

12 CONFIDENTIAL REPORTS

13 CLOSE MEETING