



# City of Whitehorse

## AGENDA

---

### Ordinary Council Meeting

To be held in the  
Council Chamber  
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

**Monday 17 July 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

## TABLE OF CONTENTS

<b>1</b>	<b>PRAYER .....</b>	<b>2</b>
<b>2</b>	<b>WELCOME AND APOLOGIES .....</b>	<b>2</b>
<b>3</b>	<b>DISCLOSURE OF CONFLICT OF INTERESTS .....</b>	<b>2</b>
<b>4</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....</b>	<b>2</b>
<b>5</b>	<b>RESPONSES TO QUESTIONS .....</b>	<b>2</b>
<b>6</b>	<b>NOTICES OF MOTION .....</b>	<b>2</b>
<b>7</b>	<b>PETITIONS .....</b>	<b>2</b>
<b>8</b>	<b>URGENT BUSINESS .....</b>	<b>2</b>
<b>9</b>	<b>COUNCIL REPORTS .....</b>	<b>3</b>
<b>9.1</b>	<b>CITY DEVELOPMENT .....</b>	<b>3</b>
	<b>STATUTORY PLANNING</b>	
9.1.1	4 FLETCHER PARADE, BURWOOD (LOT 25 LP 22053) .....	3
9.1.2	AMENDMENT C194 TO THE WHITEHORSE PLANNING SCHEME (517 & 519-521 STATION STREET AND 2-8 OXFORD STREET, BOX HILL) - CONSIDERATION OF EXHIBITION PERIOD AND SUBMISSIONS .	18
	<b>ENGINEERING AND ENVIRONMENTAL</b>	
9.1.3	WHITEHORSE CYCLING STRATEGY - ANNUAL IMPLEMENTATION REPORT FOR 2016/17 .....	38
<b>9.2</b>	<b>INFRASTRUCTURE .....</b>	<b>40</b>
9.2.1	CONSTRUCTION OF THE HARROW STREET MULTI-DECK CAR PARK – DESIGN OPTIONS .....	40
<b>9.3</b>	<b>HUMAN SERVICES .....</b>	<b>45</b>
9.3.1	WHITEHORSE COMMUNITY GRANTS 2017/18 FINANCIAL YEAR.....	45
<b>9.4</b>	<b>CORPORATE REPORTS .....</b>	<b>57</b>
9.4.1	COUNCIL OWNED LAND: 2 CARRINGTON ROAD, BOX HILL .....	57
9.4.2	DELEGATED DECISIONS MAY 2017 .....	60
<b>10</b>	<b>REPORTS FROM DELEGATES, SPECIAL COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORDS.....</b>	<b>77</b>
10.1	REPORTS BY DELEGATES .....	77
10.2	RECOMMENDATION FROM THE SPECIAL COMMITTEE OF COUNCIL MEETING OF 10 JULY 2017 .....	77
10.3	RECORD OF ASSEMBLY OF COUNCILLORS .....	78
<b>11</b>	<b>REPORTS ON CONFERENCES/SEMINARS ATTENDANCE .....</b>	<b>80</b>
<b>12</b>	<b>CONFIDENTIAL REPORTS .....</b>	<b>80</b>
<b>13</b>	<b>CLOSE MEETING .....</b>	<b>80</b>

## 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 26 June 2017.

#### RECOMMENDATION

***That the minutes of the Ordinary Council Meeting 26 June 2017 having been circulated now be confirmed.***

### 5 RESPONSES TO QUESTIONS

### 6 NOTICES OF MOTION

### 7 PETITIONS

### 8 URGENT BUSINESS

## **9 COUNCIL REPORTS**

### **9.1 CITY DEVELOPMENT**

#### **Statutory Planning**

##### **9.1.1 4 Fletcher Parade, Burwood (Lot 25 LP 22053)**

FILE NUMBER: WH/2016/491  
ATTACHMENT

---

#### **SUMMARY**

*This application proposes four triple storey dwellings, and following advertising, a total of 19 objections were received. The objections raised issues with amenity, neighbourhood character, car parking, traffic and landscaping. A Consultation Forum was held on 30 May, 2017, chaired by Councillor Davenport, at which the issues were explored, however no resolution was reached between the parties. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. It is recommended that the application be supported, subject to conditions.*

#### **RECOMMENDATION**

##### **That Council:**

- A. Being the Responsible Authority, having caused Application WH/2016/491 for 4 Fletcher Parade, BURWOOD (LOT 25 LP 22053 49C) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the construction of four triple storey dwellings is acceptable and should be supported.**
- B. Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 4 Fletcher Parade, BURWOOD (LOT 25 LP 22053 49C) for the construction of four triple storey dwellings, subject to the following conditions:**
  - 1. Before the development starts, or vegetation is removed, amended plans (three full size copies and one copy reduced to A3 size) shall be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:**
    - a) The locations of Tree Protection Zones described in condition 5, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of conditions 5 and 6 to be annotated on the development and landscape plans.**
    - b) All communal and private pedestrian paths and paved areas to be constructed of permeable paving.**
    - c) Underground water tanks to be relocated so that they do not prejudice the growth and anchoring of required trees and vegetation.**
    - d) Removal of the two gates between the subject site and Gardiners Creek Reserve and the associated indents on the pedestrian access path must be removed.**
    - e) Height and construction details of the boundary and internal fences to east of the dwellings.**
    - f) Ramp grades of accessway to be provided to the satisfaction of the Responsible Authority.**

**9.1.1**  
(cont)

- g) All obstructions within the sight line triangle (including letter boxes, meter boxes and side boundary fencing) to be no higher than 0.9 metre in height, or be relocated clear of the sight line triangle in accordance with Clause 52.06-8.*
- h) The new crossover to be setback a minimum of 1 metre from the existing power pole.*
- i) Clotheslines to be screened so that they are not visible from the park.*
- j) Provision of external storage to Dwellings 2-4, located clear of primary landscaping areas.*
- k) A Sustainable Design Assessment for the development in accordance with Clause 22.10.*
- l) Notation on site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.*
- m) A landscape plan in accordance with condition 3, including the following:*
  - i. Reflect the updated site layout conditions above.*
  - ii. The planting of at least one additional upper canopy tree with a minimum mature height of 8 metres within the front setback.*
  - iii. The planting of two upper canopy trees with minimum mature heights of 8 metres along the rear boundary- one at the south-east corner and one at the south-west corner of the lot.*
  - iv. The planting of at one upper canopy tree with a minimum mature height of 8 metres to the east of Dwelling 4.*
  - v. The planting of at least three mid canopy trees with minimum mature heights of 6 metres along the east boundary-one each beside Dwellings 1-3.*
  - vi. Screening vegetation with a minimum mature height of 3 metres to be planted along the east and west boundaries.*
  - vii. The structures over the vehicle accessway to be planted and trained with climbing plants.*
  - viii. All trees are to have a minimum height of 1.5 metres at the time of planting, and should be planted clear of easements, a minimum 3 metres away from dwellings and a minimum 2 metres from property boundaries (except the park).*

*All of the above requirements must be to the satisfaction of the Responsible Authority.*

*Once approved these plans and documents become the endorsed plans of this permit.*

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.*
- 3. No building or works shall be commenced (and no trees or vegetation shall be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed shall form part of this permit. This plan shall show -*
  - a) A survey of all existing vegetation, abutting street trees, natural features and vegetation.*
  - b) Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.*

**9.1.1**  
(cont)

- c) *Planting within and around the perimeter of the site comprising trees and shrubs capable of:*
  - i. *Providing a complete garden scheme,*
  - ii. *Softening the building bulk,*
  - iii. *Providing some upper canopy for landscape perspective,*
  - iv. *Minimising the potential of any overlooking between habitable rooms of adjacent dwellings.*
- d) *A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of condition No. 1.*
- e) *The proposed design features such as paths, paving, lawn and mulch.*
- f) *A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.*

*Landscaping in accordance with this approved plan and schedule must be completed before the building is occupied.*

*Once approved these plans become the endorsed plans of this permit.*

- 4. *The garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.*
- 5. *Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained on the subject land during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:*
  - a) *Tree Protection Zone distances:*
    - i. *Tree 1 – Cedrus atlantica – 5.5 metre radius from the centre of the tree base.*
  - b) *Tree Protection Zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:*
    - i. *Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.*
    - ii. *Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.*
    - iii. *Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.*
    - iv. *No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.*
    - v. *All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.*

**9.1.1**  
(cont)

- vi. All sub surface utilities and utility connection points, inspection pits and associated infrastructure trenching and installation are to be designed so that they are located outside the TPZs of retained trees, to the satisfaction of the Responsible Authority. Utility conduits can be located beneath TPZs but must be installed using trenchless excavation (eg: boring) and installed to a minimum depth of 0.6 metres below natural grade.*
  - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.*
  - viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.*
- 6. During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the Responsible Authority:**
  - a) The project arborist must be present during the removal of the existing infrastructure where within the TPZ of Tree 1. Any roots that require pruning must be assessed by a qualified arborist to ensure tree health and/or stability is not compromised. Roots that require pruning must be exposed by hand at the location of the cut, and must be pruned carefully and cleanly with a sharp handsaw or secateurs, preferably back to a lateral root where possible.*
  - b) Any tree pruning is to conform to AS4373-2007 Pruning of Amenity Trees and the work is to be performed by a suitably qualified arborist (AQF Level 3, minimum).*
- 7. All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.**
- 8. Prior to any works, design plans and specifications of the civil works within the site associated with the development are to be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register), and submitted to the Responsible Authority. Certification by the consulting engineer that the civil works have been completed in accordance with the design plans and specifications must be provided to the Responsible Authority.**
- 9. Detailed civil plans and computations for stormwater on-site detention and connection to the legal point of discharge must be prepared by a suitably experienced and qualified professional, and submitted for approval by Responsible Authority prior to the commencement of any works.**
- 10. Stormwater connection to the nominated point of discharge and stormwater on-site detention must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.**
- 11. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.**
- 12. The Applicant/Owner shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**

### **9.1.1**

(cont)

- 13. Prior to the occupation of the development, the development must be constructed in accordance with the endorsed Sustainable Design Assessment, to the satisfaction of the Responsible Authority.**
- 14. The development shall be provided with external lighting capable of illuminating access to each garage and front door. Lighting shall be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site.**
- 15. All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.**
- 16. This permit will expire if one of the following circumstances applies:**
  - a) The development is not commenced within two (2) years from the date of issue of this permit,**
  - b) The development is not completed within four (4) years from the date of this permit.**

**The Responsible Authority may extend the periods referred to if a request is made in writing pursuant to the provision of Section 69 of the Planning and Environment Act 1987.**

**Permit Notes:**

- A. Soil erosion control measures must be adopted at all times to the satisfaction of the Relevant Authority during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with the EPA (Environment Protection Authority) Victoria "Environmental Guidelines for Major Construction Sites". The works during and after construction must comply with the above guidelines and in potentially high erosion areas a detailed plan may be required to indicate proposed measures and methodology.**
  - B. The property owner/ builder is to obtain the relevant permits and consents from Council in relation to asset protection, drainage works in easements and works in the road reserve prior to the commencement of any works.**
  - C. All stormwater drainage within the development site and associated with the building(s) (except for an on-site detention system and connection to the nominated legal point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s), in accordance with the provisions of the Building Regulations (2006) section 610.**
  - D. The construction or reinstatement of crossovers is to be to Council standards and at the full cost of the permit holder.**
  - E. The design and construction of letterboxes is to accord with Australian Standard AS-NZ 4253-1994.**
  - F. The lot/unit numbers on the "Endorsed Plan" are not to be used as the official street address of the property. All street addressing enquiries can be made by contacting our Property Team on 9262 6470.**
- C. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.**



**9.1.1**  
(cont)

MELWAYS REFERENCE 61 A5

Applicant:	Z & B Investments Pty Ltd
Zoning:	General Residential Zone Schedule 1
Overlays:	N/A
Relevant Clauses:	
Clause 11	Settlement
Clause 12	Environment and Landscape Values
Clause 15	Built Environment and Heritage
Clause 21.05	Environment
Clause 21.06	Housing
Clause 22.03	Residential Development
Clause 22.04	Tree Conservation
Clause 22.10	Environmentally Sustainable Development
Clause 32.08	General Residential Zone Schedule 1
Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot or Residential Buildings
Clause 65	Decision Guidelines
Ward:	Riversdale



		Subject site		13 Objector Properties (some properties had multiple objections) (2 outside of map)	<p>↑</p> <p>North</p>
--	--	--------------	--	--	-----------------------

### 9.1.1

(cont)

## BACKGROUND

### History

There have been no previous planning permit applications for this site.

### The Site and Surrounds

The subject site is located on the south side of Fletcher Parade, 55 metres east of the intersection with Elgar Road. The site is rectangular in shape with a frontage of 18.29 metres and a depth of 54.86 metres, producing a site area of 1003m<sup>2</sup>. The site accommodates a double storey weatherboard dwelling with undercroft parking and upper level balconies on the east elevation overlooking the adjacent parkland. The vehicle crossover and driveway are located adjacent to the east boundary. The subject site accommodates a number of trees, although these are generally in poor condition, with only an Atlantic Cedar within the front setback in good condition.

The site falls approximately 2.8 metres down from west to east towards the park. There are no easements over the site.

Gardiners Creek Reserve abuts the east boundary of the subject site, and this park includes walking tracks and mature trees within a parkland setting facilitating passive recreation. To the west of the subject site, No. 2 Fletcher Parade is being developed with two triple storey dwellings to the rear of the existing dwelling in accordance with Planning Permit WH/2011/971.

The surrounding properties along Fletcher Parade are generally single and double storey in form with substantial rear gardens. Architecture is predominantly post war brick and weatherboard dwellings, including several examples of undercroft parking owing to the significant site slopes towards Gardiners Creek to the east. Dwellings are constructed of a variety of materials including weatherboard and brick, and have predominantly pitched roof forms. Gardens within the streetscape include established vegetation and scattered canopy trees.

To the rear (south), the subject site abuts land within the Residential Growth Zone Schedule 2 which accommodates a Hungry Jacks restaurant and car park facing Burwood Highway.

Presbyterian Ladies College (PLC) is located across Elgar Road at the western end of Fletcher Parade, and is developed with a three storey building facing Fletcher Parade. The site is within the Garden Suburban Precinct 1 under Council's Residential Development Policy. The preferred character is described as follows:

- *The simple, moderately scaled dwellings, including many from the Interwar era, will sit within low-set, spacious gardens and are clearly visible from the street through open frontages. The formal character of the area will be enhanced by garden settings with tall trees, lawns, garden beds and shrubs. A sense of spaciousness will be established and enhanced with consistent front and side setbacks, and low or open style front fences.*
- *Buildings will be occasionally built to the side boundary, but appear to have side setbacks with space for planting. Buildings close to Gardiner's Creek will be sited so that the overall visibility of the development is minimised when viewed from the creek corridor, which will enhance the natural, bushy settings. Vegetation from private gardens will enhance the existing landscape character of the creek corridor, incorporating large native / indigenous canopy trees.*
- *Areas with good access to trams will accommodate more dwellings with slightly more compact siting than the remaining residential areas, but with space for large trees and gardens.*

### **9.1.1**

(cont)

#### **Planning Controls**

Pursuant to Clause 32.08-6 (General Residential Zone), a planning permit is required to construct two or more dwellings on a lot.

It is noted that Amendment VC110 gazetted on 27 March, 2017, introduced a minimum garden area requirement and limited the maximum building height requirement for a dwelling in Schedule 1 of the General Residential Zone to 11 metres and 3 storeys, however Clause 32.08-14 Transitional Provisions indicates that the VC110 height requirements do not apply to planning permit applications lodged prior to the gazettal of this amendment; this application was lodged in 2016.

#### **PROPOSAL**

The application originally proposed the construction of four x four storey dwellings, however amended plans were tabled at the community consultation forum in response to Council Officer and objector concerns, which have reduced the proposed built form to four triple storey dwellings. The amended plans are the decision plans for this application and will be discussed in this report.

The proposal incorporates a new crossover at the north-west corner of the lot serving a vehicle accessway along the west property boundary which will be excavated into the slope of the land. This accessway will serve four double garages providing vehicular access to the proposed dwellings. All dwellings will include laundries at this level, with Dwellings 1 and 4 also including storage areas. Pedestrian access to the front doors of the dwellings will be provided by a pathway at ground level along the eastern boundary adjacent to the Gardiners Creek Reserve.

All dwellings include primary living and dining areas, kitchen and two bedrooms at the first floor level with 1.8 metre wide terraces on the east elevations facing the Gardiners Creek Reserve 3.92 metres to the east. These terraces will form the primary secluded private open space for the proposed dwellings. The second floors of the proposed dwellings accommodate two further bedrooms, including the master suites, which have access to 1.1 metre wide east facing terraces set back 6.57 metres from the east boundary.

Dwelling 1 is proposed to be setback 7.5 metres from the front (north) boundary at the ground level, stepping back to 8.6 metres at the first floor (excluding the terrace) and 9.05 metres at the second floor. To the rear, Dwelling 4 is proposed to be setback 2.85 metres from the rear boundary, stepping back progressively at the upper levels to 4.47 metres at the upper floor.

The dwelling setbacks from the west boundary interface with the three dwellings at No. 2 Fletcher Parade varies from 7 metres to the garages at the ground level to 2.96 metres at the first floor level and 3.21 metres at the second floor level. Frames for climbing plants will be positioned at intervals over the open sections of the vehicle accessway.

The upper levels of the four dwellings are proposed to be separated from each other by between 1.8 and 3 metres at the first floor level and a minimum of 4.2 metres, up to 7.2 metres at the upper level.

The maximum building height of the proposed dwellings is 10 metres above natural ground level for the east elevation of Dwelling 1, and the west elevations facing the adjoining residential lot are proposed to be a maximum of 8 metres above the natural ground level.

The cladding materials include brick, render and timber-look cladding. Underground water tanks, with a 3000 litre capacity, are proposed to be provided to the east of each dwelling.

The front fence is proposed to be constructed timber pickets a maximum of 1.2 metres high.

The amended plans include proposed gates from the subject site onto Gardiners Creek Reserve.

### **9.1.1**

(cont)

The proposal includes the retention of Tree 1 (Atlantic Cedar) within the frontage at the north-east corner of the subject site and includes deep planting areas for trees at the rear south-east and south-west corners of the site.

## **CONSULTATION**

### **Public Notice**

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Fletcher Parade frontage and facing Gardiners Creek Reserve. Following the advertising period 19 objections from 13 properties (including 14 pro-formas) were received.

The issues raised are summarised as follows:

- Amenity impacts:
  - Overshadowing
- Neighbourhood Character:
  - Building bulk and form
  - Excessive building height
  - Excessive site cut and fill
  - Detrimental impact to the streetscape
  - Building design out of keeping with surrounding dwellings
  - No connectivity to Gardiners Creek
  - Loss of the existing dwelling
  - Excessive dwelling density
  - Relocation of crossover
- Car parking and traffic:
  - Increased on-street parking
  - Insufficient on-site car parking
  - Traffic safety impacts on the street
- Landscaping:
  - Tree removal
  - Loss of landscaping to Gardiners Creek interface
- Non-planning matters:
  - Excessive excavation and potential damage to adjoining lot
  - Units will be rented out
  - Site drainage concern

### **Consultation Forum**

A Consultation Forum was held on 30 May, 2017. Approximately 10 objectors attended the meeting, as well Councillor Davenport, the applicant's representatives, and the planning officer.

At the forum, the amended plans were provided to all attendees and discussed. The issues raised in the objections were discussed in detail. Of particular concern was the difference between the proposed built form and the approved buildings under construction at No. 2 Fletcher Parade. A number of the objectors include the owners of the new dwellings on the adjoining lot to the west (who are currently living elsewhere), and concerns were expressed that the proposal did not maintain the existing neighbourhood character by retaining the existing dwelling, and that the proposal for four dwellings (compared with three dwellings approved to the east) represented an overdevelopment of the site and did not provide sufficient landscaping or planting opportunities.

### 9.1.1

(cont)

Loss of views and overshadowing were also raised by the prospective residents of No. 2 Fletcher Parade. On-going concerns about common boundary fencing construction were flagged and the applicant advised these would be passed on to the property owners.

Residents expressed concern that the U-shaped Fletcher Parade which intersects only with Elgar Road was already creating difficulties for accessing and egressing the local street, owing to the increasing traffic at these intersections. Existing levels of on-street parking in Fletcher Parade generated by residents, park users, Deakin and PLC visitors were also a concern that objectors felt would be exacerbated by the proposed dwellings.

Construction impacts associated with excavating for the development on sloping land were also raised.

#### Referrals

##### Internal

##### Engineering and Environmental Services Department

- Transport Engineer

No objection to the proposed car park layout, however the ramp grades on the amended plans will require confirmation.

- Assets Engineer

No objection, subject to standard conditions.

##### Planning Arborist

No objection, subject to the inclusion of tree protection measures for Tree 1 *Cedrus atlantica* (Atlantic Cedar) within the frontage.

##### Parkswide Arborist

The development will not impact trees within Council's reserve.

##### Urban Design

The amended plans address Urban Design comments, and additional advice is included in the discussion below.

#### DISCUSSION

##### Consistency with State and Local Planning Policies

The construction of four dwellings on this site accords with State and Local Planning policies to encourage higher density development within walking distance of community facilities and public transport. The site is located 200 metres from the tram line along Burwood Highway, and one kilometre from the Burwood Village Shopping Centre. A number of education facilities including PLC, Mount Scopus Memorial College and Deakin University, as well as parks including Gardiners Creek Reserve, Bennetswood Reserve and Sinnott Street Reserve are located within walking distance (500 metres) of the subject site.

State Planning Policy Framework (SPPF) aims to increase the supply of housing in existing urban areas, and to encourage well-designed medium density dwellings which respect preferred and prevailing neighbourhood character, increase housing choice, make better use of existing infrastructure and improve the energy efficiency of housing. This proposal is consistent with the relevant sections of the SPPF which seek to ensure that new development appropriately responds to its neighbourhood context and promotes energy efficiency.

### 9.1.1

(cont)

Under the Local Planning Policy Framework (LPPF), Clause 21.05 Environment includes objectives to protect and enhance community assets, reduce automobile dependency, encourage sustainable transport use, and to achieve best practice environmentally sustainable development.

To achieve this objective, the policy identifies the following relevant strategies.

- *Ensuring development is of a high quality design that is compatible with the character and appearance of the area.*
- *Providing adequate open space and landscaping for new development.*
- *Requiring the planting of upper canopy trees and other vegetation that enhances the character of the area.*
- *Reducing the visual impact of on-site car parking from the street by locating parking areas to the side or rear of buildings and the provision of appropriate landscape buffers to soften hard surfaced areas.*
- *Implementing ecological sustainability principles and Council's Sustainability Strategy.*
- *Encouraging development in those areas with adequate infrastructure and excellent public transport links.*

Clause 21.06 Housing recognises key issues that need to be addressed in respect of housing, and references the Limited, Natural and Substantial Change Areas which reflect the application of the different residential zones across the municipality. Clause 22.03 Residential Development requires development to demonstrate consistency with specified categories of change and character areas identified in the policy. Pursuant to Clause 22.03, the site is within a Natural Change Area and the Garden Suburban Precinct 1. Clause 22.03-4 includes the following strategies for Natural Change Areas:

- *Encourage low and medium density housing in the following forms:*
  - *Detached houses.*
  - *Semi-detached dwellings, townhouses, row or terrace houses.*
  - *Units or townhouses.*
- *Support new medium density developments in Natural Change Areas that:*
  - *Contribute to the preferred neighbourhood character for the location.*
  - *Provide a sensitive and appropriate interface with adjoining streetscapes, buildings and residential areas.*
- *Locate medium density housing, in the form of townhouses or units, close to transport, activity centres and community infrastructure.*
- *Ensure that the siting and design of new dwellings is respectful of surrounding development.*
- *Ensure buildings interfacing sensitive areas and uses in natural change areas are of a scale and massing appropriate to the character and scale of their context.*

Pursuant to Clause 22.03-5, the Preferred Character Statement for Garden Suburban Precinct 1 includes:

*The simple, moderately scaled dwellings, including many from the Interwar era, will sit within low-set, spacious gardens and are clearly visible from the street through open frontages. The formal character of the area will be enhanced by garden settings with tall trees, lawns, garden beds and shrubs. A sense of spaciousness will be established and enhanced with consistent front and side setbacks, and low or open style front fences.*

*Buildings will be occasionally built to the side boundary, but appear to have side setbacks with space for planting. Buildings close to Gardiner's Creek will be sited so that the overall visibility of the development is minimised when viewed from the creek corridor, which will enhance the natural, bushy settings. Vegetation from private gardens will enhance the existing landscape character of the creek corridor, incorporating large native indigenous canopy trees.*

### 9.1.1

(cont)

*Areas with good access to trams will accommodate more dwellings with slightly more compact siting than the remaining residential areas, but with space for large trees and gardens.*

There is tension between the different planning controls applicable to the subject site, owing to the sensitivity of the park interface and the policy directions for more intensive development in areas that have proximity to trams, parks and education centres, as the subject site does. This will be discussed in detail below.

#### **Design and Built Form**

The proposed extent of overlooking and overshadowing to the park interface to the east of the subject site is acceptable, and passive surveillance of the park area is desirable as it provides for improved safety of the public space. In addition, the existing dwelling on the site currently provides an extensive first floor balcony area facing the park.

When considering the above planning principles, the provision of a higher built form (three storeys) at the park interface, whilst appropriate, still needs to recognise the public park and how the development will be viewed from this space. This is reinforced through the Garden Suburban Precinct 1 direction that the buildings close to Gardiners Creek have minimal visibility from the Gardiners Creek corridor. The subject site is located 60 metres from the creek-side path, and is separated from this path by scattered mature trees and shrubs. As such, the overall visual impact of the proposed development on the primary walking path along Gardiner's Creek will be limited, and the retention of upper level passive surveillance is desirable, thus the proposed east elevations of the dwellings are acceptable.

It is noted that the existing dwelling is elevated above the park and is screened in part by existing vegetation along the east boundary. If the proposed pedestrian path along the east boundary were realigned, this could provide the opportunity to retain some of the existing trees along this interface, however most of these trees are in fair-poor condition or are not suitable for retention. As such, it is appropriate to allow the removal of these trees, subject to replacement planting to provide some screening and softening of the development presentation at the park interface.

In order to support this new vegetation, all communal and private pedestrian paths and paved areas will be required to be constructed of permeable paving.

The amended plans in the form presented at the consultation forum, included proposed gates from the subject site onto Gardiners Creek Reserve. Council's Parks Planning and Recreation Department do not allow gates between private property and Council parks, and as such these gates and the associated indents on the pedestrian access path must be removed. This can be achieved through conditions of any permit issued.

To the rear (south), the subject site abuts land within the Residential Growth Zone Schedule 2 that is currently utilised for a convenience restaurant, however the future redevelopment of this adjacent site has been considered through the provision of an equitable development setback of 4.47 metres at the upper level, and secondary or non-habitable room windows at the first floor level. Although this southern interface is not currently sensitive, the proposed setbacks will not prejudice any future higher density redevelopment of this adjacent site, consistent with the applicable zone.

The subject site's only sensitive interface is located to the west, where construction of three triple storey dwellings is nearing completion. It is important to note that the proposed building height presenting to the west boundary will be predominantly two storey, and as shown on the submitted cross-section, will be setback a minimum of 2.96 metres and well within the minimum side and rear setbacks allowed by Standard B17 of ResCode. It is noted that the owners of the dwellings under construction to the west have expressed concern regarding loss of views, however the planning system does not protect viewlines.

### **9.1.1**

(cont)

The streetscape presentation of the proposed development will include a contemporary three storey façade which will be softened and screened by the retention of the existing Atlantic Cedar within the frontage and the opportunity to plant one additional canopy tree in front of Dwelling 1. Council's urban designer has advised that the proposed architectural expression maintains a domestic language through the cladding materials and the angled roof forms, and as such the proposed architectural style is appropriate.

The maximum building height of 10 metres complies with the maximum building heights allowed under the General Residential Zone and ResCode.

In accordance with Clause 21.05 Environment, the four proposed garages will be partially excavated and will not be visible within the streetscape as they are located behind the Dwelling 1 pedestrian entrance. The application proposes a site coverage of 42% which complies with the maximum 50% site coverage required to satisfy the Standard B8 as varied by Schedule to the General Residential Zone. The proposed 36% permeability also exceeds the varied Standard B9 requirement of 30% minimum permeability.

The provision of tree planting and associated landscaping within the frontage will maintain the Garden Suburban landscape character of the streetscape. To the south, the proposed driveway will be partially covered by structures supporting climbing plants, which will provide some softening and shade to what is typically a hard interface for vehicle access. To the rear (south), a raised in-ground planting area at the end of the excavated driveway will provide an opportunity for an additional upper canopy tree to be planted and be visible to the Fletcher Parade streetscape.

A further canopy tree planting area is proposed at the south-east corner of the lot, and there are additional opportunities for smaller tree planting along the east boundary beside Dwellings 1-3 along the park interface. As such, the proposal retains a large 9 metre high tree, provides for four 8 metre high canopy trees and three 6 metre high trees plus 3 metre high screen planting along both the east and west boundaries. This landscaping is considered appropriate in the site context adjacent to parkland.

Overall, the subject site is proposed to support four dwellings which are able to appropriately manage sensitive interfaces. The landscaping opportunities are considered appropriate given the adjacent parkland and the locational advantages of the site which direct more intense development in this area owing to its proximity to services and community facilities.

#### **Amenity**

##### *Overlooking*

Standard B22 requires habitable room windows to be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres of the window, with views measured within a 45 degree angle.

The proposed development has utilised highlight windows with sill heights over 1.7 metres above finished floor level to satisfactorily screen potential views from the sensitive western elevation, in accordance with the requirements of ResCode.

##### *Overshadowing*

The shadows cast by the proposed dwellings will fall over the driveway and the existing dwelling on the adjacent lot at 9am, but by 10am, the shadows cast will be predominantly contained within the shadows cast by the existing boundary fence. As such, the proposed dwellings will not cause unreasonable overshadowing of the adjacent dwellings to the west.



### **9.1.1**

(cont)

#### *Internal Amenity*

The proposed dwellings have their primary orientation eastwards to take advantage of the adjacent parkland, and secondary northern windows are provided to the living areas of Dwellings 1-3. Given the site circumstances, this orientation is acceptable.

Clause 22.10 Environmentally Sustainable Development requires the provision of a Sustainable Design Assessment to ensure that the proposal achieves best practice in environmentally sustainable development from the design stage through to construction and operation, and this will be required as a condition on any permit issued.

#### *Secluded Private Open Space Provision*

The General Residential Zone Schedule 1 requires the provision of 40m<sup>2</sup> of secluded private open space, including one part having a minimum area of 35m<sup>2</sup> and a minimum dimension of 5 metres and convenient access from a living room.

The steep slope of the subject site towards the adjacent parkland has made it difficult to achieve useable secluded private open space with a direct connection to living areas. The original proposal included primary open spaces at ground level, but separated by two flights of stairs from living rooms. In order to resolve this issue, Council's urban designer advised that the provision of ground level secluded private open space was not a feasible solution to the opportunities and constraints presented by this site, and that the provision of first floor balconies adjacent to living rooms was a more suitable design resolution for this site.

As such, the amended plans provide for primary secluded private open space to the proposed dwellings in the form of 1.85 metre wide first floor balconies that are between 13.9m<sup>2</sup> and 24.5m<sup>2</sup> in area, and the 3 metre wide ground level secluded private open space areas represent secondary spaces that will provide for gardening activities. The adjacent parkland will provide sufficient recreation area for residents.

Clotheslines are provided along the access paths between dwellings, however these will require visual screening to ensure clothes drying is not visible from the park. External storage must also be provided to Dwellings 2-4, clear of primary landscaping areas.

#### **Landscaping**

The provision of landscaping and tree planting opportunities throughout the site has been discussed above. Whilst the General Residential Zone Schedule 1 requires the planting of eight x 8 metre high canopy trees throughout the site, the retention of one 9 metre high tree and the planting of three additional 8 metre high trees, plus four smaller trees along the east boundary is considered sufficient as the site is supporting a more intensive development in response to its proximity to public transport, parks and education facilities.

The underground water tanks are proposed to be located along the east boundary within the landscaping areas, and a condition on any permit will require the depth and/or location of these tanks to be reviewed to ensure that these do not prejudice the growth and anchoring of required trees and vegetation.

A landscape plan will be required as a condition on any permit issued.

#### **Car Parking**

The application proposes a double garage for all dwellings, and the development provides a single vehicle crossover, therefore maintaining the provision of on-street parking spaces in front of the site. Council's Transport Engineers have advised that the increase in dwellings will not cause unreasonable traffic generation for the local street network.

### 9.1.1

(cont)

The proposed development meets the requirements of Clause 52.06 (Car Parking) in regard to the provision of on-site car parking, and each dwelling has been provided with a double garage with dimensions that meet that specified in Design Standard 2 – Car Parking Spaces. Given this, the proposal is not seen to introduce any unreasonable demand on on-street parking or traffic conflicts.

A sight line triangle has been shown on the plans in accordance with Design Standard 1 of Clause 52.06-8, however a condition is recommended to be included ensuring no objects (such as mailboxes) or landscaping within the sight line triangle are greater than 0.9 metre in height, to prevent conflict between vehicles exiting the site and pedestrians.

The location of a new vehicle crossover to the western corner of the site will need to be sufficiently set back from existing infrastructure, including a power pole and stormwater outlet at the kerb. Conditions from Council's Asset Engineers have addressed the stormwater outlet, and a condition on any permit issued will require the new crossover to be setback a minimum of 1 metre from the power pole. This separation distance is able to be achieved without compromising the functioning of the accessway.

#### **Objectors Concerns not Previously Addressed**

- Excessive site cut and fill
- Excessive excavation and potential damage to adjoining lot

The developer will be required to meet relevant Building regulations for excavation and construction practices through the Building Permit process.

- Loss of the existing dwelling

The existing dwelling is not required to be retained as there is no heritage overlay or similar on the site that would otherwise require consideration of the existing dwelling as part of the assessment. Whilst the Garden Suburban Precinct 1 guidelines recommend the retention of intact pre-1945 buildings, the existing dwelling was constructed after this date.

- Units will be rented out

The tenure of dwellings is not a planning consideration.

- Site drainage concern

Council's Asset Engineers have reviewed the proposal and provided conditions to be included on any permit issued.

#### **CONCLUSION**

The proposal for construction of four triple storey dwellings is an acceptable response to the applicable planning controls and policies, including the State and Local Planning Policy Framework, the General Residential Zone Schedule 1 and Clause 55 ResCode. The locational advantages and topographical circumstances of this site direct an atypical site response which will provide for increased dwelling density without causing unacceptable amenity impacts to the streetscape or adjacent dwellings.

A total of 19 objections from 13 properties were received as a result of public notice and all of the issues raised have been discussed as required.

It is recommended that the application be approved and a Notice of Decision to Grant a Permit be issued subject to conditions.

#### **ATTACHMENT**

- 1 Decision Plans 
- 2 Decision Elevations & Shadow Diagrams 

### **9.1.2 Amendment C194 to the Whitehorse Planning Scheme (517 & 519-521 Station Street and 2-8 Oxford Street, Box Hill) - consideration of exhibition period and submissions**

ATTACHMENT

---

#### **SUMMARY**

*Amendment C194 is a combined planning scheme amendment and planning permit application and proposes to rezone land at 517 and 519-521 Station Street, Box Hill and 2-8 Oxford Street, Box Hill to the Mixed Use Zone. The Amendment also proposes to include the land at 517 and 519-521 Station Street, Box Hill in an Incorporated Document to the Whitehorse Planning Scheme.*

*The Planning Permit that is part of the Amendment is for construction of buildings of up to 18 storeys, comprising retail premises, office, restricted recreational facility (gymnasium), medical centre, accommodation, serviced apartments, child care facility, including rooftop plant plus up to 3 levels of basement car parking, a reduction in the standard requirements for car parking facilities and alteration of access to a road in a Road Zone, Category 1.*

*The Amendment was on public exhibition from 27 April until 29 May 2017. Fifty-three (53) submissions were received about the Amendment, including three submissions from public authorities and two late submissions, one being a petition with 98 signatories.*

*This report discusses the issues raised during the exhibition period and recommends that the Amendment and the submissions be referred to an independent Planning Panel for consideration.*

#### **RECOMMENDATION**

***That Council:***

- 1. Being the Planning Authority, having considered the submissions in relation to Amendment C194, request the Minister for Planning appoint an Independent Panel to consider the Amendment and the submissions in accordance with the Planning and Environment Act 1987; and***
  - 2. Advise all submitters of the request for an Independent Planning Panel.***
- 

#### **BACKGROUND**

On behalf of Golden Age Development Pty Ltd, Urbis (the proponent) submitted a combined planning scheme amendment and planning permit application under section 96A of the *Planning and Environment Act 1987* (the Act).

The proponent requested that Council consider an amendment to the Whitehorse Planning Scheme (the Scheme) to rezone land at 517 and 519-521 Station Street, Box Hill from the Public Use Zone – Schedule 6 (PUZ6) to the Mixed Use Zone (MUZ) and rezone land at 2-8 Oxford Street, Box Hill from the Residential Growth Zone – Schedule 2 (RGZ2) to the MUZ. The Amendment also proposes introducing an Incorporated Document into the Scheme applying to the land at 517 and 519-521 Station Street, Box Hill.

The proponent also requested Council consider a planning permit application for buildings and works for the construction of a building of up to 18 storeys including rooftop plant plus up to 3 levels of basement car parking, comprising retail premises, office, restricted recreational facility (gymnasium), medical centre, accommodation, serviced apartments, child care facility providing for 107 children, a reduction in the standard requirements for car parking facilities and alteration of access to a road in a Road Zone, Category 1.

### 9.1.2 (cont)

At the Council Meeting on 20 February 2017, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C194 to the Planning Scheme. The Minister for Planning granted authorisation on 14 March 2017.



Figure 1 – Aerial view of the subject sites

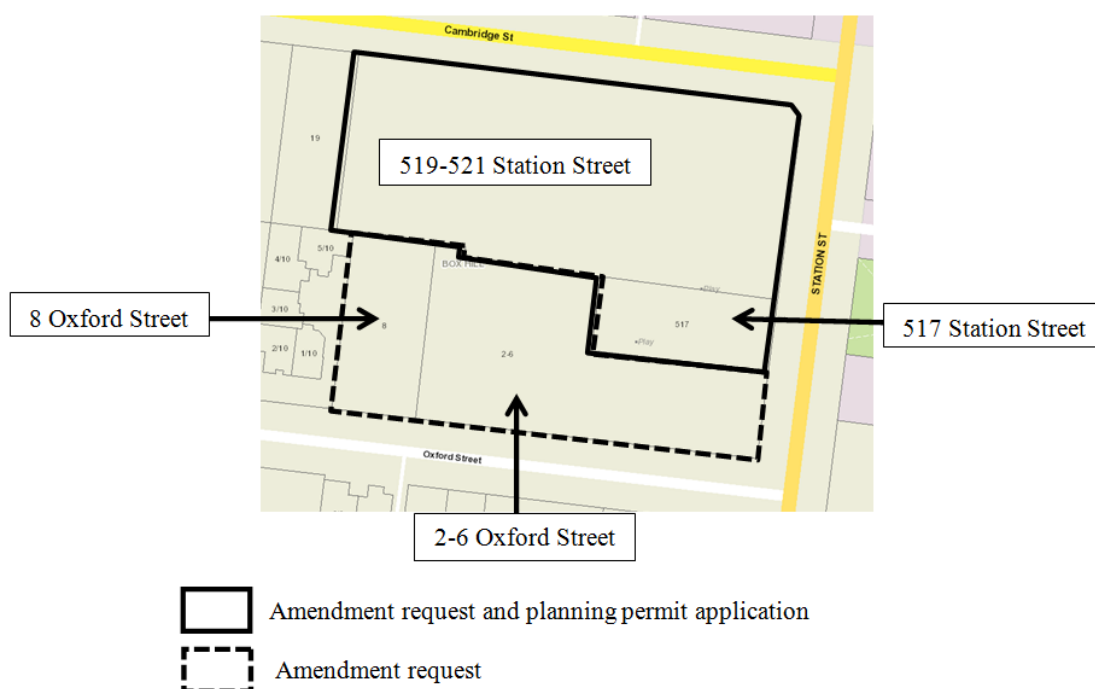


Figure 2 – Sites included in amendment and planning permit application

## **9.1.2**

(cont)

### **Exhibition of Amendment**

Exhibition of the Amendment occurred in the form prescribed by the *Planning and Environment Act 1987*. Exhibition was for one calendar month and took place from Thursday 27 April until Monday 29 May 2017. Exhibition involved the direct notification of owners and occupiers of properties surrounding the subject sites, totalling 2,684 letters. The notification of properties in the area included a cover letter explaining the Amendment, the draft planning permit conditions and the statutory notice of Amendment.

Relevant Ministers, public and referral authorities were also notified, together with the publication of the Notice of Preparation of Amendment in the Whitehorse Leader on 24 April 2017 and the Government Gazette on 27 April 2017.

For the duration of the exhibition period copies of the Amendment documents were available for viewing on Council's website and in hardcopy at Council's Civic Centre in Nunawading, Council's Box Hill and Forest Hill Service Centres and the libraries in Whitehorse.

### **Submissions**

During the exhibition Council officers received several phone and counter inquiries regarding the Amendment. Fifty-three (53) submissions were received to the Amendment including 19 proforma submissions and two late submissions, one being a petition with 98 signatories (noting that under the Planning and Environment Act 1987, a petition is treated as a single submission, as is the case in an ordinary planning permit application), and one being a proforma submission. The submissions were received from public authorities, local residents, local workers and business owners/operators.

### **DISCUSSION**

In the discussion below, submission reference numbers are included in brackets. A summary of the submissions is shown in Attachment 1.

### **Support for the Amendment**

Two submissions (3, 19) provided outright support for the Amendment and planning permit application.

Three submissions (4, 5, and 48) were received from public authorities. The submission received from the Environment Protection Authority (EPA) did not object to the Amendment or planning permit application. This submission supports the requirement for an audit under Section 53(x) of the *Environment Protection Act 1970*, which was completed in January 2016. The submission received from Public Transport Victoria (PTV) does not object to the Amendment but requested further information about the planning permit application.

The submission received from VicRoads (submission 48) did not object to the Amendment but also requested further information from the planning permit application and seeks the inclusion of certain conditions on any planning permit.

The submission received from the proponent (42) supported the Amendment but has sought changes to permit conditions. Additionally, the Uniting Church of Australia Synod (submission 41), whilst generally supportive of the amendment, object on the basis that the amendment does not adequately address the development potential of the Uniting Church of Australia land.

### **Objection to the Amendment**

The majority of the 48 objecting submissions raise issues about the development proposed by the planning permit application, rather than the proposed zoning and incorporated document.

## 9.1.2

(cont)

### **Submission themes**

The submissions are discussed under the following broad themes.

1. Car parking
2. Building height and amenity
3. Land uses and infrastructure
4. Consultation and amendment process
5. Traffic and public transport
6. Construction impacts
7. Planning permit
8. Heritage

#### **1. Car Parking**

Forty of the submissions raise concerns about car parking. In particular, submitters object to the removal and development of the Council owned car park on the corner of Station Street and Cambridge Street.

Several of the submissions (7, 8, 11, 13, 15, 40 and 43) were received from employees in the immediate vicinity (Carrington Health), who object to the loss of car parking for staff and clients of their business.

Many of the submissions (10, 12, 14, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 37, 38, 49 and 52) argue that there is a “dire shortage of car parking” and that the proposed new multi-storey car park in Harrow Street will be less convenient than the current car park as it is further away from the shopping centre and transport, and will force people to cross Station Street. These submissions also say that the “proposed three towers come with a reduction in the standard requirements for car parking”. Several of the submissions (20, 31, 32 and 33) object to the development because the car parking provision does not meet the statutory car parking requirements or is inadequate.

One submission (15) states that there is “insufficient car parking” for their workplace and clients, and another submission states that the new car park will not contain sufficient parking spaces to accommodate current and future needs.

One submitter (50) considers that Council should conduct an independent review into car parking in the Box Hill MAC and develop a strategy prior to considering any requests to waive the statutory car parking requirements.

#### **Officer response**

Strategically, Council has been aware of increasing car parking pressures within the Box Hill activity precinct, and in anticipation of the concurrent increase in community perceptions of parking issues, undertook the preparation of the *Box Hill Car Parking Strategy* (‘the Strategy’) in 2014. The Strategy now guides the optimisation of existing car parking and supply of new car parking. This included assessment and recommendations for Council owned car parking, and had led to strategic decision making by Council regarding the future use and development of some council sites in Box Hill. This has included the Cambridge Street car park and the Harrow Street car park.

Having regard to the broader context, Council is proposing to construct a multi-deck car park on the existing car park site in Harrow Street, Box Hill. This car park is approximately 65m east of the car park at the corner of Station Street and Cambridge Street. The multi deck car park is proposed to be constructed prior to the development of the subject site in recognition of the on-going need for parking availability. The new multi-deck covered car park in Harrow Street will replace the existing parking spaces on the Cambridge Street site and result in a net increase of car parking spaces in central Box Hill.

## 9.1.2 (cont)

The Strategy was adopted by Council at its meeting of 23 June 2014 and was implemented into the Planning Scheme through Amendment C158. The Amendment introduced Clause 45.09 Parking Overlay into the Planning Scheme and applied Schedule 1 to the Parking Overlay to the Box Hill MAC. The schedule introduced particular car parking rates for new office and residential uses within the Box Hill MAC that differ from the standard rates imposed by the planning scheme. The Strategy also included a suite of measures to encourage sustainable transport use and manage parking demand in Box Hill into the future, having regard to the strategic vision for use and development in the activity centre.

In addition to this strategic context, Council encourages the use of public transport and active transport to and from Box Hill to progress towards a sustainable and liveable MAC, principles supported within the State Government's long term strategic document Plan Melbourne. It should also be noted that not all residents or visitors will travel by private vehicle to and from the Box Hill MAC and that alternative modes of vehicle transport, such as Uber and car sharing schemes such as GetGo, are now more mainstream and reduce the number of vehicles competing for car parking spaces.

It is further noted that funding has been approved in the 2017-18 Council budget to progress the implementation of the outstanding recommendations in the Strategy. Recommendations include, but are not limited to, actions such as way-finding signage, management strategies for short and long term car parking, the fee structure for on-street car parking, conversion of short term spaces to long term spaces and vice versa in various locations in the Box Hill MAC, and promotion of active and public transport.

Having regard to the specifics of this proposal, the table below outlines the number of car parking spaces proposed for each use, as well as identifying how many spaces the planning scheme requires for each use.

Land Use	Area/ No.	Car Parking Rate under Clause 45.09	Statutory	Empirical	Provided
<b>Retail</b>	6,638 m <sup>2</sup>	3.5 per 100 m <sup>2</sup>	232	--	199*
<b>Medical Centre</b>	403 m <sup>2</sup>	3.5 per 100 m <sup>2</sup>	14	--	14*
<b>Child Care Centre</b>	107 children	0.22 per child	23	--	23*
<b>Indoor Recreation</b>	687 m <sup>2</sup>	Not specified	--	21	21* (3 per 100 m <sup>2</sup> )
<b>Serviced Apartments</b>	77 rooms	Not specified	--	39	39 (0.5 per room)
<b>Office</b>	1,943 m <sup>2</sup>	2 per 100 m <sup>2</sup>	38	--	38
<b>Dwellings</b>					
1 bedroom	148 dwellings	0.5 per dwelling	74	--	74
2 bedroom	268 dwellings	0.75 per dwelling	201	--	201
3 bedroom	13 dwellings	1 per dwelling	13	--	13
Visitors	429 dwellings	0.2 for first 5 dwellings, then 0.1 per dwelling	43	--	43
		Dwelling subtotal	331		331
<b>Total</b>			<b>638</b>	<b>60</b>	<b>651*</b>
* These uses have different peak hours and the parking spaces can be shared among the uses at different time of the day.					

### 9.1.2

(cont)

The overall car parking provision of 651 car spaces exceeds the statutory car parking requirement of 638 car spaces for those uses specified in the Planning Scheme. The indoor recreation facility and the serviced apartment uses however do not have a parking rate stipulated by the Planning Scheme and therefore empirical, or 'industry' rates have been used to calculate the car parking spaces that should be provided for these uses. Combining the number of spaces specified by the planning scheme with the empirical/industry assessment would bring the total requirement to 698 spaces, which means that a reduction of 47 spaces is being sought.

To evenly distribute the car parking spaces provided within the development, the proponent is seeking a variation to the retail car parking rate from 3.5 per 100m<sup>2</sup> of leasable floor area to 3 per 100m<sup>2</sup> comprising the following:

- Council's Transport Engineer agrees with the assessment by the applicant's Transport Engineer that 1 space per 100m<sup>2</sup> is appropriate to provide for long term staff car parking. This is consistent with industry standards in MACs such as Box Hill and consistent with the approved car parking rates for retail at 545 Station Street (Sky One).
- Council's Transport Engineer is also of the opinion that short term parking demands are to be catered for within the development site. It is proposed that 2 spaces per 100m<sup>2</sup> be provided for customer car parking within the site, which is sufficient in a MAC context. Given the location of the site with excellent access to public transport and that retail customers travel to Box Hill for other purposes, these "walk trades" will be unlikely to contribute to additional car parking demand. In other words, visitors to the site may visit the site for more than one purpose (or be in the area for other purposes), and will not contribute to additional parking demand.

Non-residential uses proposed will have different peak hours to residential uses, which means that the car spaces provided within the basement can be shared between different uses at different times. For example, retail and indoor recreation customers will be more in need of parking availability outside of the normal operating hours of the child care centre on Mondays to Fridays, so a number of spaces could be provided that are used for patrons of the child care centre at certain times of the day, and available for the retail patrons at different times.

With regard to the overall request for a parking reduction, it can further be argued that guests of the serviced apartments are likely to travel to the site by taxi, Uber, public transport or airport shuttle services. In recognition of this, the applicant is seeking a slight reduction in the car parking requirement under the planning scheme of 698 to 651, which equates to 47 car spaces or 6.7%.

The statutory parking rates at Clause 52.06 (Car Parking) are able to be reduced or waived through the granting of a planning permit having regard to a number of considerations. These include, but are not limited to, the availability of public transport in the locality, the convenience of pedestrian and cycle access to the land, end of trip facilities, variation of car parking demand likely to be generated by the proposed use over time and the future growth and development of an activity centre. This parking reduction in this instance is appropriate and positively responds to the Structure Plan and the Parking Study which discourage the use of private motor vehicles and encourage use of public transport or other modes of transport, as well as Council's Sustainability Policies. In this regard, the site is well located close to existing public transport infrastructure in a MAC, with convenient access for pedestrians and cyclists.



### 9.1.2

(cont)

The availability of existing car parking is a relevant consideration in the assessment of any request for a parking reduction. The existing car park at the corner of Station Street and Cambridge Street, Box Hill is a Council-owned car park that provides all day paid car parking. The car park is not for the exclusive use of any particular business or industry within Box Hill, and instead is provided for users on a first come, first served basis.

Overall it is important to note that the extent of car parking proposed under this application has been reviewed by Council's Transport Engineer, who supports the level of parking reduction being requested.

## 2. Building Height and Amenity

Thirty-six submissions raise concerns about the building height and amenity of the surrounding area. In particular, submitters are concerned about the height of the proposed development with one submitter (2) saying that "buildings beyond 6-8 storeys will appear ostentatious and inappropriate", while another submitter says that the height of the building "contravenes the Australian Living Standard" and that the building height is inappropriate for neighbouring properties.

Many submitters (10, 12, 14, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 37, 38 49 and 52) believe that the proposed towers are higher than what is proposed in the draft Box Hill Metropolitan Activity Centre Built Form Guidelines which are to be considered by an independent Planning Panel via Planning Scheme Amendment C175 in July 2017.

One submission (20) believes that the proposed development is too tall and bulky and questions if Council has considered the loss of amenity for current residents.

The petition (53) from the neighbouring Wesley Uniting Church community expresses blanket objection to "the height, location and built form" of the proposed development.

### Officer response

Clause 22.07 of the Planning Scheme, Box Hill Metropolitan Activity Centre, was first included in the Planning Scheme in 2009 and notes that "*Box Hill has the scope to accommodate substantial growth, as well as the potential for improved amenity to support this growth*". This policy has several objectives, including "*that Box Hill accommodates a more intensive and diverse range of activities that increase choices and opportunities, support synergies between different uses, encourage use of sustainable transport and complement surrounding areas*". Therefore both State and Local planning policy has continued to direct investment and development to Box Hill due to its designation as a MAC and its location adjacent to major road corridors and public transport routes.

The subject site is included in sub-precinct F2 within the draft Box Hill Metropolitan Activity Centre Built Form Guidelines, which has a preferred maximum building height of 15 storeys. The Guidelines note that the proposed development on this site is subject to a separate design brief for built form and urban design.

In the Built Form response for sub-precinct F2, the Guidelines advise that additional building height is possible on sites which are greater than 1,500m<sup>2</sup>, subject to a positive contribution to its local context. In this regard, the site is over 7,000m<sup>2</sup> and the proposed development is providing a larger capacity childcare centre than the existing facility, and retail and office space which will provide employment and services to the local community.

Building C, which adjoins Building B, also fronts onto Cambridge Street and will be setback 3 metres from the street and 6 metres from the western boundary. The building is 6 storeys in height and provides an appropriate transition to the existing three (3) storey development to the west. (Refer to Figures 3, 4 & 5.)

### 9.1.2 (cont)

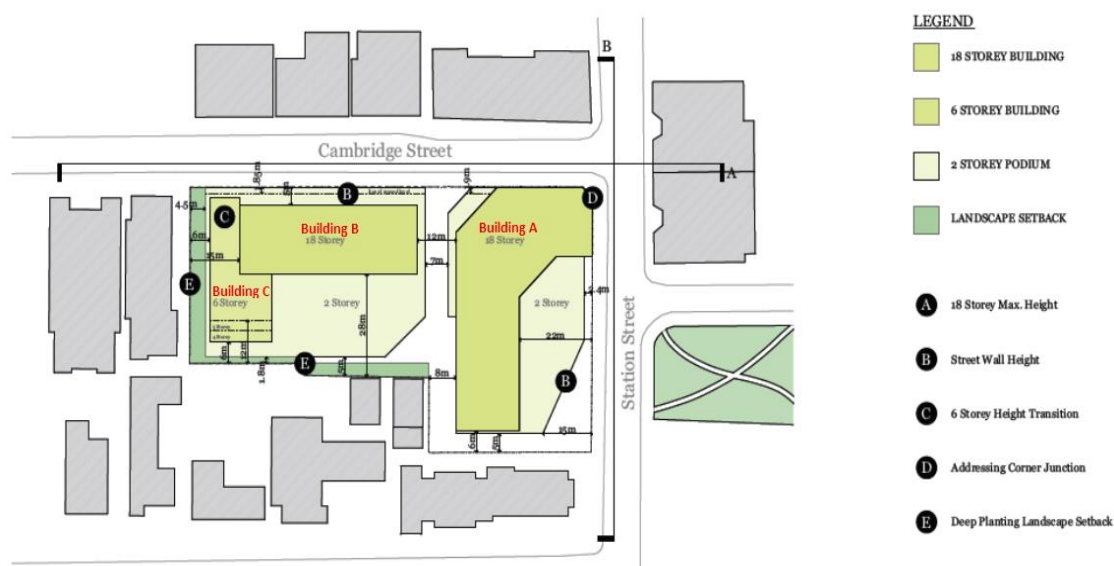
The height of the built form is considered to be an appropriate response to the context of the site, with the two taller tower forms being orientated to the main road frontage of Station Street and the Commercial 1 Zone interface along Cambridge Street. The built form tapers down in height to the south and the west to provide for transition in height to the neighbouring Residential Growth Zone.

The height of the podium of the building abutting the church to the south matches the height of the ridge of the church and was considered to be an appropriate response by Council's Heritage Advisor in the context of a MAC.

The siting of the towers along the northern edge of the site combined with setbacks from the south of the site, and breaks between the built form, is considered to provide for an acceptable outcome in terms of overshadowing and overlooking to nearby residential properties

Setbacks of the six storey component from the western boundary are between 4.5 to 6 metres and consistent with widely accepted equitable development principles.

The proposal was reviewed for Council's Planning Officers by an Urban Designer who was satisfied that the proposal had responded appropriately to the south and western interfaces.



**Figure 3 – Setbacks and Height Proposed**

## 9.1.2 (cont)

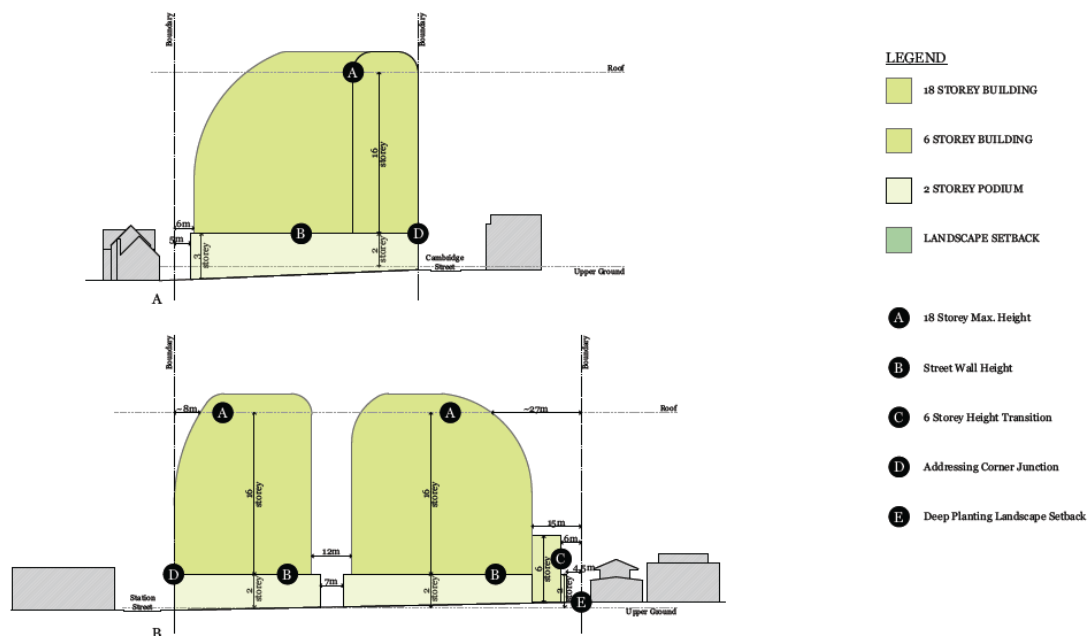


Figure 5 – Artist impression

### 3. Land Uses and Infrastructure

Twenty-seven submissions raise concerns about land uses and infrastructure. One submitter (9) moved to the area to utilise the Council-owned child care facility on Station Street and states that if this is removed there will no longer be a convenient facility in the area.

## 9.1.2

(cont)

Twenty submitters (10, 12, 14, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 37, 38 49 and 52) stated that “Whitehorse Council is doing nothing to plan for growth – no widening of roads or footpaths, no provision for bicycle paths, no planned open spaces” and that Council has not done “any modelling to see how the huge influx of population and cars will adversely affect our neighbourhood”. One submitter (33) objects to the development because there has been no upgrade to public transport and they believe that allowing further development without first developing local infrastructure will reduce the quality of life for all local residents.

One submitter (20) believes that the Mixed Use Zone will allow too many inappropriate uses on the site. Two submitters (31 and 32) believe that the proposed serviced apartments in Tower C will eventually be turned into sub-standard permanent apartments. Submitter 32 also questions the need for a gymnasium in the development and states that “clearly the developer was simply wanting to build shoebox-size flats, under the guise of a residential hotel”.

Submitter 35 is concerned about the various interpretations of the word “shop” in the amendment and planning permit documentation. This submission objects to any allowance of a supermarket or department store and requests that these uses are not permitted by way of a draft permit condition.

The petition (53) from the neighbouring Wesley Uniting Church community expresses blanket objection to the proposed rezoning of the church land to Mixed Use.

### Officer response

As outlined in the planning permit plans, a child care facility is one of the land uses proposed in the development, which will replace the existing child care facility. The replacement of the existing facility with a new 107 place child care facility will more than double the number of spaces currently provided for, thus contributing to a community need.

Council has consistently advocated to State and Federal governments about investing in Box Hill and in particular, upgrading the Box Hill transport interchange. The most recent advocacy work involved meeting with Federal and State Government MPs in Box Hill in April 2017 to present the preliminary business case for the redevelopment of the Box Hill Transport Interchange and Town Centre, on behalf of the *Box Hill First* stakeholder group.

The *Whitehorse Open Space Strategy* (2007) is the key document guiding the provision and development of open space within the municipality. The vision for this Strategy is to “continue to provide a diverse linked network of open space with people of all ages recreating, socialising and enjoying the outdoor space, and bushland reserves brimming with indigenous flora and fauna”.

The scope of Amendment does not include the designation of land and resources for education, sporting facilities, medical facilities or other specific community land uses. Furthermore, the consideration of additional education facilities (primary, secondary and tertiary) sits within the purview of the state government.

Funding has been obtained from the Victorian Planning Authority as part of the Streamlining for Growth program to investigate the potential for an infrastructure contributions mechanism in the Box Hill MAC.

## 9.1.2

(cont)

The Activity Precincts map in the Structure Plan outlines the preferred location for different land uses. The proposed zoning to Mixed Use and the uses sought by the permit application are consistent with the site's location in Activity Precinct F of the Structure Plan which encourages a "mix of office and retail uses responding to the prominent Whitehorse Road and Station Street frontages, and mixed use (residential as transition to purely residential precincts". The mix of uses is considered to be appropriate given the sites location within the MAC immediately abutting a Commercial 1 Zone to the north and a Residential Growth Zone to the south. In addition, a supermarket and department store is not proposed as part of the planning permit. Whilst a 'shop' does not require planning permission in the MUZ, this is only up to 150m<sup>2</sup> in size; therefore if a supermarket or department store were proposed they are likely to require further permission.

### 4. Consultation and Amendment Process

Twenty-three submissions raise issues with the Amendment process, including the statutory exhibition period. Nineteen of these submissions (10, 12, 14, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 38, 49 and 52) submitted a proforma template which stated that "City of Whitehorse has a conflict of interest and should not be allowed to decide on this matter". The proforma also stated that as Council owns the land it will benefit financially. Submission 37 raised similar issues to those contained in the proforma.

Submission 31 stated that Council has a conflict of interest.

Submission 36 considered that there was insufficient notification of the amendment. Submission 32 considered that the consultative process was poor and that information about the amendment could only be found on the Council website by directly entering the URL of the webpage about the Amendment. This submission also said that Council has a conflict of interest and should not be allowed to support the Amendment or make the final decision about the Amendment. This submission claims that the Amendment documentation seems to have been drawn up by Council planning staff and questioned if staff had vested interests in the development or developer.

The submission stated that planning staff "will gain resources, status and remuneration if large proposals are encouraged and approved". This submission also expressed the view that Councillors could not come to an agreement about Amendment C175 and therefore Amendment C194 should be shelved.

#### Officer response

The exhibition of the Guidelines and Amendment occurred in the form prescribed by the *Planning and Environment Act 1987* and took place from Thursday 27 April 2017 until Monday 29 May 2017.

Exhibition involved the direct notification of owners and occupiers of properties within the surrounding streets, totalling 2,684 letters. The notification included a cover letter explaining the Amendment, the draft planning permit conditions and the statutory notice of the Amendment.

The notice included a map outlining land included in the Amendment and provided a website and contact details for Council to find further information and to seek clarification if required. The website included all of the documentation associated with the Amendment, including all the documents supporting the planning permit application. Information about the Amendment was published in the Whitehorse Leader on Monday 24 April and the Government Gazette on Thursday 27 April.

The sale process for the car park on the corner of Station Street and Cambridge Street was overseen by a Probity Advisor. Furthermore, the panel assessing the tender submissions comprised council staff and independent members. Additionally Council's assessment of planning permit applications is regularly audited.

### 9.1.2

(cont)

In this circumstance, which is a combined planning scheme amendment and planning permit application under section 96A of the Planning and Environment Act, the Minister for Planning will make the final determination as to whether approval should be granted. Written legal advice was obtained from Council's lawyers (circulated to Councillors by the Acting Chief Executive Officer in confidence in accordance with the Confidentiality provisions of the Local Government Act) indicating that Council does not have a conflict of interest and is lawfully able to consider the amendment and associated application for a planning permit.

At the meeting on 15 May 2017, Council considered a report on the submissions received during the exhibition period for Amendment C175. The report noted that in considering submissions the *Planning and Environment Act 1987* specifies that Council can change the Amendment in the manner requested, refer the Amendment to a Planning Panel or abandon the Amendment.

The report did not recommend that the Amendment is abandoned as Council believes the Amendment can be supported on a strategic basis. Council was also not able to change the Amendment to give effect to all of the submissions. The report therefore recommended that the fairest method is to have all submissions referred to a Planning Panel for consideration. Therefore Council has followed the appropriate process for planning scheme amendments.

## 5. Traffic and Public Transport

Nineteen submissions object to the Amendment because of their concerns about traffic and public transport, including emergency access for vehicles. Eleven submitters (1, 2, 6, 13, 15, 16, 20, 31, 33, 44 and 45) believe that the traffic in Box Hill is congested and that the proposed development will contribute to increased traffic congestion.

Some submitters (7, 8, 11, 40 and 43) are concerned about how the proposed development will affect access to their place of employment and several submitters are also concerned about access for emergency vehicles and services in the event of a fire or earthquake.

The submission from PTV (4) notes that the development proposed by the planning permit presents an opportunity to improve existing public transport in the immediate vicinity of the site and make a positive contribution to the public realm. PTV requests information to address the following queries:

- Will the existing bus stop on Station Street be relocated and/or altered as a result of this development?
- Will there be funds collected for the provision of the pedestrian crossing on Station Street south of Harrow Street?

This submission also requested that PTV is consulted prior to the installation of pedestrian signals on Station Street, as there are existing bus stops nearby.

The submission from VicRoads (48) does not object to the Amendment. The submission has concerns with the Traffic Impact Assessment Report supporting the planning permit, in particular the traffic generation rates used in the report, the traffic movement analysis and any mitigating works that may need to be considered. VicRoads also has concerns about the two-way movements and introduction of a shared zone on Cambridge Street and therefore require further information to undertake an assessment.

The submission from VicRoads also discusses pedestrian operated signals along Station Street and requires their installation via a condition of permit. However, the submission notes that the location of the signals cannot be determined at this stage. Additional matters to be resolved outside the planning application also include parking changes along Station Street. The submission states that VicRoads will require the inclusion of four (4) additional permit conditions on any future planning permit for it to support the planning permit application. These conditions relate to the provision of detailed technical information, satisfactory completion of works and ensuring necessary approvals for works.

### 9.1.2

(cont)

#### Officer response

The *Whitehorse Integrated Transport Strategy* (2011) “recognises that the adoption of safe, sustainable and active modes of transport have a range of health, environmental and community benefits and this strategy seeks to encourage a shift toward the use of sustainable transport modes, including walking, cycling and public transport” (p 1).

Additionally “significant state government and Council strategies and policies have been developed...with an increased focus on sustainability and the future development of land use (including more intensive development around the Box Hill Central (sic) Activities District and Major Activity Centres) and transport networks” (p 1). One of the objectives of the Strategy is to encourage an increased shift towards public transport by advocating for the provision of improved infrastructure and services, in combination with information to the community regarding transport choices available throughout the municipality and education about the benefits.

The benefits of public transport has been consistently demonstrated in both the Australian and overseas context and include, but are not limited to, reducing private vehicle emissions, better health for public transport patrons and creating a critical mass for increased public transport services. Council therefore encourages the use of public transport for access to, from and across, the Box Hill MAC.

Council has consistently advocated to State and Federal governments about investing in Box Hill and in particular, upgrading the Box Hill transit interchange. The most recent advocacy work involved meeting with Federal and State Government MPs in Box Hill in April 2017 to present the preliminary business case for the redevelopment of the Box Hill Transport Interchange and Town Centre, on behalf of the *Box Hill First* stakeholder group.

*Box Hill First*, with the assistance of Dr Chris Hale, one of Australia’s leading transport infrastructure thinkers, have undertaken an early stage analysis and appraisal of the economic benefits and holistic planning and urban renewal opportunities available in Box Hill. This work has revealed an extremely compelling case for Government investment and action. Council continues to reiterate that upgrading the Box Hill transit interchange will bring a multitude of benefits to Box Hill, including the creation of jobs, achieving optimal shared outcomes for the Box Hill MAC. Council is advocating for improvements to the bus interchange and wider Box Hill MAC to include:

- Improved bus passenger waiting facilities in terms of comfort, information, security, functionality and amenity;
- Better links to the railway station, including better ‘way-finding’ signage;
- Improved pedestrian and cycling facilities (e.g. wider footpaths, safer options to cross busy roads, better lighting, more seating, and reduced speed limits); and
- Relocated taxi zones and/or improved signage.

The Victorian Government established a Ministerial Advisory Group to provide recommendations to the Minister for Public Transport on options for the Box Hill transport interchange. The Advisory Group has established working groups and a program for developing options for the future of the interchange. Recommendations to the Minister for Public Transport about the options for the interchange are currently pending.

Additional permit conditions, including the need for a signalised pedestrian crossing of Station Street as required by VicRoads will be inserted into the draft planning permit. The proponent should review the feasibility of the items being requested by Vic Roads.

## **6. Construction Impacts**

Twenty-eight submissions (7, 8, 10, 11, 12, 14, 16, 17, 18, 21-30, 34, 37, 38, 40, 45, 47, 49, 52 and 53) raise concerns about the impacts on surrounding properties during the construction phase of the proposed development.

### **9.1.2**

(cont)

Submissions included concerns about the impacts of noise, excavation and dust, causing or exacerbating existing health issues.

#### Officer response

Whilst there is likely to be some disruption to the local area during the construction phase, this is to be reasonably expected with the redevelopment of land in any existing urban area close to a MAC.

The draft planning permit includes a condition requiring the preparation and approval of a Construction Management Plan (CMP), as is standard for any proposal involving larger scale work. This document will manage a range of issues including but not limited to road closures, hours of operation, construction staff parking, and asset protection.

A number of matters such as noise, dust and hours of operation are regulated by the EPA and additional controls apply under Building Regulations and Council's local laws. Council's Planning Enforcement officers investigate any breaches of CMP conditions.

### **7. Planning Permit**

Four submissions raise issues with the draft planning permit. Submission 31 stated that many of the conditions of the proposed planning permit are not mandatory and therefore unlikely to be enforced.

Submission 32 has concerns with some of the conditions in the draft permit conditions, in particular the requirement to insert community facilities into Tower C and the outcome for the development if this condition is not adequately met. This submitter is also concerned about the content of the documents supporting the application including the Environmental and Wind Tunneling report and the Green Travel Plan.

This submission also notes that there is no requirement in the draft permit conditions that the building avoid flammable cladding and materials that include asbestos.

One submission (42) from the proponent requests changes to the proposed conditions in the draft planning permit, including amendment to and deletion of conditions.

One submission (4) from PTV requests addition information about the existing bus stop and funding for the provision of an additional pedestrian crossing.

One submission (48) from VicRoads requests the inclusion of additional conditions in the draft planning permit.

#### Officer response

The exhibited draft planning permit layout, the nature and wording of the conditions are consistent with other permits for developments of similar scales and like uses issued by Council. It is considered that the conditions are satisfactory for the purposes of enforcement should the need arise.

The facilities required to be provided in Tower C need to be shown on plans submitted for endorsement under Condition 1. Construction works will not be able to commence prior to endorsement of plans.

The conditions of the exhibited draft planning permit require a Sustainability Management Plan, Wind Report and Green Travel Plan to be provided to Council's satisfaction. In the event of the issue of a permit, once submitted these documents will be assessed by against relevant standards.

Building construction requirements relating to fire rating and hazardous materials are dealt with at the building permit stage subsequent to the planning process. It is therefore not necessary to include a permit condition to this effect.



### 9.1.2

(cont)

The proponent has reviewed the exhibited draft planning permit and submits that a number of permit conditions should be deleted or amended. The table at Attachment 2 responds to these items. The planning permit, as exhibited, is included as Attachment 3 for reference:

It is considered that the proponent needs to respond to the request for information from PTV, and when received any conditions will need to be included on any planning permit that may issue as they are a Section 55 referral authority under the provision of the *Planning and Environment Act 1987* (as amended).

Similarly, the VicRoads conditions will need to be included on any planning permit that may issue as they are a Section 55 referral authority under the provisions of the *Planning and Environment Act 1987* (as amended). The proponent should review the feasibility of the items being requested by Vic Roads.

## 8. Heritage

Several submitters, including the local Church parish (6, 36, 45 and 53) believe that the proposed development will detrimentally impact on the amenity of the church building at 2-8 Oxford Street, Box Hill.

One submitter, the owner of the church site, (41) believes that the Amendment should go further than it presently does and allow development up to 6 storeys on the church land and also include the church land within the Incorporated Document to provide built form guidance.

One submitter (46) discusses Blood's Cottage, which was located on the site of the current car park. The submitter states that there is no acknowledgement of the site's heritage in either the planning application documents or proposed planning permit conditions and that this needs to be rectified. The submitter also requests that the interpretive sign be retained and that the applicant be required to carry out an excavation of the house site to allow for the recovery of any items of historical value, including bricks from the underground tank for an on-site display.

The petition (53) from the neighbouring Wesley Uniting Church community states that "the proposed development will have significant structural and adverse amenity impacts on the historic Church with its heritage listed Willis Organ and its surrounding neighbourhood land, and will compromise the continued operation of the Church at this location".

### Officer response

Clause 22.01 (Heritage Buildings and Precincts) of the Planning Scheme provides some measure of control over the scale and setbacks required for new developments immediately adjacent to properties included in the Heritage Overlay.

There will be some shadow impact to the Church buildings to the south of the subject site from approximately 10am, however the shadows will be fast moving and at no time during the day will the Church buildings be completely under shadow. The Church, being located within an area of substantial change, would be expected to experience amenity contextual shift due to proximity to higher density developments in the area over time. The shadow impact is considered acceptable by both Council's Heritage Advisor and Planning Officer.

The Church land is currently within the RGZ, with a discretionary height limit of 4 storeys. The Box Hill Structure Plan recommends the site be rezoned to the MUZ, which is proposed as part of this Amendment. The draft Built Form Guidelines and associated Design and Development Overlay (the subject of concurrent Amendment C175) expresses a preferred maximum height of four (4) storeys on the Church land if the landowners wish to pursue a redevelopment of the site. Council is not aware of any proposed development of this site, however pre-lodgement advice would be available from Council if sought by the landowner. Including the Church site within the Incorporated Document would not be appropriate, given the lack of proposed plans for the site.

### **9.1.2**

(cont)

Advice from Council's Heritage Advisor below recommends a planning permit condition to ensure that the structural integrity of the heritage building is monitored and maintained during construction. It is not considered that the proposal will impact on the State heritage listed Willis Organ, noting however that part of the Church community's concerns in this regard relate to reverse amenity and attraction of complaints from future occupants of the proposed development, as well as the impacts (noise, overlooking, overshadowing, visual bulk, loss of trees, poor landscape interface etc) of the proposal on church activities. Appropriate materials and construction techniques to abate noise impacts from existing uses and activities may need to be considered.

#### **Referral Authorities**

##### ***Internal referral***

##### **Engineering and Environmental Services**

###### ***Transport Engineer***

The application has been reviewed by Council's Transport Engineer, who is in support of the application, including the allocation of car parking spaces to the different uses proposed on the site. The comments require amendments to be made to the layout to improve vehicle access and egress, which have been included as conditions on the exhibited draft planning permit.

###### ***Assets Engineer***

The proposal has been reviewed by Council's Assets Engineer, who is in support of the application with standard conditions which have been included in the exhibited draft planning permit.

###### ***Waste Engineer***

Council's Waste Engineer offers in-principle support to the proposal.

###### ***Design and Construction***

The proposal has been reviewed by Council's Design and Construction Engineer, who supports the proposal, provided that bicycle racks are removed from building facades to minimise hazards to pedestrians. This has been included as a condition on the exhibited draft permit.

##### **ESD Advisor**

Council's ESD advisor supports the proposal in-principle, provided that daylight calculation data is rectified in the final Sustainability Management Plan and the Built Environment Sustainability Scorecard (BESS). This has been included as conditions on the exhibited draft planning permit.

##### **Landscape Architect**

Council's Landscape Architect supports the proposal in its current form.

### 9.1.2

(cont)

#### Urban Design

The proposal has been reviewed by Council's Urban Designer, who is supportive of the proposed development in-principle, but recommends that the following be included in any permit issued to develop the subject site:

- Provision of a direct pedestrian access from Cambridge Street to Lower Ground Level.
- Alterations to the ground level foyers to improve the functionality of the space to better suit the proposed use of the building.
- Provision of measures to prevent overlooking from the Serviced Apartment building (Building C).

#### Heritage Advisor

The proposal was reviewed by Council's Heritage Advisor, as the Church building to the south of the subject site is protected by a Heritage Overlay.

It is considered that the proposal is well designed and respectful of the heritage building and can generally be supported from a heritage perspective.

It would be appropriate to include the following planning permit condition to ensure that the structural integrity of the heritage building is monitored and maintained during construction:

*The applicant is required to undertake a fully Condition Survey prior to commencement of the works, including a geotechnical analysis of the foundations and footings of the 1886 church building and provide a geotechnical and structural report detailing how the structural integrity of the building is to be protected during the works.*

#### Early Childhood Services

Council's Early Childhood Service team is supportive of the application. Relevant conditions have been included on the exhibited draft planning permit.

#### Property and Rates

Council's Property Officer raised no objection to the proposal provided that conditions are included in any permit issued requiring legal agreement to be established between Council and the permit holder in relation to the building canopy overhanging the Council managed road reserve, i.e. Cambridge Street, and to ensure that no part of the building (other than canopies) protrudes outside the boundary of the subject site. This has been included on the exhibited draft planning permit.

#### ***External referral***

#### VicRoads

The application was referred to VicRoads as a Determining Referral Authority. VicRoads submitted comments about the planning permit application and they are discussed in the relevant Submission Theme discussed above. Changes will be required to the Planning Permit as exhibited to include Vic Roads conditions.

#### Public Transport Victoria

The application has been referred to PTV as a Determining Referral Authority. PTV submitted comments about the planning permit application and they are discussed in the relevant Submission Theme discussed above. PTV requires further information to be provided prior to providing formal comments to be included on any permit. This will need to be resolved prior to issue of a permit, and the permit as exhibited may need to be amended to include any conditions required by PTV who are a mandatory referral authority.

## **9.1.2**

(cont)

### **Changes to the Amendment**

Council officers have reviewed the submissions received to the amendment.

As per the discussion on the Planning Permit above, very minor changes are proposed to the draft planning permit conditions as a result of the exhibition period and the submissions received.

### **CONSULTATION**

Exhibition of the Amendment occurred in the form prescribed by the *Planning and Environment Act 1987*. Owners and occupiers in the surrounding area, relevant Ministers and referral authorities were notified, together with the publication of the Notice of Preparation of Amendment in the Whitehorse Leader and the Government Gazette.

For the duration of the exhibition period copies of the Amendment documents were available for viewing on Council's website and in hardcopy at Council's Civic Centre in Nunawading, Council's Box Hill and Forest Hill Service Centres and the libraries in Whitehorse.

### **FINANCIAL IMPLICATIONS**

The proponent provided confirmation on 27 February 2017 that they would bear all fees and costs associated with the exhibition, consideration of any submissions and Panel costs. The fees associated with planning scheme amendments were updated on 13 October 2016 and includes a sliding scale for the consideration of any submissions.

Planning panel costs are calculated by Planning Panels Victoria and are based on the number of panel members and length of the panel hearing.

### **POLICY IMPLICATIONS**

The proposed Amendment and development will meet two strategic objectives in the Council Plan, including:

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

This direction is proposed to be achieved by improving the links and usage of transport modes with regard to efficiency, sustainability and safety. Rezoning the land to the MUZ supports this as the sites are located at the intersection of Station Street and Cambridge Street, near to the Box Hill Transit Interchange and with pedestrian access along both Station Street and Cambridge Street. This allows for sustainable access to and from the sites by using public transport and active transport and will maintain the built environment in this area. The Amendment allows for the development of the sites which would utilise local transport modes to access the broader area.

The Amendment and proposed planning permit application will also maintain and enhance the built environment by providing a safer environment with activated street frontages and passive surveillance provided by the new built form and improved public realm that will replace the existing underutilised site. Additionally, the development, guided by the Incorporated Document, will enhance the built environment through articulation, materials and a mix of uses. The development proposed in the planning permit application will also increase the vibrancy and activity of this part of the MAC.

## 9.1.2

(cont)

### *Strategic Direction 5: Support a healthy local economy*

This direction is proposed to be achieved by supporting the development of a sustainable, growing local economy and supporting the commercial and retail sectors. The proposed rezoning to MUZ will support this direction by allowing for the development of commercial and residential uses. This will support the local and broader economy and provide complementary uses to the current services and shops in the surrounding area, including the existing MAC. The MUZ also allows for future commercial and residential uses, which will also support the local economy through construction and commercial jobs.

The proposed development is providing a significant area of commercial floor space. This includes an office floor area of 1,973m<sup>2</sup>, a total retail area of 6,638m<sup>2</sup>, a 403m<sup>2</sup> medical centre, a 107 place child care centre, and an indoor recreation facility with 687m<sup>2</sup>. These non-residential spaces will create new employment opportunities, community benefit and commercial floor space when compared to the current use as an open car park.

## CONCLUSION

Amendment C194 seeks to rezone land at 517 and 519-521 Station Street, Box Hill from the PUZ to the MUZ and rezone land at 2-8 Oxford Street, Box Hill from the RGZ to the MUZ. The Amendment also seeks to introduce an Incorporated Document into the Scheme and apply it to the land at 517 and 519-521 Station Street, Box Hill.

The proponent also requested Council consider a planning permit application for the land at 517 and 519-521 Station Street, Box Hill. The permit application seeks approval for the construction of 3 buildings (2 buildings up to 18 storeys and 1 building up to 6 storeys), comprising retail premises, office, gymnasium, medical centre, accommodation, serviced apartments and a child care facility, and including rooftop plant, plus up to 3 levels of basement car parking.

Officers consider that the proposed rezoning of the land from the PUZ and RGZ to the MUZ is appropriate as it aligns with the Structure Plan. The proposed zone will allow for the development of the sites in accordance with the Structure Plan and *Plan Melbourne*. In particular, the proposed rezoning recognises the intention of the Structure Plan for the sites, the designation of the MAC under *Plan Melbourne* and the creation of a '20 minute neighbourhood' with good public transport links to the local and wider area.

The introduction of the Incorporated Document will provide certainty and guidance for the built form of the development and the proposed mixed use development is in accordance with state and local planning policy.

The planning permit application seeks the approval for 3 buildings comprising retail premises, office, a gymnasium, medical centre, accommodation, serviced apartments and a child care facility. The planning permit application is also considered appropriate as it will provide for the development of land that is envisaged by the Structure Plan for the precinct.

The development will create employment opportunities during construction and during occupation of the development and will provide additional services, public realm and facilities to the local community.

The Amendment received fifty-three (53) submissions. Only a few of the submissions objected to the changes to the planning scheme proposed by the Amendment. A number of the submissions objected to the proposed planning permit application because the existing Council car park, which is used for all day parking by local employees, would be developed and parking relocated to Harrow Street.

Many of the submissions also objected to the proposed planning permit application because of concerns about increased traffic, construction impacts and the amenity of the adjacent residential area.

### 9.1.2 (cont)

As per Section 23 of the *Planning and Environment Act 1987*, after considering submissions which request to change the Amendment, Council must:

1. Change the Amendment in the manner requested; or
2. Refer the submissions and Amendment to an independent Planning Panel; or
3. Abandon the Amendment.

As there are submissions that seek changes to the Amendment which cannot be supported by Council, the first option cannot be considered.

As the Amendment can be supported on a strategic basis, it should not be abandoned. Accordingly, the most transparent and fair method to enable all parties to have their comments assessed is for the submissions and the Amendment to be referred to an independent Planning Panel for its consideration.

Therefore it is recommended that the combined planning scheme amendment and planning permit application is referred to an independent Planning Panel for consideration and that submitters are advised accordingly.

### ATTACHMENT

- 1 Summary of submissions 
- 2 Response to Submission No 42 - Changes to Draft Planning Permit Conditions 
- 3 Draft Planning Permit, as exhibited 

## Engineering and Environmental

### 9.1.3 Whitehorse Cycling Strategy - Annual Implementation Report for 2016/17

ATTACHMENT

---

#### SUMMARY

*This purpose of this report is to provide a progress update on actions in the Whitehorse Cycling Strategy for the period 1 July 2016 to 30 June 2017.*

#### RECOMMENDATION

***That Council note the progress of implementing the Whitehorse Cycling Strategy 2016.***

---

#### BACKGROUND

The “Whitehorse Cycling Strategy 2016” was adopted by Council on 27 June 2016 following extensive community engagement activities, literature reviews and analysis of statistics.

The Strategy has a vision of increasing cycling through a connected network of attractive, safe and inviting low-stress streets and paths which are accessible to all and respects the needs of all users.

This report provides an update on the progress of actions completed in the first year of the Strategy’s implementation from 1 July 2016 to 30 June 2017.

#### DISCUSSION

Cycling for transport, sport and recreation plays an important role in supporting a healthy, vibrant, inclusive and diverse community. The Whitehorse Cycling Strategy 2016 was prepared to guide Council in implementing education, infrastructure and advocacy actions that aim to increase participation in cycling across the municipality while respecting the needs of others in the community.

Some of the achievements completed for the period 1 July 2016 to 30 June 2017 include:

- Construction of stage 1 of the shared use path along the Melbourne Water pipe track land from Highbury Road, Burwood East to Ballantyne Street, Forest Hill.
- Hosted a large number of education and behavioural programs, including Bike It, Transit, Ride to School Day, Ride to Work Day, school holiday bike skills, Bike Ed, CycleWise, Mums on Bikes and bike maintenance courses.
- Commenced a community education campaign encouraging cyclists, pedestrians and drivers to respectfully share roads and paths.
- Co-hosted the ‘Women’s Ride’ event with Deakin University.
- Strong advocacy to the State Government for projects such as
  - Improvements to allow safe crossing of arterial roads,
  - Construction of a shared use path along the former Healesville Freeway Reservation,
  - Appropriate design of the Box Hill to Ringwood shared use path, and
  - Construction of a shared use path along Burwood Highway from Morack Road, Vermont South to Eastlink.
- Modified 5 existing traffic management devices along Hanover Road, Vermont South and 6 devices along Dorking Road, Box Hill to improve cyclist safety.
- Bicycle parking hoops have been installed at an additional 8 locations throughout the municipality.

### 9.1.3

(cont)

The status of all actions within the Strategy is shown in Attachment 1.

#### CONSULTATION

Extensive consultation activities were undertaken during the development of the Whitehorse Cycling Strategy 2016. The results enabled a detailed understanding of the perspectives of cyclists and non-cyclists as well as community and professional stakeholders. Appropriate community engagement activities have continued during the development, implementation and evaluation of cycling programs and projects.

#### FINANCIAL IMPLICATIONS

Funding expended during the 2016/17 financial year for the delivery of cycling programs is shown below.

<b><i>Council funding</i></b>	
Operational funding for education programs and advocacy actions	\$ 74,611.49
Capital works projects	\$ 993,985.85
Sub Total	\$ 1,068,597.34
<b><i>Grant funding</i></b>	
Transport Accident Commission	\$ 30,000.00
RoadSafe Eastern Metro	\$ 1,683.65
VicHealth	\$ 10,000.00
Sub Total	\$ 41,683.65
Total	\$ 1,110,280.99

#### POLICY IMPLICATIONS

Council's cycling activities are linked to a number of corporate Strategies, including:

- Council Plan 2015-2019 and the Council Plan 2017-2021;
- Municipal Public Health and Wellbeing Plan 2013-2017;
- Whitehorse Integrated Transport Strategy 2011
- Whitehorse Community Road Safety Strategy 2013
- Whitehorse Road Management Plan 2015.
- Whitehorse Open Space Strategy 2007;
- City of Whitehorse Recreation Strategy 2015-2024; and
- Municipal Early Years Plan (Whitehorse: A City for all Children 2014-2018).

#### ATTACHMENT

- 1 Whitehorse Cycling Strategy 2016-17 



## 9.2 INFRASTRUCTURE

### 9.2.1 Construction of the Harrow Street Multi-Deck Car Park – Design Options

---

#### SUMMARY

*One of the outcomes of the sale of Council's Cambridge Street Car Park in July 2016 was Council determining to replace and increase the car parking capacity in the Box Hill Activity Centre by constructing a multi-deck car park with a minimum of 380 bays. These bays will replace the current 163 bays from the Cambridge Street site, 128 bays from the Harrow Street/John Street site and increase car parking in the area by 89 bays. The Cambridge Street site will be leased for a nine month period after the settlement of the contract of sale which will enable a fast track construction process for constructing the new multi-deck car park.*

*Concepts have been developed to compare the minimum base case option deliverable within the original project budget with other alternatives.*

*Approval is sought to proceed with the construction of 441 car parking bays at Harrow Street Multi Deck Car Park located at 526 Station Street, corner Harrow Street and John Street, Box Hill.*

#### RECOMMENDATION

***That Council accept the recommendation from the Harrow Street Project Control Group to construct a Multi-Deck Car Park at 526 Station Street, corner Harrow Street and John Street, Box Hill, with a capacity of 441 car parking spaces, as the preferred design option conditional to the settlement of the sale of the car park and abutting land at 517 – 521 Station Street, Box Hill.***

---

#### BACKGROUND

Council at its meeting on 25 July 2016 determined to proceed with a proposal to facilitate the sale of the at grade car park at 517-521 Station Street (Cambridge Street Car Park) and as part of the proposal, increase capacity of the Harrow Street Car Park, 526 Station Street, corner Harrow Street and John Street, Box Hill. The purchaser of the Cambridge Street Car Park intends to convert that land into a mixed use residential/commercial development. Council's Harrow Street Car Park is an at grade facility located at the corner of Harrow Street and John Street Box Hill. The site area is approximately 4,180 square metres and is bordered by John Street to the east, Harrow Street to the north, a private property containing a multi storey apartment complex to the south and an access road boarded by Pioneer Park, a medical centre and another Council owned on grade car parking area at 524 Station Street to the west. There is a 3 metre fall across the site from north-west to south-east. Some trees of significance exist on the site with most of them situated close to the site boundaries. The site is approximately 400metres to the train and bus interchange and 750metres to the tram terminus and is situated in a Public Use Zone 6. The redevelopment of the Harrow Street Car Park must, at a minimum, provide for all of the 163 car parking spaces that will be lost due to the sale and future development of the Cambridge Street Car Park and the existing 128 parking spaces on Harrow Street. At the time of the sale Council determined to increase the number of car parking spaces by 89 bays.

The Project Brief required a multi-deck car park with a minimum capacity of 380 car parking spaces to be built on the Harrow Street Car Park site potentially including a small community space on the Harrow Street frontage.

The development will consolidate the existing at grade car parking facilities into a modern multi-deck car park that will provide car parking within easy walking distance to the retail and commercial hub of the Box Hill Activity Centre.

### **9.2.1**

(cont)

The resolution of issues such as integrating with the vision of the new and modern Box Hill, the application of ESD principles in the development, the long term durability and ease of maintenance of the venue will be key aspects to the success of the design. Council has provisionally allocated funds to the project based on the information available in July 2016.

As part of the commercial arrangements that Council has entered into for the sale of the Cambridge Street site, Council requires the Harrow Street Car Park to provide the 291 parking bays lost due to the sale of the car park plus additional parking which increases the total parking available on both sites by 89 parking bays totalling 380 car parking spaces. A nine month lease of the Cambridge Street car park from settlement of sale at \$1 will occur and negate any adverse impact on the car parking amenity of Box Hill. In response to the tight timeframe between the unconditional sale of the Cambridge Street site and its closure as a car park, a fast track design and construction programme has been implemented. The multi-deck car park is scheduled to be available for operation at the end of 2018.

### **DISCUSSION**

The design and construction timing of the Harrow Street Multi-deck Car Park is a key component of the future mixed use/residential development on the current Cambridge Street Car Park. It is important that the new car park at Harrow Street commences operation before construction work commences on the Cambridge Street site which will discontinue the car parking activity on that site. The proposed development at the Cambridge Street Car Park site still needs to obtain statutory approvals to trigger the unconditional sale.

Council officers have worked with MGS architects and a multi disciplinary consultant team on the design of the new Harrow Street Multi-deck Car Park. Three options have been presented for consideration. All three options comply with the requirements of the Whitehorse Planning Scheme including being below the 14 metre building height stipulated in Council's Structure Plan for Box Hill. Within the site envelope a 5 level car park can be achieved with a total capacity of 562 bays. The three options under consideration will meet the minimum requirement of 380 bays stipulated in the project brief. Option two and three include provision for a 300sqm community space in the plans.

After undertaking site investigations and traffic flow requirements and to enable the maximum number of levels to be developed in the sites height envelope all three options are based upon entry and exit to the car park from John Street. This determination meets the transport requirements, including vehicle and pedestrian movement in the Box Hill Central Activity Area.

VicRoads requirement for pedestrian operated traffic signals to be installed on Station Street south of Harrow Street will substantially increase the level of service for pedestrians generated by the Harrow Street Multi-Deck Car Park and will provide improved vehicle access/egress for Harrow Street.

#### **Option 1: 382 Car Parking Bays**

The design provides for construction of a three and a half level multi-deck car park with a yield of 291 parking bays plus additional 91 parking bays constituting a total of 382 parking bays. To achieve a yield of 382 parking spaces it is necessary to build three (3) levels and part of level four (4). This option has the following features;

- Provides the minimum required number of car parking spaces.
- Is unable to maximise number of car parking bays due to the part floor at level 4.
- Incurs a higher per car parking bay cost due to inefficient structure, storm water drainage and waterproofing to both levels 3 and 4.
- Does not include a community space and unable to enhance opportunity to add to municipality's social amenity.
- Does not include a pedestrian friendly plaza linkage to integrate car park to adjoining Pioneer Park and dedicated pedestrian crossing at Station Street.
- Is designed to allow additional levels and capacity to be added at a later time, however this will result in higher cost per bay and additional cost for disruption.

## **9.2.1**

(cont)

### **Option 2: 441 Car Parking Bays**

Construct a four level multi-deck car park with a yield of 291 parking bays plus additional 150 car bays constituting a yield of 441 car parking bays. This option has the following features:

- Increases the number of car parking bays due to efficient utilisation of structure and layout.
- Allows for more efficient construction at a lower cost per bay than Option 1
- includes a community space and provides an opportunity to add to municipality's social amenity.
- Facilitates better integration of car park with adjoining Pioneer Park and dedicated pedestrian crossing at Station Street.
- Enhances aesthetics in building and surrounds due to inclusion of plaza and building façade of community space
- Is designed to allow additional levels and capacity to be added at a later time, however this will result in higher cost per bay and additional cost for disruption.
- Provides the opportunity to consolidate existing car parking spaces onto the site and therefore allows Council to consider other uses for the abutting car park on Station Street.

### **Option 3: 562 Car Parking Bays**

Construct a five level multi-deck car park with a yield of 562 car spaces providing an increase of 178 car spaces in addition to the 380 spaces specified in the project brief. This option has the following features;

Maximises the number of car parking bays within site envelope and Council's stipulated 14 meter height in Structure Plan due to efficient utilisation of structure and layout.

- Includes a community space and provides an opportunity to add to municipality's social amenity.
- Facilitates better integration of car park with adjoining Pioneer Park and dedicated pedestrian crossing at Station Street.
- Enhances aesthetics in building and surrounds due to inclusion of plaza and building façade of community space.
- This option negates the need for a future extension, disruptions and additional costs that may be incurred when constructing a future extension.
- Provides the opportunity to consolidate existing car parking spaces onto the site and therefore allows Council to consider other uses for the abutting car park on Station Street and the adjacent Ellingworth Parade/Harrow Street at grade car park.

Box Hill has a wide range of parking available including free, ticketed, time restricted and unlimited. Parking around the hospital and shopping centre is in high demand. Most of the parking available is ticketed and requires a fee to be paid.

Traffic studies completed by traffic engineers GTA in 2014 for the Box Hill Car Parking Strategy found that utilisation of the Cambridge Street car park benefits from a 92% occupancy rate. Cambridge Street occupancy peaks on Friday and Saturday evenings due to the close proximity of Cambridge Street to the shopping and restaurant district. Harrow Street occupancy is lower at 41%, most likely due to the perceived barriers and poor pedestrian paths accessing Box Hill shopping and restaurant district from the east of Station Street.

Estimates of future demand for the proposed multi deck car park were calculated based on the existing demand for Cambridge and Harrow Street. Aiming for 85% utilisation represents equilibrium between pricing and supply and demand. Given the dynamic nature of parking this provides the ability for drivers to find a parking space without excessively circulating a car parking venue.

### **9.2.1**

(cont)

Future parking demand for each option was considered for the Harrow Street Car Park. Occupancy rates were calculated based on traffic studies completed by GTA in 2014. A percentage increase in demand for each year was applied. Optimal utilisation was reached in the following years for each option;

Option 1 (382 Car Parking Bays): reaches recommended capacity limit in 8 years

Option 2 (441 Car Parking Bays): reaches recommended capacity limit in 12 years

Option 3 (562 Car Parking Bays): does not reach recommended capacity limit within 20 years

See schedule at end of Report for occupancy demand of Council owned car parks in Box Hill.

Car parks in general are sterile spaces and generate an essentially industrial aesthetic. The proposed community space will provide a much valued contribution to the social amenity of the municipality and a human outlook to the street façade of the building. It will also provide a much needed surveillance aspect for the car park amenity and provide a gentle integration of the ground floor of the building with the adjoining Pioneer Park. The space will also enhance the street scape of Harrow Street with a more vibrant mix of community activity rather than a single commuter based activity that is activated during the rush hours of the day. The recommended option 2 and Option 3 have only provision for a building shell with fit out and completion to be finalised and funded separately at a later date.

Landscaping has been identified as a core element of this project that will soften the impact of the building on the surrounding neighbourhood. Landscaping in proximity to the community space will be designed to reflect the community aspect of the building.

### **CONSULTATION**

A Project Control Group has been established for the governance of the Harrow Street multi-deck car park project. The Project Control Group (PCG) includes the following;

- Jeff Green, General Manager City Development (Project Sponsor)
- Tony Peak, Manager Property and Rates
- Daniel Vincent-Smith, Box Hill Activity Centre Manager

The PCG has widely discussed the available options for the project. Other relevant Council departments including Finance, Transport, Human Services, Property and Rates, Local Laws, and Infrastructure have been consulted widely. VicRoads have been consulted in regards to traffic issues relevant to this project. The traffic consultants for the project GTA have undertaken traffic surveys in the Box Hill precinct and support the design of the car park as working with the slope of the land, limiting congestion on Harrow Street and providing the highest yield in car spaces. VicRoads has requested an additional signaled pedestrian crossing on Station Street.

### **FINANCIAL IMPLICATIONS**

A project budget of \$13 million has been provisionally allocated in July 2016 from the development reserve subject to settlement of Cambridge Street site, for the design and construction of the Harrow Street Multi-Deck Car Park project and funding to be progressively made available over the remaining 2 year period of the project in accordance with expenditure demand projections.

## 9.2.1

(cont)

The Project Brief specified future proofing the design so that additional parking levels could be added to the existing building at a future date. Option 2 could be designed so that an additional car parking level could be added at a later date that will achieve Option 3 (562 car parking spaces). If pursued at a later date there are implications for disruptions to business continuity and operations and additional costs to re-gear for the construction and build another waterproof floor level resulting in higher costs.

### Occupancy demand – Council owned off street car parks in Box Hill Central Activity Area

	Supply 2014	Demand 2014	Occupancy 2014
Cambridge Street	163	150	92%
Harrow Street	184	75	41%
Ellingworth	110	65	59%
Watts Street	466	391	84%

	Supply 2018	Demand 2018	Occupancy 2018	Occupancy 85%*
Option 1	382	258	68%	Year 8 (2026)
Option 2	441	258	59%	Year 12 (2030)
Option 3	562	258	46%	In over 20 years

### Capacity off street car parking bays in Box Hill Central Activity Area

	Capacity 2017	Capacity 2019
Cambridge Street	163	0
Harrow Street	184	441 + 56
Ellingworth	110	110
Watts Street	466	466
Total car parking bays	923	1073

## 9.3 HUMAN SERVICES

### 9.3.1 Whitehorse Community Grants 2017/18 Financial Year

---

#### SUMMARY

*This report presents the Whitehorse Community Grant recommendations for the 2017/2018 financial year, as determined by the Councillor Assessment Panel, which comprised of: Cr Denise Massoud (Mayor), Cr Sharon Ellis, Cr Bill Bennett, Cr Tina Liu and Cr Prue Cutts.*

#### RECOMMENDATION

***That Council allocates the 2017/2018 Whitehorse Community Grants in accordance with Appendix A Cash Grants (Annual Grants Non Partnership), Appendix B (Partnership Grants Non-Tendered and Tendered), Appendix C (Discount Support Hall Hire) and Appendix D (Discount Support Free Tipping).***

---

#### BACKGROUND

Whitehorse City Council supports not-for-profit community groups and organisations to provide a wide range of services, programs and activities to the Whitehorse community through its Community Grants Program.

For the 2017/2018 financial year, the Whitehorse Community Grants Program received applications from 201 community groups, for both cash and discount support grants. The Councillor Assessment Panel met on Wednesday 14 June 2017 to consider the community grants applications and subsequently to determine the annual cash grant recommendations which are included as *Appendix A* to this report (Annual Grants Non Partnership).

#### DISCUSSION

The Community Grants program is divided into five separate components:

1. Cash Grants - Annual - Non-Partnership
2. Cash Grants - Partnership Funding – Non Tendered
3. Cash Grants - Partnership Funding – Tendered;
4. Discount Support - Hall Hire
5. Discount Support - Free Tipping

#### **Cash Grants- Partnership (Tendered and Non-Tendered)**

Four year Partnership Funding was introduced by Council in 2012 for identified community based organisations that provide on-going, established, recognised services within the Whitehorse community.

Four year Tendered Partnership funding (Contracts) were entered into with four of these community organisations. Three of these four contracts expired on 30 June 2016 and the fourth expired on 31 October 2016.

At its meeting on 15 February 2016 Council resolved to extend three Tendered and thirteen Non-Tendered Partnership Grants with community organisations, while a review of the Community Grants was being undertaken. These include:

- 10 Neighbourhood & Community Houses.
- The Asian Business Association of Whitehorse Inc.
- Whitehorse Community Chest Inc.
- Whitehorse Pre School Association Inc.
- Mitcham Community House - Family Violence Program for Women
- Family Access Network-Life Skills Program for Young Men & Women
- Uniting Care - East Burwood Centre - Emergency Relief Provision

### **9.3.1**

(cont)

An exception to this was the four-year tender for the Provision of Family Youth and Children's Support and Counselling Services which concluded on 31 October 2016. Council resolved to re-tender for this service for four years commencing 1<sup>st</sup> November 2016 with EACH Ltd being the successful tenderer.

All community groups receiving cash grants are required to complete funding & service agreements prior to the release of any grant payments.

The review of the Community Grants program will be presented to Council at a later date.

#### **Cash Grants - Annual Grants - Non-Partnership**

Annual Cash Grants (Minor Grants Up to \$5,000 & Major Grants \$5001 to \$20,000) were considered by the Councillor Panel on Wednesday 14 June 2017. The Panel recommendations are detailed in *Appendix A*.

The Councillor Panel recommendations amount to a total of \$146,818, which is \$14,756 under the budget allocation of \$161,574 for the 2017/2018 financial year. The Panel chose not to allocate \$14,756 with this funding being available for grant requests received by Council to the end of the 2017-2018 financial year. Any additional cash grant applications will be subject to the required application and review process which requires approval by the Mayor.

#### **Discount Support Hall Hire**

Discount Support relates to discounted hall hire charges at Council owned and operated venues. If community groups meet the criteria, Discount Support Hall Hire is automatically granted. Groups applying for a discount on hall hire charges have already been notified in writing of their success or otherwise and this information is included in *Appendix C*. Discount Support Hall Hire recommendations currently total \$271,527.

Further applications for Discount Support Hall Hire will be received by Council as the year progresses and approved, if the groups meet the criteria. There are three levels of discount support based on group type: 90% for seniors groups, 75% for service clubs and 50% for all other organisations. Discount Support Hall Hire also includes the option of one free hall hire fundraising event each year, per organisation, with many groups taking advantage of this option.

#### **Discount Support Free Tipping**

Council also offers discount support to not for profit community groups for free tipping at Council's Recycling and Waste Centre. A nominal amount of \$130 has been allocated to each free tipping pass. Each trailer load of waste is weighed and the actual cost based on the tonnage rate applied, is recorded against the Community Grants Program. A total of 266 tipping passes are recommended for the 2017/2018 financial year and the groups are listed in *Appendix D* with an estimated cost to Council of \$34,580. Please note, free tipping passes issued, are not necessarily used.

### 9.3.1

(cont)

#### FINANCIAL IMPLICATIONS

The Overall Community Grant Budget for the 2017/2018 financial year is shown below:

<b>2017/2018 Financial Year – Cash and Discount Support</b>	<b>TOTAL GRANTS BUDGET (CASH AND DISCOUNT SUPPORT)</b>
Cash Grants (Annual, Partnership Non-Tendered & Partnership Tender)	\$856,108
Discount Support Hall Hire	\$271,527
Discount Support Free Tipping	\$34,580
<b>TOTAL OVERALL GRANTS BUDGET</b>	<b>\$1,162,215</b>

The Cash Grant Budget for the 2017/2018 financial year is shown below:

<b>2017/2018 Financial Year – Cash Grants</b>	<b>CASH GRANT BUDGET</b>
Partnership - Non Tendered	\$458,347
Partnership - Tendered – EACH Ltd	\$236,187
Non-Partnership Grants (Annual Grants considered by Councillor Panel)	\$161,574
<b>CASH GRANTS BUDGET</b>	<b>\$856,108</b>

As detailed previously, the Cash Grant recommendations by the Councillor Panel totalled \$146,818 which is \$14,756 under the budget allocation of \$161,574, leaving \$14,756 to be allocated should any requests be received during the remainder of the 2017-2018 financial year.

The community grant amounts in this report do not include GST.

#### CONSULTATION

The 2017/2018 Community Grants were advertised extensively within the municipality: the Whitehorse News, on Council's web site, in Councillor Columns and via press releases.

Officers from various service areas across Council were consulted in regard to their initial assessment of each grant application.

#### POLICY IMPLICATIONS

The Community Grants have been advertised, assessed and recommended in line with the Whitehorse Council Plan and Council's long term vision and goals.



### 9.3.1

(cont)

#### **APPENDIX A – ANNUAL GRANTS NON PARTNERSHIP**

<b>Organisation Name</b>	<b>Cash Grant Recommended 2017/2018</b>
3D Arts Company Ltd	\$1,000
Alkira Centre - Box Hill	\$1,500
All Saints Anglican Church	\$1,500
Anglicare Victoria Sudanese Saturday School	\$500
Bellbird Dell Advisory Committee	\$1,500
Benwerrin Preschool	\$1,500
Box Hill Area Toy Library	\$1,000
Box Hill Chorale Society	\$1,500
Box Hill City Band	\$1,000
Box Hill Community Information & Support	\$7,000
Box Hill Historical Society	\$732
Box Hill Italian Senior Citizen's Club	\$500
Box Hill Senior Citizen's Club	\$1,000
Box Hill Wesley Calisthenics Club	\$1,347
Buckanbe Park Advisory Committee	\$2,500
Burwood Community Gardens	\$884
Carers Victoria	\$2,500
Centre for Holistic Health	\$2,000
Chinese Health Foundation	\$3,000
Chinese Nurse Association Australia Inc	\$1,200
Circolo Pensionati Italiani-Nunawading	\$1,200
Combined Probus Club of Burwood East	\$500
Combined Probus Club of Burwood Inc	\$500
Communities Council on Ethnic Issues-Migrant Settlement Committee	\$1,829
Community of Cypriots of the Eastern Suburbs Elderly Citizens Club	\$1,500
Cootamundra Walk Advisory Committee	\$1,050

### 9.3.1

(cont)

Organisation Name	Cash Grant Recommended 2017/2018
Dream Stitches Migrant and Refugee Women's Sewing Program	\$1,500
Eastern Climate Action Melbourne (Whitehorse)	\$1,500
Eastern Emergency Relief Network (& Warehouse)	\$10,000
Eastern Volunteer Resource Centre	\$10,000
Family Access Network	\$20,000
Greek Elderly Citizens Club of Nunawading	\$1,000
Greek Orthodox Community of Box Hill and Districts Elderly Citizens Club	\$1,500
Hamro Nepali Pathshala Inc	\$1,500
Holbury Children's Centre	\$1,500
Inclusive Music Theatre Incorporated	\$1,040
Indochinese Elderly in the Eastern Suburbs Inc	\$1,500
Jasmine Seniors Dance Group	\$1,470
Jing Song Senior Chinese Men's Inc	\$1,500
Joiningthedots International	\$2,500
Ladies Probus Club of Blackburn South	\$500
Ladies Probus Club of Box Hill South	\$500
Life Activities Club of Whitehorse	\$750
Link Health and Community	\$10,000
Lions Club of Forest Hill	\$500
Lions Club of South Vermont	\$1,000
Living Streams Community Care	\$500
Nepalese Association of Victoria	\$750
Nieuw Holland Social Club Inc.	\$500
NLEC Community Care Inc	\$500
Nunawading Community Gardens Inc	\$1,500
Nunawading Hungarian Senior Citizen's Club Inc.	\$856

### 9.3.1

(cont)

Organisation Name	Cash Grant Recommended 2017/2018
Nunawading Toy Library	\$1,000
People with Multiple Sclerosis Vic Inc	\$1,000
Peranakan Association Australia Inc	\$750
Probus Club of Blackburn Central Inc.	\$500
Probus Club of Forest Hill Inc	\$500
Probus Club of Mont Albert Inc	\$500
Rangeview Preschool	\$1,500
Rejoice Fellowship	\$500
Scouts Australia Vic Branch - 1st Vermont Scouts	\$1,500
Senior Citizen's Club of Nunawading	\$1,000
Senior Citizens of the Greek Community of Forest Hill	\$1,000
St Francis Xavier Autumn Friendship Club - St Francis Xavier Church	\$500
Taiwanese Business Association of Melbourne Inc	\$9,500
Taralye - The Advisory Council for Children with Impaired Hearing	\$1,500
Timorese Taiwan Alumni Association Inc	\$750
U3A Box Hill	\$1,500
U3A Nunawading	\$750
Victoria Thai Art and Culture Community Association	\$500
Whitehorse Day Club	\$500
Whitehorse Friends for Reconciliation	\$2,500
Whitehorse Historical Society Inc.	\$2,250
Whitehorse Orchestra	\$1,000
Yarran Dheran Advisory Committee	\$1,210
	\$146,818

### 9.3.1

(cont)

#### APPENDIX B – PARTNERSHIP GRANTS NON TENDERED & TENDERED

Organisation Name	Partnership Grants 2017/2018
<b>Partnership Non Tendered</b>	
Asian Business Association of Whitehorse Inc	\$23,420
Avenue @ Eley Neighbourhood House	\$36,417
Bennettswood Neighbourhood House	\$29,392
Box Hill South Neighbourhood House	\$29,392
Burwood Neighbourhood House	\$29,392
Clota Cottage Neighbourhood House Inc	\$29,392
Kerrimuir Neighbourhood House	\$29,392
Koonung Cottage Community House	\$29,392
Louise Multicultural Centre	\$26,464
Mitcham Community House	\$36,417
Vermont South Community House	\$36,417
Whitehorse Community Chest Inc.	\$13,937
Whitehorse Pre School Association	\$30,328
Mitcham Community House - Family Violence Program (ex 11040)	\$16,979
Family Access Network - Life Skills Program (ex 11041)	\$35,949
UnitingCare East Burwood Centre Emergency Relief (ex 11042)	\$25,667
<b>TOTAL PARTNERSHIP NON TENDERED</b>	<b>\$458,347</b>
<b>Partnership Tendered - Contract 15037 – EACH Ltd</b>	\$236,187
Provision of Family Support and Counselling Services	
<b>TOTAL PARTNERSHIP – NON TENDERED &amp; TENDERED</b>	<b>\$694,534</b>

### 9.3.1

(cont)

#### APPENDIX C – DISCOUNT SUPPORT HALL HIRE

Organisation Name	Discount Support Hall Hire 2017
Aglow Australia - Melbourne	\$701
Alcoholics Anonymous (Box Hill Branch)	\$1,253
Alkira Centre - Box Hill	\$392
Amitofo Care Australia	\$2,211
Arts Nunawading	\$170
Australia Hui-Merchants Confederation Inc.	\$2,764
Australian Iranian Society and House of Persia Community and Cultural Centre	\$3,953
Australian Orchid Foundation	\$147
Australian Quilters Association Inc	\$2,031
Australian Red Cross - Blackburn Unit	\$2,015
Babirra Music Theatre Inc	\$20,000
Box Hill Art Group Inc	\$8,343
Box Hill Ballet Association Incorp.	\$9,610
Box Hill Chinese Senior Citizen's Centre	\$2,376
Box Hill Chorale Society	\$2,535
Box Hill Clayworkers	\$4,504
Box Hill Community Gardens Inc	\$156
Box Hill Hand Spinners and Weavers	\$6,704
Box Hill Historical Society	\$378
Box Hill Life Drawing Group	\$361
Box Hill Russian Senior Citizen's Club	\$3,264
Brotherhood Karyas Olympou	\$862
Caribbean Association of Victoria	\$175
Chinese Chronic Illness Foundation	\$1,200
Circolo Pensionati Italiani-Nunawading	\$7,560
City of Whitehorse Band	\$1,800

### 9.3.1

(cont)

Organisation Name	Discount Support Hall Hire 2017
Combined Probus Club of Blackburn South	\$1,890
Combined Probus Club of Whitehorse	\$1,455
Community of Cypriots of the Eastern Suburbs Elderly Citizens Club	\$5,217
Contemporary Women Painters	\$2,139
Designer Art Shop Association (known as Alcove Art Shop)	\$911
Eastern & Mountain District Radio Club Inc	\$1,618
Eastern Climate Action Melbourne (Whitehorse)	\$421
Eastern Districts Aquarium Society	\$1,658
Eastern Suburbs Scale Modelling Club	\$495
Family Access Network	\$171
Floral Art Society of Victoria	\$735
Greek Elderly Citizens Club of Nunawading	\$5,897
Hand Tool Preservation Society	\$578
Heritage Roses in Australia Inc. (Greater Melbourne Group)	\$229
Hispanic Society of Victoria Inc	\$1,248
Hong Kong Club Inc	\$2,079
Joyfull Mind Club Melbourne Inc	\$139
Knitting for the Needy	\$391
Ladies Probus Club of Nunawading	\$756
Ladies Probus Club of Vermont South	\$1,248
Learning Democracy Centre (Cultural Chinese Studies)	\$210
Louise Multicultural Centre	\$840
Marquetry Society of Victoria	\$819
Melbourne Ai-Yue Choir	\$1,702
Melbourne Audio Club	\$1,942
Melbourne Children's Chinese Choir	\$1,454

### 9.3.1

(cont)

Organisation Name	Discount Support Hall Hire 2017
Melbourne Chinese Choir	\$1,180
Melbourne Chinese U3A	\$4,934
Melbourne Numismatic Society Inc.	\$265
Melbourne Sound of Music Ensemble	\$881
Melbourne Taiwanese Ladies Association	\$1,807
Morris Register of Victoria	\$1,270
Neami National	\$148
Needlework and Tapestry Guild of Victoria	\$4,951
Nova Music Theatre Inc	\$20,000
Nunawading Community Gardens Inc	\$252
Nunawading Hungarian Senior Citizen's Club Inc.	\$4,253
Papermakers of Victoria	\$352
Perwira Indonesian Society of Victoria	\$4,320
Polish Senior Citizen's Club of Doncaster	\$6,804
Pope Road Kindergarten (LATE APPLICATION)	\$2,070
Probus Club of Forest Hill Inc	\$1,550
Probus Club of Mitcham Nunawading Inc	\$3,204
Probus Club of Mitcham Orchards	\$3,495
Roberts McCubbin Primary School	\$964
Rotaract Club of Whitehorse	\$1,968
Rotary Club of Box Hill Central	\$1,800
Senior Citizen's Club of Nunawading	\$5,896
Senior Citizens of the Greek Community of Forest Hill	\$15,120
St Andrew's Greek Elderly Citizens Club	\$5,670
St Thomas The Apostle Primary School Parents & Friends Committee	\$2,683
Swiss Yodel Choir Matterhorn Inc	\$252
Taiwanese Women's Dancing Group	\$1,872

**9.3.1**  
(cont)

<b>Organisation Name</b>	<b>Discount Support Hall Hire 2017</b>
The Boite Vic Inc. (Surrey Music Café)	\$1,560
U3A Nunawading	\$20,000
United Sri Lankan Muslim Association	\$1,290
Vermont Cancer Research Fundraising Group	\$1,954
Vermont Floral Art Group	\$1,050
Vermont Garden Club	\$1,040
Vermont Primary School	\$881
Victorian Bulb Society Inc	\$693
Wado Ryu Karate	\$3,276
Whitehorse Cyclists	\$889
Whitehorse Film Society	\$3,236
Whitehorse Orchestra	\$3,449
Whitehorse Showtime	\$10,000
Whitehorse Toastmasters Club Inc	\$2,541
<b>Total Discount Support Hall Hire</b>	<b>\$271,527</b>



### 9.3.1

(cont)

#### APPENDIX D – DISCOUNT SUPPORT FREE TIPPING

Organisation Name	Free Tipping 2017/2018 (Individual Pass is valued at \$130)
Alkira Centre - Box Hill	\$1,560
Carrington Health Whitehorse Men's Shed	\$780
Doncare (Whitehorse Opportunity Shops)	\$3,120
Eastern Emergency Relief Network (& Warehouse)	\$5,460
Heatherdale Preschool	\$520
Holbury Children's Centre	\$390
LINC Whitehorse	\$3,120
Lions Club of Blackburn North	\$1,560
Lions Club of Mitcham Inc	\$1,560
Lions Club of South Vermont	\$1,300
Rotary Club of Mitcham - Rotary Clothesline Opportunity Shop	\$1,560
Rotary Recycle Opportunity Shop	\$1,560
Royal Society for the Prevention of Cruelty to Animals	\$6,760
Scouts Australia - Vic Branch - 1st Mont Albert Scout Group	\$520
Scouts Australia Vic Branch - 1st Bennettswood Scout Group	\$260
Scouts Australia Vic Branch - 1st Tally Ho Scout Group	\$260
Scouts Australia Vic Branch - 9th Box Hill Scout Group	\$520
St Mark's Anglican Church	\$520
St Thomas The Apostle Primary School Parents & Friends Committee	\$520
Surrey Hills Baptist Children's Centre	\$520
Vermont Uniting Community Centre	\$1,300
Whitehorse Arts Association	\$390
Whitehorse Showtime	\$520
<b>Total Discount Support Free Tipping</b>	<b>\$34,580</b>

## **9.4 CORPORATE REPORTS**

### **9.4.1 Council Owned Land: 2 Carrington Road, Box Hill**

FILE NUMBER: SF16/145

---

#### **SUMMARY**

Section 189 the Local Government Act 1989 restricts Council's power to sell Council owned land. Council at its meeting of 18 April 2017 noted that the Council owned land known as 2 Carrington Road Box Hill was surplus to Council's needs. Council resolved to give public notice in accordance with Section 189 of the Local Government Act 1989 of its intention to sell the property. Council is also required in accordance with Section 223 of the Local Government Act 1989 to consider any written submissions and Council is required to hear any verbal submissions made in conjunction with any written submissions. Two submissions were received; however, none of the submitters requested to speak in support of their submission at Council's Special Committee meeting of 13 June 2017.

#### **RECOMMENDATION**

##### ***That Council:***

- 1. Having completed the public notice process in accordance with sections 189 and 223 of the Local Government Act 1989 and having received and considered two submissions, Council now resolves to sell the land known as 2 Carrington Road Street, Box Hill with the title description of Volume 10089 Folio 896 to Golden Age Box Hill Development Pty Ltd for the consideration of Two Million and Sixty Eight Thousand Dollars (\$2,068,000) plus GST.***
- 2. Authorise the Manager Property & Rates to advise the two submitters of Council's decision as per Section 223 (d) (ii) of the Local Government Act 1989.***
- 3. Authorise the Chief Executive Officer to sign all documents for the sale and transfer of the land known as 2 Carrington Road, Box Hill and also authorise the affixing of the Council seal, if required, to the documents.***

---

#### **BACKGROUND**

At Council's meeting of 18 April 2017 Council resolved to:

##### ***That Council:***

- 1. Note that the property known as 2 Carrington Road Box Hill with the title description of Volume 10089 Folio 896 is surplus to Council's requirements.***
- 2. Acknowledge that the property known as 2 Carrington Road Box Hill has a limited market and private treaty is the preferred method of sale.***
- 3. Conditionally accept the written offer of Two Million and Sixty Eight Thousand Dollars (\$2,068,000) excluding GST received from Golden Age on 30 March 2017.***
- 4. Authorise the Chief Executive Officer to acknowledge in writing conditional acceptance of the Golden Age offer dated 30 March 2017, and also advise Golden Age that acceptance is conditional on Council successfully completing its statutory obligations in accordance with Sections 189 and 223 of the Local Government Act 1989.***
- 5. In accordance with Sections 189 and 223 of the Local Government Act 1989, give notice of its intention to sell the property known as 2 Carrington Road, Box Hill by private treaty to Golden Age Box Hill Development Pty Ltd for the consideration of Two Million and Sixty Eight Thousand Dollars (\$2,068,000) excluding GST.***

#### **9.4.1**

(cont)

- 6. Pursuant to section 223 (1) of the Local Government Act 1989, consider and if required hear any submissions received in regard to the proposal to sell the land.**
- 7. Authorise the Manager of Property & Rates to give public notice, in accordance with Sections 189 and 223 of the Local Government Act 1989, of Council's intention to sell the property known as 2 Carrington Road Box Hill; and pursuant to Section 223 (3) of the Local Government Act 1989, to carry out the administrative procedures to enable Council's Special Committee appointed to carry out its function under Section 223 of the Local Government Act 1989 to hear and consider submissions at the meeting to be held at Whitehorse Civic Centre Council Chamber 379 Whitehorse Road Nunawading on Tuesday 13 June 2017 at 8.00pm**
- 8. Upon completion of the public notice process authorise the Manager of Property & Rates to prepare a further Council report for Council's consideration and resolution.**
- 9. Retain the Report passed in camera as a confidential item under Section 89(2) (d) of the Local Government Act 1989 and be placed in a separate minute book for confidential items.**

A public notice advertising Council's intention to sell was displayed in The Age newspaper on Saturday 22 April 2017, in accordance with Section 189 of the *Local Government Act 1989*.

The same public notice was displayed on Council's website for twenty-eight (28) days in accordance with Section 82A of the *Local Government Act 1989*.

Council received two (2) written submissions during the twenty-eight (28) day submission period and neither submitter requested to speak at Council's Special Committee meeting held on Tuesday 13 June 2017.

Both submissions were referred to the Ordinary meeting of Council held on Monday 17 July 2017 for further consideration and for final decision.

#### **DISCUSSION**

The section of freehold Council land known as 2 Carrington Road Box Hill (the subject property) was formerly a right-of-carriageway which the former City of Box Hill at its meeting of 22 October 1990 resolved to discontinue.

The freehold title for the subject property was issued to the City of Box Hill by the Land Registry to Council on 26 March 1992.

Currently, the subject property is a poorly sealed section of land that is partly occupied (with Council's permission) by the registered proprietors of 545-563 Station Street, Box Hill (the Sky One site).

The permitted partial occupation occurred in early 2017 and permission was granted to enable the Sky One site to be fully enclosed during the excavation works. It is important to note that the permitted occupation does not diminish Council's ownership rights.

The public notice advertised by Council in The Age newspaper on Saturday 22 April 2017 stated that Council would sell the land by "private treaty" to Golden Age Box Hill Development Pty Ltd for the consideration of **Two Million and Sixty Eight Thousand Dollars (\$2,068,000)** plus GST.

As the subject property has a limited market, "private treaty" was identified as the preferred method of sale.

### 9.4.1

(cont)

To ensure good governance principles were adhered to Council appointed Anne Dalton and Associates as an independent Probity Advisor and disposed of the property in accordance with the *“Local Government Best Practice Guidelines for the Sale, Exchange & Transfer of Land”*.

#### CONSULTATION

The formal process regarding the selling of Council owned land is contained within Section 189 of the *Local Government Act 1989* and gives a person the right to make a submission under Section 223 of the *Local Government Act 1989*.

Council is required to give public notice that it intends to sell the subject property and this notice gives members of the public the opportunity to make a written submission regarding Council's intention to sell.

In accordance with Section 223(a) a person making a written submission has the right to request to be heard by the Committee of Council, appointed to consider and hear submissions.

The consultation timetable for the subject property included the following dates:

Statutory advertisements (Public Notice):	“The Age” Saturday 22 April 2017
Closing date for submissions:	Monday 22 May 2017
Meeting to hear submissions:	Tuesday 13 June 2017

#### Public submission/s

The closing date for submissions was 5.00 pm Monday 22 May 2017.

As advised above two submissions were received by the closing date and these submissions were considered at Council's Special Committee meeting on Tuesday 13 June 2017 where Council resolved the following:

***“That Special Committee having noted the written submissions and that no submitter had requested to speak in regard to their submission, refer all submissions to the Ordinary meeting of Council to be held on Monday 17 July for further consideration and for final decision.”***

Both submissions made reference to creating a carriageway easement to establish use rights over the subject property.

To satisfy the easement requests mentioned above the contract of sale requires Golden Age Box Hill Development Pty Ltd to provide Council with a copy of the carriageway easement deed signed by Victrack prior to settlement.

Additionally, a section 173 agreement issued in accordance with Section 173 of the Planning & Environment Act 1987 will be registered on the title of the subject property following settlement; this obligation will require the Golden Age Box Hill Development Pty Ltd to register the carriageway easement with Land Registry following settlement.

#### FINANCIAL IMPLICATIONS

If Council resolves to proceed with the sale of the subject property then Council, after settlement, will have incurred costs of approximately \$60,000 + GST.

As the subject property is a vacant site GST is payable on the sale proceeds.

#### POLICY IMPLICATIONS

Nil

## 9.4.2 Delegated Decisions May 2017

### SUMMARY

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

### RECOMMENDATION

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

DELEGATION	FUNCTION	Number for May 2016	Number for May 2017
Planning and Environment Act 1987	Delegated Decisions	117	144
	Strategic Planning Decisions	2	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		32	18
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	89	120
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	Nil
Food Act 1984	Food Act Orders	1	10
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	Nil	3
Local Government Act 1989	Temporary Road Closures	10	3
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	1	Nil
	Property Sales and Leases	13	8
	Documents to which Council seal affixed	2	1
	Vendor Payments	1419	1161
	Parking Amendments	11	18
	Parking Infringements written off (not able to be collected)	299	307

## 9.4.2

(cont)

### DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS MAY 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
1058	24-05-17	Application Lapsed	27 Box Hill Cres, Mont AlbertNorth	Elgar	Two double storey dwellings	Multiple Dwellings
146	31-05-17	Delegate Approval - S72 Amendment	101/712 Station St, Box Hill	Elgar	Development of a nine (9) storey building plus basement car park, use for licensed restaurant, licensed food and drink premises (cafe), and convenience store, access to Road Zone Category 1, reduction in the parking requirements of Clause 52.06 and waiver of the loading bay requirement at Clause 52.07	Permit Amendment
223	03-05-17	Delegate Approval - S72 Amendment	65 McKean St, Box Hill North	Elgar	One new double storey dwelling to the rear of the existing dwelling including extension to the existing dwelling	Permit Amendment
276	10-05-17	Delegate Approval - S72 Amendment	2A Stevens Rd, Forest Hill	Morack	Building and works to extend existing supermarket, signage and reduction in car parking requirements	Permit Amendment
284	08-05-17	Delegate Approval - S72 Amendment	711-713 Whitehorse Rd, Mont Albert	Elgar	Amendment to Planning Permit WH/2015/284 (Issued for buildings and works associated with the use of land for a restaurant (cafe) and reduction of the standard car parking requirements) for the use of land for the sale and consumption of liquor	Permit Amendment

**9.4.2**  
(cont)

720	04-05-17	Delegate Approval - S72 Amendment	40 Lindsay Ave, Nunawading	Springfield	Construction of double storey dwelling to the rear of the existing dwelling	Permit Amendment
1021	02-05-17	Delegate Approval - S72 Amendment	1/146 Thames St, Box Hill North	Elgar	Construction of a three storey building (including basement) comprising eight dwellings.	Permit Amendment
14199	03-05-17	Delegate Approval - S72 Amendment	5 Carrington Rd, Box Hill	Elgar	Buildings and works for a restaurant, associated car parking dispensation, floodlit business identification sign and on-premises liquor license	Permit Amendment
8	30-05-17	Delegate NOD Issued	1 Nash Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings on a lot	Multiple Dwellings
137	16-05-17	Delegate NOD Issued	275-277 Burwood Hwy, Burwood East	Morack	Construction of a four storey building for 33 dwellings and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
251	17-05-17	Delegate NOD Issued	3 Simpsons Rd, Box Hill	Elgar	Construction of four double storey dwellings	Multiple Dwellings
489	17-05-17	Delegate NOD Issued	315-319 Burwood Hwy, Burwood East	Morack	Buildings and works for the construction of a six (6) storey building and use of land for retail and serviced apartment	Business
503	30-05-17	Delegate NOD Issued	26 Melrose St, Mont Albert North	Elgar	Construction of two dwellings on a lot	Multiple Dwellings
509	02-05-17	Delegate NOD Issued	25 Park Close Vermont	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
542	31-05-17	Delegate NOD Issued	1 Shaun Ave, Blackburn South	Riversdale	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
564	30-05-17	Delegate NOD Issued	140 Thames St, Box Hill North	Elgar	Construction of eight triple storey dwellings	Multiple Dwellings
571	15-05-17	Delegate NOD Issued	1 Cornfield Grv, Box Hill South	Riversdale	Construction of two double storey semi-detached dwellings and a front fence higher than 1.2m	Multiple Dwellings

**9.4.2**  
(cont)

650	15-05-17	Delegate NOD Issued	163-165 Central Rd, Nunawading	Springfield	Extension of an existing residential building, buildings and works to use and develop a retirement village and associated tree removal and waiver of bicycle parking requirements	Residential (Other)
793	02-05-17	Delegate NOD Issued	11 Bronte Ave, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
820	19-05-17	Delegate NOD Issued	47 Gillard St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
823	30-05-17	Delegate NOD Issued	88 Shafer Rd, Blackburn North	Central	Two (2) double storey dwellings.	Multiple Dwellings
828	02-05-17	Delegate NOD Issued	14 Harcourt St, Blackburn North	Central	Construction of two (2) dwellings on a lot	Multiple Dwellings
837	02-05-17	Delegate NOD Issued	42 Medway St, Box Hill North	Elgar	Two dwelling development	Multiple Dwellings
884	08-05-17	Delegate NOD Issued	28 Christina St, Burwood	Riversdale	Construction of a double storey dwelling to the rear of an existing single storey dwelling	Multiple Dwellings
905	25-05-17	Delegate NOD Issued	10 Killara St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
912	18-05-17	Delegate NOD Issued	48 Station St, Burwood	Riversdale	The construction of three (3) double storey dwellings on a lot and alteration of access to a road in a Road Zone Category 1	Multiple Dwellings
929	30-05-17	Delegate NOD Issued	8 Sherwood Rd, Surrey Hills	Riversdale	Construction of two (2) attached double storey dwellings	Multiple Dwellings
967	23-05-17	Delegate NOD Issued	28 Royton St, Burwood East	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
973	19-05-17	Delegate NOD Issued	35 Springfield Rd, Box Hill North	Elgar	Development of two double storey dwellings	Multiple Dwellings
998	18-05-17	Delegate NOD Issued	51 Springfield Rd, Box Hill North	Elgar	Construction of two double storey dwellings on a lot	Multiple Dwellings
1020	03-05-17	Delegate NOD Issued	17 Middlefield Drv, Blackburn North	Central	The construction of two double storey dwellings	Multiple Dwellings
1023	03-05-17	Delegate NOD Issued	4 Fulton Cres, Burwood	Riversdale	Three units of two storey dwellings with a shared driveway and a new crossover	Multiple Dwellings



**9.4.2**  
(cont)

1031	02-05-17	Delegate NOD Issued	14 Paul Ave, Box Hill North	Elgar	Construction of six double storey dwellings	Multiple Dwellings
1044	25-05-17	Delegate NOD Issued	54 Dunlavin Rd, Nunawading	Springfield	3 x new two storey dwellings each with garage	Multiple Dwellings
1046	30-05-17	Delegate NOD Issued	2 Norma Rd, Forest Hill	Morack	Two double storey detached dwellings on the lot	Multiple Dwellings
1075	02-05-17	Delegate NOD Issued	1/10 Duckham St, Blackburn	Central	Construction of a dwelling on a lot less than 500m <sup>2</sup> , front fence height 1.6 metres and works within common property with common property	Residential (Other)
1077	15-05-17	Delegate NOD Issued	261 Burwood Hwy, Burwood East	Morack	Construction of a four storey apartment building with basement and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
1088	22-05-17	Delegate NOD Issued	80 Dorking Rd, Box Hill North	Elgar	Change of use to existing dwelling for a two (2) practitioner medical centre	Residential (Other)
1133	26-05-17	Delegate NOD Issued	20 Briggs St, Mont Albert North	Elgar	The construction of one (1) double storey and one (1) triple storey dwelling, and the subdivision of land into two (2) lots	Multiple Dwellings
1142	19-05-17	Delegate NOD Issued	8 Havelock St, Burwood	Riversdale	Demolish existing dwelling and to construct three new double storey dwellings with garages	Multiple Dwellings
1203	04-05-17	Delegate NOD Issued	2 Morloc St, Forest Hill	Springfield	Construction of two (2) new double storey dwellings	Multiple Dwellings
14	08-05-17	Delegate Permit Issued	1/4 Vernon St, Blackburn South	Central	Construction of a single dwelling on a lot less than 300m <sup>2</sup>	Single Dwelling < 300m <sup>2</sup>
35	19-05-17	Delegate Permit Issued	5/59 Scott St, Vermont	Springfield	Removal of three trees and pruning of two trees	Special Landscape Area
41	29-05-17	Delegate Permit Issued	2/60-64 Foch St, Box Hill South	Riversdale	First floor extension on a site less than 300 m <sup>2</sup>	Single Dwelling < 300m <sup>2</sup>
53	11-05-17	Delegate Permit Issued	31-39 Norcal Rd, Nunawading	Springfield	82 lot subdivision	Subdivision
70	19-05-17	Delegate Permit Issued	2/9 Game St, Blackburn	Central	Buildings and works to existing garage	Single Dwelling < 300m <sup>2</sup>

**9.4.2**  
(cont)

87	30-05-17	Delegate Permit Issued	39 Somers St, Mitcham	Springfield	Removal of Trees	Special Landscape Area
106	05-05-17	Delegate Permit Issued	8 Drewett St, Surrey Hills	Riversdale	Construction of a proposed timber decking and lattice screening at the secluded private open space	Single Dwelling < 300m2
140	01-05-17	Delegate Permit Issued	4/4-6 Shady Grv, Nunawading	Springfield	Construction of rear verandah on a lot less than 500sqm	Single Dwelling < 300m2
154	11-05-17	Delegate Permit Issued	90-92 Middleborough Rd, Blackburn South	Riversdale	15 lot Subdivision	Subdivision
175	04-05-17	Delegate Permit Issued	1A Elm St, Blackburn	Central	First floor extension to a dwelling on a lot less than 300sqm	Single Dwelling < 300m2
196	19-05-17	Delegate Permit Issued	2 Worrall St, Burwood	Riversdale	Four (4) lot subdivision	Subdivision
236	23-05-17	Delegate Permit Issued	24 Winfield Rd, Balwyn North	Elgar	Three (3) lot subdivision	Subdivision
239	23-05-17	Delegate Permit Issued	17 Dudley St, Mitcham	Springfield	Three (3) lot subdivision	Subdivision
241	05-05-17	Delegate Permit Issued	960-974 Canterbury Rd, Box Hill South	Riversdale	Proposed covered patio on existing childcare centre	Child Care Centre
243	23-05-17	Delegate Permit Issued	83 Surrey Rd, Blackburn North	Central	7 (seven) lot subdivision	Subdivision
246	30-05-17	Delegate Permit Issued	16 Spring St, Box Hill	Elgar	Two (2) lot subdivision	Subdivision
247	30-05-17	Delegate Permit Issued	2 Henders St, Forest Hill	Central	Two (2) lot subdivision	Subdivision
248	23-05-17	Delegate Permit Issued	639 Canterbury Rd, Vermont	Springfield	Five (5) lot subdivision	Subdivision
258	08-05-17	Delegate Permit Issued	9 Boyd St, Blackburn South	Central	Removal of existing tree located within significant landscape overlay	VicSmart - General Application
263	02-05-17	Delegate Permit Issued	32 Gardenia St, Blackburn	Central	Removal of a tree	VicSmart - General Application
265	02-05-17	Delegate Permit Issued	1/59 Scott St, Vermont	Springfield	Removal of one tree (Tree 4 in common property)	VicSmart - General Application
266	02-05-17	Delegate Permit Issued	1/59 Scott St, Vermont	Springfield	Removal of one tree (tree 5 in common property)	VicSmart - General Application
268	31-05-17	Delegate Permit Issued	71 Shannon St, Box Hill North	Elgar	Three (3) lot subdivision	Subdivision
269	15-05-17	Delegate Permit Issued	439 Springfield Rd, Mitcham	Springfield	Two (2) lot subdivision	Subdivision
270	23-05-17	Delegate Permit Issued	51 Hastings Ave, Blackburn South	Riversdale	Two (2) lot subdivision	Subdivision
272	31-05-17	Delegate Permit Issued	21 Dudley St, Mitcham	Springfield	Three (3) lot subdivision	Subdivision

**9.4.2**  
(cont)

275	09-05-17	Delegate Permit Issued	1/16 Thomas St, Mitcham	Springfield	replacement of roof and guttering with colorbond	Heritage
278	08-05-17	Delegate Permit Issued	15 Main St, Blackburn	Central	Construction of a carport	VicSmart - General Application
283	11-05-17	Delegate Permit Issued	18 Faulkner St, Blackburn South	Central	Two (2) lot subdivision	VicSmart - Subdivision
284	12-05-17	Delegate Permit Issued	41 Stott St, Box Hill South	Riversdale	Two (2) lot subdivision	VicSmart - Subdivision
285	01-05-17	Delegate Permit Issued	14 La Frank St, Burwood	Riversdale	Construction four double storey dwellings	Multiple Dwellings
290	11-05-17	Delegate Permit Issued	27 Orchard Cres, Mont AlbertNorth	Elgar	Removal of one (1) tree	VicSmart - General Application
293	10-05-17	Delegate Permit Issued	32 Glen Ebor Ave, Blackburn	Central	Removal of one tree	VicSmart - General Application
297	12-05-17	Delegate Permit Issued	27 Alandale Rd, Blackburn	Central	Removal of one tree in a Significant Landscape Overlay	VicSmart - General Application
299	16-05-17	Delegate Permit Issued	20 Alexander St, Box Hill	Elgar	Construct a side gate in association with an existing dwelling in a Heritage Overlay	VicSmart - General Application
304	10-05-17	Delegate Permit Issued	2 Auldana Crt, Vermont South	Morack	Construction of a residential dwelling in an SBO	VicSmart - General Application
310	23-05-17	Delegate Permit Issued	24 Vernal Ave, Mitcham	Springfield	Creation and removal of drainage easement	Subdivision
314	08-05-17	Delegate Permit 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
315	15-05-17	Delegate Permit Issued	46 Fulton Rd, Blackburn South	Riversdale	Construction of a 1.5m front fence in an SBO	VicSmart - General Application
318	31-05-17	Delegate Permit Issued	28 Hopetoun St, Mitcham	Springfield	Three (3) lot subdivision	Subdivision
327	25-05-17	Delegate Permit Issued	14B Moselle St, Mont AlbertNorth	Elgar	Construct a front fence on a lot under 300sqm and within a Special Building Overlay	VicSmart - General Application
328	25-05-17	Delegate Permit Issued	14A Moselle St, Mont AlbertNorth	Elgar	Construct a front fence on a lot under 300sqm and within a Special Building Overlay	VicSmart - General Application
332	19-05-17	Delegate Permit Issued	16 Lilac Crt, Blackburn North	Central	Two (2) lot subdivision	VicSmart - Subdivision
344	30-05-17	Delegate Permit Issued	87 Koonung Rd, Blackburn North	Central	Two (2) lot subdivision	Subdivision
347	30-05-17	Delegate Permit Issued	3 Anjaya Crt, Blackburn	Central	Removal of one (1) tree in SLO2	VicSmart - General Application

**9.4.2**  
(cont)

354	30-05-17	Delegate Permit Issued	11 St Johns Ave, Mont Albert	Elgar	Boundary re-alignment	VicSmart - Subdivision
365	30-05-17	Delegate Permit Issued	28 Mitchell Rd, Mont AlbertNorth	Elgar	Two (2) lot subdivision	VicSmart - Subdivision
370	31-05-17	Delegate Permit Issued	4 Uralla St, Vermont	Morack	Two (2) lot subdivision	Subdivision
455	01-05-17	Delegate Permit Issued	603 Springvale Rd, Vermont South	Morack	Construction of two double storey dwellings on a lot	Multiple Dwellings
457	22-05-17	Delegate Permit Issued	3 Shaun Ave, Blackburn South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
539	01-05-17	Delegate Permit Issued	14 Wridgway Ave, Burwood	Riversdale	Construction four double storey dwellings	Permit Amendment
568	01-05-17	Delegate Permit Issued	18 Patricia Rd, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
580	01-05-17	Delegate Permit Issued	62-64 Dunlavin Rd, Nunawading	Springfield	Construction of five double storey dwellings	Multiple Dwellings
696	01-05-17	Delegate Permit Issued	25 Dewrang Cres, Blackburn	Central	Construction of three double storey dwellings	Multiple Dwellings
698	03-05-17	Delegate Permit Issued	4 Hood St, Mont Albert	Elgar	Alteration and extension to the existing dwelling in a Heritage Overlay 102	Heritage
702	01-05-17	Delegate Permit Issued	57 Lexton Rd, Box Hill North	Elgar	Development and use of the land for three warehouses, two caretaker's houses and a place of worship	Industrial
704	01-05-17	Delegate Permit Issued	41 Shafer Rd, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
729	04-05-17	Delegate Permit Issued	385 Springfield Rd, Nunawading	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
732	01-05-17	Delegate Permit Issued	89 Koonung Rd, Blackburn North	Central	Construction of three double storey dwellings	Multiple Dwellings
756	01-05-17	Delegate Permit Issued	13 Malvern Rd, Mont Albert	Elgar	Construction of two double storey dwellings	Multiple Dwellings
757	22-05-17	Delegate Permit Issued	8 First Ave, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
783	02-05-17	Delegate Permit Issued	91 Nelson Rd, Box Hill North	Elgar	Construction of six double storey dwellings and buildings and works in a Special Building Overlay	Multiple Dwellings
786	01-05-17	Delegate Permit Issued	12 McComas Grv, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
845	01-05-17	Delegate Permit Issued	1 Banksia St, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings

**9.4.2**  
(cont)

850	29-05-17	Delegate Permit Issued	2 Julie St, Blackburn North	Central	Construction of two double storey dwellings and associated subdivision of the land into two lots	Multiple Dwellings
868	01-05-17	Delegate Permit Issued	3 Farleigh Ave, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
889	22-05-17	Delegate Permit Issued	86-88 Springvale Rd, Nunawading	Springfield	Development and use of the land for the purpose of a child care centre	Child Care Centre
902	26-05-17	Delegate Permit Issued	393 Canterbury Rd, Vermont	Springfield	Construction of two dwellings and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
926	29-05-17	Delegate Permit Issued	14 Roselea St, Box Hill North	Elgar	The construction of six (6) double storey dwellings	Multiple Dwellings
928	01-05-17	Delegate Permit Issued	1093 Riversdale Rd, Surrey Hills	Riversdale	Construction of three double storey dwellings above basement and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
961	15-05-17	Delegate Permit Issued	4 Chaucer St, Box Hill South	Riversdale	Construction of two dwellings	Multiple Dwellings
971	24-05-17	Delegate Permit Issued	19 Ian Cres, Mitcham	Springfield	Construct a second dwelling on the lot	Multiple Dwellings
979	12-05-17	Delegate Permit Issued	1 Thornton Cres, Mitcham	Springfield	Use of land as a restaurant, construction of two external flues, reduction in the standard car parking requirements and waiver of the loading and unloading requirements	Business
987	30-05-17	Delegate Permit Issued	5 Service Rd, Blackburn	Central	Construction of two double storey dwellings with an existing dwelling	Multiple Dwellings
1005	08-05-17	Delegate Permit Issued	4 Watts St, Box Hill	Elgar	Construction of a 9 storey building containing dwellings and ground floor office/commercial area and a reduction in the standard car parking requirement	Multiple Dwellings

**9.4.2**  
(cont)

1026	26-05-17	Delegate Permit Issued	33 Harrison St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
1038	02-05-17	Delegate Permit Issued	61 Boronia Rd, Vermont	Morack	The construction of two (2) double storey dwellings and alteration of access to a road located in a Road Zone, Category 1.	Multiple Dwellings
1050	30-05-17	Delegate Permit Issued	347 Burwood Hwy, Forest Hill	Morack	Display of advertising signage	Advertising Sign
1084	29-05-17	Delegate Permit Issued	116 Mahoneys Rd, Forest Hill	Central	Three new double storey dwellings	Multiple Dwellings
1092	29-05-17	Delegate Permit 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
1127	30-05-17	Delegate Permit Issued	2/5-11 Orion St, Vermont	Springfield	Extension of a dwelling on a lot less than 500m2	Single Dwelling < 300m2
1148	01-05-17	Delegate Permit Issued	39 Harrow St, Box Hill	Elgar	Construction of a four storey building with basement and a front fence	Multiple Dwellings
1168	08-05-17	Delegate Permit Issued	35 Twyford St, Box Hill North	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
1184	09-05-17	Delegate Permit Issued	16 Vogue Ave, Vermont South	Morack	The construction of two (2) double storey dwellings	Multiple Dwellings
1185	19-05-17	Delegate Permit Issued	43 Zetland Rd, Mont Albert	Elgar	Eleven (11) lot subdivision	Subdivision
1204	05-05-17	Delegate Permit Issued	14 Barwon St, Box Hill North	Elgar	Construction of two (2) double storey dwellings on a lot	Multiple Dwellings
88	24-05-17	Delegate Refusal Issued	35 McCubbin St, Burwood	Riversdale	Construction of four double storey dwellings	Multiple Dwellings
168	12-05-17	Delegate Refusal Issued	311 Mitcham Rd, Mitcham	Springfield	Alteration to a Road Zone Category 1	Residential (Other)
201	02-05-17	Delegate Refusal Issued	930 Whitehorse Rd, Box Hill	Elgar	Install a roller shutter on the front of the shop	Heritage
364	31-05-17	Delegate Refusal Issued	1/33 Shady Grv, Nunawading	Springfield	Buildings and works on a lot less than 300sqm (fence)	VicSmart - General Application

**9.4.2**  
(cont)

623	18-05-17	Delegate Refusal Issued	407 Burwood Hwy, Vermont South	Morack	Development of a four storey building (plus basement car park) and associated reduction of visitor car parking requirements	Multiple Dwellings
701	15-05-17	Delegate Refusal Issued	137 Woodhouse Grv, Box Hill North	Elgar	Development of two dwellings in a VPO 3	Multiple Dwellings
765	26-05-17	Delegate Refusal Issued	7 Gee Crt, Nunawading	Springfield	Construction of two attached double storey dwellings	Multiple Dwellings
1090	19-05-17	Delegate Refusal Issued	93 Katrina St, Blackburn North	Central	Construction of double storey duplex	Multiple Dwellings
1162	26-05-17	Delegate Refusal Issued	37 Cresswell Cres, Mitcham	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
1181	30-05-17	Delegate Refusal Issued	7 McClares Rd, Vermont	Morack	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
115	15-05-17	Withdrawn	11 Vivianne Ave, Mont AlbertNorth	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
119	30-05-17	Withdrawn	42 Wellington Ave, Blackburn	Central	Removal of three (3) existing trees and a street tree located adjacent to the site	Special Landscape Area
137	15-05-17	Withdrawn	9 Vivianne Ave, Mont AlbertNorth	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
305	09-05-17	Withdrawn	1 Sergeant St, Blackburn	Central	Lodged in error	Subdivision
588	23-05-17	Withdrawn	20 Wolseley Cres, Blackburn	Central	Construction of an in-ground swimming pool, decking and paving	Permit Amendment

## 9.4.2

(cont)

### BUILDING DISPENSATIONS/APPLICATIONS MAY 2017

Address	Date	Ward	Result
29 Canora Street, Blackburn South	19-05-17	Central	Amendment Approved R414
13 Ernest Street, Blackburn	18-05-17	Central	Consent Granted R409
14 Larch Street, Blackburn	01-05-17	Central	Consent Granted R414
15 Vivian Street, Blackburn North	10-05-17	Central	Consent Granted R420
17 Southey Street, Blackburn North	25-05-17	Central	Consent Granted R424
18 Salisbury Avenue, Blackburn	25-05-17	Central	Consent Granted R409
19 Harris Street, Blackburn North	10-05-17	Central	Consent Granted R415
2 Coppel Court, Blackburn South	10-05-17	Central	Consent Granted R427, R424
2 Rosalind Crescent, Blackburn	10-05-17	Central	Consent Granted R427
21 Sandgate Road, Blackburn South	18-05-17	Central	Consent Granted R427, R424
23 Amery Avenue, Blackburn	09-05-17	Central	Consent Granted R424
26 Gay Street, Blackburn North	24-05-17	Central	Consent Granted R414
31 Deanswood Road, Forest Hill	23-05-17	Central	Consent Granted R417
40 Jubilee Street, Blackburn	02-05-17	Central	Consent Granted R424
41 Edinburgh Road, Blackburn South	18-05-17	Central	Consent Granted R409, R411
5 Finlayson Street, Forest Hill	12-05-17	Central	Consent Granted R414
81 Katrina Street, Blackburn North	01-05-17	Central	Consent Granted R409
98 Lake Road, Blackburn	18-05-17	Central	Consent Granted R409, R411
11 Simon Street, Blackburn North	25-05-17	Central	Consent Refused R424
12 Dundee Street, Blackburn South	12-05-17	Central	Consent Refused R416
42 Wellington Avenue, Blackburn	16-05-17	Central	Consent Refused R409
1/87-91 Watts Street, Box Hill North	16-05-17	Elgar	Amendment Approved R417
2/110 Windsor Crescent, Surrey Hills	05-05-17	Elgar	Amendment Approved R414
88 Watts Street, Box Hill North	16-05-17	Elgar	Amendment Approved R417
1 Padgham Court, Box Hill North	08-05-17	Elgar	Consent Granted R414
1/44 Melrose Street, Mont Albert North	10-05-17	Elgar	Consent Granted R418, R411, R414
10 Jackson Avenue, Mont Albert North	12-05-17	Elgar	Consent Granted R411
13 McKean Street, Box Hill North	18-05-17	Elgar	Consent Granted R409
13 Tower Street, Surrey Hills	09-05-17	Elgar	Consent Granted R409
130 Woodhouse Grove, Box Hill North	10-05-17	Elgar	Consent Granted R409
130 Woodhouse Grove, Box Hill North	10-05-17	Elgar	Consent Granted R424
163 Dorking Road, Box Hill North	25-05-17	Elgar	Consent Granted R424
17 Clota Avenue, Box Hill	03-05-17	Elgar	Consent Granted R409, R416, R415
24 Peter Street, Box Hill North	12-05-17	Elgar	Consent Granted R409, R414
31 Bundoran Parade, Mont Albert North	12-05-17	Elgar	Consent Granted R425
318 Mont Albert Road, Mont Albert	12-05-17	Elgar	Consent Granted R412, R415
33 Allison Road, Mont Albert North	16-05-17	Elgar	Consent Granted R427, R424
36 Second Avenue, Box Hill North	16-05-17	Elgar	Consent Granted R409
5 Box Hill Crescent, Mont Albert North	10-05-17	Elgar	Consent Granted R424
52 Packham Street, Box Hill North	10-05-17	Elgar	Consent Granted R409, R420
57 Harrison Street, Box Hill North	09-05-17	Elgar	Consent Granted R415, R409
7 Simmons Street, Box Hill North	19-05-17	Elgar	Consent Granted R414
942-946 Whitehorse Road, Box Hill	03-05-17	Elgar	Consent Granted R604
125 Nelson Road, Box Hill North	19-05-17	Elgar	Consent Refused R424, R427



## 9.4.2

(cont)

Address	Date	Ward	Result
17 Clota Avenue, Box Hill	03-05-17	Elgar	Consent Refused R410
15 Marina Street, Vermont	26-05-17	Morack	Amendment Approved R411, R414
16 Arcady Grove, Vermont	24-05-17	Morack	Consent Granted R420
18 Uralla Street, Vermont	09-05-17	Morack	Consent Granted R411
23 Beddoe Road, Vermont	04-05-17	Morack	Consent Granted R412, R411
24 Manhattan Square, Vermont	09-05-17	Morack	Consent Granted R409
30 Thornhill Drive, Forest Hill	23-05-17	Morack	Consent Granted R427
4 Karwitha Street, Vermont	01-05-17	Morack	Consent Granted R411, R414
40 Parkmore Road, Forest Hill	10-05-17	Morack	Consent Granted R424
56 Robinlee Avenue, Burwood East	08-05-17	Morack	Consent Granted R409, R420, R415
9 Jaques Grove, Forest Hill	04-05-17	Morack	Consent Granted R409, R415
9 Leddy Street, Forest Hill	09-05-17	Morack	Consent Granted R409
20 Cascade Drive, Vermont South	18-05-17	Morack	Consent Refused R424
47 Husband Road, Forest Hill	04-05-17	Morack	Consent Refused R424
15 Marina Street, Vermont	01-05-17	Morack	Refused R416
13 Fulton Crescent, Burwood	02-05-17	Riversdale	Consent Granted R424
28 Fowler Street, Box Hill South	09-05-17	Riversdale	Consent Granted R409
3 Byron Street, Box Hill South	02-05-17	Riversdale	Consent Granted R409
32 Erasmus Street, Surrey Hills	19-05-17	Riversdale	Consent Granted R415
45 Hamel Street, Box Hill South	02-05-17	Riversdale	Consent Granted R424
5 Rothsay Avenue, Burwood	25-05-17	Riversdale	Consent Granted R424
51 Samuel Road, Blackburn South	25-05-17	Riversdale	Consent Granted R420
63 Eley Road, Blackburn South	19-05-17	Riversdale	Consent Granted R409
9 Hastings Avenue, Blackburn South	12-05-17	Riversdale	Consent Granted R424, R414
9 Meldan Street, Burwood	01-05-17	Riversdale	Consent Granted R417, R424
43 Samuel Road, Blackburn South	09-05-17	Riversdale	Consent Refused R424
7 Richmond Street, Blackburn South	01-05-17	Riversdale	Consent Refused R414
8 Greenwood Street, Burwood	12-05-17	Riversdale	Consent Refused R424
9 Meldan Street, Burwood	01-05-17	Riversdale	Consent Refused R409
12 Foch Street, Box Hill South	25-05-17	Riversdale	Withdrawn R426
1 Olwen Street, Nunawading	08-05-17	Springfield	Consent Granted R414
10 Browns Road, Nunawading	10-05-17	Springfield	Consent Granted R411
10 Knightsbridge Avenue, Nunawading	12-05-17	Springfield	Consent Granted R424
27 Orion Street, Vermont	09-05-17	Springfield	Consent Granted R412, R411
31 Efron Street, Nunawading	18-05-17	Springfield	Consent Granted R604
37 Creek Road, Mitcham	09-05-17	Springfield	Consent Granted R409
379 Canterbury Road, Forest Hill	23-05-17	Springfield	Consent Granted R427
5 Short Street, Vermont	02-05-17	Springfield	Consent Granted R409, R411, R414
5/15-17 Orion Street, Vermont	19-05-17	Springfield	Consent Granted R414, R411
6 Ian Crescent, Mitcham	09-05-17	Springfield	Consent Granted R409
6 Van Dieman Avenue, Nunawading	16-05-17	Springfield	Consent Granted R411, R414, R409, R420
70 Rosstrevor Crescent, Mitcham	09-05-17	Springfield	Consent Granted R409, R414, R411, R415
37 Creek Road, Mitcham	09-05-17	Springfield	Consent Refused R417
6 Ian Crescent, Mitcham	09-05-17	Springfield	Consent Refused R424

## 9.4.2

(cont)

### DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – MAY 2017

Under the Planning and Environment Act 1987

Nil

### REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION MAY 2017

Nil

### REGISTER OF PROPERTY DOCUMENTS EXECUTED MAY 2017

Property Address	Document Type	Document Detail
<b>Leases</b>		
25 Statesman Avenue, Burwood East - Child and Family Care Network	Transfer of Lease	Whitehorse City Council as Landlord (expires 31-Mar-2018)
<b>Land Transfers</b>		
4/29 Boondara Road, Mont Albert North	Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989
23 Bentley Street, Surrey Hills	Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989
32 Erasmus Street, Surrey Hills	Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989
<b>Rateability Changes (Section 154 Local Government Act 1989)</b>		
3/10-12 Bedford Street, Box Hill	Property Now Rateable	Former minister's residence now leased privately.
4/10-12 Bedford Street, Box Hill	Property Now Rateable	Former minister's residence now leased privately.
Suite 201, 901 to 907 Whitehorse Road, Box Hill	Property Now Rateable	Former charity has vacated and now leased to rateable entity.
Suite 205, 901 to 907 Whitehorse Road, Box Hill	Exempt-Charitable	Occupied by Family Planning Victoria Inc.

## 9.4.2

(cont)

### REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – MAY 2017

Instrument of Sub- Delegation CEO to Staff (Council Resolution 16/05/17)

#### PARKING RESTRICTIONS APPROVED BY DELEGATION MAY 2017

**Address:** **Marina Street, Vermont:** from 11 Marina Street to Morack Road – north side

**Previously:** 12 'Unrestricted' parking spaces

**Now:** 12 'No Stopping, 8.15am to 9.15am and 3pm and 4pm, School Days' parking spaces

**Address:** **Morack Road, Vermont:** from 17 Morack Road to 21 Morack Road – east side

**Previously:** 3 'Unrestricted' parking spaces

**Now:** 3 'No Stopping, 8.15am to 9.15am and 3pm and 4pm, School Days' parking spaces

**Address:** **Paisley Street, Box Hill North:** from Ovens Street to western boundary of 12 Paisley Street – south side

**Previously:** 4 'Unrestricted' parking spaces

**Now:** 4 'No Stopping' parking spaces

**Address:** **Clyde Street, Box Hill:** from Station Street to Dorking Road – south side

**Previously:** 30 temporary '2-Hour, 8am to 5pm, Monday to Saturday' parking spaces

**Now:** 30 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Station Street, Box Hill:** from Severn Street to Medway Street – west side

**Previously:** 10 temporary '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Now:** 10 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Station Street, Box Hill:** from Severn Street to Clyde Street – east side

**Previously:** 10 temporary '2-Hour, 8am to 6pm, Monday to Friday'

**Now:** 10 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Tyne Street, Box Hill:** from Station Street to Dorking Road – south side

**Previously:** 10 temporary '2-Hour, 8am to 5pm, Monday to Friday' parking spaces

**Now:** 10 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Evelina Street, Mont Albert North:** from 15m south of Belmore Road to 32m south of Belmore Road – east side

**Previously:** 3 'Unrestricted' parking spaces

**Now:** 3 'No Stopping' parking spaces

**Address:** **Inverloch Street, Box Hill South:** from Cadorna Street to Neville Street – west side

**Previously:** 4 'Unrestricted' parking spaces

**Now:** 4 '1-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Clarke Street, Blackburn:** from Central Road to south boundary of 1B Clarke Street – east side

**Previously:** 6 'Unrestricted' parking spaces

**Now:** 6 '2-Hour, 9am to 5pm, Monday to Friday' parking spaces

**Address:** **Clarke Street, Blackburn:** from Gordon Crescent to north boundary of 3 Clarke Street – east side

**Previously:** 7 'Unrestricted' parking spaces

**Now:** 7 '2-Hour, 9am to 5pm, Monday to Friday' parking spaces

## 9.4.2

(cont)

**Address:** **Livingstone Road, Vermont South:** from Burwood Highway to Mullens Road – west side

**Previously:** 10 'Permit Zone, 7am to 3pm, Monday to Saturday' parking spaces

**Now:** 10 'Unrestricted' parking spaces

**Address:** **Livingstone Road, Vermont South:** from north boundary 39 Livingstone Road to south boundary of 39 Livingstone Road – east side

**Previously:** 3 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces

**Now:** 3 'Unrestricted' parking spaces

**Address:** **Shafer Road, Blackburn North:** from east boundary of 33 Shafer Road to 6m east of the west boundary of 31 Shafer Road – north side

**Previously:** 3 'Unrestricted' parking spaces

**Now:** 3 'No Stopping' parking spaces

**Address:** **Shafer Road, Blackburn North:** from 19m east of the west boundary of 50 Shafer Road to 6m west of the west boundary of 54 Shafer Road – south side

**Previously:** 3 'Unrestricted' parking spaces

**Now:** 3 'No Stopping' parking spaces

**Address:** **Eley Road, Box Hill South:** from McGowans Lane to 4m east of eastern boundary of 32 Eley Road – south side

**Previously:** 2 'Unrestricted' parking spaces

**Now:** 2 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Tunstall Avenue, Nunawading:** from Elgar Road to 15m east of Elgar Road – north side

**Previously:** 1 'Unrestricted' parking spaces

**Now:** 1 'No Stopping' parking spaces

**Address:** **Carween Avenue, Mitcham:** from 8m east of the west boundary of 61 Carween Avenue to 4.8m west of the east boundary of 61A Carween Avenue – north side

**Previously:** 1 'No Stopping, 8am-6pm, Monday to Saturday' parking space

**Now:** 1 'No Stopping' parking space

## 9.4.2

(cont)

### VENDOR PAYMENT SUMMARY – SUMS PAID DURING MAY 2017

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
02/05/2017	\$8,140.00	1	EFT
03/05/2017	\$7,500.00	1	EFT
04/05/2017	\$3,407.12	8	EFC
04/05/2017	\$51,150.60	63	CHQ
04/05/2017	\$684,872.19	60	EFT
04/05/2017	\$3,630.00	1	EFT
09/05/2017	\$2,178.85	1	EFT
11/05/2017	\$5,220.17	13	EFC
11/05/2017	\$188,115.67	43	CHQ
11/05/2017	\$2,149,628.49	342	EFT
15/05/2017	\$378.00	1	EFT
18/05/2017	\$14,762.48	14	EFC
18/05/2017	\$105,760.96	61	CHQ
18/05/2017	\$811,841.96	39	EFT
19/05/2017	\$28,836.51	1	CHQ
19/05/2017	\$1,482.70	1	EFT
25/05/2017	\$3,696.75	9	EFC
25/05/2017	\$142,194.10	68	CHQ
25/05/2017	\$5,539,563.66	433	EFT
29/05/2017	\$6,148.23	1	EFT
<b>Monthly Lease</b>	\$73,000.00		
<b>Gross</b>	\$9,758,508.44	1161	
<b>Cancelled Payments</b>	-\$18,846.54	-12	
<b>Nett</b>	\$9,812,661.90	1149	

**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    Recommendation from the Special Committee of Council  
Meeting of 10 July 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
<b>26-06-17</b> 5.30-6.00pm	<b>Related Parties Information Session</b> <ul style="list-style-type: none"> <li>Related Parties Declaration Form</li> </ul>	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Ellis Cr Liu Cr Munroe Cr Stennett  NB Cr Ellis arrived at 5.52pm	(ACEO) J Green P Warner T Wilkinson P Smith A De Fazio S Cann S Dixon		
<b>26-06-17</b> 6.30-7.00pm	<b>Councillor Informal Briefing Session</b> <ul style="list-style-type: none"> <li>Item 7.1 Petition Objection to Planning Scheme Amendment C194</li> <li>Item 9.1.2 104 -168 Hawthorn Road, Forest Hill – Forest Ridge Development Plan</li> <li>Item 9.3.1 Adoption of the Proposed Budget 2017/18 and Draft Strategic Resource Plan 2017-2021</li> <li>Item 9.3.3 Review of Councils Procurement Policy</li> <li>Item 9.3.5 Tender Evaluation (Contract 20035) Provision of Parking Services</li> </ul>	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett	ACEO) J Green (AGMCD) K Marriott P Warner T Wilkinson P Smith A De Fazio S Freud J Russell	Cr Davenport declared a Conflict of Interest in Item 9.3.5 Tender Evaluation (Contract 20035) Provision of Parking Services	Cr Davenport having declared a Conflict of Interest, left the meeting at 6.50pm prior to the discussion and did not return
<b>03-07-17</b> 6.30-8.25pm	<b>Strategic Planning Session</b> <ul style="list-style-type: none"> <li>Whitehorse Business Group Annual Presentation</li> <li>C194 Cambridge Street</li> <li>Capital Works</li> <li>Finance Report as at 31 May 2017</li> </ul>	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett	(ACEO) J Green (AGMCD) K Marriott P Warner T Wilkinson P Smith A De Fazio W Gerhard A Egan J Hansen D Logan N McCombe S Cann	Cr Liu declared a Conflict of Interest in Item 3. C194 Cambridge Street.	Cr Liu having declared a Conflict of Interest, left the meeting at 7.00pm prior to the discussion and returned at 7.40pm after the discussion on Item 3 concluded.

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
10-07-17 6.35- 9.15pm	<b>Councillor Briefing Session</b> <ul style="list-style-type: none"> <li>Box Hill to Ringwood Shared Use Path</li> <li>Harrow Street Multi deck Car park Construction</li> <li>Special Committee Agenda/Other Business</li> <li>Draft Council Agenda 17 July 2017</li> </ul>	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett  NB. Cr's Cutts & Stennett arrived at 6.40pm.	(ACEO) J Green (AGMCD) K Marriott P Warner T Wilkinson (AGMCS) S Morison A De Fazio S Freud J Russell J Hansen I Kostopoulos A De Campo L McGuinness N McCombe R Prathapasinghe L Gill D Seddon T Peak L Hall R Weadman	Cr Liu Indirect Conflict of Interest 9.1.2 Amendment C194 to the Whitehorse Planning Scheme & 9.4.1 Council Owned Land 2 Carrington Road, Box Hill  Cr's Liu, Massoud & Ellis declared Indirect Conflict of Interest in Item 9.3.1 Whitehorse Community Grants 2017/18 Financial Year <ul style="list-style-type: none"> <li>Cr Liu, declared a conflict of interest in Asian Business association &amp; Taiwanese Business association</li> <li>Cr Massoud declared a conflict of interest in Whitehorse community chest</li> <li>Cr Ellis declared a conflict of interest in Alkira centre</li> </ul>	Cr Liu having declared a Conflict of Interest in Item 9.1.2 & 9.4.1, left the meeting at prior to the discussions and returned after the discussions had concluded.  Having declared a Conflict of Interest Cr's Liu, Ellis & Massoud remained in the room as those items were excluded from the discussion.

## 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**

Nil

**13      CLOSE MEETING**