



City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

Monday 20 November 2017

at 7.00pm

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

Ms Noelene Duff
Chief Executive Officer

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Meeting opened at 7.00pm

Present: Cr Davenport (Mayor), Cr Barker, Cr Bennett, Cr Carr, Cr Cutts, Cr Ellis, Cr Liu,
Cr Massoud, Cr Munroe, Cr Stennett

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

The Mayor welcomed all

APOLOGIES: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 16 October 2017 and Special Council (Statutory) Meeting Election of the Mayor 30 October 2017.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Munroe

That the minutes of the Ordinary Council Meeting 16 October 2017 and Special Council (Statutory) Meeting Election of the Mayor 30 October 2017 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

- 5.1 Mr G White, Mont Albert asked two question is relation to Item 9.1.3 Reforming the Victorian Planning Provisions Discussion Paper - Submission to the DELWP.

The Chief Executive Officer, Ms Noelene Duff responded to the question on behalf of Council.

6 NOTICES OF MOTION

Nil

7 PETITIONS

Nil

8 URGENT BUSINESS

Nil

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 13-15 Thames Street, BOX HILL

FILE NUMBER: WH/2016/1198
ATTACHMENT

SUMMARY

This is an application for construction of five (5) double storey townhouses and the waiver of the requirement for an onsite visitor car space. The application was advertised, and a total of 2 objections were received. The objections raised issues with car parking and turning movements within the site.

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. The application has been called in by Councillor Barker.

RECOMMENDATION

That Council:

- A** *Being the Responsible Authority, having caused Application WH/2016/1198 for 13-15 Thames Street, BOX HILL (Lot 1 TP 344820, LOT 12 TP 15204N & LOT 7 LP 1878 2, LOT 11 TP 15204N) 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 five (5) double storey townhouses and the waiver of the requirement for an onsite visitor car space is acceptable and should not unreasonably impact the amenity of adjacent properties.*
- B** *Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 13-15 Thames Street, BOX HILL (Lot 1 TP 344820, LOT 12 TP 15204N & LOT 7 LP 1878 2, LOT 11 TP 15204N) for the Construction of five (5) double storey townhouses and the waiver of the requirement for an onsite visitor car space, subject to the following conditions:*
- 1.** *Before the development starts, or any trees or vegetation removed, amended plans (three copies in A1 size and one copy reduced to A3 size) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to 1:100 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 condition 5 to be annotated on the development and landscape plans.*
 - b)** *Notation on the site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.*
 - c)** *The pedestrian access doors to garages to open outwards so as to not obstruct the dedicated car parking area.*
 - d)** *Notation on the site and elevation plans that all windows are to be double glazed as documented in the Built Environment Sustainability Scorecard (BESS) report.*
 - e)** *Notation on site plans that the water tanks to be a minimum of 2000L as specified within the BESS report.*

9.1.1

(cont)

- f) Development plans to reflect all sustainability features indicated in the submitted Bess Report/ESD Assessment Project Number 6471, dated 23 March 2017. Where features cannot be visually shown, include a notes table providing details of the requirements (ie. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc).*

All of the above 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 must 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.*
 - 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 shall be completed before the addition to the building is occupied.

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

- 4. The garden areas shown on the endorsed plan must only be used as gardens and must 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 work 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. Street Trees - Pin Oak (Quercus palustris) – 4.6 metres radius from the centre of the tree base.**

9.1.1
(cont)

- 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.*
 - 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. The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must 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.*
- 7. 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.*
- 8. All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.*
- 9. Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.*
- 10. The existing street tree shall not be removed or damaged except with the written consent of the Responsible Authority.*
- 11. The subject land must be drained to the satisfaction of the Responsible Authority.*

9.1.1

(cont)

12. 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 provisions of Section 69 of the Planning and Environment Act 1987.

Permit Note:

- A. All stormwater drains must be connected to a legal point of discharge in accordance with the requirements of Council's Engineering Department.**
- 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.**

COUNCIL RESOLUTION

Moved by Cr Barker, Seconded by Cr Liu

That Council:

- A Being the Responsible Authority, having caused Application WH/2016/1198 for 13-15 Thames Street, BOX HILL (Lot 1 TP 344820, LOT 12 TP 15204N & LOT 7 LP 1878 2, LOT 11 TP 15204N) 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 five (5) double storey townhouses and the waiver of the requirement for an onsite visitor car space is acceptable and should not unreasonably impact the amenity of adjacent properties.**
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 - 1. Before the development starts, or any trees or vegetation removed, amended plans (three copies in A1 size and one copy reduced to A3 size) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to 1:100 scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:**
 - a) Creation of a visitor space by:**
 - i. Deleting bedroom 1 ensuite and walk in robes of Dwellings 2 and 3.**
 - ii. Provision of a boundary fence/wall between bedroom 1 of Dwelling 2, and the western wall of bedroom 1 of Dwelling 3.**
 - b) The visitor car space as required by Condition 1a) be clearly line marked as a car space and signed to indicate visitor space.**
 - c) The visitor car space as required under Condition 1a) to be landscaped to the Responsible Authority satisfaction.**
 - d) 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 condition 5 to be annotated on the development and landscape plans.**
 - e) Notation on the site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.**
 - f) The pedestrian access doors to garages to open outwards so as to not obstruct the dedicated car parking area.**

9.1.1
(cont)

- g) Notation on the site and elevation plans that all windows are to be double glazed as documented in the Built Environment Sustainability Scorecard (BESS) report.*
- h) Notation on site plans that the water tanks to be a minimum of 2000L as specified within the BESS report.*
- i) Development plans to reflect all sustainability features indicated in the submitted Bess Report/ESD Assessment Project Number 6471, dated 23 March 2017. Where features cannot be visually shown, include a notes table providing details of the requirements (ie. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc).*

All of the above 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 must 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.*
 - 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 shall be completed before the addition to the building is occupied.

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

- 4. The garden areas shown on the endorsed plan must only be used as gardens and must 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.*

9.1.1

(cont)

5. ***Prior to the commencement of any building and or demolition work 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. ***Street Trees - Pin Oak (Quercus palustris) – 4.6 metres 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.***
 - 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. ***The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must 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.***
7. ***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.***
8. ***All treatments to prevent overlooking must not include ‘Translucent film’ on windows and must be in accordance with Standard B22 of Clause 55.***
9. ***Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.***

9.1.1

(cont)

- 10. The existing street tree shall not be removed or damaged except with the written consent of the Responsible Authority.**
- 11. The subject land must be drained to the satisfaction of the Responsible Authority.**
- 12. 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 provisions of Section 69 of the Planning and Environment Act 1987.

Permit Note:

- A. All stormwater drains must be connected to a legal point of discharge in accordance with the requirements of Council's Engineering Department.**
- B. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.**

CARRIED UNANIMOUSLY

9.1.1 (cont)

MELWAYS REFERENCE 75A J2

Applicant:	Cityshire Planning Pty Ltd
Zoning:	GRZ1
Overlays:	Nil
Relevant Clauses:	
Clause 11	Settlement
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 32.01	General Residential 1 Zone
Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot or Residential Buildings
Clause 65	Decision Guidelines
Ward:	Elgar



		Subject site		2 Objector Properties	 North
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9.1.1

(cont)

BACKGROUND

History

There are no previous planning applications for the subject site.

The Site and Surrounds

The subject site is located on the south side of Thames Street in Box Hill, 100 metres west of the intersection with Dorking Road. The site has a frontage of 32 metres to Thames Street, and a depth of 48.47 metres, and a total site area of 1551m². The site has a slope of 2.0 metres from south to north across the site.

Although no easement is located on the subject site an easement is shown along the rear (southern) boundary on the adjoining property. The sewerage pipes and pits are located within the subject site along the boundary line. The site currently is vacant and does not contain any significant vegetation. Aerial photography shows that the previous house and landscaping was removed in the past 18 months.

The surrounding properties are residential, comprising a mix of single and double storey dwellings. There are number of medium density and older high density developments evident in the area. The immediate context comprises:

North:

- 18 Thames street (corner of Thames and Mersey), contains three single storey brick dwellings with a hip and gable roof including eaves and single garages. The dwellings have minimal landscaping within the frontages
- 2 Mersey Street (corner of Thames and Mersey), contains three single storey brick dwellings with a hip and gable roof including eaves and single garages. The dwellings have low front fences and hedges and minimal interface with the street.

East:

- 11 Thames Street, single storey dwelling with a hip and gable roof including eaves, a carport is located within the frontage for two cars.

South:

- 38 Graham Place, double storey dwelling with an irregular shaped block which adjoins the entire rear boundary of the proposed site.

West:

- 17 Thames Street, two double storey dwellings, with pitched roofs and eaves.

Planning Controls

The State Planning Policies at Clauses 11 (Settlement), 15 (Built Environment and Heritage) and 16 (Housing) aim to encourage consolidation of existing urban area while respecting neighbourhood character, and facilitate sustainable development that takes full advantage of existing settlement patterns through encouraging higher density development near public transport routes.

The Local Planning Policies at Clauses 21.06 (Housing) and 22.03 (Residential Development) have identified the subject site as being located in a Natural Change Area. The Natural Change Area is expected to undergo a modest level of change to accommodate future increases in dwelling stock, which seek to achieve the desired future character of the area.

9.1.1

(cont)

A permit is required under Clause 32.08-6 (General Residential Zone) to construct two or more dwellings on a lot. The relevant purposes of Clause 32.08 is to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport that respects the neighbourhood character of the area. The minimum garden area requirements at Clause 32.08-4 do not apply as the application was received prior to 27 March 2017.

Clause 52.06 (Car Parking) details car parking and access requirements.

Clause 55 (ResCode) is the primary assessment tool to ensure that developments of two or more dwellings provide reasonable standards of amenity for existing and new residents.

Clause 65 provides guidelines that must be considered before deciding on an application to ensure the proposal will produce acceptable outcomes. These guidelines include the State and Local Planning Policy Framework, the purpose of the zone, the orderly planning of the area and the effect on the amenity of the area.

PROPOSAL

It is proposed to construct five (5) double storey dwellings over two properties. Dwelling 1 will face the street and will access the existing crossover for the proposed single garage and driveway. The proposal seeks permission to waive one visitor car parking space required under Clause 52.06.

A shared vehicle access arrangement will be provided for the remaining 4 dwellings, with the proposed driveway to move the existing crossover to a more central location on the property frontage. There will be no impact on the substantial street trees by the relocation of this crossover and neighbourhood character will be maintained with only one crossover per property frontage.

The dwellings are a mix of single and double garage arrangements, with the single garages being arranged with a tandem second parking space, all dwellings are compliant with the State guidelines for the required car parking for each dwelling.

All dwellings include an open plan kitchen/ living area at ground floor level and also contain a bedroom and bathroom. The first floors of each dwelling contain three bedrooms, shared bathroom, and dwellings 1, 2 and 5 have a study area also. Secluded private open space is located on the eastern and western side boundaries of the dwellings and has good solar access.

The proposed dwellings will have a maximum overall height of less than 8.0 metres.

The materials and colour palette proposes a mix of face brickwork and render to the dwellings, with double glazed windows and tile roofing.

A Built Environment Sustainability Scorecard (BESS) report has been provided for the proposed houses as part of Council's Environmentally Sustainable Design (ESD) policy requiring a score of greater than 50% (Best Practice); the application achieved a score of 58%. The design includes passive solar design, using double glazed windows for heat retention in winter and insulation in summer, eaves for summer shading, concrete floor for thermal mass and high levels of insulation to the walls and roofing. Rainwater will be harvested and reticulated for toilet flushing, and to supply laundry and garden taps and rain gardens are to be provided as part of the landscaping.

The development is consistent with the guidelines for development in the Garden Suburban Precinct 10, as the proposal will not result in the loss of any significant trees or substantial vegetation. The site provides more than the required 30% as permeable surface (proposed to be 36.6%), includes one vehicle crossover per site frontage and includes private open space with a minimum dimension of 5 metres for each dwelling.

9.1.1

(cont)

The site has a proposed front setback ranging between 7.8 metres to 6.8 metres and is setback a minimum of 2.0 metre from the eastern (side) boundary; garage walls are located on the western boundary. The garage for Dwelling 1 is setback 3 metres from the front of this dwelling. The design includes articulated facades of buildings with the use of recesses, window openings and variation in the materials and colour palette.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Thames Street frontage. Following the advertising period two objections were received.

The issues raised are summarised as follows:

Traffic and Car Parking

- Concerns that the turning circles within the site did not work.
- Concerns from one objector located at No2 Thames Street that no visitor car space has been provided on site.

Referrals

External

The application did not require any external referrals under Section 55 of the Planning and Environment Act, 1987.

Internal

Engineering and Environmental Services Department

- Transport Engineer

It is understood that the proposal involves a short fall in one visitor parking space. The parking survey provided by the applicant and the site inspections undertaken by planning officers indicate that there is adequate on-street parking availability to meet the additional on-street parking demand associated with the proposal. As such the proposal is supported by the Transport Team.

- Assets Engineer

The applicant will be required to provide consent from the relevant authority, Yarra Valley Water, to construct within 1 metre of the sewer pipe.

Council's Assets Engineers have concerns with the location of the proposed crossover and that it is in conflict with Service Authority Pits and a street tree. The applicant must seek approval from the owners of these assets to construct the vehicular crossing at this location. This must be approved prior to endorsement of the plans.

DISCUSSION

Consistency with State and Local Planning Policies

The construction of five (5) dwellings on this site is consistent with State and Local Planning Policies which encourage higher density development within walking distance of shops, recreation facilities and public transport. The proposal accords with State Planning Policies which seek to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed medium-density housing that makes better use of existing infrastructure; and that new development respects the neighbourhood character and appropriately responds to its landscape, valued built form and cultural context.

9.1.1

(cont)

Consistency with State and Local Planning Policies

The desired future character of Garden Suburban Precinct 10 is:

The openness of the Garden Suburban area is influenced by the generous front and side setbacks, which should be retained in any new development. Vegetation in the Garden Suburban Area is predominantly exotic trees and gardens with some remnant indigenous trees. The retention of existing gardens and trees is encouraged and should be enhanced by further planting. Adequate space around new development is required for the planting of canopy trees. Innovative designs that provide for the retention of vegetation are encouraged.

The subject site is located within an Area of Natural Change, in a Garden Suburban Area. These areas are to undergo a modest level of change to accommodate future increases in dwelling stock. The preferred future character of these areas is defined by their openness, which is influenced by generous setbacks, gardens and trees that should be enhanced by further planting. Relevant objectives of Garden Suburban Areas include:

- *To maintain and strengthen the garden setting of dwellings.*
- *To interpret the valued building styles of the area in a contemporary design approach.*
- *To use building materials and finishes that complement the dominant pattern in the streetscape.*

Further detail regarding the preferred character for the area is provided in the Neighbourhood Character Study. The subject site is located within Character Area 10. The preferred character for this area is defined by ‘*the variety of well-articulated dwelling styles will sit within landscaped gardens that contain some substantial vegetation including trees. Buildings are occasionally built to the side boundary, however the impression of the streetscape is of informality and openness due to the wide roads and verges and the low open fencing appropriate to the building era*’.

The proposed dwellings maintain the siting patterns encouraged within the Garden Suburban precinct with two dwellings facing the street and no increase in the number of crossovers for the development to the street, which allows for landscaping and canopy tree planting.

Clause 22.04, Tree Conservation, seeks to encourage the retention and regeneration of significant vegetation. The development proposes substantial landscaping areas along the rear and side boundaries, and front setback to enhance the tree coverage and landscape character.

General Residential Zone Schedule 1

The purpose of the zone includes:

“To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to service local community needs in appropriate locations.”

9.1.1

(cont)

The decision guidelines for Schedule 1 to the GRZ include:

- *“Whether the proposal provides for an appropriate built form transition to residential properties in the Neighbourhood Residential Zone.*
- *Whether the vegetation in the street setback will contribute to the preferred neighbourhood character and the public realm.*
- *Whether there is sufficient permeable space that is not encumbered by an easement to enable the planting of canopy trees.*
- *Development should provide for the retention and/or planting of trees, where these are part of the character of the neighbourhood.”*

The subject site is vacant with no trees or other significant vegetation. The proposed landscape plan provides substantial planting of canopy trees throughout the site, ensuring that the development will contribute in the longer term to the prevailing landscape character.

It is considered that the proposed development makes adequate provision for landscaping both in the front setback to Thames Street, and in between dwellings, and that adequate areas have been provided on site to plant canopy trees to both soften the presentation of the built form, and contribute to the landscape character of the area.

The proposed dwellings are generally attached, however there is separation between Dwelling 1 and Dwelling 2 at ground floor, and reasonable separation at first floor for all dwellings. Landscaping has been provided within the internal driveway to reduce the hard surfacing. Further to this sufficient space for a landscape buffer has been provided to adjoining properties as the Private Open Space (POS) for the proposed dwellings are located along the eastern and western boundaries, which are the sensitive interfaces, and which are required by the General Residential Zone Schedule 1.

Design and Built Form

The proposed development comprises a contemporary design, however the scale and proportions of the buildings are in keeping with the built form of developments in the area. The design of the new dwellings does not exceed two storeys in height, and the proposed roof forms incorporate eaves which will ensure that this new development provides a positive interface and will not dominate the streetscape. Furthermore, building detailing will reflect (without mimicking) the details of buildings in the area such as the use of recesses, window openings and variations in materials and colours.

The proposed design and siting is consistent, subject to conditions, with the objectives and intent of Council's Residential Development Character Area Garden Suburban Precinct 10. In particular, the proposal retains the generous front setbacks, and proposes to maintain a minimum 2 metre setback from the eastern boundary to allow views between dwellings. Substantial landscaping opportunities have also been incorporated throughout the site.

The proposed front setback of Dwelling 1 is 6.8 metres from Thames Street to the front wall of the house, the garage is setback 9.8 metres. The adjoining property to the west (17 Thames Street) has a front setback of 6.7 metres, while the adjoining dwelling to the east (11 Thames Street) has a front setback of approximately 9 metres, Dwelling 5 is setback 7.8 metres. In accordance with Standard B6 of Clause 55 (ResCode), the front setback should be the average of the adjoining properties, and therefore be 7.9m. However, the decision guidelines of Standard B6 allow the responsible authority to consider if an alternative front setback would be suitable, so the proposed front setback of 6.8 and 7.8 metres is considered to be appropriate in the neighbourhood context, as it provides a transition between the two adjoining dwellings

9.1.1

(cont)

The proposed dwellings have sufficient space around them to be meaningfully landscaped, so that they will sit within garden settings and will not dominate the streetscape. Proposed canopy trees of 9 to 15 metres in the front setback will also assist in providing a visual break to the proposed dwelling.

Landscaping

The subject site is devoid of all vegetation.

The existing street tree on Thames Street is an oak tree of approximately 12-15 metres, and will be unaffected by the proposed development. One of the existing crossovers will be utilised to service Dwelling 1 and the remaining dwellings will be serviced by a new crossover that has been sited 3.5 metres to the west and located 3.4 metres from the street tree. A condition will require a Tree Protection Zone to be erected around the street tree.

The landscaping requirements will meet the objectives of the Garden Suburban Precinct 10, as there will be space provided to plant new canopy trees and substantial vegetation, footings are located outside the root zone of established trees on adjoining properties, and site permeability is approximately 36.6%. Open space areas are oriented to the east and west of the site with access to northern light, thereby providing reasonable levels of amenity.

Car Parking

Clause 52.06 (Car Parking) is a relevant consideration of this application and the objectors have also raised concerns regarding potential impacts on the availability of car parking within the area.

The purpose of Clause 52.06 includes:

- *'To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.'*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.'*

Dwelling 1 (four bedrooms) is proposed to be provided with a single garage integrated into the ground floor design with a tandem car park space located within the driveway to this dwelling. Dwelling 2 (four bedrooms) is proposed to be provided with a double garage. Dwelling 3 (four bedrooms) is proposed to be provided with a single garage integrated into the ground floor design with a tandem car park space located in front of the garage. Dwelling 4 (four bedrooms) is proposed to be provided with a single garage integrated into the ground floor design with a tandem car park space located in front of the garage and Dwelling 5 (four bedrooms) is proposed to be provided with a single garage integrated into the ground floor design with a tandem car park space located in front of the garage.

The dwellings are compliant with the required number of car spaces as required under Clause 52.06.

It is proposed to utilise the existing crossover to provide vehicle access for Dwelling 1. The remaining dwellings will utilise one crossover which will ensure that the loss of front garden space is minimised, that car parking structures do not dominate the street frontage, and that on street parking spaces are retained as the status quo.

Bicycle parking is not required to be provided in association with the proposed dwellings, however any bicycles could be stored within the dwelling, or within the garage to the Dwellings or the rear yards. Visitor bicycle parking location has been provided adjacent to Dwelling 5.

9.1.1

(cont)

The applicants have applied for a waiver of the one (1) visitor car space required for 5 or more dwellings, as per the planning scheme requirements. The waiver of the one visitor car space would have a minimal detrimental impact on the adjoining properties. The site has car parking available on the street frontage and the area is restricted by 2 hr parking restrictions, ensuring a constant turnover of available parking.

Three site visits were undertaken by the planning officer on separate days and times and parking was available on all of these occasions within both Thames Street and the adjoining Mersey Street.

The applicant has also undertaken a parking survey on the 14th and 16th September at 10am, 2pm and 7pm. At 10am on the 14th September no cars were parked in the 16 available car spaces, at 2pm two cars were parked and at 7pm 4 cars were parked.

On Sat 16th September at 10am 1 car was parked, at 2pm there were 3 cars parked and at 7pm there were 2 cars parked out of the available 16 spaces.

The development is not located within the Box Hill Activity centre or within the Parking Overlay. The site is located approximately 900m from Box Hill Hospital and approximately 1.5km from Box Hill Station and shopping precinct. It is not close to the activity centre where car parking on the street would be in a greater demand, and based on the empirical and visual evidence, it is not considered the waiver of the visitor space to be unreasonable. Should the visitor space be required to be provided within the development, it would likely be at the expense of landscaping opportunities within the site. In this context, the provision of space around the buildings for landscaping will have a greater positive contribution to the site than the provision of a visitor parking space.

Objectors Concerns not Previously Addressed

The applicants have provided turning circles and made changes to the internal dimensions of the development to address council's concern with the turning circles without reducing the internal amenity of the development.

The reduction of the one visitor space will have minimal detriment to the adjoining property owners, the area is located within a 2hr parking zone which increases the movement of cars and maintains the availability of short term parking. Officers have undertaken two additional site visits on different days and on both those occasions there has been availability of car parking for a visitor both within Thames Street and in Mersey Street located opposite the site.

CONCLUSION

The proposal for construction of five (5) double storey dwellings and the waiver of the requirement for an onsite visitor car space is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the General Residential 1 Zone and Clause 55 (ResCode).

The proposed development form, siting and overall design is considered to be acceptable and will integrate well with the existing built form and character.

The application has been advertised, and the concerns raised by objectors have been suitably addressed in this report.

It is considered that the application should be approved.

ATTACHMENT

- 1 Advertised plans ➡ 

9.1.2 10-12 Costello Street, MONT ALBERT NORTH

FILE NUMBER: WH/2016/1117
ATTACHMENT

SUMMARY

This is an application for the construction of six double storey dwellings. The application was advertised, and a total of 15 objections were received. The objections raised issues with neighbourhood character, bulk and mass, insufficient car parking, increase in traffic, removal of trees, overlooking, overshadowing and noise impacts to adjoining properties. A Consultation Forum was held on 8 June 2017 chaired by Councillor Liu, during 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/2016/1117 for 10-12 Costello Street, MONT ALBERT NORTH (LOTS 13 & 14 LP 25052 ECSS) 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 six double storey dwellings is acceptable and should not unreasonably impact the amenity of adjacent properties.*
- B** *Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 10-12 Costello Street, MONT ALBERT NORTH (LOTS 13 & 14 LP 25052 ECSS) for the construction of six double storey dwellings, subject to the following conditions:*
- 1.** *Before the development starts, or any trees or vegetation removed, amended plans (two copies in A1 size) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to 1:100 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, and a summary of the requirements of conditions 5 & 6 to be annotated on the development and landscape plans.*
 - b)** *Location of all necessary retaining walls with attached consent from all relevant authorities if any excavation is proposed within the easement.*
 - c)** *New 2m high fence to the east boundary.*
 - d)** *Location of air conditioning units with all units to be located internal to the site.*
 - e)** *Screening to the Dwelling 3, Bedroom 1 south elevation window to a height of 1.7m above finished floor level.*
 - f)** *Relocation of the Dwelling 2 driveway and crossover in accordance with Condition 6 a).*
 - g)** *Development plans to reflect all sustainability features indicated in the submitted and approved Sustainability Management Plan (SMP). Where features cannot be visually shown, provide brief details of the requirements (ie. rainwater end uses, etc). The plans are to be generally in accordance with the plans submitted with the application but modified to show:*
 - i.** *Notation that all toilets are to be connected to rainwater tanks.*
 - ii.** *Dwelling 1 to be provided with a clothes line.*
 - iii.** *Details of bicycle racks.*

9.1.2
(cont)

- h) The landscape plan amended in accordance with Condition 3, including the following:*
- i. Ten locally indigenous mid-sized canopy trees capable of exceeding a height of 8m to be located one each within SPOS of each dwelling and two each within the frontages of Dwellings 1 & 2.*

All of the above must be to the satisfaction of the Responsible Authority. Once approved these plans become the endorsed plans.

- 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 must 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.*
 - 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 shall be completed before the addition to 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 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 (Acacia dealbata) – 3.1 metres radius.*
 - ii. Tree 11 (Lagerstroemia indica) – 3.0 metres radius.*
 - iii. Tree 12 (Pittosporum undulatum) – 3.6 metres radius.*
 - iv. Tree 13 (Eucalyptus polyanthemos) – 2.0 metres radius.*

- v. Tree 14 (*Allocasuarina verticillata*) – 2.0 metres radius.
- vi. Trees 19 (6 x *Pittosporum tenuifolium*) – 1.2 metres from the south boundary fence.

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.
- vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
- 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.

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 driveway where within the TPZ of Tree 1 must be constructed at the existing soil grade using porous materials that allow water to penetrate through the surface and into the soil profile. There must be no grade change within the TPZ and no roots are to be cut or damaged during any part of the construction process.
- b) All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing ground level or topography of the land within 1.5m of the north boundary fence where within the TPZs of Trees 11 and 12.
- c) All buildings and works (soft landscaping allowable), including soil level changes, must be setback 1.5m of the north boundary fence where within the TPZs of Trees 11 and 12.
- d) The Project Arborist must supervise all approved works within the TPZs of Tree Group #19. Any root severance must be undertaken by the Project Arborist using a clean sharp and sterilised pruning saw. The project Arborist must ensure that any root severance or buildings and works within the TPZs or SRZs of these trees does not adversely impact the health and / or stability of the trees now or into the future.

The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must 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.

9.1.2

(cont)

- 8. The existing street trees shall not be removed or damaged except with the written consent of the Responsible Authority.**
- 9. Prior to the commencement of any buildings or demolition works, an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority.**
- 10. All works must be undertaken in accordance with the endorsed ESD Management Plan to the satisfaction of the Responsible Authority, and the approved development must operate in accordance with this Plan, to the satisfaction of the Responsible Authority. No alterations to the ESD Management Plan may occur without the written consent of the Responsible Authority.**
- 11. No building or works shall be constructed over any easement without the written consent of the relevant Authorities.**
- 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.**
- 13. All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.**
- 14. Detailed plans and computations for stormwater on-site detention (if required) and connection to the legal point of discharge must be prepared by a consulting engineer and submitted for approval by the Responsible Authority prior to the commencement of any works.**
- 15. Stormwater connection to the nominated point of discharge must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.**
- 16. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.**
- 17. 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 issue of this permit.**

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

Notes:

- 1. 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.**
- 2. 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.**

9.1.2

(cont)

3. *All stormwater drainage within the development site and associated with the buildings (except for an on-site detention system and connection to the nominated point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of any of the buildings, in accordance with the provisions of the Building Regulations (2006) section 610.*
 4. *The surface treatment and design of all crossovers and driveways shall be of materials submitted to and approved by the Responsible Authority and must be constructed in accordance with the submitted details.*
 5. *Any proposed vehicle crossing must adhere to Whitehorse Council's – Vehicle Crossing General Specifications.*
 6. *Report and consent – building over the easement must be approved prior to approval of the building permit.*
- 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.*

COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr Barker

That Council:

- A.** *Being the Responsible Authority, having caused Application WH/2012/565 at 10-12 Costello Street, Mont Albert North to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the development of six double storey dwellings is unacceptable and should not be approved.*
- B.** *Issue a Refusal to Grant a Permit under the Whitehorse Planning Scheme to the land described as 10-12 Costello Street, Mont Albert North for the purpose of construction of six double storey dwellings, on the following grounds:*
 1. *The proposal fails to comply with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, particularly Clause 21.05 – Environment and Clause 21.06 – Housing, and Clause 22.03 – Residential Development and Clause 22.04 – Tree Conservation.*
 2. *The proposal is an overdevelopment of the site and will not sensitively integrate with the Garden Suburban area in regard to the building setbacks, building scale, the extent of hard surface areas and garden area ratios, and lack of space for the planting of new vegetation with spreading canopies.*
 3. *The bulk and massing of the proposed development and dominance of hard surfaces within the frontage is inconsistent with the prevailing neighbourhood character.*
 4. *The provision of three crossovers will unreasonably impact upon on-street parking at the same time that the development will increase demand for such parking.*
 5. *The proposal fails to satisfy objectives of ResCode, including Clause 55.02-1 (Neighbourhood Character), Clause 55.03-4 (Permeability), Clause 55.03-8 (Landscaping), Clause 55.03-9 (Access), Clause 55.04-1 (Side and rear setbacks), and Clause 55.04-6 (Overlooking).*
- 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.*

CARRIED

9.1.2

(cont)

A Division was called.

Division

For

Cr Barker
Cr Bennett
Cr Carr
Cr Cutts
Cr Ellis
Cr Liu
Cr Massoud
Cr Stennett

Against

Cr Davenport
Cr Munroe

On the results of the Division the motion was declared CARRIED

MELWAYS REFERENCE 47 B5

Applicant:	Planning Vision
Zoning:	General Residential, Schedule 4
Overlays:	Nil
Relevant Clauses:	
Clause 11	Settlement
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
Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot and Residential Buildings
Clause 65	Decision Guidelines
Ward:	Elgar



9.1.2

(cont)

BACKGROUND

History

Planning application WH/2014/1128 for two double storey dwellings at 10 Costello Street was refused on 24 November 2015 on grounds of inadequate vehicle turning areas, building bulk and form, insufficient side and rear setbacks, insufficient tree planting opportunities and neighbourhood character. The decision was not appealed and the property was sold to the current owner.

The Site and Surrounds

The subject site comprises two lots located at the east side of Costello Street, approximately 55m north of the intersection with Cairo Road. The site has a depth of 49.8 metres and width of 30.5 metres, with a total area of 1518m². There is a rise of about 3m from the north-west to the south-east. The site currently contains two single storey weatherboard dwellings setback 9m from the frontage. There are a number of trees on the site, including Magnolia (6m), two Silver Birch (6.5m), Ginkgo (6m), Jacaranda (6.5m), and Camphor Laurel (11m). There is a Red Box eucalypt (5.5m) and She Oak (4m) tree in the nature strip.

Abutting the site to the north at 14 Costello Street is a single storey weatherboard dwelling with a number of trees near the common boundary. To the south is a single storey dwelling with new rear extension adjacent to the common boundary. To the east is the rear yard and shed of a single storey brick dwelling at 65 Box Hill Crescent and a single storey dwelling constructed to the rear of 63 Box Hill Crescent setback approximately 2m from the common boundary. Opposite the site to the west are single storey dwellings and the Gawler Chain Reserve.

Planning Controls

The State Planning Policies at Clauses 11 (Settlement), 15 (Built Environment and Heritage) and 16 (Housing) aim to encourage consolidation of existing urban areas while respecting neighbourhood character, and facilitate sustainable development that takes full advantage of existing settlement patterns through encouraging higher density development near public transport routes.

The Local Planning Policies at Clauses 21.06 (Housing) and 22.03 (Residential Development) have identified the subject site as being located in a Natural Change Area. The Natural Change Area is expected to undergo a modest level of change to accommodate future increases in dwelling stock, which seek to achieve the desired future character of the area.

A permit is required under Clause 32.08-6 (General Residential Zone) to construct two or more dwellings on a lot. The relevant purposes of Clause 32.08 is to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport that respects the neighbourhood character of the area. The minimum garden area requirements at Clause 32.08-4 do not apply as the application was received prior to 27 March 2017.

Clause 52.06 (Car Parking) details car parking and access requirements.

Clause 55 (ResCode) is the primary assessment tool to ensure that developments of two or more dwellings provide reasonable standards of amenity for existing and new residents.

Clause 65 provides guidelines that must be considered before deciding on an application to ensure the proposal will produce acceptable outcomes. These guidelines include the State and Local Planning Policy Framework, the purpose of the zone, the orderly planning of the area and the effect on the amenity of the area.

9.1.2

(cont)

PROPOSAL

The application proposes the construction of six double storey dwellings with the two front dwellings having separate vehicle access and a common driveway through the centre of the site accessing the four dwellings to the rear. A visitor car parking space is proposed in the centre of the site adjacent to the rear boundary between Dwellings 5 & 6. Dwellings 1 and 2 are setback 9m to the street and will have front entries facing Costello Street. Excavation is proposed along the south side of the site to accommodate the slope.

Dwellings 1, 2, 5 and 6 are proposed with four bedrooms and two car spaces, and Dwellings 3 & 4 are proposed with two bedrooms and a single car space. The dwellings will be setback between 1.2m and 7.3m to the side (north and south) boundaries, with Dwellings 5 & 6 setback between 2.5m and 5.3m to the rear (east) boundary. All six dwellings will have Secluded Private Open Space (SPOS) with minimum areas of 35m² and minimum dimension of 5m.

The cladding finishes are a combination of rendered brick at ground floor and rendered cladding to first floors. All dwellings are to have pitched concrete roof tiles and eaves. The front fence will be 1.2m high rendered brick and timber slat. The maximum building height is 7.5 metres. The building site coverage is 48.2%, and permeability of 38%.

All existing trees are proposed to be removed and replaced with new tree planting.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting two notices to the Costello Street frontage. Following the advertising period 15 objections were received.

The issues raised are summarised as follows:

Neighbourhood Character

- Overdevelopment.
- Building bulk and form.
- Insufficient front setback.
- Preference for single storey.

Traffic and Car Parking

- Increase in traffic and pollution from cars.
- Traffic safety impacts on the street.
- Insufficient parking.
- Increased on-street parking.
- Loss of street parking from new crossover.

Amenity impacts:

- Overlooking.
- Overshadowing.
- Noise from air conditioners.
- Impacts from excavation.
- Increase in noise.

Landscaping:

- Impacts to trees.
- Tree removal and loss of bird habitat.
- Insufficient new trees.

9.1.2

(cont)

Internal amenity:

- Poor energy efficiency of dwellings.
- Insufficient SPOS.

Drainage & Utilities

- Demand on utilities.
- Increased water run-off.
- Garbage collection.

Non-planning matters:

- Negative impact on surrounding property values.
- Loss of views and outlook.

Consultation Forum

A Consultation Forum was held on 8 June 2017 chaired by Councillor Liu and attended by the planning officer. Approximately 10 objectors attended the meeting.

Discussion centred on overdevelopment and neighbourhood character, increase in traffic and car parking, tree removal and replacement species, impacts to neighbouring trees, amenity impacts and condition of fences.

Following the Consultation Forum the applicant provided shadow plans for the winter solstice to the neighbour to the south; plans showing the location of air conditioning units demonstrating no impacts to abutting properties; and a written agreement with the owner of an abutting property to the east agreeing to pay the costs for the construction of a new 2m high fence along the rear boundary. These commitments will be included in proposed conditions.

Internal Referrals

Engineering and Environmental Services Department

- Transport Engineer
 - No concerns or proposed conditions
- Assets Engineer
 - Raised concerns with excavation within the easement.

Planning Arborist

- No concerns subject to conditions

DISCUSSION

Consistency with State and Local Planning Policies

The proposal is consistent with State and Local Planning Policies which seek to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed medium-density housing that makes better use of existing infrastructure; and that new development respects the neighbourhood character and appropriately responds to its landscape, valued built form and cultural context.

Clause 22.03 (Residential Development) identifies the site as being in a Garden Suburban Precinct 8 where natural change is expected to occur. The Precinct describes the area as containing a variety of post war, 1950s to 1960s era dwellings with contemporary infill. Building materials are predominantly brick or timber with tiled roofs. Front setbacks generally range from 5-9m with 1-2m side setbacks from both side boundaries. New developments usually have smaller front and side setbacks. Garages or carports are sited behind dwellings and hidden from the front setback with single crossovers. Gardens are generally exotic and formally landscaped with established vegetation, lawn areas, garden beds, shrubs and canopy trees.

9.1.2

(cont)

The preferred neighbourhood character is for dwellings to sit within open garden settings incorporating a mixture of native and exotic vegetation and large trees. Infill development will be common, however new buildings and additions will be setback at upper levels to minimise dominance in the streetscape. Properties abutting and close to the Koonung Creek, Bushy Creek and Gawler Chain parklands will contribute to the bushy landscape character of the public realm, incorporating large native / indigenous canopy trees and native / indigenous vegetation.

The proposal appropriately responds to this built form context, in addition to ensuring that sufficient area for landscaping can be provided within the frontage of the site as it interfaces with the street, and within the areas of private open space.

Design and Built Form

The proposed development is considered a suitable interpretation of the valued building styles of the area and will not dominate the streetscape. Dwellings in Costello Street are a mixture of timber and brick, and although single storey dwellings predominate, there are a number of double storey dwellings within the street and surrounding area. The 9m ground floor setbacks to the street match the setbacks of the adjoining properties and the first floors are setback 9.8 to 10.7 metres.

There will be no construction on boundaries and the 6.8m separation between the buildings through the centre of the site is both consistent with the rhythm of dwelling spacing within the street and provides the side setbacks that are required to meet the siting objectives of the Garden Suburban Precinct 8.

Although there are elements of attached built form at ground level, there are a number of breaks at ground floor including the large 6.8m break along the rear boundary. These breaks are increased at first floors with minimum separations of 3.6m between all dwellings and a separation of 8.3m between Dwellings 5 and 6 across the rear of the site. These breaks clearly define the separate dwellings when viewed externally from the site and provide some sense of spaciousness through the centre of the site. Further, the break in building form when viewed from the east, addresses setbacks and bulk and mass concerns identified in the previous proposal for the site.

The design layout suitably responds to the context of the site and the topography of the land. Although some excavation will be required along the south side of the development, the plans indicate that there will be minimal excavation within the TPZ of the abutting trees and a retaining wall will limit excavation within the easement.

The provision of 35m² of SPOS with minimum dimension of 5m meets the open space requirements for each dwelling.

Landscaping

While the proposal requires the removal of the Ginkgo, Jacaranda and Camphor Laurel trees, the development provides adequate opportunities for ten new trees, including the planting of new indigenous trees which will increase the contribution that the site makes to the valued landscape character of the area, addressing landscaping concerns with the previous proposal for the site.

The dwelling 2 driveway, which is of permeable pavers, encroaches by 25% into the tree protection zone of Tree 1 (*Acacia dealbata*) located at 14 Costello Street. Council's Planning Arborist has provided conditions to ensure that there will be no adverse impact to this tree.

Car Parking

The car parking provision meets the requirements of Clause 52.06 (Car parking). Any increase in traffic will be minimal and can be accommodated in the surrounding street network. Adequate vehicle turning areas have been provided addressing turning movement concerns with the previous proposal for the site.

9.1.2

(cont)

Objections include the concern that the additional crossover will result in a loss of street parking. It is accepted that the provision of a new crossover to Dwelling 2 will result in the loss of the second car parking space in front of 12 Costello Street. There will continue to be a minimum of two street parking spaces in front of the subject site and a new visitor parking space onsite. There is also additional available on street parking in the area adjacent to the reserve.

Environmentally Sustainable Development

The development meets the requirements of Council's ESD policy. Commitments in the submitted sustainable Design Assessment have been included in conditions for approval.

Amenity Impacts

- Overlooking

There are overlooking concerns from the Dwelling 3 Bedroom 1 south elevation window to windows of the adjoining property to the south. This will be addressed in proposed conditions to ensure that the standards under Clause 55 with regard to overlooking are met.

- Overshadowing

The application has provided shadow diagrams for the equinox demonstrating compliance with Standard B21 (Overshadowing open space objective) of Clause 55. Following the Consultation Forum the applicant also provided shadow diagrams for the winter solstice which demonstrated that there will also be no significant impacts from overshadowing during winter.

Objectors Concerns not Previously Addressed

- *Impacts from excavation* – Any offsite impacts during construction will be controlled by the project building surveyor.
- *Noise from occupants and traffic* - It is expected that any noise from the occupants of the dwellings will be typical of residential uses in the area. All proposed noise sources, such as mechanical plant, are away from bedrooms of immediately adjacent existing dwellings and comply with Standard B24 (Noise impacts).
- *Demand on utilities* – there is no evidence that standard utility provision will be unable to accommodate this development.
- *Increased water run-off* – A requirement for drainage plans is included in conditions for approval.
- *Garbage collection* – There is adequate room within the road reserve for the placement of bins for garbage collection.
- *Devaluation of property values*: VCAT and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values.
- *Impacts to views* – There is no provision or local policy control within the Whitehorse Planning Scheme that protects residents' rights to a view.

9.1.2

(cont)

CONCLUSION

The proposal for construction of six double storey dwellings is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the General Residential Zone and Clause 55 (ResCode).

The new dwellings are appropriately sited and will be visually compatible with the existing built form and Garden Suburban character of the surrounding residential area.

A total of 15 objections were received as a result of public notice and all of the issues raised have been discussed as required.

It is considered that the application should be approved.

ATTACHMENT

- 1 Advertising Plans ➡ 

Strategic Planning

9.1.3 Reforming the Victoria Planning Provisions discussion paper - Submission to DELWP

FILE NUMBER: SF17/891
ATTACHMENT

SUMMARY

In July 2016 the Department of Environment, Land, Water and Planning (DELWP) launched Smart Planning, a two-year program to reform Victoria's planning system. A major part of this program is updating the Victoria Planning Provisions (VPP) to increase their effectiveness and efficiency.

The Reforming the Victoria Planning Provisions discussion paper puts forward five proposals to reform the structure and operation of the VPP. DELWP is seeking feedback on the proposals outlined in this discussion paper.

This report provides an overview of the discussion paper and an officer assessment of the proposed changes. It is recommended Council endorse a submission to DELWP on the discussion paper, to be generally formed on the basis of the officer assessment in this report.

COUNCIL RESOLUTION

Moved by Cr Barker, Seconded by Cr Bennett

That Council endorse a submission to the Department of Environment, Land, Water and Planning on the Reforming the Victoria Planning Provisions discussion paper, to be generally based on the officer assessment in this report.

CARRIED UNANIMOUSLY

BACKGROUND

The Department of Environment Land Water and Planning (**DELWP**) introduced the Smart Planning program in July 2016 with the aim of making the planning system more effective, accessible, open and collaborative. The program is currently funded for two-years and comprises two stages, *improve* and *reform*, with scope for an additional third stage, known as *transform*, if further funding is secured beyond July 2018. Smart Planning's objectives are to:

- Simplify planning regulation to improve the quality consistency and efficiency of planning decision making.
- Develop digital systems that allow citizens, industry and government to more easily access and understand planning rules and processes to boost activity, participation and efficiency.

A specific initiative of the *reform* stage is to review the Victoria Planning Provisions (**VPP**). On the 16 October 2017 DELWP released the *Reforming the Victoria Planning Provisions* discussion paper (**the discussion paper**) which focuses on proposed changes to the structure and operation of the VPP (see Attachment 1). DELWP is welcoming submissions in response to the proposed changes outlined in the discussion paper.

The purpose of this report is to provide an overview of the discussion paper and assess the proposed changes to the VPP. This assessment will form the basis for a Council submission to DELWP on the matter.

9.1.3

(cont)

DISCUSSION

Smart Planning

The Smart Planning program was introduced as part of the 2016/17 Victorian Government Budget and is the first funded review and reform of Victoria's planning system in more than 20 years. The program seeks to make planning in Victoria more efficient, effective, accessible and collaborative. The program focuses on two areas for improvement, *digital systems* and *rules and policy*. The details of the proposed changes and timing of these are outlined in Attachment 2 of this report, with a summary provided in Table 1.

Table 1 - The components of the Smart Planning Program

Area of reform	Timeframe
Planning Scheme Amendment Information System (PSIMS)	2018
Online Amendments	2018
Victorian Planning Portal	Available now, further enhancements in 2018
Online state planning permit system	Early-to-mid 2018
Property dashboard	Early 2018
VicPlan map viewer	Available now, further enhancements in 2018
Improvements to the SPPF	Early 2018
Reform of the VPP	Consultation late 2017; first phase of delivery early-to-mid 2018
Expand VicSmart	Complete

The Smart Planning program is funded for two years (July 2016 – July 2018) with scope for further work beyond this, subject to additional funding being secured. As outlined in Table 1 some changes have already occurred, however the majority of the implementation will occur in the first half of 2018.

Victoria Planning Provisions (VPP)

The focus of this report is the reform to the current structure and operation of the VPP. Under the *Planning and Environment Act 1987 (the Act)* the Minister for Planning is required to create a set of standard provisions for Planning Schemes called the VPP. The VPP are a state wide template used to source and construct all Victorian planning schemes.

The VPP ensure planning schemes across Victoria are consistent by providing the framework, standard provisions and state planning policy. Council must provide local planning policy content and select appropriate zones and overlays from the VPP to make up its planning scheme.

The current VPP structure was introduced in 1997. Since this time, planning schemes have grown in size and complexity and DELWP considered it timely to review the relevance of the current VPP structure.

Under Section 12B(1) of the Act Councils must review its planning scheme *no later than one year after each date by which it is required to approve a Council Plan*. The Whitehorse Planning Scheme has regularly been reviewed, consistent with this requirement of the Act.

9.1.3

(cont)

Reforming the Victoria Planning Provisions Discussion Paper

On 16 October 2017 the discussion paper was released for public comment. This discussion paper focuses on the structure and operation of the VPP and puts forward five broad proposals for change:

1. A simpler VPP structure with built in VicSmart assessment
2. An integrated planning policy framework
3. Assessment pathways for simple proposals
4. Smarter planning scheme drafting
5. Improve specific provisions

The key changes to be implemented by the above proposals are:

- Restructure the VPP and redraft some of the provisions
- Widen the use of VicSmart
- Combine the State Planning Policy Framework and Local Planning Policy Framework into a single, multi-level Planning Policy Framework
- Review planning permit triggers
- Review and increase planning permit exemptions
- Remove duplicated and outdated clauses
- Updates for clarity and relevance

DELWP has released the discussion paper on the *Engage Victoria* webpage and submissions must be submitted via an online form by Friday 24 November 2017.

Officer Assessment

Officers have reviewed the discussion paper and an assessment of each of the proposals is provided below.

Attachment 3 provides a more detailed assessment of Proposals 1 to 4 including some background information to assist in understanding the reasons for change. This attachment also provides an officer response to specific questions in the online submission form that DELWP is using to seek feedback. It is proposed that Council submit its submission and response to the questions via this online platform.

Proposal 1 – A simpler VPP structure with VicSmart assessment built in

Proposal 1.1 – Restructure and reform the Particular Provisions into a more understandable and consistent format, with an emphasis on providing clearer assessment pathways for specific uses and development.

Particular Provisions relate to specific issues such as car parking and advertising signage, and provide guidance for issues such as the form of residential development (ResCode).

Officers agree that review of the Particular Provisions could help useability of the scheme. However, clarification is required on how the provisions would be allocated into the proposed assessment pathways and the format of the revised layout.

Proposal 1.2 – Integrate VicSmart classes into Particular Provisions and overlay schedules rather than being in stand-alone clauses.

When the VicSmart legislation was added to the VPP, an additional suite of stand-alone clauses were inserted into planning schemes to implement the fast-track assessment process.

9.1.3

(cont)

The current layout of the planning scheme is cumbersome in relation to VicSmart provisions. Officers agree with this proposal, however it is suggested that the references to the VicSmart classes be provided in the overlay header clause rather than in the schedules.

Proposal 1.3 – Incorporated documents and other administrative and operational provisions to be relocated to the General Provisions section.

This proposal refers to clauses in the scheme relating to matters such as; how the scheme works, when it began, what area it covers, referral and notice provisions and listing of incorporated documents (i.e. Significant Tree studies).

Officers agree that it makes sense to have all these clauses in the one section of the scheme.

Proposal 2 – An integrated Planning Policy Framework

Proposal 2.1 – Integrate current state, regional and local planning policy into a single Planning Policy Framework (PPF).

Proposal 2.2 – Simplify the Municipal Strategic Statement so it sits within the proposed PPF structure as a ‘municipal context and vision’.

Attachment 4 provides a table of contents for the proposed PPF format. This should be referred to for a more detailed understanding of the proposed changes.

The current policy structure in the Planning Scheme consists of the State Planning Policy Framework (**SPPF**) and Local Planning Policy Framework (**LPPF**). The LPPF contains the Municipal Strategic Statement (**MSS**).

Officers strongly disagree with proposals 2.1 and 2.2. The proposed PPF and simplified MSS structure will diminish the presence and comprehensiveness of local policy. The current policy structure provides a snapshot of an area by looking in one part of the planning scheme. This will be removed by the proposed PPF. Clarification is also required as to whether Section 7 and 12A of the Act will be amended to address these proposed changes to the format of the MSS. Officers are not supportive of the proposal to significantly simplify the MSS by relocating parts to the PPF. The MSS provides integral direction to numerous Council documents, such as the Council Plan and should not be simplified.

Proposal 2.3 – Expand policy themes to ensure the proposed PPF provides an appropriate location for current local and regional policy and considers possible needs in the future.

The current state policy framework contains broad themes around housing, transport and environment.

Officers acknowledge that an expanded set of policy themes would be required to support the proposed PPF structure. However, flexibility is needed within the broad themes to ensure that existing and future specific local policy content can be captured, rather than potentially requiring a state-wide amendment to introduce a new theme. In the absence of a complementary theme, the ability to put forward specific local policies will be restricted. In addition, the clauses in the proposed table of contents (Attachment 4) should be ordered to place the most commonly used clauses at the beginning.

Proposal 2.4 – Create a clearer and simpler structure for policy making

Proposed 2.5 – Set new rules and guidelines for writing policy

It is proposed to structure the proposed PPF similarly to the current State Planning Policy Framework (SPPF) with objectives, strategic and policy guidelines but with a new ‘policy documents’ section for each policy. The local component of the PPF will contain two headings ‘policy application’ and ‘policy context’.

9.1.3

(cont)

New rules of entry and drafting rules are proposed to ensure proposed policy has a land use or development focus and directly relates to discretion in the planning scheme.

Officers do not believe there is sufficient information to comment on proposals 2.4 and 2.5. It is very difficult to comment on rules of entry and drafting rules that are described, but not provided in full. Officers have further concern that the rules may lead to the inability for some topics to be considered at a local level (as could have previously been done via the LPPF) as the change would not be allowed to the legislatively governed PPF.

Proposal 3 – Assessment pathways for simple proposals

Proposal 3.1 – Embed VicSmart assessment pathway into appropriate particular provisions and overlay schedules.

VicSmart is a streamlined assessment process for straightforward planning permit applications. Classes of application are identified in the planning scheme as being VicSmart and have specific requirements for information, assessment processes and decision guidelines. VicSmart provisions are currently at clauses 90 to 94 of the planning scheme.

Officers agree with this proposal, however, as noted above, it is suggested that references to the VicSmart classes be provided in the overlay header rather than in the schedules.

Proposal 3.2 – Introduce new code-based assessment provisions for simple proposals to support small business, industry and homeowners.

The proposed code-based assessment provisions would be developed specific to particular uses or development, and would require a permit to be issued if this code was met.

It is considered that this assessment process may be unnecessary in some cases. It may be more straightforward to broaden permit exemptions subject to clear tests and conditions. This would be the case with the example provided in the discussion paper (i.e.: a café in an existing commercial area). Permit exemptions for secondary dwelling standards or small lots are not supported unless ResCode requirements are broadened to ensure certainty of outcomes. The code-based assessment could be broadened to consider applications for pop-up type activities, as well as temporary structures associated with events or festivals.

Proposal 4 - Smarter planning scheme drafting

Proposal 4.1 – Create a new VPP user manual with rules for the drafting and application of planning scheme provisions.

The current user manual, the *Manual for the Victoria Planning Provisions*, 1997 has never been updated and currently refers to provisions that no longer exist.

Officers agree in principle with this proposal, however further information is required on the user manual's content.

Proposal 4.2 – Establish a business unit within DELWP dedicated to VPP and planning scheme amendment drafting

This business unit would be established to ensure the integrity and usability of planning schemes is protected.

Officers agree that this proposal is valid in principle. However, further information is required on the structure of this business unit to ensure it is well resourced to keep pace with the significant number of planning scheme amendments sought by councils.

Proposal 4.3 – Create an online Victorian planning library

This library would contain all planning documents necessary for the efficient operation of the planning system. This could include incorporated documents, approved development plans, reference documents and historic planning documents.

9.1.3

(cont)

Officers agree, as it makes sense for all resources to be accessible in one place for Councils and the community. Online technology makes resources very accessible, allowing transparency of decision making and sharing of knowledge.

Proposal 5 - Improve specific provisions

The discussion paper proposes a number of reforms to specific provisions in the planning scheme. This includes broadening permit exemptions, introducing new definitions and consolidating certain provisions to remove duplication. The officer assessment of these proposals is provided as Attachment 5; the points below provide a summary:

- Agree with changes to improve consistency, legibility and accessibility of planning schemes.
- Agree with removing permit triggers if there are clear conditions in relation to floor area and car parking, for example.
- Agree that some provisions can be reviewed and consolidated, for example all flooding related provisions.
- Disagree with changes to overlay controls that will restrict the opportunity to customise them with local content.
- Agree that definitions and general terms need to be updated.

Next Steps

Table 2 below outlines the next steps and timeframes that DELWP proposes for the implementation of the reformed VPP.

Table 2 - Next steps for the implementation of the reformed VPP

Timeframe	Task
16 October to 24 November 2017	Consultation on <i>Reforming the Victoria Planning Provisions</i> discussion paper.
December 2017 to January 2018	Review consultation responses and prioritise actions
Ongoing to mid-2018	Engagement with Advisory Group and Technical Reference Group (groups established by DELWP to assist in delivering a reform to the VPP).
Mid 2018	Proposed Gazettal of Amendment. This is likely to be a section 20(4) Ministerial Amendment without exhibition.

CONSULTATION

DELWP facilitated consultation

In July 2017 DELWP released a rules and policy questionnaire where key stakeholder groups and government authorities were invited to participate. This questionnaire sought feedback on improvements to specific provisions and helped direct the scope and focus of the discussion paper.

The feedback received in this survey as well as recommendations from previous reviews and discussion papers suggested a series of key issues for the VPP reform to consider:

- Planning schemes are not user friendly
- Assessments are long and complex
- There are too many permit triggers
- The need for a stronger and clearer policy framework
- Better use of technology to deliver more accessible planning schemes and information

9.1.3

(cont)

DELWP released the discussion paper on Monday 16 October 2017 and is seeking feedback via an online survey until Friday 24 November 2017.

Municipal Association of Victoria (MAV) session

On 19 October 2017 the MAV hosted a briefing session on the discussion paper with members of the DELWP Smart Planning team. Council officers attended this session to learn more about the proposed reforms.

Internal consultation

An internal discussion with officers occurred on Thursday 26 October 2017 to discuss the proposals outlined in the discussion paper in order to formulate a Council submission.

This discussion formed the basis of the officer assessment outlined in this report.

External consultation

Officers have promoted the discussion paper by placing an advertisement in the Whitehorse Leader (6 November 2017) and by directly emailing a number of community and business associations with a link to the discussion paper and encouraging them to make a submission.

The proposed Gazettal of the VPP reform is expected in mid-2018. It is uncertain what this will entail but it is likely to be a first phase of changes with further more significant implementation to occur at a later date. This first phase of changes is likely to occur by a Ministerial Amendment under section 20(4) the *Planning and Environment Act 1987* which means the community and councils will not have the ability to participate.

FINANCIAL IMPLICATIONS

There are no financial implications of the discussion paper for Council. The Smart Planning program is a Victorian Government led and funded initiative.

The potential Phase 1 planning scheme Amendment to implement the changes in mid-2018 is likely to be a Ministerial Amendment, therefore there will be no costs for Council.

Council staff resources would be required during the implementation of the reformed VPP to re-draft aspects of the Whitehorse Planning Scheme to suit the new structure. At this stage the exact financial implication is unknown, but could potentially be quite significant in terms of staff resourcing.

POLICY IMPLICATIONS

Strategic Direction 2 of the *Council Plan (2017 – 2021)* seeks to *Maintain and enhance our built environment to ensure a liveable and sustainable city*. By submitting comments about the discussion paper, Council is noting concerns with the proposed VPP structure which may detract from our ability to achieve this strategic direction.

Strategic Direction 4 of the *Council Plan (2017 – 2021)* seeks to achieve *Strategic Leadership and Open and Accessible Government*. By submitting comments about this process, Council is informing Victorian Government policy reform to ensure the ultimate outcome reflects Councils and the community's interests.

If implemented, the proposals sought in the discussion paper will have a significant impact on the structure and way the current Whitehorse Planning Scheme is used and understood. In particular the proposed reforms to the current Local Planning Policy Framework (LPPF) and Municipal Strategic Statement (MSS) will require Council to completely re-structure these components.

9.1.3






(cont)

CONCLUSION

The Department of Environment, Land, Water and Planning (DELWP) launched the Smart Planning program in July 2016 to reform Victoria's planning system. A key component of this program was a reform to the Victoria Planning Provisions (VPP). The *Reforming the Victoria Planning Provisions* discussion paper was released on 16 October 2017 and outlines five proposals that seek to reform the structure and operation of the VPP.

An Officer Assessment of the discussion paper has been completed and is outlined in this report. It is recommended a Council submission be made to DELWP in response to the discussion paper, to be generally formed on the Officer Assessment in this report.

ATTACHMENT

- 1 Reforming the Victoria Planning Provisions discussion paper (October 2017) [⇒](#) 
- 2 Areas of reform as part of the Smart Planning program [⇒](#) 
- 3 Detailed Assessment of Proposals 1 to 4 [⇒](#) 
- 4 Proposed Planning Policy Framework (PPF) structure [⇒](#) 
- 5 Officer assessment of changes to specific planning scheme provisions [⇒](#) 

Engineering and Environmental

9.1.4 Tender Evaluation Report (Contract 20051) Haig Street, Box Hill South - Road Reconstruction

SUMMARY

To consider tenders received for the road reconstruction of Haig Street, Box Hill South and to recommend the acceptance of the tender received from E and M Unit Trust, trading as Etheredge Mintern, for the amount of \$1,110,817.95 including GST and to consider the overall project expenditure.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Massoud

That Council accept the tender and sign the formal contract document for Contract 20051 Haig Street, Box Hill South - Road Reconstruction received from E and M Unit Trust, (ABN 39 258 254 606), of 25 Kelvin Road, Bayswater North, Victoria 3153, trading as Etheredge Mintern, for the tendered amount of \$1,110,817.95 including GST; as part of the total expected project expenditure of \$1,289,002 including GST (\$1,171,820 excluding GST).

CARRIED UNANIMOUSLY

BACKGROUND

The contract is for the road reconstruction of Haig Street, Box Hill South between Canterbury Road and Foch Street. The project is included in the 2017/2018 Capital Works Program.

The reconstruction works are required as a result of the diminished integrity and poor condition of the road pavement and kerb and channel indicating that it has reached the end of its serviceable life. Additional works will be undertaken to provide improved drainage and vehicular access to properties from Haig Street.

During the design stage of the project, Council's Arborist noted Haig Street as a 'significant avenue planting of Pin Oak trees', many of which are in excess of 70-years of age. Haig Street may indeed be the most significant avenue of Pin Oak trees within Whitehorse. With this in mind, Council's Arborist requested these trees be protected so they can be enjoyed by generations to come. Council's Arborist noted the existing tree roots and tree bases were either in close proximity or covering portions of the existing kerb and channel. Council's Arborist expressed concerns with reconstructing the kerb and channel back to its existing location.

After thoughtful analysis by Council's Transport and Arboriculture teams, the decision was made to extend the kerb and channel by 150mm into the road on each side. This effectively narrows the overall road width of Haig Street by 300mm. The existing width of Haig Street measures 7.65m (kerb to kerb) and narrowing it by 300mm is considered acceptable for the safe movement of vehicles. The reduced road width of 7.35m is consistent with many local residential streets in the municipality. In addition to this construction requirement, the contractor must also prepare and adhere to a Tree Management Plan which protects these trees during construction works.

The works under this contract include the removal, relocation and reconstruction of the concrete kerb and channel, reconstruction of concrete driveways, profiling, asphalt resurfacing, installation of drainage, reinstatement and ancillary works.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 12 August 2017 and were closed on Wednesday 6 September 2017. A total of seven tenders were received.

9.1.4

(cont)

The tenders were evaluated against the following criteria:

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

The tender submissions were evaluated using a weighted averages method. The results of the assessment are summarised in the attached quotation evaluation form.

Etheredge Mintern is the recommended tenderer for the contract. They have successfully completed similar road reconstruction projects such as Barkly Terrace, Mitcham to a very good standard. The recommended tenderer, although not the lowest in price, has been ranked the highest in the overall evaluation assessment taking into consideration, criteria about demonstrated prior experience in the provision of similar services, demonstrated knowledge and understanding of the unique challenges in delivering this particular project, quality of work, available resources and availability of the tenderer.

The tender received from Etheredge Mintern is considered to provide the best value for money for this Contract.

CONSULTATION

The project has been developed in consultation with City Works, Parkside and the Transport team. All relevant service authorities have been advised of the works.

All residents in Haig Street and intersecting streets will be advised in writing of the proposed works and expected impacts of construction before works commence.

FINANCIAL IMPLICATIONS

	Budget	Expenditure
Capital Works Funding Account No. U249 Reconstruction Haig Street	\$ 1,070,000	
Additional Roads To Recovery Funding from 2017/2018 Program	\$ 58,879	
Total Budget	\$ 1,128,879	
Preferred tenderer's lump sum offer exclusive of Provisional Items (including GST)		\$ 1,110,818
Less GST		-\$ 100,984
Net cost to Council		\$ 1,009,834
Plus Contingencies		\$ 100,983
Plus Project Management Fees		\$ 60,5904
Sub Total		\$ 1,171,407
Plus commitments to date		\$ 413
Total Expenditure		\$ 1,171,820

It is proposed to fund the estimated shortfall of \$42,941 from Capital Works Funding Account U103 – Local Roads Rehabilitation.

9.2 HUMAN SERVICES

9.2.1 Collections Policy

ATTACHMENT

SUMMARY

The Collections Policy 2017-2025 ensures the appropriate care and development of the Whitehorse Art Collection and the Whitehorse Civic Collection (formerly the Memorabilia Collection). The Collections Policy encompasses the guidelines for Council managed visual art exhibitions in Council venues throughout the City of Whitehorse. This Report recommends adopting the Collections Policy 2017-2025.

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Cutts

That Council approves the Collections Policy 2017-2025 to ensure the sound, museum-standard governance and exhibition of the Collections owned by the City of Whitehorse.

CARRIED UNANIMOUSLY

BACKGROUND

The Whitehorse Art Collection currently comprises almost 1,700 items including a large number of donations made to Council's Art Collection.

Early Art Collection donations and acquisitions focused on works created by artists associated with the celebrated Box Hill Artists' Camp of the 1880s – regarded as a seminal gathering that started the Australian Impressionist Art movement.

Today, the Art Collection is a significant municipal asset, with a mix of historic and modern-day art, sculpture and fine craft. In recent years, the Art Collection has developed with the acquisition and donation of contemporary landscapes, the suburban landscape, together with a notable quantity of ceramics.

Developing alongside the Art Collection has been a Memorabilia Collection which now numbers almost 800 items. The Memorabilia Collection comprises important civic items and monuments, gifts from Sister City Matsudo, gifts from visiting international and national dignitaries and sporting memorabilia associated with the City's Sports Awards.

It is appropriate to have an all-encompassing policy to guide the development of both the Art Collection and associated exhibitions, together with the on-going management of the City's Civic items. A Collections Policy ensures proper governance and the longevity of these significant collections for the benefit of future generations.

Visual Arts Advisory Committee

Council has endorsed policies governing the Whitehorse Art Collection since an advisory committee was first established to advise management of the Collection in 1983. The Visual Arts Advisory Committee is intrinsically involved with the governance of the Art Collection and provides expert advice on access, conservation and maintenance, interpretation and development of the Whitehorse Art Collection and the exhibition program.

DISCUSSION

The Collections Policy combines the former Art Collection Policy and the Exhibition Policy into the one Collections Policy acknowledging the synergy between the collection items and how they are exhibited in the municipality.

9.2.1

(cont)

The Collections Policy also recognises the growth of the Memorabilia Collection and formalises the governance framework to manage the development of this Collection. It is recommended to rename the Memorabilia Collection the Civic Collection to better reflect Council's artefacts which have been amassed over the years.

Art Collection Development

The Art Collection comprises almost 1,700 items, including public art. Items that are offered for donation are fully considered by the Visual Arts Advisory Committee, as are artworks that are suggested for purchase. Council owned Public Art within the City of Whitehorse is also considered by the Committee. The four themes identified for the development of the Art Collection remain unchanged and include:

- Australian Landscape theme
- Urban/Suburban Landscape theme
- Australian Impressionism theme
- Craft theme

The Art Collection continues to receive donations and is acclaimed for the number of Australian Impressionist works it comprises, the number of works it contains and its reputation as a leading municipal Collection in Australia. The recognition for the Art Collection, its exhibition program and its management attracts donations into the Collection each year. The Whitehorse Artspace is also often approached for loan requests from important State and National galleries for their own exhibitions. Today, the number of donations to the Whitehorse Art Collection totals just under 600 works (35% of the total number of works in the collection).

In recent years Council has significantly developed its ceramics as part of the Art Collection. The region is known for historic brick and tile manufacturing and contemporary studio ceramics. The Collections Policy 2017-2025 recognises that the Ceramics Victoria Collection was gifted to the City of Whitehorse in 2015, adding 300 ceramic items to the existing Collection of over 200 ceramics.

For any potential acquisition a recommendation is sought from the Visual Arts Advisory Committee for accession into the Art Collection. Some recently acquired items of scale have been approximately \$7000 and it is recommended future acquisition adheres to the following parameters:

- Acquisitions under \$20,000 excl. GST will be processed into the Art Collection in line with Council's Procurement Policy.
- Acquisitions of a higher order in excess of \$20,000 excl. GST require Council consideration and an endorsed resolution by Council for accession into the Art Collection.

With on-going acquisitions and donations, the policy also acknowledges a need for a three-year valuation of the Art Collection for insurance purposes to ensure Council's asset is appropriately managed.

Civic Collection

Civic memorabilia has accumulated over the years and has been known as the Memorabilia Collection. The Collection comprises important civic items and monuments, gifts from Sister City Matsudo, gifts from visiting international and national dignitaries and sporting memorabilia associated with the City's Sports Awards. In recognition of the Civic value and size of this collection there is a need to formalise it within the Collections Policy to guide acquisitions, display, care and storage of almost 800 items. It is recommended there is a re-name from Memorabilia to Civic Collection as a more appropriate representation of the items in the City's Civic Collection.

9.2.1

(cont)

This Collection will be managed by a core internal group of Council Officers and all items would reflect the four key themes in the Collection:

- Civic theme
- Sister City theme
- Sporting theme
- Heritage theme

Exhibitions

The Exhibitions Policy has been included within the Collections Policy to ensure a cohesive and sound care of the collections whilst on exhibition at Council venues within Whitehorse. This component of the policy states the need to provide public access to Council's collections through an exhibition program and establishes that the purpose of the exhibition program to:

- Expose the community to quality exhibitions
- Provide an educative function
- Build community identity by reflecting people's experience of life through art and responding to a multicultural community
- Represent the environment and a sense of history, people and place
- Acknowledge where possible national and international occasions

The Visual Art Advisory Committee also advises Council on the exhibition of the Art Collection.

CONSULTATION

Consultation has been undertaken with Members of the Whitehorse Visual Arts Advisory Committee, which comprises museum and art collection curators, working artists, art educators and craftspeople.

FINANCIAL IMPLICATIONS

The annual Art Collections acquisition program is \$25,000

POLICY IMPLICATIONS

This Policy is in alignment with the following:

- Arts and Cultural Strategy 2014-2022
- Council Plan 2017-2021
- Council Vision 2013-2023

ATTACHMENT

- 1 Draft Collection Policy ➡ 

9.3 CORPORATE REPORTS

9.3.1 Quarterly Performance Report for the quarter ended 30 September 2017

FILE NUMBER: 17/180457
ATTACHMENT

SUMMARY

The purpose of this report is to brief Council on the performance against the Council Plan 2017-21 and the Annual Budget 2017/18 for the quarter ended 30 September 2017.

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Munroe

That Council notes the Quarterly Performance Report for the quarter ended 30 September 2017, as attached.

CARRIED UNANIMOUSLY

BACKGROUND

The Quarterly Performance Report for the quarter ended 30 September 2017 provides a detailed report of performance against the major initiatives and initiatives identified in the *Annual Budget 2017/18*. These major initiatives and initiatives contribute to the achievement of the *Council Plan 2017-21*. Therefore, the Quarterly Performance Report reviews Council's performance against the Council Plan and the Annual Budget, pursuant to sections 131(3)(a)(ii) and 138 of the *Local Government Act 1989*.

The financial section of the Quarterly Performance Report has been prepared on an accruals basis to ensure accurate matching of income and expenditure, both operating and capital, for the year-to-date ended 30 September 2017. Furthermore, the financial section is prepared on the basis of year-to-date, year-end projection, cash and key balance sheet items, and analysing trends against budget.

DISCUSSION

Performance against Council Plan

The Annual Plan, which is a part of the *Annual Budget 2017/18*, identified 37 major initiatives and initiatives which contribute to the achievement of the strategic directions and goals (strategic objectives) of the *Council Plan 2017-21*. Of the 37 major initiatives and initiatives in the *Annual Budget 2017/18*, 2 are complete, 30 are on track, 1 is below target, and 4 are not yet due to commence.

Highlights for the quarter included:

- Municipal Public Health and Wellbeing Plan 2017-21 – Finalised and documented outcomes of community and key stakeholder consultation for the Municipal Public Health and Wellbeing Plan (MPHWP). The final MPHWP will be presented to Council for adoption in October 2017.
- Bennettswood Reserve Pavilion Redevelopment – Construction is well advanced with the contractor progressing and catching up on delays in the construction program due to wet weather.
- Elgar Park North Sports Pavilion Redevelopment – Construction is progressing well with the contractor ahead of time and expected to achieve practical completion in October 2017.
- Energy Efficient Street Lighting Changeover Program – The project, which was rolled out over two financial years, is now complete. A total of 3,092 lights were changed over to 22 watt streetled (LED) lights over the whole program.

9.3.1

(cont)

- Box Hill Skate Park Extension – The project was completed in September 2017 and will be officially opened by the Mayor in October 2017.
- Digital Transformation Strategy – Quarter one activities focussed on the first wave of recruitment of the Digital Team. Work commenced on identifying and prioritising the early processes warranting digital attention and process improvement. A year one high-level project plan was commenced.

Performance against Annual Budget

The year-to-date financial result at 30 September 2017 of \$98.44m surplus was favourable to budget by \$5.83m. The year-end result is forecast to be a surplus of \$31.64m, \$4.91m favourable to budget. This mainly reflects \$2.14m additional monetary contributions primarily for public open space, \$1.36m savings in employee costs due to unfilled vacancies and delays in the commencement of new initiatives, a \$901k decrease in depreciation expense due to a change in depreciation methodology for road assets.

Actual capital year-to-date expenditure at 30 September 2017 was \$4.40m, which is slightly higher than the year-to-date forecast of \$4.12m. Actual capital year-to-date expenditure represents 9.5% of the total available capital funding. Total capital commitments stands at \$12.91m which equates to 28% of total available capital funding.

ATTACHMENT

- 1 Quarterly Performance Report - Q1 Jul-Sep 2017 

9.3.2 Delegated Decisions September 2017

SUMMARY

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

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Munroe

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

CARRIED UNANIMOUSLY

DELEGATION	FUNCTION	Number for September 2016	Number for September 2017
Planning and Environment Act 1987	Delegated Decisions	134	101
	Strategic Planning Decisions	1	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		24	18
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	79	57
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	1
Food Act 1984	Food Act Orders	7	1
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	2	3
Local Government Act 1989	Temporary Road Closures	11	3
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	4	1
	Property Sales and Leases	7	4
	Documents to which Council seal affixed	1	Nil
	Vendor Payments	1098	977
	Parking Amendments	5	8
	Parking Infringements written off (not able to be collected)	365	212

9.3.2

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS SEPTEMBER 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
WH/2015/75	22-09-17	Delegate Approval - S72 Amendment	37 Neville St, Box Hill South	Riversdale	Construction of two double storey dwellings and subdivision	Permit Amendment
WH/2015/100	13-09-17	Delegate Approval - S72 Amendment	15 Richmond St, Blackburn South	Riversdale	Construction of two double storey dwellings	Permit Amendment
WH/2017/246	13-09-17	Delegate Approval - S72 Amendment	16 Spring St, Box Hill	Elgar	Two (2) lot subdivision	Permit Amendment
WH/2013/266	04-09-17	Delegate Approval - S72 Amendment	10 Arna St, Blackburn	Central	Amendment to Planning Permit WH/2013/266 under Section 178 of the Planning and Environment Act, issued for the construction of a double storey dwelling to the rear of the existing dwelling, for the construction of a double storey dwelling on Lot 1	Permit Amendment
WH/2015/617	11-09-17	Delegate Approval - S72 Amendment	48 Junction Rd, Blackburn North	Central	Construction of a double storey dwelling to the rear of the existing and subdivision of land into 2 lots	Permit Amendment
WH/2017/113	14-09-17	Delegate NOD Issued	1 Iris St, Burwood	Riversdale	Construction of a double storey dwelling to the rear of an existing double storey dwelling.	Multiple Dwellings
WH/2017/179	28-09-17	Delegate NOD Issued	11 Norway Ave, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/188	12-09-17	Delegate NOD Issued	53 Tyne St, Box Hill North	Elgar	Construction of two (2) dwellings	Multiple Dwellings
WH/2017/199	14-09-17	Delegate NOD Issued	29 Willow Ave, Mitcham	Springfield	Construction of second single storey dwelling adjacent to existing dwelling	Multiple Dwellings
WH/2017/245	11-09-17	Delegate NOD Issued	8 Phyllis Crt, Vermont	Morack	Construction of two (2) double storey dwellings on a lot	Multiple Dwellings

9.3.2
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/275	28-09-17	Delegate NOD Issued	33 Twyford St, Box Hill North	Elgar	Construction of two double storey dwellings (Amendment to Proposal to vary Layout of both dwellings)	Permit Amendment
WH/2017/325	21-09-17	Delegate NOD Issued	1 Salisbury Ave, Blackburn	Central	Buildings and works, a reduction in the car parking requirements of Clause 52.06, waiver of the loading bay requirements of Clause 52.06 and allow for the the sale and consumption o fliquor associated with the as of right use of land for a restaurant (cafe).	Business
WH/2017/335	28-09-17	Delegate NOD Issued	4 Begonia St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
WH/2016/725	21-09-17	Delegate NOD Issued	257 Whitehorse Rd, Blackburn	Central	Construction of 15 dwellings with basement car park and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
WH/2016/924	22-09-17	Delegate NOD Issued	19 Loraine Ave, Box Hill North	Elgar	The construction of two (2) double storey dwellings	Multiple Dwellings
WH/2016/988	12-09-17	Delegate NOD Issued	34 Peter St, Box Hill North	Elgar	Buildings and works to construct two double storey dwellings	Multiple Dwellings
WH/2016/1041	07-09-17	Delegate NOD Issued	371 Elgar Rd, Mont Albert	Elgar	Construction of two double storey dwellings	Multiple Dwellings
WH/2016/1086	22-09-17	Delegate NOD Issued	8 Williamson Rd, Mont AlbertNorth	Elgar	Construction of two double storey dwellings	Multiple Dwellings
WH/2016/1099	28-09-17	Delegate NOD Issued	50 Boisdale St, Surrey Hills	Riversdale	Construction of two(2) double storey dwellings and subdivision of the land into two lots	Multiple Dwellings
WH/2016/1157	28-09-17	Delegate NOD Issued	6 Goold St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
WH/2017/37	19-09-17	Delegate Permit Issued	8 Farleigh Ave, Burwood	Riversdale	The construction of three(3) double storey dwellings	Multiple Dwellings

9.3.2 (cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/61	04-09-17	Delegate Permit Issued	31 Glen Rd, Mitcham	Springfield	Construction of two (2) dwellings on a lot.	Multiple Dwellings
WH/2017/92	25-09-17	Delegate Permit Issued	395 Middleborough Rd, Box Hill	Elgar	Building and works to construct a fence and vegetation removal	Heritage
WH/2016/93	28-09-17	Delegate Permit Issued	11 Spence St, Burwood	Riversdale	Buildings and works associated with four dwellings (one existing)	Multiple Dwellings
WH/2017/136	07-09-17	Delegate Permit Issued	25 Main St, Blackburn	Central	Removal of four (4) Trees	Special Landscape Area
WH/2016/138	11-09-17	Delegate Permit Issued	11 Hopetoun Pde, Box Hill	Elgar	Construction of a 5 storey residential development plus basement	Multiple Dwellings
WH/2017/158	08-09-17	Delegate Permit Issued	205 Springfield Rd, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/181	15-09-17	Delegate Permit Issued	18 Blue Hills Ave, Nunawading	Springfield	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/183	21-09-17	Delegate Permit Issued	4 Crow St, Burwood East	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/187	28-09-17	Delegate Permit Issued	3 Duncan St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/190	04-09-17	Delegate Permit Issued	2 Ovens St, Box Hill North	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/251	28-09-17	Delegate Permit Issued	4 Trawool St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/314	06-09-17	Delegate Permit Issued	437 Belmore Rd, Mont AlbertNorth	Elgar	Display of (internally illuminated) business identification signage	Advertising Sign
WH/2017/321	28-09-17	Delegate Permit Issued	24 Acacia St, Box Hill	Elgar	Buildings and works, including a first floor addition, associated with an existing dwelling	Neighbourhood Character Overlay
WH/2017/337	08-09-17	Delegate Permit Issued	8 Watson Ave, Mont AlbertNorth	Elgar	Tree removal in VPO2	Vegetation Protection Overlay
WH/2017/380	07-09-17	Delegate Permit Issued	4/9-11 New St, Surrey Hills	Riversdale	upper storey extension	Single Dwelling < 300m2

9.3.2
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/406	25-09-17	Delegate Permit Issued	12 Meerut St, Mitcham	Springfield	Removal of trees (3) and construction of an extension to existing dwelling in an Significant Landscape Overlay	Special Landscape Area
WH/2017/430	05-09-17	Delegate Permit Issued	9 McCubbin St, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
WH/2017/438	07-09-17	Delegate Permit Issued	61-63 Lexton Rd, Box Hill North	Elgar	32 lot subdivision	Subdivision
WH/2017/464	13-09-17	Delegate Permit Issued	19 Poplar St, Box Hill	Elgar	80 lot subdivision	Subdivision
WH/2017/475	08-09-17	Delegate Permit Issued	253B Burwood Hwy, Burwood	Riversdale	Construction of buildings and works (Installation of a mechanical exhaust vent) and reduction of car parking spaces required under Clause 52.06-5	Business
WH/2017/511	20-09-17	Delegate Permit Issued	6 Cypress Ave, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
WH/2017/520	14-09-17	Delegate Permit Issued	116-118 Terrara Rd, Vermont South	Morack	Nine (9) lot subdivision	Subdivision
WH/2017/554	22-09-17	Delegate Permit Issued	23 Farleigh Ave, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
WH/2017/557	22-09-17	Delegate Permit Issued	12 Salisbury Ave, Blackburn	Central	Three (3) lot subdivision	Subdivision
WH/2017/566	14-09-17	Delegate Permit Issued	2/6-16 Joseph St, Blackburn North	Central	Change of use application from office to medical centre (massage therapy clinic)	Industrial
WH/2017/581	28-09-17	Delegate Permit Issued	11 Nash Rd, Box Hill South	Riversdale	Two (2) lot subdivision	Subdivision
WH/2017/582	28-09-17	Delegate Permit Issued	7 Leach Ave, Box Hill North	Elgar	Four (4) lot subdivision	Subdivision
WH/2017/594	28-09-17	Delegate Permit Issued	28 Renown St, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
WH/2017/607	14-09-17	Delegate Permit Issued	8 Wridgway Ave, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
WH/2017/611	28-09-17	Delegate Permit Issued	89 Holland Rd, Blackburn South	Central	Two (2) lot subdivision	Subdivision

9.3.2
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/615	28-09-17	Delegate Permit Issued	1 Lulworth St, Blackburn North	Central	Two (2) lot subdivision	Subdivision
WH/2017/632	13-09-17	Delegate Permit Issued	13 Indra Rd, Blackburn South	Central	Installation of a roller shutter to the front facade of an existing commercial premises	Business
WH/2017/640	01-09-17	Delegate Permit Issued	14 Larch St, Blackburn	Central	Construction of a double storey dwelling (within Special Building Overlay)	VicSmart General Application -
WH/2017/642	21-09-17	Delegate Permit Issued	40 Central Rd, Blackburn	Central	Display a promotion sign	Advertising Sign
WH/2017/643	14-09-17	Delegate Permit Issued	77 Albion Rd, Box Hill	Elgar	Four (4) lot subdivision	Subdivision
WH/2016/644	11-09-17	Delegate Permit Issued	2 Shaun Ave, Blackburn South	Riversdale	The construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/647	01-09-17	Delegate Permit Issued	27 Dawe Rd, Mitcham	Springfield	Removal of one tree	VicSmart General Application -
WH/2017/652	01-09-17	Delegate Permit Issued	16A Winfield Rd, Mont Albert North	Elgar	Removal of one tree	VicSmart General Application -
WH/2017/653	08-09-17	Delegate Permit Issued	7 Naughton Grv, Blackburn	Central	Two (2) lot subdivision - Boundary realignment to agree the existing fence	VicSmart Subdivision -
WH/2017/661	15-09-17	Delegate Permit Issued	26 Clydesdale St, Box Hill	Elgar	Construction of a front fence	VicSmart General Application -
WH/2017/663	06-09-17	Delegate Permit Issued	13 Frances Ave, Vermont	Morack	Remove a tree	VicSmart General Application -
WH/2017/664	07-09-17	Delegate Permit Issued	17 East India Ave, Nunawading	Springfield	Two (2) lot subdivision	VicSmart Subdivision -
WH/2017/665	05-09-17	Delegate Permit Issued	107 Blackburn Rd, Blackburn	Central	Pruning of one tree in a Significant Landscape Overlay (SLO2)	VicSmart General Application -
WH/2017/668	06-09-17	Delegate Permit Issued	13 Frances Ave, Vermont	Morack	Remove a tree (tree 2)	VicSmart General Application -
WH/2017/669	11-09-17	Delegate Permit Issued	175 Central Rd, Nunawading	Springfield	Variation of easement	Subdivision
WH/2017/670	06-09-17	Delegate Permit Issued	13 Frances Ave, Vermont	Morack	Remove a tree (Tree 3)	VicSmart General Application -

9.3.2
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/676	09-09-17	Delegate Permit Issued	6 Queen St, Blackburn	Central	Construction of five storey apartment building comprising nineteen dwellings and basement car park	Multiple Dwellings
WH/2017/682	26-09-17	Delegate Permit Issued	140 Thames St, Box Hill North	Elgar	Eight (8) lot subdivision	Subdivision
WH/2017/689	25-09-17	Delegate Permit Issued	55 Dorking Rd, Box Hill	Elgar	Two (2) lot subdivision	Subdivision
WH/2017/695	21-09-17	Delegate Permit Issued	39 Wellard Rd, Box Hill South	Riversdale	Two (2) lot subdivision	VicSmart Subdivision -
WH/2017/719	19-09-17	Delegate Permit Issued	41 Gerald St, Blackburn	Springfield	Buildings and works for a new garage and paving	VicSmart General Application -
WH/2016/733	28-09-17	Delegate Permit Issued	66 Springfield Rd, Box Hill North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
WH/2017/737	25-09-17	Delegate Permit Issued	1 Tarrangower Ave, Mitcham	Springfield	Two lot subdivision	VicSmart Subdivision -
WH/2016/829	04-09-17	Delegate Permit Issued	63 Severn St, Box Hill North	Elgar	Construction of a three (3) storey building comprising twelve dwellings	Multiple Dwellings
WH/2016/833	06-09-17	Delegate Permit Issued	15 Taldra St, Box Hill North	Elgar	Construction of two (2) double storey dwellings.	Multiple Dwellings
WH/2016/875	11-09-17	Delegate Permit Issued	7 Eustace St, Blackburn	Central	Removal of tree and construction of buildings and works associated with the construction of a double carport and verandah	Special Landscape Area
WH/2016/966	14-09-17	Delegate Permit Issued	18 Eley Rd, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
WH/2016/1024	28-09-17	Delegate Permit Issued	425 Mitcham Rd, Mitcham	Springfield	The construction of three (3) double storey dwellings, alterations of access to a road in a Road Zone Category 1	Multiple Dwellings
WH/2016/1083	04-09-17	Delegate Permit Issued	7 Cumming St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
WH/2016/1161	25-09-17	Delegate Permit Issued	127 Springfield Rd, Blackburn North	Central	Construction of three (3) double storey dwellings	Multiple Dwellings
WH/2016/1170	04-09-17	Delegate Permit Issued	38 Kenmare St, Mont Albert	Elgar	Construction of two (2) dwellings on a lot	Multiple Dwellings

9.3.2
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/1205	28-09-17	Delegate Permit Issued	33 Lasiandra Ave, Forest Hill	Springfield	Construction of two dwellings comprising one double storey dwelling and one single storey dwelling to the rear	Multiple Dwellings
WH/2017/90	07-09-17	Delegate Refusal Issued	153 Middleborough Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings, and alteration of access to a road in a Road Zone Category 1	Multiple Dwellings
WH/2017/160	07-09-17	Delegate Refusal Issued	8 Davor Crt, Burwood East	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/180	08-09-17	Delegate Refusal Issued	2 Bermuda Drv, Blackburn South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/225	28-09-17	Delegate Refusal Issued	7 Chapman St, Blackburn North	Central	Construction of a double storey dwelling to the side of an existing dwelling, two lot subdivision and partial removal of easement	Multiple Dwellings
WH/2017/291	06-09-17	Delegate Refusal Issued	10 Eustace St, Blackburn	Central	Buildings and works associated with the construction of front fence, carport and shed and tree removal.	Special Landscape Area
WH/2017/674	19-09-17	Delegate Refusal Issued	75 Jolimont Rd, Forest Hill	Morack	Change of use from retail shop to industry (tofu manufacture)	Business
WH/2016/1160	06-09-17	Delegate Refusal Issued	1 Alder St, Burwood	Riversdale	Construction of a second storey extension associated with one dwelling on a lot	Single Dwelling < 300m2
WH/2016/1189	15-09-17	Delegate Refusal Issued	20-24 Masons Rd, Blackburn	Central	The construction of buildings and works (garage on west boundary)	Special Building Overlay
WH/2016/588	27-09-17	No Permit Required	20 Wolseley Cres, Blackburn	Central	Construction of an in-ground swimming pool, decking and paving	Permit Amendment
WH/2017/636	08-09-17	No Permit Required	27 Narmara St, Burwood East	Riversdale	Request for written approval from the Responsible Authority (Whitehorse City Council) to construct a fence over 1.2 metres in height	Heritage

9.3.2
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/650	08-09-17	No Permit Required	136 Surrey Rd, Blackburn	Central	Reduction of the car parking requirements for a shop	VicSmart General Application -
WH/2017/662	05-09-17	No Permit Required	562-584 Burwood Hwy, Vermont South	Morack	Buildings & works associated with the construction of a fence	VicSmart General Application -
WH/2017/121	12-09-17	Withdrawn	6 Olympiad Cres, Box Hill North	Elgar	Construction of Two Double Storey Dwellings	Multiple Dwellings
WH/2015/267	25-09-17	Withdrawn	62 Burwood Hwy, Burwood	Riversdale	Alterations and additions to convenience restaurant, signage, reconfiguration of the existing car park and reduction in car parking requirements	Permit Amendment
WH/2014/467	25-09-17	Withdrawn	692 Whitehorse Rd, Mont Albert	Elgar	Demolition of buildings and development of a part 2 storey and 3 storey building comprising dwellings with basement carpark and alteration to access to a road in a Road Zone Category 1	Permit Amendment
WH/2017/527	07-09-17	Withdrawn	Shop 1/942-946 Whitehorse Rd, Box Hill	Elgar	Display an internally illuminated business identification sign over 1.5m2 in a Commercial 1 Zone and construct and display a sign in a Heritage Overlay.	Advertising Sign
WH/2017/659	11-09-17	Withdrawn	9-21 Cook Rd, Mitcham	Springfield	Proposed mezzanine within an existing warehouse	Industrial
WH/2017/673	28-09-17	Withdrawn	3/61 Ranfurlye Crt, Forest Hill	Morack	A proposed deck & verandah at the rear of the dwelling, on a site less than 300m2	Single Dwelling < 300m2

9.3.2
(cont)

BUILDING DISPENSATIONS/APPLICATIONS SEPTEMBER 2017

Address	Date	Ward	Result
31 Canora Street, BLACKBURN STH	26-09-17	Central	Consent Granted R414
48 Bindy Street, FOREST HILL	28-09-17	Central	Consent Granted R409, R415
53 Canora Street, BLACKBURN STH	06-09-17	Central	Consent Granted R424
6 Kerrylyn Court, BLACKBURN	21-09-17	Central	Consent Granted R409
9 Nestor Grove, BLACKBURN NTH	04-09-17	Central	Consent Granted R424
31 Canora Street, BLACKBURN STH	26-09-17	Central	Consent Refused R415
124 South Parade, BLACKBURN	25-09-17	Central	Withdrawn R604
104 Woodhouse Grove, BOX HILL NTH	13-09-17	Elgar	Amendment Approved R424
75 Valda Avenue, MONT ALBERT NTH	14-09-17	Elgar	Amendment Approved R424, R427
15 St James Avenue, MONT ALBERT	21-09-17	Elgar	Completed R409
29 Valda Avenue, MONT ALBERT NTH	26-09-17	Elgar	Consent Granted R414, R409
3 Clydesdale Street, BOX HILL	11-09-17	Elgar	Consent Granted R415, R417
33 Allison Road, MONT ALBERT NTH	28-09-17	Elgar	Consent Granted R414
83 Relowe Crescent, MONT ALBERT NTH	15-09-17	Elgar	Consent Granted R409
959-963 Whitehorse Road, BOX HILL	05-09-17	Elgar	Consent Granted R604
1/15 Simpsons Road, BOX HILL	21-09-17	Elgar	Consent Refused R421
826-828 Whitehorse Road, BOX HILL	28-09-17	Elgar	Consent Refused R604
33 Morley Crescent, BOX HILL NTH	15-09-17	Elgar	Extension of Time Approved R409
19 Kerrimuir Street, BOX HILL NTH	11-09-17	Elgar	Withdrawn R414, R419
2/4 Karwitha Street, VERMONT	19-09-17	Morack	Amendment Refused
1-3 Ruby Street, BURWOOD EAST	06-09-17	Morack	Consent Granted R604
28 Ansett Crescent, FOREST HILL	26-09-17	Morack	Consent Granted R411
3 Carramar Court, VERMONT	21-09-17	Morack	Consent Granted R409
4 Opal Street, FOREST HILL	26-09-17	Morack	Consent Granted R409
5 Tracey Drive, VERMONT STH	15-09-17	Morack	Consent Granted R419
17 Rutherglen Road, VERMONT STH	05-09-17	Morack	Withdrawn R415
20 Monica Street, BURWOOD	14-09-17	Riversdale	Amendment Approved R424
112 Parer Street, BURWOOD	13-09-17	Riversdale	Consent Granted R424
12 Inga Street, BURWOOD EAST	26-09-17	Riversdale	Consent Granted R409
14 Elwood Street, SURREY HILLS	21-09-17	Riversdale	Consent Granted R417
17 Moore Street, BOX HILL STH	26-09-17	Riversdale	Consent Granted R426
2B Banksia Street, BURWOOD	06-09-17	Riversdale	Consent Granted R424, R425, R427
40 Greenwood Street, BURWOOD	14-09-17	Riversdale	Consent Granted R409
2 Sycamore Street, BOX HILL STH	28-09-17	Riversdale	Consent Refused R414
10 Cobham Road, MITCHAM	26-09-17	Springfield	Consent Granted R409
10 Cobham Road, MITCHAM	26-09-17	Springfield	Consent Granted R410
13 Milton Street, NUNAWADING	26-09-17	Springfield	Consent Granted R415
15 Abelia Street, NUNAWADING	28-09-17	Springfield	Consent Granted R414
2 Brae Grove, NUNAWADING	13-09-17	Springfield	Consent Granted R409
265 Springfield Road, NUNAWADING	14-09-17	Springfield	Consent Granted
37 Creek Road, MITCHAM	06-09-17	Springfield	Consent Granted R414
4 Fletcher Street, FOREST HILL	13-09-17	Springfield	Consent Granted R414
44 Alwyn Street, MITCHAM	06-09-17	Springfield	Consent Granted R424
44 Kett Street, NUNAWADING	26-09-17	Springfield	Consent Granted 414, R410, R415
7 Jocelyn Court, FOREST HILL	21-09-17	Springfield	Consent Granted R414
14/2 Chippewa Avenue, MITCHAM	06-09-17	Springfield	Consent Refused R411

9.3.2

(cont)

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – SEPTEMBER 2017

Under the Planning and Environment Act 1987

Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION SEPTEMBER 2017

Contract	Service
Contract 20044	Supply & Installation of Cardiovascular Gymnasium Equipment for Aqualink Box Hill

REGISTER OF PROPERTY DOCUMENTS EXECUTED SEPTEMBER 2017

Property Address	Document Type	Document Detail
Land Transfers		
36 Nicholson Street, Nunawading	Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989
Fire Services Property Levy (FSPL)		
1/25 Quarry Road, Mitcham		Land use changed from 'Residential' to 'Exempt'. Property now owned by Defence Housing Authority
25 Premier Avenue, Mitcham		Land use changed from 'Residential' to 'Exempt'. Property now owned by Defence Housing Authority
Rateability Changes (Section 154 of Local Government Act 1989)		
99 Whitehorse Road, Blackburn	Property Now Rateable	Property owned by VicRoads and leased for storage purposes.

9.3.2

(cont)

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – SEPTEMBER 2017

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION SEPTEMBER 2017

Address: **Silver Grove (OSCP), Nunawading:** from 5m west of Kelly Lane to 10m west of Kelly Lane – north side
Previously: 4 'Loading Zone' parking spaces
Now: 4 'Loading Zone, 7am to 9am, Monday to Friday & Permit Zone, 9am to 1pm, Monday to Friday' parking spaces

Address: **John Street, Box Hill:** from Harrow Street to Dead end – east side
Previously: 12 '1-Hour, 7.30am to 7.30pm, Monday to Friday' parking spaces
Now: 12 'No Stopping, 5.30am to 7.30pm, Wednesday & 1-Hour, 7.30am to 7.30pm, Monday to Friday' parking spaces

Address: **Eagle Court, Vermont South:** from Sherwood Rise to 55m west of Sherwood Rise – north side
Previously: 5 'No Stopping, 8am to 9am and 3pm to 4pm' parking spaces
Now: 5 'No Stopping, 8am to 9am and 3pm to 4pm, School Days' parking spaces

Address: **Riversdale Road, Box Hill South:** from western boundary of 1157 Riversdale Road to 11m east of western boundary of 1157 Riversdale Road – north side
Previously: 2 'Unrestricted' parking spaces
Now: 2 'No Stopping, 8am to 6pm, Monday to Friday' parking spaces

Address: **Howson Court, Mont Albert:** from 10m south of Kenmare Street to 34m south of Kenmare Street – west side
Previously: 4 'Unrestricted' parking spaces
Now: 4 'No Stopping, 6am to 9am, Wednesday' parking spaces

Address: **Laburnum Street, Blackburn:** from western boundary of 18 Laburnum Street to eastern boundary of 20 Laburnum Street – south side
Previously: 4 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
Now: 4 'Unrestricted' parking spaces

Address: **Mont Albert: Harold Street, Blackburn:** from western boundary of 24 Harold Street to eastern boundary of 24 Harold Street – south side
Previously: 2 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces
Now: 2 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces

Address: **Mont Albert: Piedmont Street, Box Hill South:** from 90m west of Elgar Road to 45m west of Elgar Road – south side
Previously: 9 'Unrestricted' parking spaces
Now: 9 '5-minute, 8am to 9.15am & 3pm to 4pm, School Days' parking spaces

9.3.2

(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING SEPTEMBER 2017

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
07/09/2017	\$6,177.73	7	EFC
07/09/2017	\$13,867.65	3	EFT
07/09/2017	\$465,899.65	52	EFT
07/09/2017	\$51,397.65	36	CHQ
13/09/2017	\$1,276.00	3	EFT
14/09/2017	\$4,796.78	12	EFC
14/09/2017	\$1,801,593.19	327	EFT
14/09/2017	\$90,285.57	24	CHQ
18/09/2017	\$384.98	1	CHQ
19/09/2017	\$1,650.00	1	EFT
21/09/2017	\$15,028.52	12	EFC
21/09/2017	\$302,718.99	49	EFT
21/09/2017	\$52,764.22	30	CHQ
28/09/2017	\$9,926.16	12	EFC
28/09/2017	\$27,950.30	38	CHQ
28/09/2017	\$4,882,571.55	370	EFT
GROSS	\$7,728,288.94	977	
Monthly Lease Payments	\$33,445.65		
Direct Debit Payments	\$116,111.73		
CANCELLED PAYMENTS	-\$8,406.21	-6	
NETT	\$7,869,440.11	971	

9.3.3 Councillor Appointments to Organisations and Community Bodies

FILE NUMBER: SF09/28

SUMMARY

Council may to appoint Councillor representatives to various committees, organisations and community bodies in November/December of each year. The current list is detailed in Appendix A to this report.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Cutts

That Council appoint nominated Council delegates and substitutes to organisations and community bodies as listed on Appendix A, with the following exceptions:

- a) Councillor Massoud withdrew her nomination for No. 16 Whitehorse Reconciliation Policy & Action Plan Advisory Committee and Councillor Stennett nominated as the Councillor representative for this Committee. As there was one vacant position Councillor Stennett be appointed to the Whitehorse Reconciliation Policy & Action Plan Advisory Committee; and***
- b) Councillor delegate appointments numbered 2 (for delegate and substitute representative positions), 3, 4, 10, 17 and 19 on Appendix A be appointed via an election process.***

CARRIED UNANIMOUSLY

The Chief Executive Officer Ms Noelene Duff was the Returning Officer for the conduct of an election held to appoint Councillor delegates to the committees, organisations and community bodies numbered 2, 3, 4, 10, 17 and 19 of Appendix A

ELECTION

No. 2 - Municipal Association of Victoria (One Councillor - Delegate)

There were four nominations:

Cr Munroe
Cr Massoud
Cr Carr
Cr Ellis

A vote was conducted and Councillor Munroe was elected.

No. 2 - Municipal Association of Victoria (One Councillor - Substitute)

There were three nominations:

Cr Ellis
Cr Carr
Cr Massoud

A vote was conducted and Councillor Ellis was elected.

No.3 - Whitehorse Business Group (Two Councillors)

There were three nominations:

Cr Cutts
Cr Liu
Cr Bennett

A vote was conducted and Councillor Liu and Councillor Cutts were elected

9.3.3

(cont)

No.4 - Whitehorse Manningham Regional Library Corporation (Two Councillors)

There were three nominations:

Cr Cutts

Cr Liu

Cr Massoud

A vote was conducted and Councillor Liu and Councillor Cutts were elected

No.10 - Advisory Committee for the Review of the Chief Executive Officer's Development (Two Councillors to be elected to join the Mayor Cr Davenport and Immediate Past Mayor Cr Massoud)

There were three nominations:

Cr Ellis

Cr Barker

Cr Cutts

A vote was conducted and Councillor Ellis and Councillor Barker were elected.

No.17 - Domestic Animal Management Plan Advisory Committee (Two Councillors)

There were three nominations:

Cr Carr

Cr Massoud

Cr Barker

A vote was conducted and Councillor Carr and Councillor Barker were elected.

No.19 - Eastern Region Group (One Councillor to be elected to join the Mayor Cr Davenport)

There were three nominations:

Cr Ellis

Cr Bennett

Cr Massoud

A vote was conducted and Councillor Bennett was elected.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts

That Council endorse the appointment of Council Delegates as per the results of the elections for the Delegate appointments numbered 2, 3, 4, 10, 17 and 19.

CARRIED UNANIMOUSLY

BACKGROUND

Councillor Representative appointments to various committees, organisations and community bodies are made by Council each year during November/December, as well as other times throughout the year as required, when new committees or groups are established.

DISCUSSION

It is suggested Council consider and resolve appointments to these groups as detailed in Appendix A.

9.3.3
(cont)

APPENDIX A

**COUNCILLOR REPRESENTATIVE APPOINTMENTS
TO THE FOLLOWING BODIES
For the Period 20 November 2017 to 19 November 2018**

NO.	BODY	COUNCILLOR NOMINATION 2017/2018
1	Local Government Waste Management Forum (To support the Metropolitan Waste Management Group) (One Councillor and one substitute Councillor)	Cr Bennett Substitute: Cr Massoud
2	Municipal Association of Victoria (One Councillor and one substitute Councillor)	Cr Munroe Substitute: Cr Ellis
3	Whitehorse Business Group (Two Councillors)	Cr Liu Cr Cutts
4	Whitehorse Manningham Regional Library Corp. (Two Councillors)	Cr Liu Cr Cutts
5	Victorian Local Governance Association (One Councillor and one substitute Councillor)	Cr Stennett Substitute: Cr Munroe
6	Eastern Region Affordable Housing Alliance (One Councillor)	Cr Ellis
7	Eastern Alliance for Greenhouse Action (EAGA) Executive Committee (One Councillor)	Cr Liu

TRANSPORT GROUP OF COMMITTEES

NO.	BODY	
8	Eastern Transport Coalition (One Councillor)	Cr Bennett
9	Metropolitan Transport Forum (One Councillor)	Cr Munroe

9.3.3
(cont)

WHITEHORSE CITY COUNCIL
COUNCILLOR REPRESENTATIVE APPOINTMENTS
TO THE FOLLOWING BODIES

For the Period 20 November 2017 – 19 November 2018

INTERNAL COMMITTEES

NO	BODY	COUNCILLOR NOMINATION 2017/2018
10	Advisory Committee for the review of the Chief Executive Officer's development (Mayor, Immediate Past Mayor and two Councillors)	(Mayor of the day): Cr Davenport (Past Mayor): Cr Massoud Cr Ellis Cr Barker
11	Audit Advisory Committee (Two Councillors)	Cr Massoud Cr Stennett
12	Heritage Steering Committee (Two Councillors)	Cr: Cutts Cr: Carr
13	Visual Arts Committee (Two Councillors)	Cr Carr Cr Barker
14	Whitehorse Disability Advisory Committee (One Councillor as Chair)	Cr Massoud
15	Municipal Early Years Plan Implementation Committee (Two Councillors)	Cr Stennett Cr Liu
16	Whitehorse Reconciliation Policy & Action Plan Advisory Committee (One Councillor as Chair)	Cr Stennett
17	Domestic Animal Management Plan Advisory Committee (Two Councillors)	Cr Carr Cr Barker
18	Major Projects Councillor Reference Group (All Councillors)	All Councillors
19	Eastern Region Group (The Mayor and One Councillor)	(Mayor of the Day) Cr Davenport Cr Bennett

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

10.1 Reports by Delegates

- 10.1.1 Cr Bennett reported on his attendance at the:
- Eastern Transport Coalition meeting held on the 16th and 26th of October 2017.
 - Local Government Waste Management Forum (To support the Metropolitan Waste Management Group) meeting held on the 9 November 2017.
 - Whitehorse Business Group Board meeting held on the 14 November 2017.
- 10.1.2 Cr Liu reported on her attendance at the Whitehorse Business Group Board meeting held on the 14 November 2017.
- 10.1.3 Cr Ellis reported on her attendance at the:
- Whitehorse Manningham Regional Library Corporation meeting held on the 16 October 2017.
 - Eastern Region Affordable Housing meeting held on the 16 November 2017.
- 10.1.4 Cr Munroe reported on his attendance at the Metropolitan Transport Forum held on the 1 November 2017.
- 10.1.5 Cr Massoud reported on her attendance at the:
- Municipal Association of Victoria (MAV) State Council meeting held on the 20 October 2017.
 - Audit Advisory Committee Meeting held on the 20 November 2017.
 - Major Projects Councillor Reference Group meeting held on the 143 November 2017.
- 10.1.6 Cr Cutts reported on her attendance at the:
- Heritage Steering Committee Meeting held on the 23rd October 2017.
 - Whitehorse Reconciliation Policy & Action Plan Advisory Committee Meeting held on the 14 November 2017 and a meeting with members of the Wurundjeri Tribe at their Office on the 2 November 2017
- 10.1.7 Cr Stennett report on his attendance at the Audit Advisory Committee meeting held on the 20 November 2017.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Liu

That the reports from delegates be received and noted.

CARRIED UNANIMOUSLY

**10.2 Recommendation from the Special Committee of Council
Meeting of 13 November 2017**

10.2.1 Retarding basin land Parcels - Use as enclosed dog off lead areas

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Munroe

That Council writes to Melbourne Water requesting a discussion about all retarding basin land parcels within Whitehorse that may be suitable for use as enclosed dog off lead areas and advise of any formal agreements, funding or other requirements for consideration in the 2018/2019 budget process.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Munroe

That the recommendation from the Special Committee of Council Meeting of 13 November 2017 Item 10.2.1 be received and adopted.

CARRIED UNANIMOUSLY

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
16-10-17 6.30-7.30pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 34-36 Prospect Street, Box Hill Fast Track Government Land Service – Council submission to public hearing on Box Hill Institute sites Introducing Co-Ordinator Communications 	Cr Massoud (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett –arrived at 6.45pm	N Duff J Green P Warner T Wilkinson (AGMCS) T Peak A De Fazio S Freud J Russell H Rowlands M Tate	Nil	Nil
23-10-17 2.30-4.30pm	Heritage Steering Committee <ul style="list-style-type: none"> Heritage Assistance Fund 2017-18 	Cr Carr Cr Cutts	A Egan G Pottinger I Coleman	Nil	Nil
13-11-17 5.00-6.00pm	Major Projects Councillor Reference Group <ul style="list-style-type: none"> Terms of Reference Quarterly Progress Reports Issues Paper General Business 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Ellis (arrived at 5.35pm) Cr Liu Cr Massoud	N Duff J Green P Warner T Wilkinson P Smith A De Fazio S Freud S Cann	Nil	Nil
13-11-17 6.30-10.40pm	Councillor Briefing Session <ul style="list-style-type: none"> Audit Committee Update Box Hill Infrastructure Contributions Plan Business Improvement Program Update Special Committee Agenda/other Business Financial Report /Quarterly Performance report Parking Meter Replacement Program Customer Service Report 2016-17 NDIS - Home & Community Care Draft Council Agenda 20 November 2017 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Ellis Cr Liu Cr Massoud Cr Munroe (arrived at 6.40pm) Cr Stennett	N Duff J Green P Warner T Wilkinson P Smith A De Fazio S Freud J Russell K Marriott A Egan J Hansen G Pottinger I Kostopolous S Price M Hassan S Cann A Ghastine S Morison M Wilson M Baldwin	Nil	Nil

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Massoud

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

CARRIED UNANIMOUSLY

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Cr Cutts reported on the E-Commerce Revolution is Your Business Workshop held on the 27 October 2017.
- 11.2 Cr Cutts reported on Municipal Association of Victoria (MAV) - Managing Communication Session held on 9 November 2017.
- 11.3 Cr Cutts reported on her attendance at the CMB & Associates Chairing meetings workshop 20 November 2017.
- 11.4 Cr Massoud reported her attendance at the ITCT Conference - Innovation, Collaboration & Leadership held on the 26 and 27 October 2017.
- 11.5 Cr Munroe reported on his attendance at the Melbourne Transport Forum on Buses held on the 31 October 2017.
- 11.6 Cr Liu reported on Municipal Association of Victoria (MAV)- Managing Communication Session held on 9 November 2017.
- 11.7 Cr Bennett reported on his attendance at the Municipal Association of Victoria (MAV) Annual Conference held on the 19 October 2017. Cr Stennett was awarded a 10 Year Councillor Award at the conference dinner.
- 11.8 Cr Bennett reported on his attendance E-Commerce Revolution is Your Business workshop held on the 27 October 2017.
- 11.9 Cr Bennett reported on his attendance at the Business Safety and Security Expo held on the 31 October 2017.
- 11.10 Cr Davenport reported on his attendance at the Second Australia Smart Cities and Infrastructure forum held on the 16 and 17 November 2017.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Carr

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

CARRIED UNANIMOUSLY

12 CONFIDENTIAL REPORTS

MOTION

Moved by Cr Barker, Seconded by Cr Liu

That Council in regard to confidential item 12.1 not move into camera and consider the matter in a public meeting.

LOST

A Division was called.

Division

For

Cr Barker

Against

Cr Bennett
Cr Carr
Cr Cutts
Cr Davenport
Cr Ellis
Cr Liu
Cr Massoud
Cr Munroe
Cr Stennett

On the results of the Division the motion was declared LOST

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Ellis

That in accordance with Section 89(2) (d) of the Local Government Act 1989 the Council should resolve to go into camera and close the meeting to the public as the matters to be dealt with relate to contractual matters.

CARRIED

The meeting was closed to the public at 9.05pm.

12.1 Contractual Matter

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Liu

That the meeting move out of camera and be reopened to the public.

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 9.30pm.

13 CLOSE MEETING

Meeting closed at 9.31pm

Confirmed this 11th day of December 2017

CHAIRPERSON