



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 25 November 2019

at 7:00pm

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

Mr Simon McMillan
Chief Executive Officer

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TABLE OF CONTENTS

1	PRAYER	2
2	WELCOME AND APOLOGIES.....	2
3	DISCLOSURE OF CONFLICT OF INTERESTS.....	2
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	2
5	RESPONSES TO QUESTIONS	2
6	NOTICES OF MOTION	3
6.1	NOTICE OF MOTION NO 126: CR DAVENPORT.....	3
7	PETITIONS.....	3
8	URGENT BUSINESS.....	3
9	COUNCIL REPORTS.....	4
9.1	CITY DEVELOPMENT.....	4
	STRATEGIC PLANNING	
9.1.1	STUDENT ACCOMMODATION POLICY REVIEW - RESULTS OF EXHIBITION OF AMENDMENT C213.....	4
	ENGINEERING AND ENVIRONMENTAL	
9.1.2	ROTARY OVERSEAS RECYCLED PLAYGROUND PROGRAM FEASIBILITY REPORT.....	8
	BUSINESS AND ECONOMIC DEVELOPMENT	
9.1.3	BURWOOD HEIGHTS SHOPPING CENTRE: DECLARATION OF SPECIAL CHARGE FOR MARKETING AND PROMOTION PURPOSES.....	12
9.2	INFRASTRUCTURE	19
9.2.1	COUNCIL APPROVAL TO AMEND MAXIMUM EXPENDITURE THRESHOLD FOR CONTRACT 30024 CONCRETE PAVING AND KERBING SERVICES	19
9.3	HUMAN SERVICES.....	20
9.3.1	BUILDING INCLUSIVE COMMUNITIES.....	20
9.4	CORPORATE	27
9.4.1	WHITEHORSE COUNCIL ELECTION (CARETAKER) PERIOD POLICY 2020.....	27
9.4.2	COUNCILLOR APPOINTMENTS TO ORGANISATIONS AND COMMUNITY BODIES.....	29
9.4.3	PROPOSAL TO NAME UNNAMED RIGHT OF WAY ABUTTING 3 CLARKE STREET AND THE REAR OF 7-19 GORDON CRESCENT, BLACKBURN	31
9.4.4	DELEGATED DECISIONS SEPTEMBER 2019	34
10	REPORTS FROM DELEGATES, SPECIAL COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORDS.....	60
10.1	REPORTS BY DELEGATES	60
10.2	RECOMMENDATION FROM THE SPECIAL COMMITTEE OF COUNCIL MEETING OF 11 NOVEMBER 2019	60
10.3	RECORD OF ASSEMBLY OF COUNCILLORS	61
11	REPORTS ON CONFERENCES/SEMINARS ATTENDANCE	62
12	CONFIDENTIAL REPORTS.....	62
12.1.	LEGAL ADVICE	
12.2.	LAND MATTER	
13	CLOSE MEETING	62

AGENDA

1 PRAYER

1a Prayer for Council

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

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

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

Amen.

1b Aboriginal Reconciliation Statement

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

2 WELCOME AND APOLOGIES

3 DISCLOSURE OF CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 21 October 2019, Confidential Ordinary Council Meeting 21 October 2019 and Special Council (Statutory) Meeting: Election of the Mayor 28 October 2019.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 21 October 2019, Confidential Ordinary Council Meeting 21 October 2019 and Special Council (Statutory) Meeting: Election of the Mayor 28 October 2019 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 126: Cr Davenport

That Council:

- 1. Notes that the State Government has introduced the Local Government Act 2019 ("the Act") into State Parliament.***
- 2. Notes that the Act contains provisions for single member wards, and Council is impacted by the changes.***
- 3. In the event that the Minister makes a unilateral decision to make an order to impose a single ward structure on Whitehorse {Clause 15 'Electoral Structure of a Council'} with or without establishing an electoral representation advisory panel {Clause 16 'Electoral structure review'} that Council now endorse:***
 - a) The 11 Single Member Ward option developed as part of its preliminary submission and submitted to the VEC in July 2019.***
 - b) Advocate to State Members of Parliament and the Minister, that this option is Council's preference in the event that single ward legislation passes.***

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Strategic Planning

9.1.1 Student Accommodation Policy Review - Results of Exhibition of Amendment C213

FILE NUMBER: SF19/63
ATTACHMENT

SUMMARY

This report provides Council with the results of exhibition of Planning Scheme Amendment C213whse (C213) to revise the Student Accommodation Policy at Clause 22.14 of the Whitehorse Planning Scheme.

The Amendment was exhibited from 29 August until 30 September 2019. No submissions were received during the exhibition period.

The report outlines the engagement methods used during exhibition of the Amendment and recommends that Council adopt the Amendment with minor grammatical changes made post exhibition and request the Minister for Planning approve Planning Scheme Amendment C213.

RECOMMENDATION

That Council:

- 1. Adopt Amendment C213 to the Whitehorse Planning Scheme, with minor changes post exhibition as shown in Attachment 1, in accordance with Section 29(1) of the Planning and Environment Act 1987.***
- 2. Submit the adopted amendment to the Minister for Planning for approval in accordance with Section 31(1) of the Planning and Environment Act 1987.***

BACKGROUND

The first Whitehorse Student Accommodation Strategy was developed in 2006 and resulted in a local policy at Clause 22.14 of the Whitehorse Planning Scheme. After using the existing policy for nearly 10 years and in light of the growth in the municipality's student population, it was considered necessary to undertake a wider investigation of issues perceived to be associated with accommodation of students in Whitehorse and do a review of the current local policy in the planning scheme.

A subsequent Student Accommodation Review ('the Review') was undertaken in 2018 and a background document was produced ('City of Whitehorse Student Accommodation Strategy – Background Paper') ('the Background Paper') that explored a range of issues including:

- Current and future student housing needs
- Accommodation types
- Site design and amenity
 - Traffic and car parking
 - Access
 - Private and communal open space
- The regulatory framework
- Student welfare and
- General amenity including site management issues such as waste and recycling.

9.1.1

(cont)

The 'City of Whitehorse Student Accommodation Strategy' (the Strategy) was also produced as part of the Review that identified strategies and recommendations for managing these issues. Both the Background Paper and the Strategy informed a revised local policy for Clause 22.14 of the Whitehorse Planning Scheme.

On 20 August 2018 a report was presented to Council with the findings of the Review. The report recommended that the *Whitehorse Student Accommodation Strategy, July 2018* be adopted and that Council seek Authorisation from the Minister for Planning to exhibit an amendment to the Whitehorse Planning Scheme to introduce a revised Student Accommodation Policy at Clause 22.14.

Council generally resolved to support the recommendations of the report but moved the following change:

Update the revised local planning policy for Student Accommodation with the following car parking rates:

- a) *For purpose built student accommodation within a Metropolitan Activity Centre, provide car parking at a rate of at least 0.3 spaces per bed.*
- b) *For purpose built student accommodation within Major Activity Centres, within 500 metres of a tertiary education institution or on a site abutting the Principal Public Transport Network, provide car parking at a rate of at least 0.45 spaces per bed.*

Accordingly, the Amendment documents were updated before forwarding to the Department of Environment, Land, Water and Planning (DELWP) for Authorisation. DELWP consented to exhibit the amendment subject to conditions, including

Do not amend the existing parking rates contained within Clause 22.14. Sufficient strategic justification has not been provided for the proposed changes.

A further report was considered by Council at its meeting on 24 June 2019 recommending that Council revert to the parking rates currently contained within the existing Policy at Clause 22.14. Council resolved to support the recommendation, consequently allowing exhibition of the amendment to proceed.

DISCUSSION

Planning Scheme Amendment C213 was exhibited from Thursday 29 August to Monday 30 September 2019. No submissions were received during the exhibition period. The amendment updates Clause 22.14 (Student Accommodation) and makes minor changes to three other clauses within the Municipal Strategic Statement to implement the Review. Post exhibition some minor grammatical changes have been made to improve the meaning and legibility of Clause 22.14. These changes are highlighted in the amendment documentation shown in **Attachment 1**.

During the exhibition period strategic planning officers met with representatives of Student Housing Australia (SHA). SHA is a privately owned and operated Australian Real Estate business, providing management of purpose built, student only rental accommodation that were involved throughout the Review.

The concerns raised by SHA primarily related to the overlap between permit conditions, site management plans, enforcement and practicality; rather than relating to the proposed changes to the policy at Clause 22.14 of the planning scheme. The issues raised by SHA included:

- A (perceived) disconnect between planning and compliance
- Instances where SHA operate some accommodation in a building but the rest is operated by a number of different individuals or agents.

9.1.1

(cont)

- Issues with strata subdivided student accommodation and compliance with management plans etc. where there are multiple owners and not necessarily one operating entity.
- Communication should be with the operator of student accommodation and this can be problematic where there are multiple operators of one facility.
- Under the current legislation (the Residential Tenancies Act 1997) a site 'caretaker' has limited powers to manage tenants, as under the Act only the building owner or agent has this authority.
- Planning permits for student accommodation should include conditions in relation to single entity operator and 'caretaker' arrangements.

The representatives from SHA concurred with officers that their concerns were based on operational issues associated with planning permit conditions and their enforcement rather than the proposed changes to the Local Planning Policy in Amendment C213. It was agreed that these issues may be more effectively addressed through a further meeting with Planning and Building enforcement and statutory planning officers rather than lodging a submission in respect to Amendment C213.

CONSULTATION

No submissions were received in response to the exhibition of Amendment C213. However minor grammatical improvements have been made to Clause 22.14 post exhibition. These are highlighted in Attachment 1.

Table 1: Notification of the Amendment

Date	Notification
23 August 2019 (mail)	Posted notices to external stakeholders involved in the Review process, including: <ul style="list-style-type: none">• Deakin University• Box Hill Institute• Monash University – Clayton Campus• Student Housing Australia• Eastern Community Legal Centre• Department of Health & Human Services (Housing and Homelessness)• Yarra Trams• Ventura Bus Lines
23 August 2019 (mail)	Posted notices to prescribed Ministers
23 August 2019 (mail)	Posted notices to neighbouring Councils: <ul style="list-style-type: none">• Maroondah City Council• Monash City Council• Knox City Council• Manningham City Council• Boroondara City Council• Minister for Education
26 August 2019	Notice appears in Whitehorse Leader
29 August 2019	Notice appears in Victoria Government Gazette
Duration of Exhibition period	Documents available on Whitehorse City Council website and at the Whitehorse Civic Centre, Box Hill Town Hall and Forest Hill Chase service centres and libraries in Whitehorse

No submissions were received in response to the exhibition of Amendment C213.

9.1.1

(cont)

FINANCIAL IMPLICATIONS

Type of Fee	Budget	Expenditure
Consideration by the Minister of a request to approve the amendment in accordance with Section 35 of the Act.	\$481.30	
Publishing Gazettal of the Amendment in the Victorian Government Gazette and Leader Newspapers	\$1,000	
Sub Total Expenditure	\$1481.30	
Total Expenditure	\$1481.30	

There were no submissions requiring consideration by Planning Panels Victoria, therefore saving Council of approximately \$12,000 in panel fees and potential expert witness costs as well as officer resources.

POLICY IMPLICATIONS

The Whitehorse Student Accommodation Review and subsequent proposed amendment are consistent with Strategic Direction 1 in the Council Plan 2017 – 2021 which seeks to support a healthy, vibrant, inclusive and diverse community. In particular Strategy 1.1.1 encourages partnership to plan and deliver high quality responsive services and to advocate for our diverse community based on current and future needs.

Planning Scheme Amendment C213 updates the existing local planning policy and addresses many of the issues raised through the Review. Drafting of the Amendment takes into consideration the Local Planning Policy Framework (LPPF) translation which will be undertaken as part of the Smart Planning program into the future. The LPPF translation will have the effect of changing the way the local policy is ultimately presented in the planning scheme, by integrating the content into the new Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) introduced by State-wide Amendment VC148. Changes to the local policy content need to be consistent with the rules in Section 4 and writing instructions in Section 6 of *'A Practitioner's Guide to Victorian Planning Schemes'*

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ATTACHMENT

- 1 Amendment C213 with Minor Post Exhibition Changes

Engineering and Environmental

9.1.2 Rotary Overseas Recycled Playground Program Feasibility Report

SUMMARY

The purpose of this report is for Council to consider the feasibility, benefits and cost of supporting and participating in the Rotary Overseas Recycled Playground Program. This Program focuses on donating play infrastructure that has reached the end of its useful life in Australia, for reuse in overseas countries.

RECOMMENDATION

That Council:

- 1. Support and participate in the Rotary Overseas Recycling Playground Program; and***
- 2. Liaise with Rotary and the successful play space contractors to finalise the required Agreements and Contract Variations, and implement where practicable, the Rotary Overseas Recycled Playground Program (RORP) as part of the current and ongoing play space renewal programs.***

BACKGROUND

Council has been approached by the Rotary Club (Flemington / Kensington District) to join its Overseas Recycled Playground (RORP) Program. The RORP Program identifies suitable public play space infrastructure by the local Rotary Club, for reuse, refurbishment and reinstallation in less privileged countries overseas.

At the Council meeting held on 21 October 2019, a Council resolution requested that an officer report on the feasibility, benefits and cost of Council supporting and participating in the initiative of the Rotary Overseas Recycled Playgrounds program be presented to Council.

DISCUSSION

The RORP Program has been running for several years and focuses on relocating play space infrastructure and components that are reaching the end of their useful life in Australia, but could continue to be used overseas. The Program initially focussed on relocating Australian play space infrastructure to Sri Lanka, which has spread to Timor-Leste and other countries around the world.

Council's play spaces generally reach the end of their useful life at around 15 years of age.

During the life of a public play space in Australia, play space standards will typically have changed; the condition and presentation of the play space will have deteriorated; and the play equipment would generally become unsustainable to maintain for public access in Australia.

When a play space has reached the end of its useful life, it will be removed and suitably disposed of, however there are very limited recycling opportunities here in Australia.

Council specifies that recycling of the materials being removed form part of the play space renewal process.

9.1.2

(cont)

The Contractor appointed to remove and renew a play space is required to source, recycle and dispose of materials in accordance with the Contract of Works. Typically wires, cables, pipes, fittings, posts, footings, concrete, bricks and metallic materials are to be removed and recycled.

It is the contractor's responsibility to ensure that this is undertaken as part of the contract of works. Although this is not always tracked by Council officers, the proven performance, reliability and works methodology proposed by the contractor is taken into consideration as part of the tender evaluation used to appoint the successful contractor.

Where material is unable to be recycled, the contractor needs to arrange for disposal of the materials off site. This may mean it is directed to landfill. The disposal and recycling of all materials must be compliant with relevant codes, standards, guidelines and relevant permits.

In the instance of utilising the play space infrastructure as part of the RORP Program, the equipment selected by RORP could be refurbished and reinstalled overseas, where play equipment standards are not as regimented or stringent as Australian Standards.

The RORP Program would essentially continue the asset life of otherwise redundant steel and plastic play infrastructure for reuse by communities who otherwise would not have access to this type of infrastructure. This equipment would otherwise be rendered "Unusable" in Australia as it would not have met our standards for public use.

The following considerations should be made as part of Council's consideration for participating in the RORP Program:

- A cost analysis to understand the "on costs" and "in-kind costs" to participate in the Program.
- The resources needed to implement the Program.
- The costs associated with drafting the required Agreements, Contracts and Specifications to ensure Council's involvement is protected and there is no legal liability by participating in the Program. A formal Agreement with Rotary would be necessary.
- The costs associated with the management (of the Contractor and the Club) to ensure the play infrastructure is suitably prepared, removed (undamaged), stockpiled and ready for reuse by Council's appointed contractor.
- The additional time added to the project to allow either the contractor or the Rotary volunteers to remove the equipment in a delicate way, by not damaging the equipment during removal, and to transport it away.
- The legal liability and responsibility for the construction site is vested with the contractor. The involvement on a construction site from outside parties needs to be carefully considered and supervised. Rotary volunteers may not necessarily have the required expertise, safety experience or equipment to remove the play equipment if given access to the site.

The Program is run by the Rotary Club in the Flemington / Kensington District, and creates partnerships with other Rotary Clubs local to where the play space infrastructure is being sourced. In the instance of Council participating in the RORP Program, it would be likely Rotary Nunawading who would be our designated "partnering" Club.

There is no doubt that in principle, the program has good objectives and the reuse of play equipment in less privileged countries would deliver good social benefits.

Should Council decide to participate in the RORP Program, it is recommended that further liaison with Rotary be undertaken to clarify issues such as site procedures, responsibilities and liabilities before any works commence. It is Council's understanding that other Councils have set up suitable arrangements with Rotary, which will be used as guidelines for a written Whitehorse Council agreement with Rotary.

9.1.2

(cont)

The majority of the current play space renewal program for 2019/20 has already been tendered and contractors appointed without any reference to this program. If Council approves participation in this program in the current financial year, then a contract variation would be needed and details of how the program would be implemented would need to be satisfactorily resolved.

Subject to Council approval of the RORP Program, Council staff will finalise a written agreement with Rotary as soon as practicable to enable discussions to commence with the successful contractors about recycling some of the play space equipment in their projects. We would need to make the Program requirements clear before the contractor commences any works.

Subsequent contract specifications and tenders for play space renewal would be updated to reference Council's participation in the RORP Program and the need for certain play items to be recycled.

CONSULTATION

Consultation has taken place with other Councils who have participated in the RORP Program, including the City of Wyndham and Banyule City Council. These Councils have confirmed their involvement with the program has been positive. Discussion with Contractors who have participated in the Program have expressed similar sentiments.

Consultation has been undertaken with Council Departments including Council's ParksWide and Engineering and Environmental Services Sustainability Team, both whom would support being part of the RORP Program.

FINANCIAL IMPLICATIONS

Council has an ongoing play space renewal program that is implemented throughout the course of the financial year. The budget for the 2019/20 play space upgrade/renewal program is \$1,950,000.

The renewal program prioritises play spaces that have reached, or are close to reaching the end of their useful life. The end of a play spaces useful life is typically dependent on: the condition of the equipment; the priority required for maintenance of the equipment; compliances and non-compliances associated with the equipment; the structural integrity of the equipment; the age of the equipment; and whether there are replacement components available for the equipment.

Generally, timber will have a shorter life than metal and plastic components and be more prone to rotting and decay. In this instance, maintenance of the equipment needs to be assessed against the cost of replacing the equipment as a whole. Rotary have indicated that they would not be interested in salvaging timber play equipment.

It is expected that if Council participated in the RORP Program, there would be an increase in costs to Council in delivering our play space renewal program.

9.1.2

(cont)

The additional costs provided below are very indicative and are only approximate. Actual costs are not able to be predicted until the numbers and type of equipment sought by Rotary are identified, and the work required to extract and recycle the selected items is determined in conjunction with the contractor. Possible additional costs may be:

- \$1,000 for a smaller play space, to \$2,000 for a medium sized play space, to \$4,000 for a larger play space. This cost would be classified as an “on cost” which is a cost borne by the Contractor, and passed onto Council. It relates to the additional care and time required to remove the play equipment without damaging it, and to have it stockpiled and ready for the local Rotary Club to collect for transportation. The Rotary Club do not necessarily have the required expertise, safety experience or equipment to remove this equipment, and the contractor has legal responsibility of the construction site.
- Up to \$1,000 per site for Project Management Services. This would be classified as an “in kind” cost in Project Management services, borne by Council. This relates to the additional administration time to manage the parties and works, in accordance with Council’s Contract Management processes.
- Up to \$5,000 for suitably drafted updated Contract Agreements and Technical Specifications to reflect changes arising from Council participating in the RORP, and minimise the risk of large contract variations or liability. This is an “upfront” cost, which may need repeating when different types of play space equipment is considered or Council renews its commitment in participating in the Program. This documentation is essential to ensure that Council’s interests are protected.

Based on the 2019-20 capital works program, the “on costs” would equate to approximately \$24,000 annually and \$5,000 upfront, totalling \$29,000. Council would also need to absorb potentially up to \$13,000 for additional Project Management Services.

It is our understanding that the Rotary Club will contribute towards the cost of the transport of the play equipment overseas, which alleviates Council contributing to this cost. This is approximated at \$500 + GST (per site). This may not cover the total cost to transport all the play equipment in a shipping container that is sent overseas, but it represents a contribution to the total cost from Rotary in line with the RORP Program objectives.

Overall, the added costs are not a significant financial impost on Council. Some of the contractors successfully appointed to deliver the next tranche of Council’s play space upgrades already have experience in dealing with the RORP Program in other Councils. The potential contract variations and additional administrative requirements may therefore not result in all of the above additional costs being realised.

POLICY IMPLICATIONS

The RORP Program is consistent with the objectives in Council’s Sustainability Strategy and Waste Management Strategy for the reuse of materials where practicable and reducing waste to landfill.

Business and Economic Development

9.1.3 Burwood Heights Shopping Centre: Declaration of Special Charge for Marketing and Promotion Purposes

SUMMARY

On 31 January 2019, Council received a request from Burwood Heights Business Association, to renew the current Special Charge Scheme (the Scheme) for the Burwood Heights Shopping Centre for a further five years. Following consultation, a threshold of 75% 'in principle' support was reached, indicating a sufficient level of support to renew the existing Scheme. At its Ordinary Council Meeting of 26 August 2019 Council resolved of its intention to declare a Special Charge Scheme.

The statutory process for renewal has now been completed. In accordance with sections 163 and 223 of the Local Government Act 1989, Council received two objections which were considered by a Committee of Council (the Committee). The Committee was of the opinion that the properties will receive a special benefit from the proposed special charge and as such will remain properties liable to pay the special charge. As Council did not receive a majority of valid objections from those who are liable to pay, Council may now declare the special charge.

RECOMMENDATION

That Council:

- 1. Having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (Act), and otherwise making no further alteration to the proposed declaration of special charge specified in the public notice given by Council, Council hereby declares the following Special Charge Scheme under section 163(1) of the Act:**
 - a) A special charge for the purposes of defraying expenses to be incurred by Council in providing funds, (administratively only and subject to the approval and direction of Council) to the body operating and known as the Burwood Heights Business Association (the Association) to be used for the purposes of promotion, marketing, business development and the appointment of a part-time Shopping Centre Coordinator as agreed to between Council and the Association, all of which are associated with the encouragement of retail and commercial activity and economic development in the Burwood Heights Shopping Centre.**
- 2. Notes that the special charge will be based on geographic criteria, having regard to the location of those rateable properties in the area of the Special Charge Scheme that are presently (or are reasonably capable of) being used for, commercial, retail or professional purposes, the addresses of such rateable properties being more particularly described and listed in column 1 of the table forming Annexure A to the declaration of special charge, which rateable properties are otherwise shown as being situated within the highlighted area enclosed by continuous thick black lines on the plan forming Annexure B to the declaration of special charge.**
- 3. In performing functions and exercising powers in relation to activities associated with the encouragement of retail and commercial activity and economic development in the area for which the special charge is to be declared, Council intends to declare and levy:**
 - a) An amount of \$45,000 per annum, raising in total an amount of \$225,000 over the five year period of the Special Charge Scheme.**

9.1.3

(cont)

Such amounts being the total cost of the performance of the function and the exercise of the power by Council (in relation to the encouragement of retail and commercial activity and economic development of the Burwood Heights Shopping Centre (the Centre) and the properties in the Centre), to be adjusted annually in accordance with movements in the Consumer Price Index (CPI).

Notes that the special charge is declared (and will remain in force) for the period commencing 1 September 2019 and ending 31 August 2024, being for a period of five years.

5. ***Notes that the area for which the special charge is to be declared is the area containing all of the rateable land known as the Burwood Heights Shopping Centre, as that area is otherwise shown as being situated within the highlighted areas enclosed by continuous thick black lines on the plan forming Annexure B to the declaration of special charge.***
6. ***Notes that the land in relation to which the special charge is to be declared is all that rateable land as described and listed as property addresses in column 1 of the table forming Annexure A to the declaration of special charge.***
7. ***Notes that the special charge will be assessed and levied as follows:***
 - a) ***For the first year of the special charge, the special charge will comprise the respective amounts that are set out in column 2 of the table forming Annexure A to the declaration of special charge (pro rata 1/09/2019 – 30/06/2020);***
 - b) ***For each subsequent year, the special charge will comprise the amounts that were payable in the previous year, adjusted in accordance with movements in the CPI (but shall not be less than the amounts payable in the immediate preceding year).***
8. ***Considers that there will be a special benefit to the persons required to pay the special charge (being the owners and/or the occupiers of the properties listed in column 1 of the table shown forming Annexure A to the declaration of special charge) in that there will be a special benefit over and above that available to persons who are not subject to the special charge, and directly and indirectly, the viability of the Centre as a commercial, retail and professional area will be enhanced through increased economic activity because of the following:***
 - a) ***In relation to the special charge, there will be:***
 - i. ***Improved marketing and promotion for the Burwood Heights Shopping Centre (the Centre) as a whole, increasing the public awareness, profile, image and perception of the Centre and attracting increased patronage to the Centre;***
 - ii. ***Better access for all business to, advice, information and assistance on latest trends in marketing, retailing, small business and promotion;***
 - iii. ***Benefit to all businesses from having an experienced person coordinating their activities for their mutual advantage and acting as a single liaison point, lobbyist and spokesperson to represent local business within the Centre and deal with various arms of Government (Federal, State and Local); and***
 - iv. ***Maintained or enhanced value and use, occupation and enjoyment of the properties and the individual businesses in the Scheme area through increased economic activity.***

9.1.3

(cont)

- 9. Considers only those properties included in the Special Charge Scheme (the Scheme) area, as proposed, will derive a relevant special benefit from the special charge and that there are no wider special benefits or community benefits to be taken into account in relation to the proposed Scheme. Council formally determines for the purposes of sections 163(2)(a), 163(2A) and 163(2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the special charge is, a benefit ratio of one to one (or 100%).**
- 10. Having regard to the preceding parts of this declaration, the special charge will be levied by sending notices to the owners or (if authorised by the owners) the occupiers of the properties included in the Special Charge Scheme, which will require that the initial special charge, as set out in column 2 of the table forming Annexure A to this declaration of special charge payable under this Special Charge Scheme, must be paid in full by the date specified in the notices, which will be a date not less than thirty days after the issue of the notices, or if an owner or an occupier so elects to pay the special charge by four equal instalments (or near equal in respect to the final instalment) by the dates fixed by the Minister by notice published in the Government Gazette being the dates on which payment by four instalments of rates and charges are fixed pursuant to section 167(2) of the Act, and further declares that interest shall be charged on all late payments of the special charge as set from time to time by Council pursuant to section 172 of the Act.**
- 11. Informs the Burwood Heights Business Association of the matters specified in this resolution.**
- 12. Authorises the Burwood Heights Business Association to administer the proceeds of the special charge on the express condition that it maintains and renews its funding agreement with Council for the period of the Special Charge Scheme.**
- 13. Authorises the General Manager, City Development (or a nominee) to prepare the funding agreement between Council and the Burwood Heights Business Association (the Association) by which the administrative arrangements in relation to the Special Charge Scheme are confirmed, such agreement being a precondition to the payment by Council to the Association of any of the funds to be obtained from the special charge.**
- 14. Notify all owners and occupiers of the properties included in the Special Charge Scheme in writing of the decision of Council to declare and levy the special charge, and the reasons for the decision.**
- 15. For the purposes of paragraph 14 of this resolution, specify the reasons for the decision of the Council to declare the special charge being that:**
 - a) There is minimal opposition and/or objection to the Special Charge Scheme (the Scheme) and it is otherwise believed that there is a broad level of support for the proposed special charge from all property owners and occupiers;**
 - b) Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989 (the Act) , having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;**

9.1.3

(cont)

- c) *All persons who are liable or required to pay the special charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the occupation, use or enjoyment of the properties;*
 - d) *The basis of distribution of the special charge amongst those persons who are liable or required to pay the special charge is considered to be fair and reasonable, and further, that in the opinion of Council, the most appropriate manner of levying the special charge is by way of differential special charge.*
16. *Ensure that the Burwood Heights Business Association prepare a summary of the annual budget, showing marketing and promotional activities for submission to Council each financial year.*
-

BACKGROUND

A Special Charge Scheme (Scheme) for Burwood Heights Shopping Centre (the Centre) has been in operation for the past 5 years and concluded on 31 August, 2019. In January 2019 the Burwood Heights Business Association (the Association) sought to renew the existing Scheme for a further period of 5 years.

It is proposed that the Scheme would raise approximately \$45,000 per annum, raising, in total, an amount of \$225,000 over the five year period of the Scheme.

At its Ordinary Council Meeting of 26 August 2019, Council resolved to give notice of its intention to declare a renewal of the Scheme, for the purpose of defraying expenses incurred by Council in providing funds to the Association for the purposes of promotion, marketing, business development and the appointment of a part-time Shopping Centre Coordinator (as agreed to between Council and the Association).

DISCUSSION

In support of the Scheme and fair application of same it is considered that:

- a) Funds raised are investment funds for the local business community, as requested by the Association on behalf of the Centre, and should not be considered a levy imposed by Council; and
- b) Special Charge Schemes help to provide local shopping centres with the most viable method of achieving outcomes through long term business planning.

Specifically, the benefits of the special charge are:

- a) To provide a coordinated management approach for advertising and promotion, networking, communications, business development initiatives and lobbying/advocacy on behalf of the Centre;
- b) To help create a more professional and vibrant business environment; and
- c) To achieve coordination of marketing activities, which would be unlikely to occur with businesses acting in isolation.

9.1.3

(cont)

CONSULTATION

Prior to commencing the statutory process, Council undertook a comprehensive consultation process with all relevant stakeholders. This has been previously reported to Council.

Public notice was given under sections 163 and 223 of the Local Government Act 1989 (Act), in the Whitehorse Leader newspaper on 2 September 2019 inviting written submissions and/or objections. Further to this, affected business and property owners were advised in writing of Council's intention to declare, which included a copy of the public notice and additional information in relation to the scheme and statutory process.

At the closing date for written submissions and/or objections (Monday 30 September 2019) Council had received two objections which were considered by the Committee appointed by Council, which comprised of Cr Andrew Davenport and Cr Sharon Ellis. There were no requests to be heard in person.

The Committee was of the opinion that both properties will receive a special benefit from the proposed special rate and as such will remain properties liable to pay the special rate. Council did not receive a majority of valid objections from those who are liable to pay and may now declare the proposed Scheme which is supported by the Committee.

FINANCIAL IMPLICATIONS

The preparation, raising and ongoing administration of a special charge is covered within Council's annual budget.

Item	Estimated Budget	Expenditure to Date
Expenditure		
Facilitation - Information Sessions	\$4,000	\$4,000
Preparation of Business Plan	\$6,000	\$7,200
Postage	\$350	\$155
Leader Advertising – Intent to Declare Notice	\$2,450	\$1,791
Total Estimated Budget	\$12, 800	
Sub Total Expenditure		\$13,146
Total Expenditure		\$13,146

POLICY IMPLICATIONS

Council Plan 2017 – 2021

Strategic Direction 5: Support a healthy local economy.

'A healthy, vibrant local economy is important in terms of employment, investment and contributing to the City's prosperity. Council will work closely with key stakeholders in the business sector to ensure that Whitehorse is well positioned to support and strengthen the local economy'.

Whitehorse Economic Development Strategy 2014 – 2019

Section 4: Retail Activity Centres – 4.1.8

- Engage with “precinct champions” to advocate with other traders and property owners towards gaining support with projects, proposals and activities.
- Provide support to business associations in the development of marketing plans, business plans and governance guidelines.

9.1.3

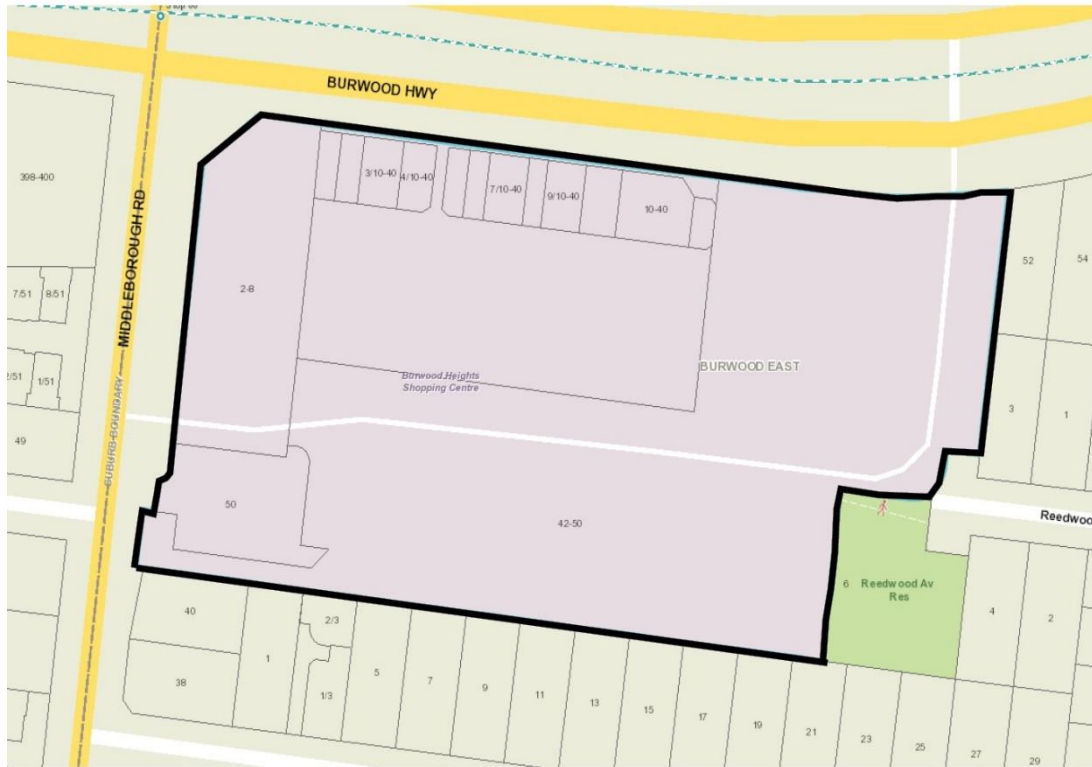
(cont)

ANNEXURE A

COLUMN 1	COLUMN 2
Property Address	Amount Levied
1/10-40 Burwood Hwy	\$ 854.80
2/10-40 Burwood Hwy	\$ 1,249.70
3/10-40 Burwood Hwy	\$ 2,079.90
4/10-40 Burwood Hwy	\$ 1,615.00
5/10-40 Burwood Hwy	\$ 1,189.00
6/10-40 Burwood Hwy	\$ 1,126.80
7/10-40 Burwood Hwy	\$ 2,720.35
8/10-40 Burwood Hwy	\$ 1,484.45
9/10-40 Burwood Hwy	\$ 2,100.10
10-11/10-40 Burwood Hwy	\$ 1,695.75
11A/10-40 Burwood Hwy	\$ 1,005.60
12/10-40 Burwood Hwy	\$ 3,222.35
13/10-40 Burwood Hwy	\$ 1,147.10
50 Middleborough Rd	\$ 2,549.30
Suite 1/2-8 Burwood Hwy	\$ 416.55
Suite 2/2-8 Burwood Hwy	\$ 302.90
Suite 3/2-8 Burwood Hwy	\$ 492.60
Suite 4 /2-8 Burwood Hwy	\$ 352.70
Suite 5/2-8 Burwood Hwy	\$ 601.35
Suite 6/2-8 Burwood Hwy	\$ 397.80
Suite 7/2-8 Burwood Hwy	\$ 913.90
Roof/2-8 Burwood Hwy	\$ 400.95
Shop 1/2-8 Burwood Hwy	\$ 826.85
Shop 2/2-8 Burwood Hwy	\$ 829.95
Shop 3/2-8 Burwood Hwy	\$ 770.90
Shop 4/2-8 Burwood Hwy	\$ 750.00
Shop 5/2-8 Burwood Hwy	\$ 750.00
Shop 6/2-8 Burwood Hwy	\$ 750.00
Shop 7/2-8 Burwood Hwy	\$ 750.00
Shop 8/2-8 Burwood Hwy	\$ 750.00
Shop 9/2-8 Burwood Hwy	\$ 750.00
Shop 10/2-8 Burwood Hwy	\$ 750.00
Shop 11/2-8 Burwood Hwy	\$ 750.00
Shop 12/2-8 Burwood Hwy	\$ 2,152.85
Shop 13/2-8 Burwood Hwy	\$ 750.00
Shop 14/2-8 Burwood Hwy	\$ 750.00
42-50 Burwood Hwy	\$ 5,000.50
TOTAL	\$ 45,000.00

9.1.3
(cont)

ANNEXURE B



9.2 INFRASTRUCTURE

9.2.1 Council Approval to Amend Maximum Expenditure Threshold for Contract 30024 Concrete Paving and Kerbing Services

FILE NUMBER: SF17/712

SUMMARY

The purpose of this report is to seek approval to amend the maximum expenditure threshold available against Contract 30024 – Concrete Paving and Kerbing Services.

The approval amends the previous maximum expenditure threshold contained in the tender evaluation report submitted to Council on 11 December 2017 to \$35,000,000.

RECOMMENDATION

That Council approve an amended maximum expenditure threshold of \$35,000,000 including GST for Contract 30024 – Concrete Paving and Kerbing Services.

BACKGROUND

Council has a significant amount of concrete footpaths, kerb and channel and other concrete paving surfaces throughout the municipality that require funds to be allocated in the capital and operational budget each financial year for maintenance and renewal. This contract secures a panel of contractors to provide concrete paving and kerbing services.

DISCUSSION

On 11 December 2017 Council awarded Contract 30024 – Concrete Paving and Kerbing Services. The contract is a Schedule of Rates contract for a three year initial contract term, which will expire on 13 February 2021, and a further two year option to be exercised under Chief Executive Officer delegation.

Since the original contract approval, there has been additional investment in maintenance, upgrade and renewal of Council's infrastructure assets. In addition, the contract is being used more widely throughout various departments of Council for concrete paving and kerbing works, improving Council oversight of expenditure on these works. As a result there has been a higher than expected expenditure against the contract.

The initial estimate of expenditure under this contract over the full contract term was \$15,000,000, including GST. This report seeks to amend the maximum estimated expenditure threshold to \$35,000,000 including GST for the full contract term.

CONSULTATION

Staff from Council's Procurement Team have assisted with providing current contract expenditure details and advice on this process in line with Council's adopted Procurement Policy.

FINANCIAL IMPLICATIONS

All expenditure incurred against this contract is funded from relevant adopted budgets.

9.3 HUMAN SERVICES

9.3.1 Building Inclusive Communities

SUMMARY

The Building Inclusive Communities (BIC) program has been funded through the state government for approximately 15 years. It is a program that is highly valued, both within Council and the broader community and has delivered a broad range of projects, programs and initiatives focussed on community inclusion for people with a disability (which includes people with mental health issues, as well as those with physical and intellectual disabilities) their families and carers.

The MetroAccess position which implements the BIC program, also has responsibility for the development, implementation and evaluation of Council's Disability Action Plan (which is a legislated local government responsibility) as well as convening the Whitehorse Disability Advisory Committee.

Despite Council actively advocating for the retainment of the BIC program, based on its many significant outcomes as well as its responsiveness to meeting local community need, the Department of Health and Human Services (DHHS) have now advised Council that financial resourcing for the position will cease on the 31st December 2019. However, unexpended funds will allow the position to continue until the end of June 2020. The funds previously allocated to the BIC program will in future, form part of the Victorian State Governments commitment to fund the National Disability Insurance Scheme (NDIS).

A New Budget Initiative (NBI) will come to Council as part of the 2020 budget process to employ an officer to continue the important work previously undertaken through the BIC program, including work with Council's Disability Advisory Committee, meeting Council's legislative responsibility in regard to the development, implementation and monitoring of a Disability Action Plan and responding to local community need.

RECOMMENDATION

That Council:

- 1. Note the ceasing of the State Funded Building Inclusive Communities program.***
- 2. Writes to the Department of Health and Human Services (DHHS) to communicate its disappointment at the loss of the initiative in the local area.***

BACKGROUND

Whitehorse City Council has implemented the State funded Building Inclusive Communities (BIC) program through its MetroAccess officer since 2004, similar to all other Local Government Areas (LGA's) in Victoria. The aim of the program is to increase the accessibility of local communities, as well as enhancing social inclusion for people with a disability.

The BIC program is a uniquely Victorian and as a result of this funding, the work of Local Government in Victoria has made a significant contribution to the inclusion of people with disabilities, their families and carers in community life, across the state.

Into the future, funding for the BIC program will form part of the State Governments National Disability Insurance (NDIS) commitment, which means BIC funding will cease at the end of December 2019. Importantly, the funding that will go from the State to the NDIS will not be used for the type of work that the BIC program has previously undertaken across Council and the community.

9.3.1

(cont)

Although the State Government has indicated their intention to divert the funding from the BIC program to the NDIS, the important state and local work of this program needs to continue. An NBI will be presented as part of the 2020 budget process to employ an Officer to continue important access and inclusion work into the future.

Whitehorse City Council has played a leadership role in strongly advocating to the State Government for the retainment of the BIC program. Other Victorian Councils and the Municipal Association of Victoria (MAV) with the support of many, including the Victorian Local Government Disability Planners Network, have also advocated for the retention of the Building Inclusive Communities program within local government.

DISCUSSION

Council was officially informed of the State Governments decision to divert the funding for the BIC program to the NDIS from the end June 2019. Since then, the program has received an extension of funding to end December 2019. There has been talk of a further extension however, the Department of Health and Human Services (DHHS) recently confirmed that no further extensions will be funded. Unexpended DHHS funds allow for the program to continue until 30th June 2020.

Post June 2020, the important initiatives below would not be able to continue without the employment of a Council Officer:

- Convening Council's Disability Advisory Committee
- Development, implementation and monitoring of the Disability Action Plan (however, its development and implementation will continue to be required by the State).
- Advocating for people with a disability, their families and carers.
- Development of initiatives that respond to the needs of the local community such as the Walking and Wheeling in Whitehorse, Council's Accessible Communication Guide and accessible building in Whitehorse etc.
- Facilitating partnership opportunities
- Cross Council and community accessibility projects and advice
- Input into State and Federal Government consultation, research and engagement

Over the past two years, extensive advocacy to the State has taken place to retain BIC funding and the MetroAccess role within local government. Whitehorse City Council along with other Council's, the Municipal Association of Victoria (MAV) and with the support of many, including the Victorian Local Government Disability Planners Network, have strongly advocated for the retention of the Building Inclusive Communities Program within local government, based on the many outcomes of the initiative over a number of years (snapshot detailed in Appendix 1).

In 2016 and then in 2018 a letter went to Martin Foley MP (Minister for Housing Disability and Aging) and in 2018 Marlene Kairouz (Minister for Local Government) from the Eastern Region CEOs calling on the State to intervene and advocate for the retention of the State's commitment to Victorians with disabilities and continue to fund the BIC program. In addition Council's Disability Advisory Committee (chaired by Cr Massoud) has also been aware of the advocacy efforts to retain State funding for the program.

9.3.1

(cont)

Local Government Legislative Responsibility:

Under the Victorian Local Government Act 1989 Councils have a responsibility to improve the overall quality of life of people in the local community and ensure that services and facilities provided by Council are accessible and equitable. Addressing issues of discrimination and improving access and inclusion for all community members, including people with disability falls within these responsibilities.

The Disability Discrimination Act 1992 (DDA) and the Victorian Disability Act 2006 outline Councils legislated obligations to develop and implement a Disability Action Plan. The DDA identifies that policies and programs need to be developed to identify and reduce discrimination experienced by people with disability, including clear goals and targets as well as identifying responsibility for its implementation and evaluation. In addition, Councils are required under the Act to report outcomes relating to these key areas in their Annual Reports.

In addition, the National Disability Strategy and the State Disability Plan have identified the intention to more closely align National, State and Local disability planning processes, which connects to an action coming out of the Victorian Auditor General's Office.

Advocacy Campaign:

Over the past couple of years, Whitehorse City Council, other Councils in partnership with the Municipal Association of Victoria (MAV) and with support from the Victorian Local Government Disability Planners Network, have strongly advocated for the retainment of the BIC Program within local government. Including a range of forums, letters to relevant Ministers, as well as face to face meetings with the respective Ministers and their senior advisors, as a means to advocate for the retainment of this uniquely Victorian program, as a:

- Significant contributor to the outcomes of the State Disability Plan, which enables both state and local government to fulfil their obligations under the Disability Discrimination Act 1992 and the Victorian Disability Act 2006. These obligations remain and are separate to the NDIS.
- Resource that supports grassroots community initiatives and builds the capacity of a broad range of businesses and organisations within the community to be more accessible and inclusive of people with disability, their family's and carers.

Local Government and the MAV also resolved to continue to advocate for the continuation of the Building Inclusive Communities program as a partnership between state and local government, in the lead up to the last state election.

Responding to community needs:

After a significant length of time working in the local community, there are many factors that highlight the need for the BIC program to continue, in regard to:

- Accessibility and inclusion of people with disability in community life
- Council having a Disability Advisory Committee (chaired by a Councillor) that provides strategic input into Council, relating to matters important to the lives of people with a disability, their families and carers.
- The development of programs, projects and initiatives
- Advocating for people with a disability, their carers and families

9.3.1

(cont)

Demographics

The 2018 Survey of Disability, Ageing and Carers (ABS, 2019) [SDAC] found that 4.4 million people in Australia (17.7%) reported having a disability. This data is not broken down into local government areas; however, when applying the national average to Whitehorse's estimated population of 176,196 residents, approximately 31,187 (17.7%) residents may report having a disability.

Of the 17.7% of people reporting a disability, 5.7% report a severe or profound disability (approximately 1,778 Whitehorse residents). The 2018 SDAC found that there were 2.65 million carers in Australia, representing 10.8% of the population. In Whitehorse that equates to approximately 19,029 residents.

It is also important to note that the rate of disability increases with age. According to the 2016 Census, reports of need for assistance with core activities for Whitehorse residents were less prevalent in children four years or under (1%) than for people aged between 65-69 years (6%) or in comparison to people aged 85 plus (41.9%).

Between 2019 and 2029, the age structure forecasts for the City of Whitehorse indicate a 15.1% increase in population of persons aged 65+ (4,451 persons). Over a twenty year period this percentage increase is 31.8% (9,368 persons). Similarly, the 85+ age cohort is expected to increase by 824 persons over a ten year period (16.5%), or 1797 over a twenty year period (36%).

In Vermont and Vermont South, which have one of the highest median ages in the City of Whitehorse (45 and 40 years respectively), it is estimated that by March 2019 the annual demand for services by NDIS participants will be between \$11,011,300 and \$18,701,300. By that same time, it is predicted that between 1,254 and 1,821 NDIS workers will be needed to service the area (Department of Social Services, NDIS Demand Map, 2019).

Outcomes and Achievements of the BIC program:

Outcomes achieved by the BIC program have benefited people with disability, their families and carers, as well as the community and Council as an organisation, over many years. A snapshot of outcomes and work undertaken, is outlined in Appendix 1.

Funding:

Council Officers will develop a NBI for Council to consider in the 2020 budget. This will propose that Council considers funding a position to continue the important work previously undertaken through the BIC program, including working with Council's Disability Advisory Committee, meeting Council's legislative responsibility in regard to the development, implementation and monitoring of a Disability Action Plan as well as other vital work across Council and the community.

NDIS Funding:

Recently, project funding was announced by the NDIS for initiatives that specifically focus on accessibility for people with a disability. However, this funding is not for the initiatives and work previously undertaken by the BIC program.

Two partnership projects have been submitted by Council to the NDIS for funding, one which is sport related and one which focusses on people with a disability who also have mental health issues. This funding is highly competitive and other organisations such as hospitals, community health services, as well as other Councils have also submitted applications. The outcome of these three year funding submissions will be known in March/April 2020.

9.3.1

(cont)

Because the NDIS funding is project specific, a position is also required to continue the broad, responsive initiatives that are already taking place in the local community as a result of the BIC program, as well as undertaking work in partnership with the community and community organisations into the future, which the NDIS won't fund.

CONSULTATION

In advocating for the retainment and continuation of funding for the BIC program, Whitehorse City Council has worked with other Councils in the Eastern Metropolitan Region, as well as the MAV and Local Government in other parts of the State.

FINANCIAL IMPLICATIONS

The amount Council receives from the State for the program (EFT and program funding) is \$143,000. Some unexpended grants funding will allow the position to wind up at the end of June 2020.

If the MetroAccess Officer position ceases redundancy costs will be incurred.

POLICY IMPLICATIONS

The loss of the BIC program will impact on Councils legislated obligations to develop, implement and monitor a Disability Action Plan, as well as undertake other policy, strategic planning and initiative work in the Whitehorse community.

9.3.1

(cont)

APPENDIX 1:

A snapshot of outcomes and work achieved by the BIC Program

Strategic Planning

- The development of the Whitehorse Disability Action Plans, oversight of their implementation and evaluation, with outcomes reported in Council's Annual Report.

Training

- Delivering disability related training and information sessions for Council Staff and community organisations including Disability Awareness Training, Accessible Communication Workshops and discussion sessions with specific Councils teams in regard to accessibility.

Community Engagement

- Ensuring that the voices of people with disability are captured in other Council consultations such as: the Council Plan, Municipal Public Health and Wellbeing Plan, Community Transport Plan etc.
- Convening the Whitehorse Disability Advisory Committee (WDAC) whose purpose is to provide strategic input to Council regarding systemic, structural, cultural and social matters that impact on the lives of people with disability, their family's and carers in the community.

Policy and other work at the State level

- Development a range of submissions to other levels of government such as the Inquiry into Social Inclusion and Victorians with Disability, State Disability Plan, National Disability Strategy, Productivity Commission Disability and Care etc.
- Promoting the role of local government in the social inclusion of people with disability at the Melbourne University – Human Rights and Social Equity Conference, Department of Health and Human Service Forums, Municipal Association of Victoria Forums and the Whitehorse Women's Forum.
- Talking about the experiences of people with disability in local and state-wide networks.

Cross Council Work

- Working across departments, to provide advice and develop resources that promote access to the community and promote the rights of people with disability. For example:
 - Promoting Council's disability action plan, local statistics and the MetroAccess role as a resource within Council as part of corporate induction and a presentation at the Disability focused Whitehorse Women's Forum
 - Delivering Disability Awareness and Accessible Communication Training, NDIS Information Sessions across the organisation.
 - Leading and/or developing resources that promote accessibility such as the *Building in Whitehorse* handbook to explain legislation, the role of Council and property owners and developer's responsibilities, and the *Registered Businesses in Whitehorse* Guide, explaining the registration of businesses and highlighting the business case for increased accessibility within businesses.

9.3.1

(cont)

Working in Partnership

- Working in partnership with disability service organisations to deliver a range of outcomes linked to Council's strategic outcomes such as the Strengths Based Career Planning Project, Nadrasca Say's Not to Violence and so on.
- Development of the Whitehorse Accessible Communications Guide in partnership with other Local Governments and other stakeholders (which was the recipient of a State-wide award)
- Strong relationships and partnerships with disability service providers, community and mainstream organisations and local businesses.

Awareness raising activity

- Raising awareness of key issues that are impacting the lives of people with disability in the community through a range of:
 - Forums- such as the recent *Let's Talk Mental Health* Forum,
 - *Accessible Communication* workshops delivered to community organisations
 - Projects that link community and disability organisations' to Council's strategic priorities such as the prevention of violence against women with a focus on women and children with disability who experience violence, building the capacity of organisations to be responsive to the needs of people with disability such as providing advice in relation to the development of disability action plans (EDVOS), and consulting with ECASA on building staff capacity to better meet the needs of people with disability.
- Promoting the need for increased accessibility within the business community and the business case for employing people with disability

Advocacy

- With the role in place, people with disability in the Whitehorse community have had a strategic champion to advocate in Council and the community to raise awareness of the impacts of disability and highlight community issues such as accessing preventative health care and the prevention of violence against women with disability.

9.4 CORPORATE

9.4.1 Whitehorse Council Election (Caretaker) Period Policy 2020

ATTACHMENT

SUMMARY

Council Elections will be held on Saturday 24 October 2020 and Section 93B requires all councils to adopt by 31 March 2016 and maintain, review and if required amend the "election period" policy before the subsequent general election period (12 month period). The Caretaker period begins on the Nomination day 22 September 2020 and is for a period of 32 days concluding on Election Day 24 October 2020.

RECOMMENDATION

That Council receive and note the report, and having reviewed its Election Period Policy for the 2020 General Council Elections, now adopt it (as attached) as its ongoing commitment to good governance, transparency and electoral fairness at the City of Whitehorse.

BACKGROUND

Establishment of clear and consistent election period policy.

Existing provisions under **Section 93A** prohibit councils from making 'major policy decisions' during the election period - including decisions to award contracts beyond the threshold that requires a competitive tender process, decisions on certain entrepreneurial activities and decisions about the CEO's employment and remuneration.

Councils will also now be required to have an 'election period' policy to be in place to ensure that councils publicly explain to their communities how they will conduct their business immediately prior to an election. This is to ensure council elections are not compromised by inappropriate electioneering by existing councillors and to safeguard the authority of the incoming council.

The policy must cover three matters as detailed below and any other matters that Council considers necessary and appropriate to suit its circumstances.

DISCUSSION

1. Preventing inappropriate decisions and misuse of resources.

Council must provide details on procedures it will take to prevent 'inappropriate' decisions being taken during the election period. Inappropriate decisions are those that would affect voting at an election or decisions that may unreasonably bind an incoming council and could reasonably be deferred until after the election.

The attached policy outlines in clauses 4, 5 6 and 7 how Whitehorse Council will comply with this requirement.

2. Limiting public consultation and council events.

The election period policy must outline procedures the council will undertake to limit public consultation and the scheduling of council events during this period.

Consultation is an integral part of councils' policy development process and operations; however, there are concerns that consultation undertaken close to a general election may become an election issue in itself and influence voting. Issues raised through the consultation and decisions that follow may also unreasonably bind the incoming council.

9.4.1

(cont)

The scheduling of council events in the lead up to elections also frequently raises concerns over their potential use by sitting councillors for electioneering purposes.

The attached policy outlines in clauses 8, 9 and 11 how Whitehorse Council will comply with this requirement.

3. Equitable access to council information.

There has been a perception that councillor candidates may have unfair access to council held documents to use in their campaigning. These are not freely available to other candidates. While this is not an issue at many councils, concerns have been raised in some instances that councillor candidates can ask for and obtain information not directly related to performing their role but for election purposes.

The attached policy outlines in clause 10 how Whitehorse Council will comply with this requirement.

CONSULTATION

No consultation required as it is a statutory requirement for Councils to implement.

FINANCIAL IMPLICATIONS

No financial impact of the policy.

POLICY IMPLICATIONS

Nil.

ATTACHMENT

1 Policy

9.4.2 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.

RECOMMENDATION

That Council appoint Councillor representatives to the committees, organisations and community bodies detailed in Appendix A.

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 below.

APPENDIX A: Councillor Representative Appointments to the Following Bodies (For the Period 25 November 2019 to 23 October 2020)

NO.	BODY	COUNCILLOR NOMINATION 2019/2020
1	Local Government's Waste Management Forum to support the Metropolitan Waste Management Group (One Councillor and One substitute Councillor)	Cr: Substitute: Cr
2	Municipal Association of Victoria (One Councillor and One substitute Councillor)	Cr: Substitute: Cr
3	Whitehorse Business Group (Two Councillors)	Cr: Cr:
4	Whitehorse Manningham Regional Library Corp. (Two Councillors)	Cr: Cr:
5	Victorian Local Governance Association (One Councillor and One substitute Councillor)	Cr: Substitute: Cr
6	Eastern Affordable Housing Alliance (One Councillor)	Cr:
7	Eastern Alliance for Greenhouse Action (EAGA) Executive Committee (One Councillor)	Cr:

9.4.2
(cont)

TRANSPORT GROUP OF COMMITTEES

NO.	BODY	COUNCILLOR NOMINATION 2019/2020
8	Eastern Transport Coalition (One Councillor)	Cr:
9	Metropolitan Transport Forum (One Councillor)	Cr:

INTERNAL COMMITTEES

NO	BODY	COUNCILLOR NOMINATION 2019/2020
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 Ellis Cr Bennett Cr: Cr:
11	Audit Advisory Committee (Two Councillors)	Cr: Cr :
12	Heritage Steering Committee (Two Councillors)	Cr: Cr:
13	Visual Arts Committee (Two Councillors)	Cr: Cr:
14	Whitehorse Disability Advisory Committee (One Councillor as Chair)	Cr:
15	Whitehorse Reconciliation Advisory Committee (One Councillor as Chair)	Cr:
16	Domestic Animal Management Plan Advisory Committee (Two Councillors)	Cr: Cr:
17	Major Projects Councillor Reference Group (All Councillors)	All Councillors
18	Eastern Region Group (The Mayor, One Councillor & CEO)	(Mayor of the Day) Cr Ellis Cr: S McMillan
19	Whitehorse Sports & Recreation Network (Two Councillors, Two Year Term expiring 2020)	Cr Bennett Cr Massoud
20	Whitehorse Matsudo Sister City Councillor Reference Group (The Mayor and Two Councillors)	(Mayor of the day) Cr Ellis Cr: Cr:

9.4.3 Proposal to name unnamed right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn

SUMMARY

The purpose of this report is to seek Council's view on the proposal to name an unnamed right of way, in order to provide a property address to a new lot, created from a recently approved two lot subdivision which abuts the right of way. Council at its meeting held 16 September 2019 endorsed the naming proposal Steel Lane for community consultation.

RECOMMENDATION

That:

- 1. Council endorse the naming proposal Steel Lane as its proposal to name the right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn.***
 - 2. Council officers submit the naming proposal Steel Lane to the Registrar of Geographic Names for approval and gazettal.***
-

BACKGROUND

The property owner of 7 Gordon Crescent, Blackburn contacted Council in December 2018, seeking to have the right of way abutting the rear of his property named. The request for naming stems from a decision of the Victorian Civil and Administrative Tribunal (VCAT) in August 2018, which granted a permit that allows *"Buildings and works to extend a dwelling when there are two dwellings on the lot, subdivide land into two lots and removal of vegetation"*. As the VCAT decision provides for the subdivision of the land into two lots, with one lot abutting the right of way without access to Gordon Crescent, the new lot will require the assignment of a property address.

A location map of the subject right of way is provided at **Appendix A** to this report.

DISCUSSION

Council has the power to name roads, subject to having due regard to the mandatory naming rules provided under the Geographic Place Names Act 1998.

The naming rules are guided by the following 12 general principles:

1. Ensuring public safety;
2. Recognising the public interest (both in the short and long term);
3. Linking the name to place (relevant to the local area);
4. Ensuring names are not duplicated;
5. Names must not be discriminatory;
6. Recognition and use of aboriginal languages in naming;
7. Dual names (not applicable to roads);
8. Using commemorative names (to commemorate an event, person or place);
9. Using commercial and business names (not to be used);
10. Language;
11. Directional names to be avoided; and
12. Assigning extent to a road, feature or locality.

The 12 general principles are designed to ensure that no ambiguity, confusion, errors or discrimination results from any naming, renaming or boundary change process.

9.4.3

(cont)

CONSULTATION

Council at its Ordinary Council Meeting 27 May 2019 resolved to:

1. Endorse the name Gaff Lane for the purposes of community consultation on its proposal to name the right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn.
2. Receive a further report, following the completion of the community consultation process.

A public consultation process then commenced, which involved writing to neighbouring properties, placing a Public Notice in the local Leader newspaper seeking public comment and utilising Council's online public consultation portal, to seek feedback on the selected name Gaff Lane.

During this initial consultation process a submission was received for Steel Lane. Steel Lane was submitted in recognition of Janet Muir Gaff (nee Steel) and additional members of the same Steel family, namely Frances Steel (nee Sanders). Frances Sanders married Janet Muir Gaff's brother Archibald and they lived in the area of Gordon Crescent for many years, in one of the original Victorian era Blackburn Model Township homes. Frances Steel was very community minded and amongst other achievements built the Blackburn Private Hospital (now 1 Gordon Crescent Blackburn) in 1922 and was responsible for the establishment of the First Blackburn Scout Group.

Following the close of the consultation period a further report was prepared for Council's consideration.

Council at its Ordinary Council Meeting 16 September 2019 unanimously resolved that:

1. Having considered the submissions received during the community consultation process, endorse the name "Steel Lane" for the purposes of further community consultation as its proposal to name the right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn.
2. Receive a further report, following the completion of the community consultation process.

Further Consultation

A further public consultation process then commenced, which involved writing to neighbouring properties, placing a Public Notice in the local Leader newspaper seeking public comment and utilising Council's online public consultation portal, to seek feedback on the selected name Steel Lane.

During the consultation process a submission supporting the naming proposal Steel Lane was received; there were no objections to the naming proposal.

FINANCIAL IMPLICATIONS

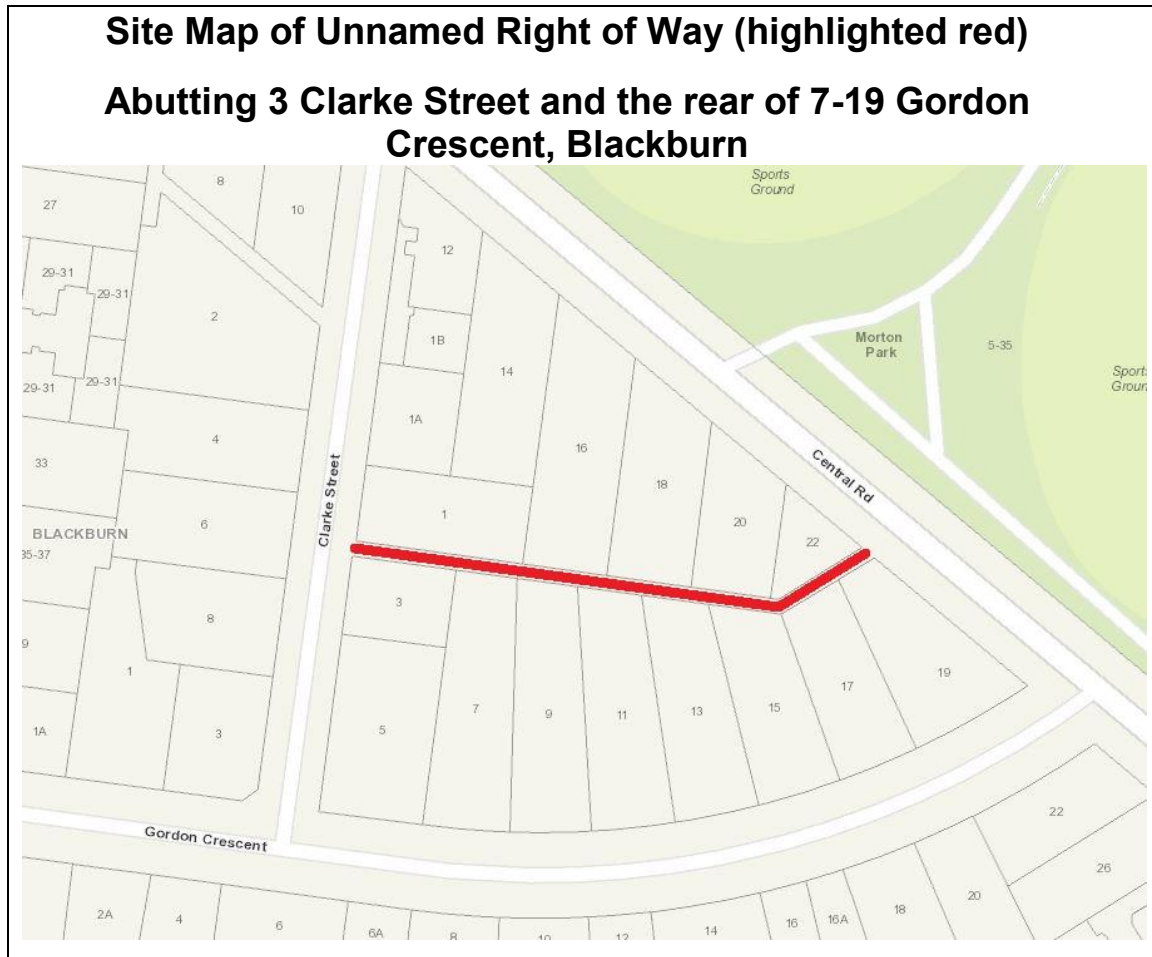
There are no financial implications.

POLICY IMPLICATIONS

It is vital that all properties in the municipality have an identifiable property address in order to locate and to properly address correspondence for property owners/occupiers. In carrying out this responsibility, Council will ensure that due regard is given to the 12 general (naming) principles of the Office of Geographic Names.

9.4.3
(cont)

Appendix A



9.4.4 Delegated Decisions September 2019

SUMMARY

The following activity was undertaken by officers under delegated authority during September 2019.

RECOMMENDATION

That the report of decisions made by officers under Instruments of Delegation for the month of September 2019 be noted.

DELEGATION	FUNCTION	Number for September 2018	Number for September 2019
Planning and Environment Act 1987	Delegated Decisions	118	153
	Strategic Planning Decisions	Nil	1
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		17	14
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	58	58
Liquor Control Reform Act 1998	Objections and Prosecutions	1	1
Food Act 1984	Food Act Orders	4	4
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	4	4
Local Government Act 1989	Temporary Rd. Closures	6	6
Other Delegations	CEO Signed Contracts between \$150,000 - \$750,000	3	4
	Property Sales and Leases	6	4
	Documents to which Council seal affixed	1	Nil
	Vendor Payments	1209	1315
	Parking Amendments	4	8
	Parking Infringements withdrawn	190	218

9.4.4 (cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS SEPTEMBER 2019

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

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/132	23/09/2019	Application Lapsed	40 Gillard Street Burwood Vic 3125	Riversdale	Development of 3 double storey dwellings on a lot associated vegetation removal	Multiple Dwellings
WH/2019/257	20/09/2019	Application Lapsed	7 Marian Court Blackburn Vic 3130	Central	Development of the land for three (3) double storey dwellings including associated buildings and works within four metres of SLO9 trees	Multiple Dwellings
WH/2019/652	17/09/2019	Application Lapsed	1/2 Coonawarra Drive Vermont South Vic 3133	Morack	Construction of a Front Fence	VicSmart - General Application
WH/2019/697	23/09/2019	Application Lapsed	31 Wridgway Avenue Burwood Vic 3125	Riversdale	Construction of three, two storey dwellings and associated removal and works within 4 metres of trees protected under Schedule 9 to the Significant Landscape Overlay	Multiple Dwellings
WH/2019/796	05/09/2019	Application Lapsed	2 Roger Court Nunawading Vic 3131	Springfield	Removal of one tree	VicSmart - Tree
WH/2013/459/G	20/09/2019	Delegate Approval - S72 Amendment	86 Carrington Road Box Hill Vic 3128	Elgar	Use and development of the land for a community and cultural centre incorporating a child care centre, education centre, place of assembly (day centre for the elderly and senior citizens club), a reduction in car parking requirements and non-illuminated business identification signage	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2013/535/B	19/09/2019	Delegate Approval - S72 Amendment	397 Burwood Highway Vermont South Vic 3133	Morack	Development and use of land as a take away food premises (drive-through coffee and kebab outlet) and car wash and display of an internally illuminated sign	Permit Amendment
WH/2013/936/A	02/09/2019	Delegate Approval - S72 Amendment	156 Elgar Road Box Hill South Vic 3128	Riversdale	Construction of a five storey building with basement for 21 dwellings and a shop, and alteration of access to a road in a Road Zone Category 1	Permit Amendment
WH/2014/123/B	17/09/2019	Delegate Approval - S72 Amendment	102 Main Street Blackburn Vic 3130	Central	Construction of eight dwellings (comprising two double storey dwellings and six single storey dwellings) and works within 4 metres of trees protected under the SLO9.	Permit Amendment
WH/2014/378/B	26/09/2019	Delegate Approval - S72 Amendment	2 Newbigin Street Burwood Vic 3125	Riversdale	Construction of 4 double storey dwellings including associated buildings and works within 4 metres of trees and tree removal	Permit Amendment
WH/2014/564/B	26/09/2019	Delegate Approval - S72 Amendment	14 Boyle Street Forest Hill Vic 3131	Springfield	Construction of one (1) double storey dwelling to the rear of the existing dwelling	Special Landscape Area

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2015/1 155/B	23/09/2019	Delegate Approval - S72 Amendment	11 Trafalgar Street Mont Albert Vic 3127	Elgar	Construction of an additional dwelling to the side of the existing dwelling, associated front fence and works (including demolition of an outbuilding) and removal of protected vegetation	Permit Amendment
WH/2015/7 65/B	20/09/2019	Delegate Approval - S72 Amendment	886 Station Street Box Hill North Vic 3129	Elgar	Buildings and works (for medical centre use), alteration of access to a Road Zone, Category 1 (Station Street), tree removal and works within 4 metres of the base of a protected tree (tree 4)	Permit Amendment
WH/2016/1 159/A	12/09/2019	Delegate Approval - S72 Amendment	18 Davison Street Mitcham Vic 3132	Springfield	Development of two (2) double storey town houses and removal of protected trees	Permit Amendment
WH/2016/1 161/A	17/09/2019	Delegate Approval - S72 Amendment	127 Springfield Road Blackburn North Vic 3130	Central	Construction of three (3) double storey dwellings and removal of vegetation	Permit Amendment
WH/2016/2 77/A	20/09/2019	Delegate Approval - S72 Amendment	7 Cherryhinton Street Box Hill Vic 3128	Elgar	Construction of two double storey dwellings and works within 4 metres of a protected tree	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/4 56/M	25/09/2019	Delegate Approval - S72 Amendment	31-37 Norcal Road Nunawading Vic 3131	Springfield	Buildings and works for a warehouse development, use of the land for a food and drink premises and offices, internally illuminated signage, reduction in the standard car parking requirement, sale and consumption of liquor in association with use of land for a food and drink premises and native vegetation removal	Permit Amendment
WH/2016/4 56/N	23/09/2019	Delegate Approval - S72 Amendment	66/31-37 Norcal Road Nunawading Vic 3131	Springfield	Buildings and works for a warehouse development, use of the land for a food and drink premises and offices, internally illuminated signage, reduction in the standard car parking requirement, sale and consumption of liquor in association with use of land for a food and drink premises and native vegetation removal	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/985/A	23/09/2019	Delegate Approval - S72 Amendment	12-18 Barkly Terrace Mitcham Vic 3132	Springfield	Use and development as a childcare centre, associated signage and tree removal	Permit Amendment
WH/2017/542/A	07/09/2019	Delegate Approval - S72 Amendment	582 Elgar Road Box Hill North Vic 3129	Elgar	Use and development for a child care centre and alteration of access to a Road Zone	Permit Amendment
WH/2017/790/B	05/09/2019	Delegate Approval - S72 Amendment	10 Everglade Avenue Forest Hill Vic 3131	Morack	Development of three, two storey dwellings	Permit Amendment
WH/2018/1305/A	19/09/2019	Delegate Approval - S72 Amendment	25 Campbell Parade Box Hill South Vic 3128	Riversdale	Construction of two (2) dwellings on a lot & buildings and works within 4 metres of protected vegetation	Permit Amendment
WH/2018/395/A	23/09/2019	Delegate Approval - S72 Amendment	46 Shepherd Street Surrey Hills Vic 3127	Riversdale	Construction of two double storey residential dwellings and removal of trees.	Permit Amendment
WH/2018/836/A	17/09/2019	Delegate Approval - S72 Amendment	613 Whitehorse Road Mitcham Vic 3132	Springfield	Construction of 8 Warehouses and Reduction in the Required Car Parking Rate	Permit Amendment
WH/2019/252/A	23/09/2019	Delegate Approval - S72 Amendment	9-19 Rooks Road Mitcham Vic 3132	Springfield	Buildings and works (extension to existing canopy)	Permit Amendment
WH/2015/615/A	13/09/2019	Delegate NOD Issued	2 Thomas Street Box Hill South Vic 3128	Riversdale	Construction of two double storey dwellings, removal of and buildings and works within 4m of protected Trees (SLO9)	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/339/A	12/09/2019	Delegate NOD Issued	12 Jaques Grove Forest Hill Vic 3131	Morack	Construction of two dwellings with two lot subdivision	Permit Amendment
WH/2018/1044	18/09/2019	Delegate NOD Issued	92 Kenmare Street Mont Albert Vic 3127	Elgar	Construction of three double storey dwellings with basement garages and associated tree removal	Multiple Dwellings
WH/2018/1227	17/09/2019	Delegate NOD Issued	3 Luckie Street Nunawading Vic 3131	Springfield	Construction of four (4) double storey dwellings and tree removal	Multiple Dwellings
WH/2018/1270	19/09/2019	Delegate NOD Issued	410 Burwood Highway Vermont South Vic 3133	Morack	Buildings and works for the Construction of a five storey apartment building for more than 2 dwellings, and associated tree removal	Residential (Other)
WH/2018/1391	06/09/2019	Delegate NOD Issued	25 Craig Street Blackburn South Vic 3130	Central	Construction of two double storey dwellings and removal of protected trees	Multiple Dwellings
WH/2018/827	12/09/2019	Delegate NOD Issued	43 Orient Avenue Mitcham Vic 3132	Springfield	Buildings and works for the development of four dwellings on the lot	Multiple Dwellings
WH/2019/205	03/09/2019	Delegate NOD Issued	32 Longbrae Avenue Forest Hill Vic 3131	Morack	Construction of one additional dwelling on a lot & works within 4 metres of protected trees	Multiple Dwellings
WH/2019/22	03/09/2019	Delegate NOD Issued	17 Box Hill Crescent Mont Albert North Vic 3129	Elgar	Construction of three double storey dwellings, removal of and buildings and works within 4m of protected trees	Multiple Dwellings

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/35	26/09/2019	Delegate NOD Issued	853 Highbury Road Vermont South Vic 3133	Morack	Construction of three double storey dwellings, tree removal and alteration of access to a road in a Road Zone Category 1	Multiple Dwellings
WH/2019/350	17/09/2019	Delegate NOD Issued	438 Station Street Box Hill Vic 3128	Elgar	Development of the land for two (2) double storey dwellings including associated buildings and works within 4 metres of protected trees and SLO9 tree removal	Multiple Dwellings
WH/2019/610	26/09/2019	Delegate NOD Issued	14 Burwood Highway Burwood Vic 3125	Riversdale	Use of the land for the sale and consumption of liquor	Liquor Licence
WH/2019/85	09/09/2019	Delegate NOD Issued	24 Boardman Close Box Hill South Vic 3128	Riversdale	Construction of a double storey extension to an existing dwelling on a land lot size of less than 300 square metres and buildings and works within 4 metres of protected vegetation	Single Dwelling < 300m2
WH/2018/1257	05/09/2019	Delegate Permit Issued	859 Highbury Road Vermont South Vic 3133	Morack	Removal of two (2) trees	Special Landscape Area
WH/2018/1289	17/09/2019	Delegate Permit Issued	98 Roslyn Street Burwood Vic 3125	Riversdale	Removal of and buildings and works within 4 metres of protected trees	Special Landscape Area

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1329	09/09/2019	Delegate Permit Issued	8 Meringer Court Nunawading Vic 3131	Springfield	Construction of Four (4) Dwellings on a Lot & Buildings and Works within the SLO9	Multiple Dwellings
WH/2018/1338	25/09/2019	Delegate Permit Issued	3 Tunstall Avenue Nunawading Vic 3131	Springfield	Buildings and works (construction of a dwelling) within 4 metres of protected vegetation.	Special Landscape Area
WH/2018/574	30/09/2019	Delegate Permit Issued	433 Springvale Road Forest Hill Vic 3131	Morack	Use and development of two display homes and associated car park, tree removal, display of business identification signs, reduction of car parking requirements, and alteration of access to a road in a Road Zone Category 1	Residential (Other)
WH/2018/683	12/09/2019	Delegate Permit Issued	12 Spence Street Burwood Vic 3125	Riversdale	Construction of 5 dwellings and removal of trees within Significant Landscape Overlay Schedule 9	Multiple Dwellings
WH/2019/195	26/09/2019	Delegate Permit Issued	2 Pilita Street Forest Hill Vic 3131	Morack	Construction of two double storey dwellings on a lot and removal of protected trees	Multiple Dwellings
WH/2019/219	04/09/2019	Delegate Permit Issued	23 Zander Avenue Nunawading Vic 3131	Springfield	Buildings and works within 4 metres of protected vegetation and removal of vegetation	Single Dwelling < 300m2

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/231	16/09/2019	Delegate Permit Issued	560 Mitcham Road Mitcham Vic 3132	Springfield	Signage (re-branding)	Advertising Sign
WH/2019/274	17/09/2019	Delegate Permit Issued	29 Mccomas Grove Burwood VIC 3125	Riversdale	Construction of Three (3) Double Storey Dwellings	Multiple Dwellings
WH/2019/284	06/09/2019	Delegate Permit Issued	10/27 Thornton Crescent Mitcham Vic 3132	Springfield	Restricted recreation facility (fitness studio)	Industrial
WH/2019/296	03/09/2019	Delegate Permit Issued	17 Talarno Avenue Vermont South Vic 3133	Morack	Buildings and works for a crossover within 4 metres of a street tree, protected under Significant Landscape Overlay, Schedule 9 (SLO9).	Special Landscape Area
WH/2019/3	05/09/2019	Delegate Permit Issued	141-155 Burwood Highway Burwood Vic 3125	Riversdale	Buildings and works associated with a Section 2 Use (relocation, resurfacing, covering and lighting of netball courts and ancillary works), removal of vegetation within Significant Landscape Overlay and removal of native vegetation (Clause 52.17).	Education
WH/2019/309	17/09/2019	Delegate Permit Issued	10 Mountainview Road Nunawading Vic 3131	Springfield	Removal of protected trees	Special Landscape Area

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/344	16/09/2019	Delegate Permit Issued	4 Clifton Street Blackburn Vic 3130	Central	Buildings and works for the construction of one (1) double storey dwelling and removal of vegetation	Special Landscape Area
WH/2019/376	05/09/2019	Delegate Permit Issued	2 Karwitha Street Vermont Vic 3133	Morack	Removal of two trees and buildings and works (construction of a new dwelling) within 4m of two trees	Single Dwelling < 300m2
WH/2019/391	13/09/2019	Delegate Permit Issued	58 Russell Street Surrey Hills Vic 3127	Riversdale	Construction of front fence and driveway works within 4 metres of protected trees.	Special Landscape Area
WH/2019/403	12/09/2019	Delegate Permit Issued	519-521 Station Street Box Hill Vic 3128	Elgar	Use and development of a temporary display suite and land sales office	Business
WH/2019/421	03/09/2019	Delegate Permit Issued	463-465 Whitehorse Road Mitcham Vic 3132	Springfield	4 lot subdivision Unit 1 to stand alone	Subdivision
WH/2019/430	26/09/2019	Delegate Permit Issued	22-24 Blackburn Road Blackburn Vic 3130	Central	28 lot subdivision and removal of part of sewer easement shown as E-1 on PS 526677E	Subdivision
WH/2019/455	03/09/2019	Delegate Permit Issued	100 Woodhouse Grove Box Hill North Vic 3129	Elgar	Buildings and works for the construction of two (2) double storey dwellings on a lot	Multiple Dwellings

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/510	16/09/2019	Delegate Permit Issued	437 Springvale Road Forest Hill Vic 3131	Morack	Construction of (3) Double Storey Dwellings on a Lot, Removal of Vegetation and Alteration of Access to a Road in a Road Zone, Category 1	Multiple Dwellings
WH/2019/523	12/09/2019	Delegate Permit Issued	16 Park Close Vermont Vic 3133	Springfield	Removal of two trees in the Significant Landscape Overlay Schedule 9	Special Landscape Area
WH/2019/551	12/09/2019	Delegate Permit Issued	74 Pakenham Street Blackburn Vic 3130	Central	Vegetation removal	Special Landscape Area
WH/2019/563	03/09/2019	Delegate Permit Issued	817 Highbury Road Vermont South Vic 3133	Morack	Removal of two (2) trees	Special Landscape Area
WH/2019/566	05/09/2019	Delegate Permit Issued	358 Mitcham Road Mitcham Vic 3132	Springfield	Removal of four (4) tree in the Significant Landscape Overlay Schedule 9	Special Landscape Area
WH/2019/576	11/09/2019	Delegate Permit Issued	19 Clive Street Mitcham Vic 3132	Springfield	Construction of a double storey extension to an existing dwelling on a land lot size of less than 500 square metres and buildings and works within 4 metres of protected vegetation	Single Dwelling < 300m2
WH/2019/582	16/09/2019	Delegate Permit Issued	52 Barkly Terrace Mitcham Vic 3132	Springfield	Buildings and works for alterations to an existing dwelling including removal of vegetation	Single Dwelling < 300m2

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/6 02	07/09/2019	Delegate Permit Issued	38 Boondara Road Mont Albert North Vic 3129	Elgar	Removal of vegetation	Special Landscape Area
WH/2019/6 33	03/09/2019	Delegate Permit Issued	24 Cornfield Grove Box Hill South Vic 3128	Riversdale	Buildings and works and removal of vegetation within SLO9	Special Landscape Area
WH/2019/6 39	26/09/2019	Delegate Permit Issued	115-117 Burwood Highway Burwood East Vic 3151	Riversdale	Twenty Nine lot subdivision	Subdivision
WH/2019/6 44	26/09/2019	Delegate Permit Issued	Cntre Mang 17-21 Market Street Box Hill Vic 3128	Elgar	Use of the land for the sale and consumption of liquor	Change of Use
WH/2019/7 15	09/09/2019	Delegate Permit Issued	922 Whitehorse Road Box Hill Vic 3128	Elgar	Buildings and works in the form of external alterations to an existing shop front and display of a sign in the Heritage Overlay	Business
WH/2019/7 20	26/09/2019	Delegate Permit Issued	1140 Riversdale Road Box Hill South Vic 3128	Riversdale	Buildings and works for construction of a front fence (SLO9)	Special Landscape Area
WH/2019/7 23	16/09/2019	Delegate Permit Issued	997-1003 Whitehorse Road Box Hill Vic 3128	Elgar	94 lot subdivision	Subdivision
WH/2019/7 39	23/09/2019	Delegate Permit Issued	532 Whitehorse Road Mitcham Vic 3132	Springfield	Installation of two illuminated signs	Advertising Sign
WH/2019/7 51	20/09/2019	Delegate Permit Issued	220 Middleborough Road Blackburn South Vic 3130	Central	Minor buildings and works associated with a Residential Aged Care facility	Single Dwelling < 300m2
WH/2019/7 67	05/09/2019	Delegate Permit Issued	1/41 Cochrane Street Mitcham Vic 3132	Springfield	Removal of easement	Subdivision
WH/2019/7 71	03/09/2019	Delegate Permit Issued	87 Orient Avenue Mitcham Vic 3132	Springfield	Remove a tree	VicSmart - General Application

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/773	04/09/2019	Delegate Permit Issued	6 Goddard Court Mont Albert North Vic 3129	Elgar	Buildings and Works (Construction of a Shed) within a Special Building Overlay	VicSmart - General Application
WH/2019/803	05/09/2019	Delegate Permit Issued	5 Sutton Parade Mont Albert North Vic 3129	Elgar	Removal of one tree	VicSmart - Tree
WH/2019/815	10/09/2019	Delegate Permit Issued	40 Whitehorse Road Blackburn Vic 3130	Central	Removal of one tree	VicSmart - Tree
WH/2019/819	16/09/2019	Delegate Permit Issued	12 Elm Street Surrey Hills Vic 3127	Riversdale	Two lot subdivision	Subdivision
WH/2019/820	10/09/2019	Delegate Permit Issued	5 Hannaslea Street Box Hill Vic 3128	Elgar	Buildings and works (repainting) of a dwelling in a Heritage Overlay	VicSmart - General Application
WH/2019/823	03/09/2019	Delegate Permit Issued	10 Market Street Box Hill Vic 3128	Elgar	Amendment to shop-front facade in a Commercial 1 Zone (C1Z).	VicSmart - General Application
WH/2019/828	03/09/2019	Delegate Permit Issued	21 Starling Street Burwood Vic 3125	Riversdale	Construction of a front fence within 4m of protected tree	VicSmart - General Application
WH/2019/837	12/09/2019	Delegate Permit Issued	56 Owen Street Mitcham Vic 3132	Springfield	removal of one tree	VicSmart - Tree
WH/2019/860	10/09/2019	Delegate Permit Issued	16 Dudley Street Mitcham Vic 3132	Springfield	Removal of one protected tree (Syzgium smithii) in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/863	03/09/2019	Delegate Permit Issued	2/2 Berry Avenue Mitcham Vic 3132	Springfield	Removal of one (1) tree (Fraxinus angustifolia - Desert Ash)	VicSmart - Tree
WH/2019/866	02/09/2019	Delegate Permit Issued	56 Eley Road Burwood Vic 3125	Riversdale	Two lot subdivision	VicSmart - Subdivision
WH/2019/869	12/09/2019	Delegate Permit Issued	20 Cherry Orchard Rise Box Hill North Vic 3129	Elgar	Removal of one tree (Tree 5)	VicSmart - Tree

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/870	05/09/2019	Delegate Permit Issued	129 Terrara Road Vermont South Vic 3133	Morack	Two lot subdivision	VicSmart - Subdivision
WH/2019/871	03/09/2019	Delegate Permit Issued	25 Orchard Crescent Mont Albert North Vic 3129	Elgar	Removal of one (1) Jacaranda mimosifolia (Jacaranda) tree.	VicSmart - Tree
WH/2019/872	12/09/2019	Delegate Permit Issued	1b New Street Surrey Hills Vic 3127	Riversdale	remove one tree	VicSmart - Tree
WH/2019/874	13/09/2019	Delegate Permit Issued	13 Boondara Road Mont Albert North Vic 3129	Elgar	Buildings and Works (deck) within 4M of a tree.	VicSmart - General Application
WH/2019/877	02/09/2019	Delegate Permit Issued	13a Cyril Street Box Hill South Vic 3128	Riversdale	Construct a front fence and buildings and works within 4 metres of protected vegetation	VicSmart - General Application
WH/2019/880	23/09/2019	Delegate Permit Issued	19 Talbett Street Burwood Vic 3125	Riversdale	Three lot subdivision	Subdivision
WH/2019/883	04/09/2019	Delegate Permit Issued	791 Station Street Box Hill North Vic 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/884	12/09/2019	Delegate Permit Issued	20 Brook Crescent Box Hill South Vic 3128	Riversdale	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/886	17/09/2019	Delegate Permit Issued	12 Francesca Street Mont Albert North Vic 3129	Elgar	Four lot subdivision	Subdivision
WH/2019/887	05/09/2019	Delegate Permit Issued	21 Deep Creek Road Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/888	16/09/2019	Delegate Permit Issued	10a Wellesley Street Mont Albert Vic 3127	Elgar	Removal of one (1) Ilex aquifolium (Holly) tree	VicSmart - Tree
WH/2019/890	05/09/2019	Delegate Permit Issued	14 Cook Road Mitcham Vic 3132	Springfield	Two lot subdivision	Subdivision

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/8 95	19/09/2019	Delegate Permit Issued	9 Deane Street Blackburn North Vic 3130	Central	Removal of one (1) protected tree (Stenocarpus sinuatus – Firewheel Tree - Tree 17) within Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/8 96	19/09/2019	Delegate Permit Issued	9 Deane Street Blackburn North Vic 3130	Central	Removal of one (1) protected tree (Callistemon viminalis – Weeping Bottlebrush - Tree 18) within Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/9 02	12/09/2019	Delegate Permit Issued	56 Owen Street Mitcham Vic 3132	Springfield	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/9 03	16/09/2019	Delegate Permit Issued	56 Owen Street Mitcham Vic 3132	Springfield	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/9 04	12/09/2019	Delegate Permit Issued	56 Owen Street Mitcham Vic 3132	Springfield	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/9 05	12/09/2019	Delegate Permit Issued	56 Owen Street Mitcham Vic 3132	Springfield	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/9 07	16/09/2019	Delegate Permit Issued	9-17 Broughton Road Surrey Hills Vic 3127	Riversdale	Buildings and works in relation to Residential Aged Care facility	Residential (Other)
WH/2019/9 11	07/09/2019	Delegate Permit Issued	10 Boxleigh Grove Box Hill North Vic 3129	Elgar	Two lot subdivision	Subdivision
WH/2019/9 14	07/09/2019	Delegate Permit Issued	36 Linlithgow Street Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/9 16	09/09/2019	Delegate Permit Issued	389 Middleborough Road Box Hill Vic 3128	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/9 17	12/09/2019	Delegate Permit Issued	218 Hawthorn Road Vermont South Vic 3133	Morack	Removal of (1) tree	VicSmart - Tree
WH/2019/9 19	23/09/2019	Delegate Permit Issued	44 Springfield Road Blackburn Vic 3130	Central	Two lot subdivision	VicSmart - Subdivision
WH/2019/9 24	23/09/2019	Delegate Permit Issued	30 Morden Court Nunawading Vic 3131	Springfield	Removal of one (1) Prunus sp. (Common Plum) tree.	VicSmart - Tree
WH/2019/9 29	26/09/2019	Delegate Permit Issued	4 Loddon Street Box Hill North Vic 3129	Elgar	Four lot subdivision	Subdivision
WH/2019/9 32	17/09/2019	Delegate Permit Issued	19 Ferguson Street Mitcham Vic 3132	Springfield	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/9 33	17/09/2019	Delegate Permit Issued	2 Hill Street Blackburn Vic 3130	Central	Removal of one (1) tree	VicSmart - Tree
WH/2019/9 43	26/09/2019	Delegate Permit Issued	10a Wellesley Street Mont Albert Vic 3127	Elgar	Removal of a Betula pendula – Silver Birch (Tree 9) tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/9 44	26/09/2019	Delegate Permit Issued	10a Wellesley Street Mont Albert Vic 3127	Elgar	Removal of a Cotoneaster glaucophyllus – Cotoneaster (Tree 13) tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/9 45	20/09/2019	Delegate Permit Issued	32 Leonard Street Burwood Vic 3125	Riversdale	Removal of one (1) SLO9 tree	VicSmart - General Application
WH/2019/9 46	23/09/2019	Delegate Permit Issued	4 Julie Street Blackburn North Vic 3130	Central	Buildings and works within 4 metres of protected SLO9 tree	Special Landscape Area
WH/2019/9 51	24/09/2019	Delegate Permit Issued	10 John Street Blackburn Vic 3130	Central	Removal of one (1) tree	VicSmart - Tree
WH/2019/9 55	24/09/2019	Delegate Permit Issued	14 Hutchinson Street Burwood East Vic 3151	Morack	Removal of one tree - Tree 5 (Malus domestica)	VicSmart - Tree
WH/2019/9 56	24/09/2019	Delegate Permit Issued	14 Hutchinson Street Burwood East Vic 3151	Morack	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9 - Tree 6	VicSmart - Tree
WH/2019/9 57	24/09/2019	Delegate Permit Issued	14 Hutchinson Street Burwood East Vic 3151	Morack	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9- Tree 7 (Corymbia ficifolia)	VicSmart - Tree
WH/2019/9 58	24/09/2019	Delegate Permit Issued	14 Hutchinson Street Burwood East Vic 3151	Morack	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9- Tree 8 (Betula pendula)	VicSmart - Tree

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/960	24/09/2019	Delegate Permit Issued	9 Rostrevor Parade Mont Albert Vic 3127	Elgar	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/961	23/09/2019	Delegate Permit Issued	14 Saxton Street Box Hill North Vic 3129	Elgar	Two lot subdivision	Subdivision
WH/2019/962	30/09/2019	Delegate Permit Issued	50 Pembroke Street Surrey Hills Vic 3127	Riversdale	Removal of one tree	VicSmart - Tree
WH/2019/966	26/09/2019	Delegate Permit Issued	7 Timbertop Drive Vermont Vic 3133	Morack	Removal of Liquidambar styraciflua – Sweet Gum tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/967	26/09/2019	Delegate Permit Issued	7 Timbertop Drive Vermont Vic 3133	Morack	Removal of Eucalyptus nicholii – Narrow-leaved Black Peppermint tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2012/794/B	26/09/2019	Delegate Refusal - S72 Amendment	2-18 Vision Drive Burwood East Vic 3151	Morack	Amend Planning Permit WH/2012/794 (issued for construction and display of a 30m2 flood lit major promotion sign on the north-west corner of the intersection of Springvale Road and Highbury Road) to instead allow display of an electronic major promotion sign	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/456/K	17/09/2019	Delegate Refusal - S72 Amendment	31-37 Norcal Road Nunawading Vic 3131	Springfield	Buildings and works for a warehouse development, use of the land for a food and drink premises and offices, internally illuminated signage, reduction in the standard car parking requirement, sale and consumption of liquor in association with use of land for a food and drink premises and native vegetation removal	Permit Amendment
WH/2018/1398	23/09/2019	Delegate Refusal Issued	453 Burwood Highway Vermont South Vic 3133	Morack	Development of the land for four (4), triple-storey townhouses, including associated buildings and works.	Multiple Dwellings
WH/2019/805	03/09/2019	Delegate Refusal Issued	1/37-39 Albion Road Box Hill Vic 3128	Elgar	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/859	10/09/2019	Delegate Refusal Issued	16 Dudley Street Mitcham Vic 3132	Springfield	Removal of one protected tree(Grevillea robusta) in the Significant Landscape Overlay Schedule 2	VicSmart - Tree
WH/2019/889	17/09/2019	Delegate Refusal Issued	5 Barbara Street Mont Albert North Vic 3129	Elgar	Remove Easement	Subdivision

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/894	19/09/2019	Delegate Refusal Issued	9 Deane Street Blackburn North Vic 3130	Central	Removal of one (1) protected tree (Corymbia ficifolia – Red Flowering Gum - Tree 14) within Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/926	19/09/2019	Delegate Refusal Issued	8 Grosvenor Street Blackburn North Vic 3130	Central	Removal of one Liquidambar styraciflua – Liquidambar tree (Tree 1) pursuant to Schedule 9 of the Significant Landscape Overlay	VicSmart - Tree
WH/2019/970	26/09/2019	Delegate Refusal Issued	11 Panel Street Mitcham Vic 3132	Springfield	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/971	26/09/2019	Delegate Refusal Issued	11 Panel Street Mitcham Vic 3132	Springfield	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/975	26/09/2019	Delegate Refusal Issued	40 Crest Grove Nunawading Vic 3131	Springfield	Removal of one (1) tree	VicSmart - Tree
WH/2019/868	06/09/2019	No Permit Required	20 Cherry Orchard Rise Box Hill North Vic 3129	Elgar	Removal of one tree (Tree 4)	VicSmart - Tree
WH/2019/878	06/09/2019	No Permit Required	24 Carver Street Burwood East Vic 3151	Riversdale	Removal of Vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2017/896	23/09/2019	Withdrawn	30 Springvale Road Nunawading Vic 3131	Springfield	Staged 2 lot subdivision, tree removal, and works within 4 metres of trees protected within the Significant Landscape Overlay (SLO9)	Subdivision

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/209	18/09/2019	Withdrawn	22 Kangerong Road Box Hill Vic 3128	Elgar	Construction of four (additional), two storey dwellings and associated vegetation removal within the Significant Landscape Overlay Schedule 9	Multiple Dwellings
WH/2019/527	18/09/2019	Withdrawn	24 Dalmor Avenue Mitcham Vic 3132	Springfield	Proposed Carport within 4m of a Significant Tree	VicSmart - General Application
WH/2019/810	06/09/2019	Withdrawn	Lg01/ 21 Queen Street Blackburn Vic 3130	Central	Use of land of the purpose of a food and drink premises (cafe)	Change of Use
WH/2019/841	02/09/2019	Withdrawn	3/7 Hunter Valley Road Vermont South Vic 3133	Morack	Single Dwelling on a Lot <300 sq. metres	Single Dwelling < 300m2
WH/2019/876	16/09/2019	Withdrawn	3/61-63 Lexton Road Box Hill North Vic 3129	Elgar	Change of use of a warehouse into a Futsal Centre	Change of Use
WH/2019/920	11/09/2019	Withdrawn	3 Nielsen Avenue Nunawading Vic 3131	Springfield	Removal of a tree under Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/921	11/09/2019	Withdrawn	3 Nielsen Avenue Nunawading Vic 3131	Springfield	Removal of a tree under Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/977	30/09/2019	Withdrawn	47 Mccomas Grove BURWOOD VIC 3125	Riversdale	build a cross driveway. there is a tree within 4 meters	Special Landscape Area

9.4.4

(cont)

BUILDING DISPENSATIONS/APPLICATIONS SEPTEMBER 2019

Address	Date	Ward	Result
1 Wilton Street, Blackburn North	13/09/2019	Central	Consent Granted 79
15 Gunyah Road, Blackburn North	10/09/2019	Central	Consent Granted 79
15 Wilton Street, Blackburn North	11/09/2019	Central	Consent Granted 79
18 Holland Road, Blackburn South	02/09/2019	Central	Consent Granted 82
20 Orchard Grove, Blackburn South	03/09/2019	Central	Consent Granted 79
26 Edinburgh Road, Blackburn South	03/09/2019	Central	Consent Granted 84, 79
29 Boyd Street, Blackburn South	19/09/2019	Central	Consent Granted 74
3 Essex Street, Blackburn North	26/09/2019	Central	Consent Granted 81
3 Merle Street, Blackburn North	09/09/2019	Central	Consent Granted 91
44 Faulkner Street, Forest Hill	26/09/2019	Central	Consent Granted 81
14 Linden Street, Blackburn	19/09/2019	Central	Consent Refused 80
7 Lawson Street, Blackburn	03/09/2019	Central	Consent Refused 75
116 Windsor Crescent, Surrey Hills	11/09/2019	Elgar	Consent Granted 92
12 Chessell Street, Mont Albert North	04/09/2019	Elgar	Consent Granted 79
15 St James Avenue, Mont Albert	09/09/2019	Elgar	Consent Granted 89
18 High Street, Mont Albert	18/09/2019	Elgar	Consent Granted 82
4 Jocelyn Avenue, Balwyn North	02/09/2019	Elgar	Consent Granted 79
9 Dane Street, Box Hill North	05/09/2019	Elgar	Consent Granted 79,74
1 Tracey Drive, Vermont South	13/09/2019	Morack	Consent Granted 74,76
15 Nurlendi Road, Vermont	09/09/2019	Morack	Consent Granted 76
16 Caldwell Road, Vermont	16/09/2019	Morack	Consent Granted 76,77
2 Kalimna Street, Vermont	18/09/2019	Morack	Consent Granted 80
23 Thornhill Drive, Forest Hill	03/09/2019	Morack	Consent Granted 74
330 Burwood Highway, Burwood East	09/09/2019	Morack	Consent Granted 97
37 Cosgrove Street, Vermont	13/09/2019	Morack	Consent Granted 76
67 Vanbrook Street, Forest Hill	24/09/2019	Morack	Consent Granted 74
16 Caldwell Road, Vermont	16/09/2019	Morack	Consent Refused 79
20 Brook Crescent, Box Hill South	05/09/2019	Riversdale	Consent Granted 74
21 Starling Street, Burwood	24/09/2019	Riversdale	Consent Granted 89,92
24 Carver Street, Burwood East	24/09/2019	Riversdale	Consent Granted 74
553 Highbury Road, Burwood East	26/09/2019	Riversdale	Consent Granted 74,76
6 Medhurst Street, Burwood East	24/09/2019	Riversdale	Consent Granted 74
98 Roslyn Street, Burwood	12/09/2019	Riversdale	Consent Granted 76
16 David Street, Box Hill South	03/09/2019	Riversdale	Consent Refused 80,74
20 Brook Crescent, Box Hill South	05/09/2019	Riversdale	Consent Refused 86
26 Douglas Avenue, Box Hill South	24/09/2019	Riversdale	Consent Refused 90
51 Samuel Road, Blackburn South	04/09/2019	Riversdale	Consent Refused 79
181 Springvale Road, Nunawading	18/09/2019	Springfield	Consent Granted 116
19 Ferguson Street, Mitcham	03/09/2019	Springfield	Consent Granted 79
19 Lorikeet Street, Nunawading	30/09/2019	Springfield	Consent Granted 76,79,74
19 Morloc Street, Forest Hill	16/09/2019	Springfield	Consent Granted 79

9.4.4

(cont)

Address	Date	Ward	Result
20 Percy Street, Mitcham	26/09/2019	Springfield	Consent Granted 79
30 Carinya Road, Vermont	19/09/2019	Springfield	Consent Granted 89
5 Trenham Court, Mitcham	16/09/2019	Springfield	Consent Granted 74
7 Hardwood Court, Mitcham	30/09/2019	Springfield	Consent Granted 76
18 Hodgson Street, Mitcham	09/09/2019	Springfield	Consent Refused 89
19 Lorikeet Street, Nunawading	30/09/2019	Springfield	Consent Refused 81
68 Percy Street, Mitcham	24/09/2019	Springfield	Consent Refused 74

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS SEPTEMBER 2019

Decision Date	Act Section	Decision	Street Address	Ward	Proposal	Reference
26/9/2019	8A(3) and 20(1)	Delegate Approval	42-48 Glenburnie Road, Mitcham	Springfield	Request to the Minister for Planning to extend the expiry date of the interim Heritage Overlay on 42-48 Glenburnie Road, Mitcham to 31 March 2021. Extension of the interim Heritage Overlay will protect the property while Amendment C216 for permanent heritage controls is undertaken.	Amendment c225

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION SEPTEMBER 2019

Contract Number	Service
30190	Elgar Park Cricket Nets
30185	Station Street Box Hill - Pedestrian Operated Signals & Associated Civil Works
30084	Sportsfield and Turf Management Products, Services and Minor Works
30193	Elgar Park Southern Ovals Improvement

9.4.4

(cont)

REGISTER OF PROPERTY DOCUMENTS EXECUTED SEPTEMBER 2019

Property Address	Document Type	Document Detail
Leases		
65 Wattle Valley Road, Mitcham	Lease	Residential Lease
Fire Services Property Levy (FSPL)		
886 Station Street, Box Hill North	Not applicable	Land use changed from 'Residential' to 'Commercial'
1/41-43 Carrington Road, Box Hill	Not applicable	Land use changed from 'Commercial' to 'Public Benefit'
Rateability Changes (Section 154 of the Local Government Act)		
1B Hotham Court, Mont Albert	Exempt-Charitable	Used as Ministers residence

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL SEPTEMBER 2019

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION SEPTEMBER 2019

Address: **Whitehorse Road Service Road, Box Hill:** 25m west of the western boundary of 1180 Whitehorse Road to 80m west of the western boundary of 1180 Whitehorse Road – south side

Previously: 11 '2-minute, 8am to 4pm, School Days' parking spaces

Now: 11 '2-minute, 8am to 9am and 2.30pm to 3.30pm, School Days' parking spaces

Address: **Whitehorse Road Service Road, Box Hill:** 7m west of the western boundary of 1180 Whitehorse Road to 25m west of the western boundary of 1180 Whitehorse Road – south side

Previously: 3 'Unrestricted' parking spaces

Now: 3 '2-minute, 8am to 9am and 2.30pm to 3.30pm, School Days' parking spaces

Address: **Nurlendi Road, Vermont:** from northern boundary of 9 Nurlendi Road to Karawitha Street – east side

Previously: 9 'No Stopping, 8am to 9.30am and 2.30pm to 4pm, Monday to Friday' parking spaces

Now: 9 'No Stopping, 8.15am to 9.15am and 3m to 4pm, Monday to Friday' parking spaces

Address: **Thurston Street, Box Hill:** from 16m south of Cambridge Street to 22m south of Cambridge Street – east side

Previously: 1 '2-Hour, 7:30am to 7:30pm, Monday to Friday' parking space

Now: 1 '1/4-Hour' parking space

Address: **Gardenia Street, Blackburn:** from 24m north of The Avenue to 32m north of The Avenue – east side

Previously: 1 '1-Hour, 8am to 6pm, Monday to Friday & 8am to 1pm, Saturday' parking space

Now: 1 'No Parking' parking space

Address: **Clifton Street, Blackburn:** from northern boundary of 16 Clifton Street to southern boundary of 12 Clifton Street – west side

9.4.4

(cont)

Previously: 1 'Unrestricted' parking space
Now: 1 'No Stopping' parking space

Address: **Victoria Crescent, Mont Albert:** from southern boundary of 29 Victoria Crescent to 7m north of southern boundary of 29 Victoria Crescent – west side

Previously: 1 'Permit Zone' parking space
Now: 1 'No Stopping' parking space

Address: **Laing Street, Mont Albert:** from 33m north of Whitehorse Road to 41m north of Whitehorse Road – west side

Previously: 1 'Permit Zone' parking space
Now: 1 'No Stopping' parking space

VENDOR PAYMENT SUMMARY – SUMS PAID DURING SEPTEMBER 2019

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
02/09/2019	\$121.90	1	CHQ
02/09/2019	\$141,303.27	1	EFT
05/09/2019	\$168,855.12	1	EFT
05/09/2019	\$21,979.77	29	EFC
05/09/2019	\$18,316.73	13	CHQ
05/09/2019	\$2,359,133.05	240	EFT
06/09/2019	\$21,979.77	29	EFC
12/09/2019	\$48,930.48	26	EFC
12/09/2019	\$77,588.48	46	CHQ
12/09/2019	\$2,216,504.78	247	EFT
13/09/2019	\$3,000.00	1	CHQ
18/09/2019	\$426,492.28	2	EFT
19/09/2019	\$6,321.46	10	EFC
19/09/2019	\$1,731,444.75	232	EFT
19/09/2019	\$127,593.31	78	CHQ
19/09/2019	\$35,379.60	1	EFT
23/09/2019	\$1,650.00	1	EFC
26/09/2019	\$1,476.30	8	EFC
26/09/2019	\$99,041.81	28	CHQ
26/09/2019	\$962.70	1	EFT
26/09/2019	\$1,459,561.68	1	EFT
26/09/2019	\$5,789,795.59	318	EFT
30/09/2019	\$7,340.10	1	EFT
GROSS	\$14,764,772.93	1315	
Monthly Lease Payments	\$36,012.91		
Direct Debit Payments	\$171,725.86		
CANCELLED PAYMENTS	-\$38,304.32	-44	
NETT	\$14,934,207.38	1271	

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

10.1 Reports by Delegates

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

RECOMMENDATION

That the reports from delegates be received and noted.

**10.2 Recommendation from the Special Committee of Council
Meeting of 11 November 2019**

10.2.1 Whitehorse Centre

SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION

Moved by Cr Stennett, Seconded by Cr Davenport

That Council:

- 1. Notes that the existing Whitehorse Centre is to close on 16 August 2020.***
- 2. Revise the Stakeholder Engagement Plan dated October 2019 to include:***
 - a) Timeframes of engagement;***
 - b) Community consultation prior to finalisation of design; and***
 - c) Future users consultation noting that there are two theatres available. Such future users may include CALD community; local schools; WhitehorseInterfaithNetwork and faith based organisations.***
- 3. Makes the Stakeholder Engagement Plan publically available.***
- 4. Affirm the overall budget of the Whitehorse Centre, including the multi-deck car park and all contingencies at \$78,000,000.***

CARRIED UNANIMOUSLY

RECOMMENDATION

That the recommendation from the Special Committee of Council Meeting of 11 November 2019 Item 10.2.1 be received and adopted.

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
21.10.19 6:30-7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 9.1.1 843 Whitehorse Road, Box Hill 9.2.1 Heatherdale Reserve Pavilion Development 9.3.2 Social Media Guide: Councillors 12.1 Contractual Matter & Proposed Developments Rating System Review & MAV Draft Response 	Cr Bennett (Mayor & Chair) Cr Barker Cr Cutts Cr Carr Cr Davenport Cr Ellis Cr Liu Cr Massoud Cr Munroe	S McMillan J Green N Brown T Wilkinson P Smith A De Fazio J Russell H Rowlands	Nil	Nil
30.10.19	Whitehorse Youth Representative Committee	Cr Stennett	F Perone Z Deane J Piper	Nil	Nil
06.11.19 6:30-8:00pm	Strategic Planning Session <ul style="list-style-type: none"> Continuous Improvement Expo Box Hill Integrated Transport Strategy: Issues and Opportunities Legal Matters 	Cr Ellis (Mayor & Chair) Cr Carr Cr Cutts Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green N Brown T Wilkinson P Smith A De Fazio S Cann A Ghastine S Fernando I Kostopoulos C Hui L McGuinness	Nil	Nil
11.11.19 6:30-8:30pm	Councillor Briefing Session <ul style="list-style-type: none"> Special Committee Agenda 11 November 2019 Noted list of Public Speakers Other Business Motions Draft Agenda Suburban Rail Loop 	Cr Ellis (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green N Brown P Smith A De Fazio P Moore K Marriott A Dacampo D Shambrook J Sgro M Coppi D Seddon S Price R Marrow L McGuinness	Nil	Nil

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
18.11.19 6:30-10:00pm	Major Projects Councillor Reference Group: Finance & Capital Works <ul style="list-style-type: none"> Major Project Monthly Update Project Update: Vision for Box Hill Quarterly Performance Report June to September 2019 Capital Works Quarter (Q1) Update Land Matter 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green N Brown P Smith A De Fazio K Marriott A Egan V McLean S Belmore M Ackland K Sinclair T Peak S Cann S Smith T McGuckian C Gipps	Nil	Nil

RECOMMENDATION

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

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

RECOMMENDATION

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

12 CONFIDENTIAL REPORTS

RECOMMENDATION

THAT IN ACCORDANCE WITH SECTION 89 (2) (F) AND (H) 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 LEGAL ADVICE AND ANY LAND MATTERS.

13 CLOSE MEETING