



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 9 December 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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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 25 November 2019 and Confidential Ordinary Council Meeting 25 November 2019.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 25 November 2019 and Confidential Ordinary Council Meeting 25 November 2019 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 127: Cr Cutts

That Council approves and allocates \$15,000 from the 2019/2020 Council Budget to the Heatherdale Tennis Club, as part contribution to the construction of a \$65,000 deck/viewing platform/entertainment area to assist in revitalising the club.

6.2 Notice of Motion No 128: Cr Davenport

That Council:

- 1. Notes Council's resolution dated 15 March 2010 which specifies that 60 percent of the predicted new Open Space Contributions received annually be held within the Open Space Reserve for the purpose of acquiring open space and committed as opportunities arise;*
- 2. Notes that the Open Space Reserve balance is significantly higher than the amounts forecast within Whitehorse Open Space Strategy*
- 3. Seeks a report from Council Officers which outline the impact of changing open space acquisitions to 40 percent of the Open Space Contributions with the balance to be utilised to upgrade existing open space.*

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Strategic Planning

9.1.1 Amendment C216 Exhibition Results: 42 - 48 Glenburnie Road, Mitcham

FILE NUMBER: 19/262070
ATTACHMENT

SUMMARY

This report provides Council with the results of exhibition of Planning Scheme Amendment C216whse (C216) to apply a Heritage Overlay (HO296) to the land at 42-48 Glenburnie Road, Mitcham.

The Amendment was exhibited from 26 September to 28 October 2019. A total of fourteen submissions were received during the exhibition period, all of which were supportive of the amendment. No objecting submissions were received.

The subject property was identified as being of potential heritage significance in past heritage assessments and was identified as requiring further heritage investigation when funding became available.

The report outlines the engagement methods used during exhibition of the Amendment and recommends that Council adopt the Amendment and request the Minister for Planning approve planning scheme amendment C216.

RECOMMENDATION

That Council:

- 1. Adopt Amendment C216 to the Whitehorse Planning Scheme 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 property at 42-48 Glenburnie Road, Mitcham was originally identified as having potential heritage significance in the City of Whitehorse Heritage Review 2001 (Vol 4), but no assessment was undertaken at that time. In 2003, Council's Heritage Advisor at the time undertook a preliminary inspection of the house and found that *"although the building appears to be in good condition, it is not of sufficient significance to be included in the heritage overlay. It does not display any features of distinction, and there are other representative examples of such houses already in the Heritage Overlay. Historical research may reveal that this residence is important historically. (S. Westbrooke, 3 April 2003)."*

However, the Whitehorse Heritage Review 2012 (in Schedule 1) confirmed the potential heritage significance of the property and gave it a preliminary 'B' grading, indicating that it was considered worthy of more detailed assessment. At the time of the review, only those buildings graded 'A' were able to be assessed due to budget constraints. No further funding was allocated in the intervening time and accordingly, B-graded places are only investigated on an "as needs" basis.

9.1.1

(cont)

On 7 November 2018, Council, under delegation, issued a Notice of Refusal to Grant a Permit (WH/2018/45) for the construction of ten (10) double storey dwellings on the subject site. The basis for the refusal was generally the bulk, scale and density of the proposal and its impact on the treed character of the area. A total of 156 objections were received in response to notification of this application, with heritage being raised as a ground for concern.

Planning Scheme Amendment C215 and C216

Council then received an application under Section 29A of the Building Act 1993 for demolition of the dwelling, placing the property under immediate threat. This known threat justified an application for interim heritage controls under Planning Scheme Amendment C215, which was exempt from the usual notice and exhibition requirements. The demolition application was suspended pending a decision by the Minister for Planning on the amendment request.

Council was successful in achieving the interim heritage control and on the 16 May 2019 Notice of Approval of Amendment C215 appeared in the Victoria Government Gazette. The interim control is due to expire on 31 March 2020.

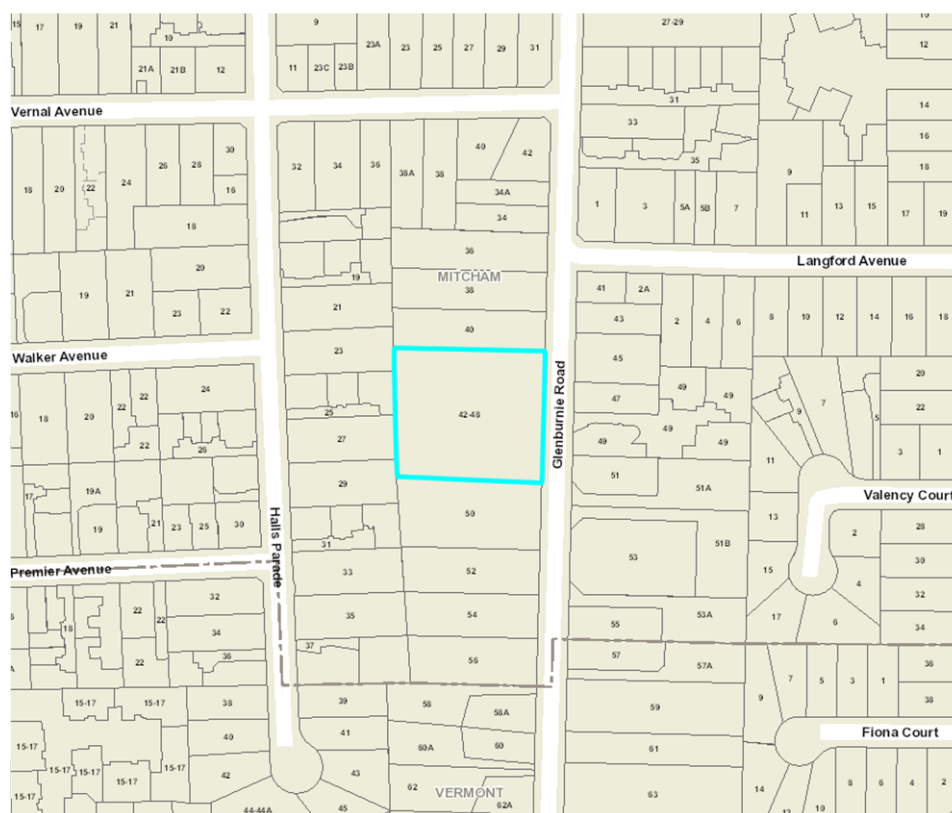
Planning scheme amendment C216 seeks to apply a heritage overlay (HO296) to the site on a permanent basis. The overlay applies to the entire site to ensure that any future development is managed in a manner that is sensitive to the existing dwelling.

DISCUSSION

The proposed amendment is required to provide heritage protection to the dwelling 'Minamere' at 42-48 Glenburnie Road, Mitcham (see map 1). Minamere is a single storey timber Californian Bungalow that was constructed in c1926. Elements that contribute to the significance of the place include (but are not limited to):

- The house's original external form, materials and detailing
- The house's high level of integrity to its original design and construction
- The house's setting in a large garden allotment sited to appreciate the views to the Dandenong Ranges
- Surviving mature trees particularly the Monterey Cypress (*Cupressus macrocarpa*) and Mediterranean Cypress (*Cupressus sempervirens*) on the north boundary and the English Oak (*Quercus robur*) in the driveway turning circle

9.1.1 (cont)



Map 1: Location of 42-48 Glenburnie Road

Minamere is of historical and architectural significance to the City of Whitehorse. It is historically significant for its association with the development of the Mitcham area in the 1920s and represents the pursuit by the middle class of a semi-rural lifestyle during the interwar years. Minamere is of architectural significance as a fine, highly intact and representative example of a large Californian Bungalow style house. It displays typical characteristics of the style, popular in the 1920s and 30s across Melbourne, including a low-pitched cross-gabled roof clad with terracotta tiles, exposed rafter ends, projecting boxed windows and wide verandahs with square timber posts.

The curtilage of the heritage overlay extends to the property boundaries ensuring that the garden setting which contributes to Minamere's significance is protected. Applying the Heritage Overlay to the entire site will ensure that any future development of the site is undertaken in a way that respects the architectural and historical significance of the place.

The Amendment is supported by a Heritage Citation and other amendment documentation found at **Attachment 1**.

Planning Permit Application WH/2018/45

Planning Application WH/2018/45 for a multi-dwelling development of the land was refused by Council, under delegation, on 7 November 2018. This resulted in a review by the Victorian Civil and Administrative Tribunal (VCAT). The matter was the subject of a series of compulsory conferences, from December 2018 through to September 2019, at which an agreement was reached between parties. The parties agreed to a planning permit being issued subject to changes shown on amended plans and through permit conditions. Significantly, the amended proposal allowed for the retention of the existing dwelling on the land and the number of new dwellings reduced from ten to six.

9.1.1

(cont)

Based on the information available to the Tribunal and the discussion at the compulsory conference on 26 September 2019, the Tribunal ordered that planning permit WH/2018/45 be issued. The permit allows:

- Construction of more than two dwellings on a lot in the Neighbourhood Residential Zone (Schedule 1);
- Demolition of outbuildings in the Heritage Overlay (Schedule 296);
- Construction of dwellings and associated works in the Heritage Overlay (Schedule 296);
- Removal of vegetation in the Significant Landscape Overlay (Schedule 7) and under Clause 52.17 of the Whitehorse Planning Scheme;
- Buildings and works in a Significant Landscape Overlay (Schedule 7).

CONSULTATION

Council's Heritage Advisor

Advice was sought from Council's Heritage Advisor with regard to the significance of the site and whether it warranted heritage protection. The Heritage Advisor was supportive of applying a heritage overlay to the site and prepared the documentation necessary to accompany an application to the Minister for Planning. This documentation included a Heritage Citation and a Statement of Significance which can be found in **Attachment 1**.

Although the development outcome for 42-48 Glenburnie Road was negotiated by parties at VCAT, Council's heritage advisor provided some final design advice on different details of the development. Recommended changes to the development plans included a revision to the roof pitch and materials, and the design of verandah posts and balustrades on the proposed dwellings. This advice was incorporated in condition 1 of Planning Permit WH/2018/45.

Public Exhibition

Amendment C216 for the permanent Heritage Overlay on 42 – 48 Glenburnie Road, Mitcham was exhibited from 26 September to 28 October 2019.

A total of fourteen submissions were received during the exhibition period, all of which were supportive of the heritage overlay being applied to the subject site on a permanent basis. Many of the submissions commended Council on the efforts being made to acknowledge and preserve Minamere for its historical and architectural significance, including

'I applaud the Council's decision to make this application. I believe it is important that we preserve some of the history of how the area once was, for future generations to see.'

Another submitter commented:

'This building has significant historical value to the street and local community. The building represents a homestead style structure with cultural value worthy of heritage status. Buildings like this are very rare and should be preserved to ensure we protect this culturally significant structure.'

A submission from the Glenburnie Road Resident's Association acknowledged the proposed development of the site that was recently agreed to at VCAT and referred to the protection of Minamere as the 'centrepiece' of the development.

9.1.1 (cont)

Date	Notification
20 September 2019 (mail)	Posted notices to: <ul style="list-style-type: none"> • Neighbouring landowners and occupiers • Interest groups including: <ul style="list-style-type: none"> • Whitehorse Historical Society • Glenburnie Road Resident's Association • Mitcham Resident's Association • Blackburn & District Tree Preservation Society
20 September 2019 (mail)	Letters posted to: <ul style="list-style-type: none"> • Owner of the land • Occupier of the property • Permit applicants
20 September 2019 (mail)	Letters posted to Prescribed Ministers
23 September 2019	Notice appears in Whitehorse Leader
26 September 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

Prior to the completion of the exhibition period, a request was made to the Minister for Planning to approve an amendment under Section 20A of the Planning and Environment Act, 1987, to extend the interim Heritage Overlay to the property at Glenburnie Road, Mitcham for an additional 12 months until 31 March 2021. This was to allow the finalisation of Amendment C216 and the introduction of a permanent heritage control. As exhibition is now complete and no objecting submissions have been received, the Minister may approve the permanent controls before the interim controls expire.

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	\$1,000.00	
Sub Total Expenditure	\$1481.30	
Total Expenditure	\$1481.30	

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

9.1.1 (cont)

POLICY IMPLICATIONS

The application of the Heritage Overlay through planning scheme amendment C216 is in line with Strategic Direction 2 of the Council Plan which is to *maintain and enhance our built environment to ensure a liveable and sustainable city*. A balance has been achieved by applying a heritage overlay to the site while negotiating a development outcome that incorporates, and is sympathetic to, the heritage building.

ATTACHMENT

- 1 Amendment C216 documentation

Engineering and Environmental

9.1.2 Box Hill to Ringwood Shared Use Path: Laburnum Section

ATTACHMENT

SUMMARY

The purpose of this report is for Council to consider a proposal from the Department of Transport (formerly VicRoads) for the alignment of the Box Hill to Ringwood Shared Use Path between Middleborough Road and Blackburn Railway Station known as the Laburnum section.

It is recommended that Council provide consent to the Department of Transport proposal to allow the construction of the Laburnum section of the Box Hill to Ringwood Shared Use Path.

RECOMMENDATION

That Council:

- 1. Endorse the proposed alignment and detailed design plans for the Laburnum section of the Box Hill to Ringwood Shared Use Path between Middleborough Road and Blackburn Railway Station as per VicRoads plans dated 2 August 2019;***
- 2. Provide agreement to the Department of Transport to use part of Laburnum Park, Laburnum Street and Main Street for the construction of the Laburnum section of the Box Hill to Ringwood Shared Use Path, consistent with the proposal;***
- 3. Provide delegation to the Chief Executive Officer to approve the final detailed design of the proposal for the Laburnum section of the Box Hill to Ringwood Shared Use Path, including the possible inclusion of the alternate layout within Laburnum Park consistent with the proposal;***
- 4. Acknowledge the community consultation undertaken by the Department of Transport and feedback received regarding the proposal for the Laburnum section of the Box Hill to Ringwood Shared Use Path.***

BACKGROUND

The Victorian Government has completed several sections of the shared use path, most recently the Blackburn section (Blackburn Railway Station to Nunawading Railway Station) and Heatherdale section (Brunswick Park to Heatherdale Road) as part of the level crossing removal projects for Blackburn Road and Heatherdale Road. Due to staffing changes at the Department of Transport (DoT) and reprioritisation of projects, this shared use path proposal was put on hold for some time and recommenced earlier this year.

The final section of the shared use path remaining to be constructed is the Laburnum section between Middleborough Road and Blackburn Railway Station. Following significant stakeholder engagement with the Council, Council officers, bicycle advocacy groups, members of the community and information sessions, the DoT have developed a proposal for this final section of the shared use path.

Council has since received a letter from DoT dated 22 November 2019 seeking Council approval of the proposed alignment – Refer Attachment 1. Note: The Laburnum section alignment plans and Community Feedback Report referenced in the letter from DoT are provided as Attachments 3 and 5 respectively in this report.

To complete the construction of the Laburnum section of the Box Hill to Ringwood Shared Use Path by the middle of 2020, the DoT needs to allow for tendering in December 2019 and appointment of a contractor in early 2020.

9.1.2

(cont)

DISCUSSION

The Laburnum section of the Box Hill to Ringwood Shared Use Path between Middleborough Road and Blackburn Railway Station includes the following:

- The installation of new traffic signals across Laburnum Street south of the railway line
- Installation of bicycle 'sharrow' line marking, bicycle signage and permanent 40km/h speed limit along Laburnum Street between Whitehorse Road and Main Street
- Installation of raised intersection treatment at the intersection of Laburnum Street and Main Street
- Installation of exclusive bicycle lanes along the west side of Main Street between Laburnum Street and South Parade. On-street car parking, traffic lanes and outdoor trading will be retained. The works will require the removal of five existing trees along the west side of Main Street.
- A modified T-intersection with reversed traffic priority, to be introduced at the intersection of Main Street and South Parade including the installation of pedestrian (zebra) crossings. This will also include altered on-street car parking and kerb extensions on South Parade. No on-street car parking spaces will be removed.

Attached is a map of the Laburnum section of the Box Hill to Ringwood Shared Use Path alignment between Middleborough Road and Blackburn Railway Station – Refer Attachment 2. Also attached are the alignment plans for the Laburnum section prepared by VicRoads – Refer Attachment 3.

Prior to finalising the alignment of the shared use path, DoT in discussion with Council and stakeholder groups considered several alternate options, however these have been discounted for various reasons.

It is noted that following an on-site meeting at Laburnum Park on Wednesday 13 November 2019 between Council officers, representatives of DoT and the bicycle advocacy group WATAG, a possible alternate layout (with 2 possible options) has been presented by the DoT within Laburnum Park, to provide a path which minimises impact on open space, trees, vegetation and the existing playground – Refer Attachment 4. The DoT is currently working on the detailed design for the alternate layout with assistance from Council officers, which will be finalised in the coming weeks.

VicRoads engaged an independent road safety auditor to review the Laburnum section of the shared use path alignment. The audit report has indicated the following:

- The proposed route utilising the western side of Main Street is considered to be safer than utilising Diggers Way and is more intuitive and connected to the existing shared path along the northern side of South Parade.
- That the alternative alignment through Laburnum Park is possible subject to meeting relevant guidelines and standards including appropriate clearances between the path and obstructions such as trees and poles.
- The implementation of traffic signals, raised intersections, pedestrian crossings, bicycle 'sharrow' line marking, bicycle signage, permanent 40km/h speed limit and an exclusive bicycle path on Main Street are considered safe and appropriate for the intended use.

CONSULTATION

The DoT have maintained ongoing stakeholder engagement with Council officers, the community and interest groups throughout this project. During the past two years, DoT have met with Council Officers on six separate occasions and with bicycle advocacy groups MeBUG and WATAG on two and four occasions respectively. The DoT have also met with Paul Hamer – State Member for Box Hill and twice with Metro Trains Melbourne representatives regarding this project. Council officers and DoT have also met with the Central Ward Councillors to discuss the project.

9.1.2

(cont)

In addition, extensive community consultation was undertaken by DoT consistent with Council's request, during the briefing to Council by the DoT on this proposal. DoT recently conducted two community drop-in sessions regarding the proposal. The sessions were held on Monday 21 October 2019 at Blackburn North Community Centre and on Wednesday 30 October 2019 at The Avenue Uniting Church in Blackburn. In order to notify local residents of the drop-in sessions and the opportunity to provide feedback on the proposal, DoT carried out a letter drop to 1700 properties in the surrounding area. The proposal and the sessions were also advertised on the VicRoads webpage. The DoT also visited 11 traders along Main Street on Tuesday 15 October 2019 to seek their view and comments on the proposal.

The DoT advised that 70 people attended both sessions and the feedback received was mainly positive, given that there was no loss of parking, minimal impact on trees, no use of Elmore Walk and the proposal provides a safe environment for cyclists. Attached is a copy of the Community Feedback report from the drop-in sessions – Refer Attachment 5.

FINANCIAL IMPLICATIONS

The construction of the Box Hill to Ringwood Shared Use Path is fully funded by the Victorian Government. Council will be undertaking ongoing maintenance of the shared use path including on-street infrastructure such as traffic signals, raised intersection treatments, line marking, signage, graffiti removal etc. once it is satisfactorily constructed and open to the public. It is estimated that the annual maintenance cost for the Laburnum section of the shared use path is \$20,000 per annum.

In addition, subject to tender prices received to construct the Laburnum section of the shared use path, DoT may request Council to contribute to the possible relocation of the playground within Laburnum Park subject to the finalised alternate layout of the shared use path within the park.

Council previously considered the responsibility for ongoing maintenance of the shared use path from Box Hill to Ringwood at its meeting on 29 January 2013. Council resolved at that time to maintain the path on Council roads and on parts of railway land (excluding railway station forecourts) at its cost, subject to certain conditions as outlined in the Council report. On-going maintenance of the Laburnum section of the shared use path will be subject to this agreement. The shared use path will be a valuable community asset.

POLICY IMPLICATIONS

The Box Hill to Ringwood Shared Use Path is in accordance with the Whitehorse Integrated Transport Strategy 2011 and the Whitehorse Cycling Strategy 2016.

ATTACHMENT

- 1 Letter from Department of Transport to Whitehorse
- 2 Map of Laburnum Section
- 3 Laburnum Section Alignment Plans
- 4 Laburnum Park: Possible Alternate Layout
- 5 Community Feedback Report

9.2 INFRASTRUCTURE

9.2.1 Council Approval to Amend Maximum Expenditure Threshold (Contract 30053) Landscape Construction Services

FILE NUMBER: SF18/68

SUMMARY

The purpose of this report is to seek approval to amend the maximum expenditure threshold available against Contract 30053, Landscape Construction Services.

As a result of efforts to consolidate a number of procurement activities under this one central contract, approval is sought to amend the maximum expenditure threshold available against the full term of the contract to \$8,500,000.

RECOMMENDATION

That Council approve an amended maximum expenditure threshold of \$8,500,000 including GST for Contract 30053, Landscape Construction Services Panel.

BACKGROUND

The Council Plan sets strategic directions to 'Maintain and enhance our built environment to ensure a liveable and sustainable city' and 'Protect and enhance our open space and natural environment'.

This contract is for the provision of Landscape Construction Services including earthworks, grassing, planting, path works, furniture, fence and bollard installation, to support in house resources in the delivery of landscape construction services to all of Council's open space including gardens, road reserves, traffic management devices, recreation reserves, bushland areas and general parkland.

The term of the contract is three years which commenced on 24 April 2018, with an option to extend the contract for a further two years at Council's discretion.

DISCUSSION

The Landscape Construction Services contract commenced on 24 April 2018. The total estimated expenditure was listed in the tender evaluation report at \$2,500,000 over five years. This figure was based on the total expenditure of the previous Landscape Construction Services Contract that expired in 2018.

Since the commencement of the contract, the number of projects where green infrastructure and landscaping is required has increased. Many departments now utilise this contract enabling Council to efficiently and cost effectively undertake landscape construction works associated with a range of Capital Works projects. Utilising the already market tested panel of contractors provides the most cost effective solution, with a high level of risk mitigation and delivery of landscape outcomes to a consistently high standard.

As a result of the increased projects undertaken under this contract, the previously estimated total expenditure needs to be revised. The new total estimated expenditure over the full five years of the contract, including two year extension is \$8,500,000 including GST.

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.

9.2.1
(cont)

FINANCIAL IMPLICATIONS

Contract 30053 for Landscape Services Construction Panel is based on an agreed schedule of rates. The rates are subject to a CPI adjustment on each anniversary of the contract. An amended maximum expenditure threshold of \$8,500,000 for the full term of the contract is being sought.

Expenditure under this the contract will be from adopted operational and capital works budgets.

9.3 HUMAN SERVICES

9.3.1 2019 Annual 5 Star Food Safe Program

SUMMARY

To inform Council of the results of the 5 Star Food Safe program for 2019 and to recommend three food businesses for the Food Premises of the Year Awards for 2019.

The report also provides Council with information on the new branding of the 5 Star Food Safe program and implementing the new Department of Health and Human Services (DHHS) Food Safety Risk Assessment Guidelines for 2020.

RECOMMENDATION

That Council endorse:

- 1. The following businesses as the recipients of the 5 Star Food Premises of the Year Award for 2019: -***
 - Class 1: Victoria Grange Aged Care - 502-514 Burwood Highway, VERMONT SOUTH***
 - Class 2: Zouki Café - Box Hill Hospital - 8 Arnold Street, BOX HILL***
 - Community Groups: Livingstone Primary School – 25-29 Livingstone Road, VERMONT SOUTH***
- 2. The awarding of Certificates of Achievement in food safety for premises listed in Appendix A.***
- 3. The new branding of the Whitehorse 5 Star Food Safe program***
- 4. The integration of the new DHHS Food Safety Risk Assessment Guidelines to strengthen the focus on risk based on Hazard Analysis and Critical Control Points (HACCP) principles***

BACKGROUND

The aim of Council's 5 Star Food Safe program is to improve the safety of food being manufactured, handled, stored and sold in the municipality. The program provides meaningful and relevant information to Council, food business proprietors and consumers about the standard of commercial food safety being achieved in the municipality.

The program assesses medium to high risk food premises (as per Department of Health Risk Classification) against national food safety standards and provides a range of incentives aimed at encouraging proprietors to achieve standards of excellence in food safety.

One of these incentives is the provision of an annual 5 Star Award to acknowledge food businesses achieving the highest level of excellence in food safety during the year. There are three categories of food businesses, which are awarded the "Food Premises of the Year: -

- Class 1 (eg Aged Care, Child Care, Hospitals etc)***
- Class 2 (eg Restaurant, Cafe, Take-Away, Delicatessen, Bakery, Supermarket)***
- Community Groups (eg School Canteens)***

The recipients of the Food Premises of the year 2019 for the categories outlined above are to be awarded a plaque and a cheque (\$600 for Class 1 and 2 premises and \$300 for community groups) which will be presented by the Mayor.

9.3.1

(cont)

Results

Overall there were 815 Food Safety Assessments (FSA) conducted during 2019. The results for 2019 are outlined in the following table which includes comparative results for prior years.

Council Star Rating	Compliance Rating	2019	2018	2017	2016	2015
Five Stars Excellent	Compliant	238 (29.2%)	226 (28%)	208 (26.6%)	203 (27.3%)	187 (25.5%)
Four Stars Very Good		363 (44.5%)	341 (42.2%)	337 (43.2%)	283 (38.0%)	288 (39.3%)
Three Stars Satisfactory		173 (21.2%)	188 (23.3%)	182 (23.3%)	202 (27.2%)	199 (27.1%)
Two Stars Unsatisfactory	Major Non-Compliance	38 (4.7)	45 (5.5%)	42 (5.4%)	48 (6.4%)	49 (6.7%)
One Star Poor	Critical Non-Compliance	3 (0.4%)	8 (1%)	12 (1.5%)	8 (1.1%)	10 (1.4%)
Total		815	808	781	744	733

The businesses recommended for the "Food Premises of the Year" award for 2019 under the three categories are as follows: -

Class 1: *Victoria Grange Aged Care - 502-514 Burwood Highway, VERMONT SOUTH*

Class 2: *Zouki Café - Box Hill Hospital - 8 Arnold Street, BOX HILL*

Community Groups: *Livingstone Primary School – 25-29 Livingstone Road, VERMONT SOUTH*

Certificates of commendation in recognition of excellence in food safety standards are also recommended for 43 (5.3%) food businesses achieving a 5 star rating with a maximum assessment result of 100%. (Refer to Appendix A).

DISCUSSION

Star Ratings Defined

A food premises achieving the 5 star and 4 star rating is one that demonstrates a high standard of compliance with legislative requirements with a score rating between 91% and 100%. A 5 star rating also demonstrates best practice through implementing additional processes and maintaining records above and beyond legislative requirements.

A food premises achieving the 3 star rating is one that reflects a score rating between 81% and 90% with the premises demonstrating satisfactory compliance with legislative requirements.

A food premises achieving the 2 star and 1 star rating is one that demonstrates a low standard of compliance with legislative requirements, including the Food Standards Code and Food Safety Program, with a 2 star rating awarded for a score between 71% and 80% and a 1 star rating awarded for a score of 70% or below.

9.3.1

(cont)

Food Safety Performance for 2019

The results for the food safety rating for 2019 for businesses achieving 5 and 4 stars (29.2% and 44.5% respectively) demonstrates high standards being recorded and maintained across 73.7% of food businesses that were assessed. Overall this was a positive result with a significant improvement of 3.5% above the result for 2018 and in particular an increase of 1.2% of business achieving 5 stars.

Overall, food safety performance for food businesses within Whitehorse continues to remain high with 94.9% of premises being compliant. This result represents an improvement relative to the previous 3 years of 93.5% (2018), 93.1% (2017), 92.5% (2016) and 91.9% (2015). The result also compares favourably against the state average of 79.7% of premises being compliant based on 2018 data.

A total of 41 premises (5.1%) achieved a rating that was below satisfactory with 4.7% receiving 2 Stars and 0.4% receiving 1 Star. While the objective of the FSA system is to have zero percent of premises achieving less than 3 stars unfortunately a small percentage of premises each year are assessed as being below the threshold. This result shows a positive downward trend in the proportion of these premises over the past 5 years.

Unsatisfactory food safety performance is managed through Council's food safety non-compliance policy. The policy consists of a number of responses including the issuing of improvement notices, food act orders, increasing the number and frequency of inspections, the seizing of any unsafe foods, initiating the closure of a food premises, and instigating prosecution where deemed appropriate. PINs are also issued in situations where there is continued failure to comply with the requirements of the Food Act, but where the seriousness of the offence does not warrant legal prosecution.

Overall Council's Environmental Health Officers (EHOs) conducted approximately 400 non-compliance / follow up inspections to ensure that identified food safety risks were managed, compliance achieved and acceptable food hygiene standards are maintained. This ensures that potential risks to the community are either eliminated or controlled.

In summary, enforcement activities and education initiatives were conducted to ensure that all premises recording 1 and 2 stars undertook measures to address any food safety risks and were compliant within specified timelines and performing to a satisfactory level.

Council's EHOs work closely with the food industry to support compliance. They provide on-going advice to businesses and promote the importance of maintaining food safety standards to build consumer confidence within the community.

Council hosted a series of five workshops during the year to educate and support businesses on managing food allergens. There were over 140 attendees with one of the sessions hosted at the Box Hill Town Hall also translated in Chinese language.

Promoting Council's 5 Star Food Safe program

Market research of council's 5 star rating program conducted by the Department of Health and Human Services (DHHS) in 2017 through an independent consultant suggested that consumer awareness and understanding of the system could be enhanced and recommended a more recognisable and consistent identity.

In response, Council's Environmental Health Unit together with the Communications and Digital Marketing Team created a brand name and design to support the 5 Star rating system. This included consultation with food businesses which provided valuable feedback. The new name, "Whitehorse Food Safe", and logo incorporate the key elements and messaging of "Whitehorse", "Food Safety" and the "5 Star Rating".

9.3.1 (cont)



The new logo has been incorporated into Council's website and will expand to star rating certificates for display by food businesses and other printed communications.

Review of FHA Program

DHHS have rolled out new food safety risk assessment guidelines for EHOs based on Hazard Analysis and Critical Control Point (HACCP) principles. Council's EHOs have participated in training and trialling of the new guidelines which places a greater focus on identifying and analysing hazards and ensuring that risks are being managed through implementing adequate controls.

The approach reinforces industry responsibility and accountability for preparing safe food, shifts the focus to the prevention and draws on scientific evidence to identify and mitigate food safety risk. Though this is consistent with Council's 5 Star food safety assessment, it will require some minor changes to operational policy and EHO practice.

CONSULTATION

The Environmental Health Unit conducts annual Food Hygiene Assessment workshops. The purpose of the workshops is to report on results of food safety performance of businesses, discuss common non-compliance issues and to update proprietors on changes and requirements of the Food Hygiene Assessment System for the forthcoming year. The forum also provides an opportunity to update businesses on changes to legislative requirements.

The Environmental Health Unit produces and distributes Guides on the 5 Star program to all registered premises annually. The Guides provide information on the FHA System that includes assessment criteria and how to achieve the 5 Star rating, as well as Best Practice records.

FINANCIAL IMPLICATIONS

The total budgeted expenditure of Council's Food Safety Management Program is \$850,000. Council receives about \$650,000 in income which provides a total net cost to Council of \$200,000 for the program.

9.3.1

(cont)

Appendix A – Food Businesses receiving Certificates of Commendation

Trading Name	Address
Bakers Delight	Burwood One, Shop G 10/172-210 Burwood Highway, BURWOOD EAST 3151
Baking Mummas	38 Junction Road, BLACKBURN NORTH VIC 3130
Base Camp Kids	11/372-394 Whitehorse Road, NUNAWADING 3131
Bellbird Private Hospital	190-198 Canterbury Road, BLACKBURN SOUTH 3130
Blackburn High School Canteen	58-62 Springfield Road, BLACKBURN 3130
Blue Cross Box Hill	40-56 Dorking Road, BOX HILL VIC 3128
Box Hill Early Learning Child Care Centre & Kinder	152 Dorking Road, BOX HILL NORTH VIC 3129
Box Hill Hospital Kiosk	8 Arnold Street, BOX HILL VIC 3128
Box Hill Motel	177 Station Street, BURWOOD 3125
Bunnings Box Hill	259 Middleborough Road, BOX HILL SOUTH VIC 3128
Casa Bambini Blackburn	502-504 Middleborough Road, BLACKBURN 3130
Deakin & Community Childcare Co-operative Ltd	Deakin University, 213-243 Burwood Highway, BURWOOD 3125
Ferguson Plarre Burwood	K 4/172-210 Burwood Highway, BURWOOD EAST VIC 3151
Good Sense Catering	54 Parkmore Road, FOREST HILL 3131
Goodstart Early Learning Vermont - Canterbury Road South	522-524 Canterbury Road, VERMONT 3133
Got Cake	102 Vicki Street, FOREST HILL 3131
Green & Wood Espresso	1/301 Burwood Highway, BURWOOD VIC 3125
Greenwood Burwood East	6 Lakeside Drive, BURWOOD EAST VIC 3151
Guardian Childcare & Education Blackburn Village	50-52 Blackburn Road, BLACKBURN VIC 3130
Little Raskals Kindergarten & Childcare Centre	94 Springvale Road, NUNAWADING 3131
Mary's Little Lambs Early Learning Centre	27 Medway Street, BOX HILL NORTH VIC 3129
Meals On Wheels Silver Grove	22 Silver Grove, NUNAWADING VIC 3131
Mountainview Cottage	25 Mountainview Road, NUNAWADING 3131
Nunawading Amateur Basketball Association	320 Burwood Highway, BURWOOD EAST VIC 3151
Red Apple Early Learning Centre	487-489 Canterbury Road, VERMONT 3133
Sissy's Bix	7 Canterbury Road, BLACKBURN 3130
Sketches Cafe Bar	273 Burwood Highway, BURWOOD 3125
Smart Brown Catering	1022 Whitehorse Road, BOX HILL VIC 3128
Starfish Early Learning Centre (Nunawading)	24 Mountainview Road, NUNAWADING 3131
Tinkabell Early Learning Centre	290-292 Mitcham Road, MITCHAM 3132
Toast Nunawading	144 Junction Road, NUNAWADING VIC 3131

9.3.1

(cont)

Trading Name	Address
Uniting East Burwood	220 Burwood Highway, BURWOOD EAST 3151
Vermont Aged Care	770 Canterbury Road, VERMONT 3133
Vermont Secondary College	27-63 Morack Road, VERMONT 3133
Vinh Hao	3 Alfred Street, BLACKBURN 3130
Watts Street Children's Centre	10-12 Watts Street, BOX HILL VIC 3128
www.thecaterers.com.au	3 Kerr Lane, BOX HILL NORTH VIC 3129
Zagar's Charcoal Grill	9 Royton Street, BURWOOD EAST 3151
Guzman Y Gomez	9/249 Middleborough Road, BOX HILL SOUTH VIC 3128
Showdown Events	Old Orchard Primary School, 70-88 Koonung Road, BLACKBURN NORTH VIC 3130
Cafe Cachet	2 Main Street, BLACKBURN VIC 3130
Emmikins ELC	694-696 Whitehorse Road, MITCHAM VIC 3132
Wattle Park Primary School	225 Warrigal Road, BURWOOD 3125

9.3.2 Whitehorse Health and Wellbeing Plan 2017-2021

ATTACHMENT

SUMMARY

The Whitehorse Health and Wellbeing Plan 2017-2021 (the Plan) represents Council's long term commitment to working in partnership to improve the health and wellbeing of the municipality.

The Plan builds upon the work undertaken in previous Municipal Public Health and Wellbeing plans, strengthening Council's approach to supporting a healthy, vibrant, prosperous and sustainable community.

This Report presents the key achievements of the Whitehorse Health and Wellbeing Plan 2017-2021 for the 18 months commencing 1 January 2018 to 30 June 2019, under each of the relevant Council Strategic Directions as well as the Whitehorse Health and Wellbeing Plan goals.

In the past, health and wellbeing reporting was undertaken on a calendar year basis. However, to reduce reporting duplication and streamline administration processes, the health and wellbeing reporting cycle has been adjusted to align with the Council Plan.

In addition, Council is required to report to the Secretary of the Department of Health and Human Services on the measures it proposes to take to reduce family violence and respond to the needs of victims in the local community.

RECOMMENDATION

That Council notes achievements of the Whitehorse Health and Wellbeing Plan for the period 1 January 2018 to 30 June 2019.

BACKGROUND

The Whitehorse Health and Wellbeing Plan 2017-2021 (the Plan) represents Council's long term commitment to working in partnership to improve the health and wellbeing of the municipality.

The Plan builds upon the work undertaken in previous Municipal Public Health and Wellbeing Plans, strengthening Council's approach to supporting a healthy, vibrant, prosperous and sustainable community. This report describes the achievements of the Whitehorse Health and Wellbeing Plan 2017-2021 for the 18 month period commencing 1 January 2018 to 30 June 2019, under each of the relevant Council Strategic Directions as well as the Whitehorse Health and Wellbeing Plan Goals.

In the past, health and wellbeing reporting was undertaken on a calendar year basis. To reduce reporting duplication and streamline administration processes, the health and wellbeing reporting cycle has been adjusting to align with the Council Plan.

Review and reporting requirements

The Plan is developed and reported on taking into account Council's responsibilities under the Victorian Public Health and Wellbeing Act 2008 (the Act), other legislation, policy contexts of the State and Federal Governments, emerging trends and what the community is identifying as their priorities.

The Act states that 'A Council must review its municipal public health and wellbeing plan annually and, if appropriate, amend the municipal public health and wellbeing plan' The legislation does not prescribe what a review might entail. The review of the Plan involved documenting achievements for the 18 month period and as a result, there were no changes to the Plan's goals or strategies.

9.3.2

(cont)

DISCUSSION

Whitehorse City Council plays an active leadership role in identifying and highlighting public and community health priorities throughout the municipality. The Plan's implementation is a vehicle through which Council, its partners and the local community can respond to these priorities.

Victorian Public Health and Wellbeing Act 2017 Amendment

In 2017 the Victorian Government amended section 26 of the Public Health and Wellbeing Act 2008 (Vic) to require councils to specify measures and report on those in regard to reducing family violence and responding to the needs of victims in the local community. A Council must report to the Secretary of the Department of Health and Human Services on the measures at the intervals specified by notice in writing. The 2018/2019 report to the Secretary (as required) was submitted on 23 August 2019. Actions reported to the Department are included in the Appendix document in the section titled: Strategic Direction One, Family Violence Response and Prevention.

Implementation of the Plan

Implementation of the Plan, in partnership with key stakeholders, guides Council and the community's efforts in achieving the health and wellbeing goals of the City of Whitehorse, which are:

1. Connected, safe, respected and resilient people, families and communities
2. Accessible, safe and welcoming places for all people
3. A sustainable environment and shared open spaces
4. Communicating, actively engaged Council
5. Economic opportunity for people

The Plan is a key Council document that provides a strategic planning focus, promotes partnerships and networks, highlights local health issues, involves all departments of Council, enables the integration of a social model of health and articulates links to regional, state and national health priorities.

Council Plan alignment

The *Whitehorse Health and Wellbeing Plan 2017-2021* identified numerous strategic activities which are aligned with and reported under the Council Plan. These activities contribute to the health and wellbeing of the municipality. The Appendix document to this report highlights some of these to illustrate Council's influence on people's health and wellbeing through the work it does in the social, built, natural and economic domains.

Partnerships

Municipal Public Health and Wellbeing Plans help to provide the 'line of sight' between local and state efforts to prevent illness and promote health and wellbeing. Partnerships are crucial to this approach.

A keystone of the *Whitehorse Health and Wellbeing Plan 2017-2021* is strengthening Council's work with local partners in a number of key areas of health and wellbeing. The Plan identified developmental areas where Council would strengthen partnerships and collaborative planning:

- Prevention of family violence and violence against women
- Reducing harm from alcohol
- Promoting healthy eating.

9.3.2 (cont)

Achievements of the Whitehorse Health and Wellbeing Plan 2017-2021 for the 18 months of 1 January 2018 to 30 June 2019 under each of the relevant Council Strategic Directions and Health and Wellbeing Goals are detailed fully in the attached Appendix document. Below is a snapshot of those highlights.

Achievement highlights

1. Health and Wellbeing Goal: Connected, safe, respected and resilient people, families and communities
 - Mental Health Forum and Men's Health Week Seminars with topics including Suicide Prevention, Anxiety and Depression in Men, Expectations and Wellbeing
 - Forest Hill Dementia Friendly Project [Partnership]
 - Family Violence and Elder Abuse Prevention [Partnerships]
 - Family Violence Prevention Collaborative Action and Networking Group and Action Planning
 - Free from Violence Project and program of activities
 - Nadrasca collaboration
 - Interfaith United for Safety and Respect Project
 - Elder Abuse awareness raising
 - IDAHOBIT Day
 - Immunisation Program
 - Maternal Child Health (incl. Enhanced & Mandarin)
 - Intergenerational Project [Partnership]
 - Accessible Community Events and Arts Programs for people with disabilities, older people and people of culturally diverse backgrounds
 - Creative Youth Hub
2. Health and Wellbeing Goal: Accessible, safe and welcoming places for all people
 - Opening of additional space at Box Hill Skate Park
 - Review of street lighting in Market and Main Streets, Box Hill [Partnership]
 - Eastern Affordable Housing Alliance Advocacy [Partnership]
3. Health and Wellbeing Goal: A sustainable environment and shared open spaces
 - Biodiversity Inventory
 - Sustainability Program
 - Waste Management Strategy [Collaboration with other Councils]
 - New park at Chaucer Street
4. Health and Wellbeing Goal: Communicating, actively engaged Council
 - Snap, Send and Solve
 - Language translation and improved search functions on new Council website
 - Your Say community engagement platform
 - Healthy Workplace Achievements
 - Use of social stories using simple language and images to help children with anxiety disorders and autism understand what happens at pool based parties held in Council facilities

9.3.2

(cont)

5. Health and Wellbeing Goal: Economic opportunity for people

- Partnerships and programs to increase employment with Deakin University, Gateway LLEN and other Councils
- Business Skills Programs
- Youth Connexions Employment Support

The 2019/2020 action plan is currently under development, including the integration of a Family Violence Prevention Action Plan.

CONSULTATION

The review of the Plan's implementation and action planning for 2019/2020 was undertaken in consultation with all contributing areas of Council.

Cross-council departments responsible for the implementation of the Whitehorse Municipal Public Health & Wellbeing Plan were engaged to provide their feedback in regard to the outcomes from their departments against the strategic directions of the Council Plan and the Health & Wellbeing Plan.

FINANCIAL IMPLICATIONS

The review of the Plan was undertaken by Council's Community Development - Health & Wellbeing Officer. The time commitment to collect all of the information presented in the Appendix document equates to approximately \$5000.

POLICY IMPLICATIONS

The Whitehorse Health and Wellbeing Plan 2017-2021 is consistent with objectives in the Whitehorse Council Vision, the Whitehorse Council Plan and State and Federal Government policy directions.

Many existing Council plans and strategies are integrated into and inform the Whitehorse Health and Wellbeing Plan 2017-2021 including: the Whitehorse Disability Strategy and Action Plan, the Whitehorse Diversity Plan, the Whitehorse Reconciliation Plan, The Whitehorse Community Participation Strategy, the Whitehorse Positive Ageing Strategy, the Whitehorse Recreation Plan, the Whitehorse Cultural Strategy, the Whitehorse Youth Plan and the Whitehorse Early Years Plan.

ATTACHMENT

- 1 MPHWP 2017-2021 - Action Plan Report 1 January 2018 - 30 June 2019

9.4 CORPORATE

9.4.1 Quarterly Performance Report June to September 2019

FILE NUMBER: 19/251467
ATTACHMENT

SUMMARY

The purpose of this report is to brief Council on the performance against the Council Plan 2017-21 and the Annual Budget 2019/20 for the quarter ended 30 September 2019.

RECOMMENDATION

That Council notes the Quarterly Performance Report for the quarter ended 30 September 2019, as attached.

BACKGROUND

Pursuant to sections 131(3) (a) (ii) and 138 of the *Local Government Act 1989*, the Quarterly Performance Report provides a high level summary of Council's performance against major initiatives, initiatives, and services identified in the Annual Plan, which is part of the *Adopted Budget 2019/20*. These are significant projects that will directly contribute to the achievement of the *Council Plan 2017-21* and have a major focus on the budget. They may include actions that are once-off in nature and/or lead to improvements in services.

The financial section of the Quarterly Performance Report for quarter ended 30 September 2019 has been prepared on an accruals basis to ensure accurate matching of income and expenditure, both operating and capital, for the year-to-date ended 30 September 2019. Furthermore, the financial section is prepared on the basis of year-to-date, year-end projection, cash and key balance sheet items, and analysing trends against budget (Attachment 1).

DISCUSSION

Performance against Council Plan

The Annual Plan, which is part of the *Adopted Budget 2019/20*, identifies 29 significant initiatives that contribute to the achievement of the strategic directions and goals of *Council Plan 2017-21*. Of the 29 initiatives being reported on this quarter, one is complete, 21 are on track, four are behind schedule and three have not yet commenced.

Highlights for the quarter include:

- Nunawading Community Hub – Structural steel framing has been complete with excavation works underway for services, car parks and landscaping
- Heritage Week – 15 programs were held across 12-19 September celebrating the progress of health programs and change in traditional health care services in Whitehorse over the last 100 years
- North East Link Advocacy – Council's position on the project was presented to the independent Inquiry and Advisory Committee, appointed to assess the environmental impacts of the project
- Whitehorse Business Week 2019 – The 19th staging of the annual program provided opportunities and networking for the Whitehorse and Melbourne East business community to gain information on the latest trends
- Renault Kangoo Z.E. Maxi Van – aligned with Council's Sustainability Strategy, this electric vehicle was purchased to support the delivery of township cleaning services throughout Whitehorse and produces zero tailpipe emissions.

9.4.1

(cont)

Performance against Annual Budget

The year to date financial result at 30 September was a surplus of \$100.89m which was \$1.12m favourable to budget. This primarily reflects favourable variances in employee costs (\$543k), materials and services (\$430k), and the net gain on disposal of assets (\$346k).

The first forecast review has been completed and a surplus of \$24.06m is now predicted for the year, representing a \$1.04m decrease from the adopted Budget. This is mainly due to a \$1.00 million increase in depreciation expenditure resulting from increases in asset values based on the drainage and building revaluations that were adopted by Council at 30 June 2019.

ATTACHMENT

1 Quarter One (July - September 2019)

9.4.2 Intention to Lease Land to Not-For-Profit Organisations

FILE NUMBER: SF08/271

SUMMARY

Council confidentially resolved on 21 October 2019 to commence the statutory procedures under Section 190 and Section 223 of the Local Government Act 1989 to lease Council owned land located in Box Hill to the following Not-for-Profit organisations: Family Access Network Incorporated, Box Hill Community Information and Support Incorporated (formerly trading as the Box Hill Citizens Advice Bureau), Eastern Community Legal Centre Incorporated and The Migrant Information Centre (Eastern Melbourne) Limited.

A public notice of Council's proposal was placed in The Age on Saturday 26 October 2019 and displayed for twenty eight (28) days on Council's website.

Two submissions were received by the submission closing date and these were considered by Council at its Special Committee meeting dated 2 December 2019.

RECOMMENDATION

That Council:

- 1. Having completed the public notice process in accordance with Sections 190 and 223 of the Local Government Act 1989 and having received and considered at Council's Special Committee meeting held on 2 December 2019 the submission, resolve to grant a lease for part of the Council owned land known as part 2-10 Harrow Street, Box Hill to Family Access Network Incorporated, for an initial lease term of five (5) years with one further term of two (2) years; with fixed rental of Nine Thousand Dollars (\$9,000)+GST per annum and a likely commencement date of 1 January 2020. The Retail Leases Act 2003 will not apply as the lease will satisfy the requirements of paragraph 1(b) of the Ministerial determination dated 6 October 2014.**
- 2. Having completed the public notice process in accordance with Sections 190 and 223 of the Local Government Act 1989 and having received no submissions, resolve to grant a lease for part of the Council owned land known as part 27 Bank Street, Box Hill to Box Hill Community Information and Support Incorporated (formerly trading as the Box Hill Citizens Advice Bureau), for an initial lease term of five (5) years with one further term of two (2) years with a likely commencement date of 1 January 2020 with a year one rental of Three Thousand Nine Hundred and Seventy Dollars (\$3,970)+GST per annum, annual two (2%) percent fixed increases. The Retail Leases Act 2003 will not apply as the lease will satisfy the requirements of paragraph 1(b) of the Ministerial determination dated 6 October 2014.**
- 3. Having completed the public notice process in accordance with Sections 190 and 223 of the Local Government Act 1989 and having received and considered at Council's Special Committee meeting held on 2 December 2019 the submission, resolve to grant a lease for part of the Council owned land known as part 27 Bank Street, Box Hill to Eastern Community Legal Centre Incorporated, for an initial lease term of five (5) years with one further term of two (2) years with a likely commencement date of 1 January 2020; with a year one rental of Twenty Thousand Dollars (\$20,000)+GST per annum and with annual rent increases of five thousand dollars (\$5,000)+GST.**
- 4. Having completed the public notice process in accordance with Sections 190 and 223 of the Local Government Act 1989 and having received no submissions, resolve to grant a lease for part of the Council owned land known as part 27 Bank Street, Box Hill to The Migrant Information Centre (Eastern Melbourne) Limited, for an initial lease term of five (5) years with one further term of two (2) years with a likely commencement date of 1 January 2020; with a year one rental of Fifty Nine Thousand Two Hundred and Eighty Dollars (\$59,280)+GST per annum and annual two (2%) percent fixed increases.**

9.4.2

(cont)

5. Authorise the Manager of Property & Rates to sign the leases.

BACKGROUND

Council confidentially resolved on 21 October 2019 to commence the statutory procedures under Section 190 and Section 223 of the *Local Government Act 1989* (the Act) to lease Council owned land located in Box Hill to the following Not-for-Profit organisations: Family Access Network Incorporated, Box Hill Community Information and Support Incorporated (formerly trading as the Box Hill Citizens Advice Bureau), Eastern Community Legal Centre Incorporated and The Migrant Information Centre (Eastern Melbourne) Limited.

The abovementioned Not-for-Profit organisations provide extensive services to Whitehorse residents and they rely on ongoing Council support via the provision of centrally located office space with a rental discount.

DISCUSSION

The services offered by all four tenants mentioned above, for the purposes of the *Retail Leases Act 2003*, are considered a retail service; however, as “not-for-profit” organisations, the proposed leases would be exempt from the operation of the *Retail Leases Act 2003* based on the Ministerial Determination dated 13 October 2014 (the Determination).

However, the Determination “caps” the annual rental payable at \$10,000 inclusive of GST per annum and if the rent exceeds \$10,000 per annum during the life of the lease, the Determination cannot be applied; meaning that both the Family Access Network Incorporated and the Box Hill Community Information and Support Incorporated are subject to the exemption because their annual rental does not exceed \$10,000 per annum threshold.

As the proposed rental for the Eastern Community Legal Centre Incorporated and the Migrant Information Centre (East Melbourne) Limited exceed the \$10,000 per annum threshold these two tenancies are subject to the *Retail Leases Act 2003*.

As advised in the 21 October 2019 confidential Council report, Sections 190 and 223 of the Act apply to the four tenancies because their assessed annual market rental exceeds the \$50,000 threshold contained within Section 190 of the Act.

CONSULTATION

The dates for the Sections 190 & 223 processes were as follows:

Monday 21 October 2019:	Council resolved to advertise its Intention to Lease over Council Owned Land
Saturday 26 October 2019:	Public notice displayed in The Age
Monday 28 October 2019:	Public Notice displayed on Council’s Website
Monday 25 November 2019:	Public submissions closed

Two written submissions were received; the first submission relating to the proposed lease to the Family Access Network Incorporated for part of 2-10 Harrow Street, Box Hill and the second submission relating to Eastern Community Legal Centre Incorporated for part of 27 Bank Street, Box Hill.

The written submissions were made by the Chief Executive Officers of the above mentioned organisations and both submissions supported the proposed leases.

Council at its Special Committee dated Monday 2 December 2019 considered the written submissions and heard presentations from the Family Access Network Incorporated and Eastern Community Legal Centre Incorporated in accordance with Section 223 of the Act.

9.4.2

(cont)

The Special Committee resolved:

“That the Special Committee having received written submissions and having heard from those who requested to speak to their written submissions, refer those submissions to the Ordinary Council meeting to be held on 9 December 2019 for further consideration and for a Council decision.”

Having completed the statutory obligation in accordance with Sections 190 and 223 of the Act, Council can resolve to either grant or not grant the leases; Council is unable to amend the lease terms or rentals.

FINANCIAL IMPLICATIONS

All expenses associated with the leases and the statutory process will be borne by the Property & Rates Department's 2019/20 recurrent budget and these expenses are estimated to be approximately \$15,000 + GST.

POLICY IMPLICATIONS

The granting of the lease for the Family Access Network is undertaken in accordance with Council's "Property Leasing and Licence Policy"; however, at the time of adopting this policy the Box Hill Town Hall Hub was exempt from the policy and consequently the policy does not apply the three Box Hill Town Hall Hub leases located at 27 Bank Street Box Hill.

9.4.3 Domestic Animal Management Plan: Council Orders

ATTACHMENT

SUMMARY

The Domestic Animals Act 1994 (Act) provides for local governments to establish local controls for the management of domestic animals. These controls include how domestic animals are to be restrained in the community, registration requirements and locations where dogs can be exercised.

This report details the results of a review of Council Orders 3, 4 and 5 made under the Domestic Animals Act 1994 operating in the City of Whitehorse and recommends a number of changes.

RECOMMENDATION

That Council:

- 1. Repeal Whitehorse City Council Order No. 3 in accordance with Section 10A (2) of the Domestic Animals Act 1994***
- 2. Repeal Whitehorse City Council Orders 4 and 5 made in accordance with Section 26 (2) of the Domestic Animals Act 1994***
- 3. Endorse Whitehorse City Council Orders No. 8 made in accordance with Section 10A (1) of the Domestic Animals Act 1994***
- 4. Endorse Whitehorse City Council Orders No. 9 and 10 made in accordance with Section 26 (2) of the Domestic Animals Act 1994***
- 5. Delegate the Chief Executive Officer authority to sign the Orders***
- 6. Publish Whitehorse City Council Orders 8, 9 and 10 in the Government Gazette and local paper as specified under Section 26 (3) of the Domestic Animals Act 1994.***

BACKGROUND

The Act provides local government authorities the power to impose certain additional controls on ownership of cats and dogs within that municipal district. The City of Whitehorse has four Orders in place made under the Act being:

- Order 3 – compulsory desexing of cats and dogs being registered for the first time in Whitehorse
- Order 4 – cat confinement during specified times
- Order 5 – prohibition of cats entering designated environmentally sensitive areas and
- Order 7 – effective control of dogs in Public Places including Dog Off Lead areas.

The Act also requires local governments to establish a Domestic Animal Management Plan (DAMP). The objectives of the Whitehorse 2017-2020 DAMP included the establishment of a framework that provides a safe and harmonious environment by promoting responsible pet ownership. As part of the DAMP action plan Order No 6 Dogs off Lead in Public Places was reviewed and replaced in 2018 by Order 7 (above).

Orders 3, 4 and 5 were reviewed this year as part of the DAMP Action Plan and this report makes a number of recommendations relating to these Orders

9.4.3

(cont)

DISCUSSION

Council's Domestic Animal Management Planning Advisory Committee (DAMPC) reviewed the three Orders relating to the 2019 DAMP Action Plan and the results of community consultation carried out. At the DAMPAC meeting of October 16 endorsement for the recommended amendments was provided. Following is an overview of the Orders reviewed.

Order No. 3

Order 3 made in April 2011, relates to the requirement to have all cats and dogs being registered in the City of Whitehorse for the first time to be desexed unless exempted under the Act.

One of the principle reasons for having domestic animals compulsory desexed is the potential prevention of indiscriminate breeding.

However, in Whitehorse over 98% of registered cats and dogs are either desexed or exempt. The Order in its present state has had little impact on registration trends over its lifespan with Whitehorse registration levels and statuses changing marginally.

The Order has had an unintended consequence in that it has hindered registration of new pets in some cases as owners, when told they must desex their pet prior to registration, do not register them and are not able to be followed up.

1. Compulsory desexing has a place in the management of cat colonies and can contribute to the reduction of unowned cats that cause a number of issues in the community. Aside from preventing accidental litters, there are many health and behavioural benefits to desexing including:

- Desexed animals are generally less likely to get diseases and certain illnesses such as mammary cancer and uterine infections in females and prostate problems in males.
- Desexing commonly reduces behaviour problems such as roaming, aggression and urine marking in males.
- In females it prevents mating behaviour and false pregnancy. Reducing the desire to roam also reduces the risk of being in a traumatic accident such as being hit by a car.

These issues, particularly those related to roaming impact cats significantly as cats are not required to be confined during the day in Whitehorse.

To manage indiscriminate breeding of cats it is recommended to replace Order No 3 with a new Order removing all references to dogs. The new Order is attached in Appendix 1

Order No. 4

Order 4 made in April 2011 relates to cat confinement at night. The Order requires all cats to be securely confined at night in a dwelling or an escape proof enclosure from 8pm to 6am daily.

Serious problems can occur if cats are allowed to roam, particularly at night. Around 80% of accidents involving cats happen at night. Roaming cats may be hit by cars, injured in fights, catch fatal diseases (e.g. feline AIDS) following a fight or interaction with another cat, or become lost. Roaming cats can also kill native wildlife – even well fed cats will hunt, it is in their nature. Roaming cats may also annoy neighbours by spraying, fighting, yowling and digging in their gardens.

9.4.3

(cont)

Whitehorse's confinement Order is well accepted in the community with a recent survey indicating 75% of respondents supporting the existing arrangements and 66% aware of the curfew in place.

It is recommended to make minor changes to Order No. 4 keeping the existing curfew times. The new Order is attached in Appendix 2

Order No. 5

Order No. 5 relates to prohibiting cats from entering designated Council Bushland Reserves to protect fauna and flora. The designated reserves are Bellbird Dell, Blackburn Lake Sanctuary, Blackburn Creeklands, Yarran Dheran, Koonung Creek Parklands, Joseph Street Reserve, Antonio Park, Wandinong Sanctuary, R E Gray Reserve, Campbells Croft and Cootamundra Walk.

While few breaches of this Order have been detected it provides protection and a legal framework to keep cats out of sensitive areas protecting fauna

It is recommended to make minor changes to Order No. 5 keeping the existing designated reserves. The new Order is attached in Appendix 3

CONSULTATION

A number of mediums were used in the consultation phase of this project and included:

- Promotional information on Council's website, providing further information and a direct link to 'Your Say Whitehorse'
- Emails sent to people registered on the Your Say Whitehorse website notifying them of the consultation and inviting them to comment\
- Email invitation sent to all of Council's Park and Bushland Advisory committees for forwarding to members and comment
- Advertisements in the local print media – Whitehorse News and Whitehorse Leader under Council's regular news column for the duration of the consultation period.
- Promotions on Council's social media platforms, Facebook and Twitter
- Direct mail out to 250 people per postcode including animal and non-animal owners

The project page was visited 618 and 141 submissions were received

Some of the key results are:

- 31% of respondents did not own a cat or dog
- 66% of respondents are aware of the cat curfew
- 83% supported the designated bushland restrictions
- 78% support compulsory animal desexing

DAMPAC was engaged throughout the project, reviewed the existing Orders and the recommended changes, the consultation process and results and provided direction on engagement strategies.

FINANCIAL IMPLICATIONS

There are no financial implications

POLICY IMPLICATIONS

Whitehorse City Council Orders No 3, 4 and 5 made under Section 26(2) of the *Domestic Animals Act 1994* are replaced with Whitehorse City Council Orders No. 8, 9 and 10.

ATTACHMENT

- 1 Order 8 made under DAA 1994.pdf
- 2 Order 9 made under DAA 1994.pdf
- 3 Order 10. made under DAA 1994.pdf

9.4.4 Delegated Decisions October 2019

SUMMARY

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

RECOMMENDATION

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

DELEGATION	FUNCTION	Number for October 2018	Number for October 2019
Planning and Environment Act 1987	Delegated Decisions	189	139
	Strategic Planning Decisions	Nil	1
Telecommunications Act 1997		Nil	1
Subdivision Act 1988		25	29
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	89	65
Liquor Control Reform Act 1998	Objections and Prosecutions	6	Nil
Food Act 1984	Food Act Orders	2	Nil
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	3	Nil
Local Government Act 1989	Temporary Rd. Closures	11	6
Other Delegations	CEO Signed Contracts between \$150,000 - \$750,000	6	3
	Property Sales and Leases	5	4
	Documents to which Council seal affixed	1	Nil
	Vendor Payments	987	1503
	Parking Amendments	5	3
	Parking Infringements Withdrawn	319	327

9.4.4

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS OCTOBER 2019

All decisions are the subject of conditions which October 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/2018/1274	23-10-19	Application Lapsed	27 Dunlavin Road Mitcham Vic 3132	Springfield	The construction of two double storey dwellings, buildings and works within 4 metres of vegetation and vegetation removal.	Multiple Dwellings
WH/2019/270	17-10-19	Application Lapsed	11 Kalang Street Blackburn Vic 3130	Central	Removal of one tree in SLO1	VicSmart - Tree
WH/2019/272	17-10-19	Application Lapsed	11 Kalang Street Blackburn Vic 3130	Central	Removal of one tree in SLO1	VicSmart - Tree
WH/2019/458	23-10-19	Application Lapsed	9 Lucerne Street Vermont Vic 3133	Morack	Construction of two storey dwelling to the rear of the existing dwelling	Multiple Dwellings
WH/2019/671	29-10-19	Application Lapsed	8-12 Simla Street Mitcham Vic 3132	Springfield	Buildings and works for relocation of bunker and container and extension of decking/verandah/canopy to existing place of assembly	Residential (Other)
WH/2019/788	04-10-19	Application Lapsed	194 Blackburn Road Blackburn South Vic 3130	Central	Buildings and works for a crossover within 4 metres of a protected tree in the Significant Landscape Overlay Schedule 9 and alteration of access to a road in a Road Zone Category 1.	Special Landscape Area

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2007/120/C	10-10-19	Delegate Approval - S72 Amendment	510 Mitcham Road Mitcham Vic 3132	Springfield	Construction of a two storey dwelling to the rear of the existing dwelling, the removal of one (1) protected tree, lopping of one (1) protected tree and buildings and works within 4 metres of a protected tree	Permit Amendment
WH/2010/734/C	10-10-19	Delegate Approval - S72 Amendment	26/25-39 Cook Road Mitcham Vic 3132	Springfield	Use and development of land for 38 warehouse buildings with ancillary offices, store and reduction in the standard car parking requirement	Permit Amendment
WH/2011/170/D	14-10-19	Delegate Approval - S72 Amendment	780 Whitehorse Road Mont Albert Vic 3127	Elgar	Amendment to plans for construction of a three storey building plus basement car park comprising of fifteen (15) dwellings and create and alter access to a road in a Road Zone Category 1 (Whitehorse Road), to change the front facade, change entry and disability access, and alterations to apartment 2.03 including new large balcony to the south	Permit Amendment
WH/2013/256/A	22-10-19	Delegate Approval - S72 Amendment	2/720 Whitehorse Road Mitcham Vic 3132	Springfield	Construction of two dwellings, including one double storey dwelling and one single storey dwelling and creation of access to a road in a Road Zone (Category 1)	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2014/568/A	14-10-19	Delegate Approval - S72 Amendment	3 Whitehorse Road Blackburn Vic 3130	Central	Buildings and works to construct 115 dwellings comprising 12 double storey dwellings, and two five storey buildings (plus two Buildings and works to construct 115 dwellings comprising 12 double storey dwellings, and two five storey buildings (plus two levels of basement car parking), associated alteration of access to two roads in a Road Zone Category 1, and tree removal and buildings and works within 4 metres of trees within the Significant Landscape Overlay Schedule 9 (SLO9)	Permit Amendment
WH/2015/1049/B	18-10-19	Delegate Approval - S72 Amendment	4 Katupna Court Vermont South Vic 3133	Morack	Construction of two (2) double storey dwellings	Permit Amendment
WH/2015/530/E	31-10-19	Delegate Approval - S72 Amendment	19 Premier Avenue Mitcham Vic 3132	Springfield	Construction of two double storey dwellings and buildings and works within 4 metres of protected vegetation	Permit Amendment
WH/2016/84/A	10-10-19	Delegate Approval - S72 Amendment	36 Jolimont Road Forest Hill Vic 3131	Morack	Amendment of plans for planning permit WH/2016/84/A issued for Construction of two double storey dwellings (including part retention of existing dwelling) to include internal alterations	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/1 042/A	24-10-19	Delegate Approval - S72 Amendment	1 Leonard Street Burwood Vic 3125	Riversdale	Use of the land as a Medical Centre, construction of buildings and works within 4 metres of vegetation, vegetation removal, display of internally illuminated business identification signs and access to a Road Zone Category 1	Permit Amendment
WH/2017/1 92/A	15-10-19	Delegate Approval - S72 Amendment	30 Station Street Burwood Vic 3125	Riversdale	TO INCLUDE VEGETATION REMOVAL AND CROSSOVER RELOCATE AND RESTRUCTURE IN PLANNING PERMIT - WH/2017/192	Permit Amendment
WH/2017/2 54/B	03-10-19	Delegate Approval - S72 Amendment	270 Canterbury Road Forest Hill Vic 3131	Central	Buildings and works associated with an increase in gross floor area, and installation of a skylight, use of Tenancy 308 as an indoor recreation facility (martial art training facility)	Permit Amendment
WH/2017/6 1/B	17-10-19	Delegate Approval - S72 Amendment	31 Glen Road Mitcham Vic 3132	Springfield	Construction of two (2) dwellings on a lot.	Permit Amendment
WH/2017/6 85/A	23-10-19	Delegate Approval - S72 Amendment	1/77 Holland Road Blackburn South Vic 3130	Central	Two (2) lot subdivision of vacant land	Permit Amendment
WH/2017/8 40/A	18-10-19	Delegate Approval - S72 Amendment	56 Eley Road Burwood Vic 3125	Riversdale	Construction of two (2), two storey dwellings	Permit Amendment
WH/2017/9 67/A	22-10-19	Delegate Approval - S72 Amendment	3 Penllyne Avenue Vermont Vic 3133	Morack	Construction of Two (2) Double Storey Dwellings on a Lot	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/100/B	15-10-19	Delegate Approval - S72 Amendment	274-278 Whitehorse Road Nunawading Vic 3131	Springfield	Buildings and works associated with additions to the redevelopment of the existing restricted retail premises, use of the land as a food and drink premises, a reduction in carparking requirements, alterations to access to a road zone Category 1 and display of business identification signage	Permit Amendment
WH/2018/105/B	15-10-19	Delegate Approval - S72 Amendment	14 Nara Road Mitcham Vic 3132	Springfield	Change 3 windows in powder room, living and rumpus.	Permit Amendment
WH/2018/1203/A	28-10-19	Delegate Approval - S72 Amendment	3 Arnott Street Mont Albert North Vic 3129	Elgar	Buildings and works within 4 metres of protected SLO9 trees and tree removal	Permit Amendment
WH/2019/239/A	15-10-19	Delegate Approval - S72 Amendment	35 Clydesdale Street Box Hill Vic 3128	Elgar	External Painting of a dwelling within a Heritage Overlay (HO101).	Permit Amendment
WH/2017/1020	28-10-19	Delegate NOD Issued	6 Parkside Avenue Box Hill Vic 3128	Elgar	Development of Four (4) Double Storey Dwellings on a Lot and Removal of Vegetation	Multiple Dwellings
WH/2017/334/A	03-10-19	Delegate NOD Issued	396 Elgar Road Box Hill Vic 3128	Elgar	Construction of ten 3-4 storey dwellings above basement, alteration of access to a road in a Road Zone, Category 1, tree removal and buildings and works within four metres of protected trees	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/868	02-10-19	Delegate NOD Issued	20 Barwon Street Box Hill North Vic 3129	Elgar	Three double storey dwellings plus basement car park and associated tree removal	Multiple Dwellings
WH/2018/1291	03-10-19	Delegate NOD Issued	18 Nash Road Box Hill South Vic 3128	Riversdale	Construction of a second dwelling, modifications to the existing dwelling and buildings and works within 4 metres of protected within the Significant Landscape Overlay Schedule 9	Multiple Dwellings
WH/2018/1364	03-10-19	Delegate NOD Issued	13 Deep Creek Road Mitcham Vic 3132	Springfield	Construction of two (2) double storey dwellings on a lot, associated tree removal, buildings and works within 4 metres of protected trees (SLO9) and, subdivision of land into two (2) lots.	Multiple Dwellings
WH/2018/697	08-10-19	Delegate NOD Issued	643 Middleborough Road Box Hill North Vic 3129	Elgar	Amendments to the previously advertised plans for development of the land for ten dwellings, to show: changes to setbacks and car parking configuration and other changes.	Multiple Dwellings
WH/2019/135	10-10-19	Delegate NOD Issued	2/43-47 Ashmore Road Forest Hill Vic 3131	Morack	Construction of six (6), two storey dwellings, removal and buildings and works within four metres of trees protected within the Significant Landscape Overlay Schedule 9	Multi Dwelling and Use
WH/2019/145	10-10-19	Delegate NOD Issued	71 Creek Road Mitcham Vic 3132	Springfield	Construction of two double storey dwellings and removal of vegetation	Multiple Dwellings

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/31	28-10-19	Delegate NOD Issued	2/43 Laburnum Street Blackburn Vic 3130	Central	Construction of three double storey dwellings, tree removal and buildings and works in the SBO	Multiple Dwellings
WH/2019/34	23-10-19	Delegate NOD Issued	12 Perth Street Blackburn South Vic 3130	Central	Construction of Two (2) Double Storey Dwellings and Removal of Vegetation	Multiple Dwellings
WH/2019/41	03-10-19	Delegate NOD Issued	2 Cypress Avenue Burwood Vic 3125	Riversdale	The construction of two double storey dwellings, buildings and works within 4 metres of vegetation and vegetation removal	Multiple Dwellings
WH/2019/49	25-10-19	Delegate NOD Issued	30 Kitchener Street Box Hill South Vic 3128	Riversdale	Construction of two dwellings, tree removal and buildings and works within 4 metres of protected trees.	Multiple Dwellings
WH/2019/76	22-10-19	Delegate NOD Issued	2 Coppin Close Mitcham Vic 3132	Springfield	The construction of two double storey dwellings, buildings and works within 4 metres of vegetation and vegetation removal.	Multiple Dwellings
WH/2019/979	30-10-19	Delegate NOD Issued	19 Ferguson Street Mitcham Vic 3132	Springfield	Buildings and Works (Crossover Relocation) within the Significant Landscape Overlay - Schedule 9	Single Dwelling < 300m2
WH/2010/596/A	03-10-19	Delegate Permit Issued	28 Valda Avenue Mont Albert North Vic 3129	Elgar	Construction of two new double storey dwellings	Permit Amendment

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/892	15-10-19	Delegate Permit Issued	164 Surrey Road Blackburn Vic 3130	Central	Construction of three, two storey dwellings and alteration of access to a road in a Road Zone, Category 1, removal of trees and buildings and works within 4 metres of trees protected under SLO9	Multiple Dwellings
WH/2018/1200	03-10-19	Delegate Permit Issued	2 Oliver Avenue Blackburn Vic 3130	Central	Removal of three (3) protected trees, and buildings and works associated with the construction of a double storey dwelling within 4 metres of trees under the Significant Landscape Overlay Schedule 2.	Special Landscape Area
WH/2018/1348	18-10-19	Delegate Permit Issued	41 Shady Grove Nunawading Vic 3131	Springfield	Buildings and works within 4m and removal of protected trees	Special Landscape Area
WH/2018/57	03-10-19	Delegate Permit Issued	2 Cavill Court Vermont South Vic 3133	Morack	Construction of two double storey dwellings, removal of four (4) protected trees, and buildings and works within 4 metres of trees protected under the Significant Landscape Overlay Schedule 9	Multiple Dwellings
WH/2019/1000	18-10-19	Delegate Permit Issued	21 Chessell Street Mont Albert North Vic 3129	Elgar	Removal of Vegetation (One Tree)	VicSmart - Tree
WH/2019/1001	18-10-19	Delegate Permit Issued	21 Chessell Street Mont Albert North Vic 3129	Elgar	Removal of Vegetation (One Tree)	VicSmart - Tree
WH/2019/1005	24-10-19	Delegate Permit Issued	17 Peter Avenue Blackburn North Vic 3130	Central	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/2019/1 007	22-10-19	Delegate Permit Issued	16 Wellington Avenue Blackburn Vic 3130	Central	Removal of one (1) tree	VicSmart - Tree
WH/2019/1 011	18-10-19	Delegate Permit Issued	11 Pear Court Burwood East Vic 3151	Riversdale	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/1 012	18-10-19	Delegate Permit Issued	11 Pear Court Burwood East Vic 3151	Riversdale	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/1 013	18-10-19	Delegate Permit Issued	11 Pear Court Burwood East Vic 3151	Riversdale	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/1 018	10-10-19	Delegate Permit Issued	24 Slater Avenue Blackburn North Vic 3130	Central	Removal of a tree (tree 2) under the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/1 022	18-10-19	Delegate Permit Issued	38 Quarry Road Mitcham Vic 3132	Springfield	Removal of Vegetation (One Tree)	VicSmart - Tree
WH/2019/1 024	03-10-19	Delegate Permit Issued	5 Merle Street Blackburn North Vic 3130	Central	Two lot subdivision	VicSmart - Subdivision
WH/2019/1 026	25-10-19	Delegate Permit Issued	9 Goodwin Street Blackburn Vic 3130	Central	Construction of a front fence within 4 metres of a tree protected under Schedule 9 to the Significant Landscape Overlay	VicSmart - General Application
WH/2019/1 027	29-10-19	Delegate Permit Issued	1 Blackwood Court Nunawading Vic 3131	Springfield	Three lot subdivision	Subdivision
WH/2019/1 028	18-10-19	Delegate Permit Issued	47 Diana Drive Blackburn North Vic 3130	Central	Removal of protected vegetation (SLO9)	VicSmart - Tree
WH/2019/1 037	18-10-19	Delegate Permit Issued	102 Weeden Drive Vermont South Vic 3133	Morack	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/1 044	25-10-19	Delegate Permit Issued	21 Ferguson Street Mitcham Vic 3132	Springfield	Removal of one tree (Tree 20)	VicSmart - Tree
WH/2019/1 046	10-10-19	Delegate Permit Issued	18 Broomhill Avenue Blackburn Vic 3130	Central	Two lot subdivision	VicSmart - Subdivision

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1052	24-10-19	Delegate Permit Issued	49 Maple Street Blackburn Vic 3130	Central	Buildings and works within 4 metres of protected vegetation within SLO9	VicSmart - General Application
WH/2019/1061	28-10-19	Delegate Permit Issued	102/435-439 Whitehorse Road Mitcham Vic 3132	Springfield	5 Lot subdivision	Subdivision
WH/2019/1063	18-10-19	Delegate Permit Issued	80 Luckie Street Nunawading Vic 3131	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/1068	16-10-19	Delegate Permit Issued	15 Simpson Street Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/1069	22-10-19	Delegate Permit Issued	9 Sweetland Road Box Hill Vic 3128	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/1070	22-10-19	Delegate Permit Issued	297a Springfield Road Nunawading Vic 3131	Springfield	Removal of a Eucalyptus nicholii tree (Narrow-leaved Black Peppermint) pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1074	29-10-19	Delegate Permit Issued	23 Morden Court Nunawading Vic 3131	Springfield	Buildings and works within 4 metres of protected trees (front fence)	VicSmart - General Application
WH/2019/1076	22-10-19	Delegate Permit Issued	5 Karen Street Box Hill North Vic 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/1078	29-10-19	Delegate Permit Issued	28 Grey Street Vermont Vic 3133	Springfield	Removal of one tree	VicSmart - Tree
WH/2019/1084	28-10-19	Delegate Permit Issued	1 Gibson Street Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/1088	29-10-19	Delegate Permit Issued	11 Kalang Street Blackburn Vic 3130	Central	Removal of 1 mahogany gum (tree 5) - Eucalyptus Robusta	VicSmart - Tree
WH/2019/1098	29-10-19	Delegate Permit Issued	11 Kalang Street Blackburn Vic 3130	Central	Removal of 1 Poplar - Populus Deltoides within the SLO9	VicSmart - Tree
WH/2019/1099	28-10-19	Delegate Permit Issued	9 Caroline Crescent Blackburn North Vic 3130	Central	Two lot subdivision	VicSmart - Subdivision

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/115	29-10-19	Delegate Permit Issued	36 Quentin Street Forest Hill Vic 3131	Morack	Two lot Subdivision	VicSmart - Subdivision
WH/2019/17	08-10-19	Delegate Permit Issued	101 Blackburn Road Blackburn Vic 3130	Central	Buildings and works within 4m of protected trees under the Significant Landscape Overlay - Schedule 2 and within a Special Building Overlay	Special Landscape Area
WH/2019/18	21-10-19	Delegate Permit Issued	21 Box Hill Crescent Mont Albert North Vic 3129	Elgar	Removal of two (2) SLO9 trees and buildings and works within 4 metres of protected SLO9 trees	Special Landscape Area
WH/2019/155	29-10-19	Delegate Permit Issued	3/30 Kenmare Street Mont Albert Vic 3127	Elgar	Extension of one dwelling on a lot, buildings and works within 4m of protected trees	Single Dwelling < 300m2
WH/2019/304	24-10-19	Delegate Permit Issued	23 Cochrane Street Mitcham Vic 3132	Springfield	Construction of Two (2) Double Storey Dwellings on a Lot	Multiple Dwellings
WH/2019/316	14-10-19	Delegate Permit Issued	12 Eley Road Burwood East Vic 3151	Riversdale	The staged subdivision and development of the land for the purpose of 34 dwellings	Multiple Dwellings
WH/2019/393	03-10-19	Delegate Permit Issued	496 Elgar Road Box Hill North Vic 3129	Elgar	Installation of business identification signage to the existing medical centre (practice).	Advertising Sign
WH/2019/406	10-10-19	Delegate Permit Issued	616 Station Street Box Hill Vic 3128	Elgar	Buildings and works, including associated demolition and construction and display of signage.	Single Dwelling < 300m2
WH/2019/47	14-10-19	Delegate Permit Issued	201/19-23 Prospect Street Box Hill Vic 3128	Elgar	Reduction in car parking requirements associated with an education centre	Change of Use
WH/2019/478	10-10-19	Delegate Permit Issued	270 Canterbury Road Forest Hill Vic 3131	Central	Construction and display of business identification and internally illuminated signs	Advertising Sign

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/480	29-10-19	Delegate Permit Issued	37 Cosgrove Street Vermont Vic 3133	Morack	Buildings and works within 4 metres of protected trees and removal of trees.	Special Landscape Area
WH/2019/512	21-10-19	Delegate Permit Issued	4 Gawler Court Mont Albert Vic 3127	Elgar	Buildings and works within 4 metres of trees protected under Schedule 9 to the Significant Landscape Overlay	Single Dwelling < 300m2
WH/2019/513	21-10-19	Delegate Permit Issued	160 Whitehorse Road Blackburn Vic 3130	Central	Construction and display of floodlit major promotion (hoarding) signs	Advertising Sign
WH/2019/522	17-10-19	Delegate Permit Issued	22 Highland Avenue Mitcham Vic 3132	Springfield	Alterations and Additions to a dwelling	Single Dwelling < 300m2
WH/2019/540	24-10-19	Delegate Permit Issued	9 Earle Close Mont Albert Vic 3127	Elgar	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/595	24-10-19	Delegate Permit Issued	34 Pakenham Street Blackburn Vic 3130	Central	Removal of two trees covered by Native Vegetation protection	Native Vegetation Removal
WH/2019/605	25-10-19	Delegate Permit Issued	16 Holland Road Blackburn South Vic 3130	Central	Buildings and works within 4m of a protected tree (widen crossover)	Special Landscape Area
WH/2019/620	04-10-19	Delegate Permit Issued	396 Mont Albert Road Mont Albert Vic 3127	Elgar	Removal of and buildings and works within 4m of protected trees (carport, shed, crossover and associated works)	Special Landscape Area
WH/2019/641	03-10-19	Delegate Permit Issued	11 George Street Blackburn Vic 3130	Central	Buildings and works associated with a ground floor extension to the existing factory.	Other
WH/2019/710	21-10-19	Delegate Permit Issued	27 Pake nham Street Blackburn Vic 3130	Central	Buildings and works within 4 metres of protected vegetation (construction of crossover)	Special Landscape Area
WH/2019/717	18-10-19	Delegate Permit Issued	270 Canterbury Road Forest Hill Vic 3131	Central	Buildings and works and display of signage	VicSmart - General Application

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/735	29-10-19	Delegate Permit Issued	FC 59/17-21 Market Street Box Hill Vic 3128	Elgar	Use of the land for the sale and consumption of liquor	Liquor Licence
WH/2019/753	25-10-19	Delegate Permit Issued	426 Springfield Road Mitcham Vic 3132	Springfield	Construction of a new dwelling and vegetation removal in the Significant Landscape Overlay Schedule 9	Special Landscape Area
WH/2019/794	03-10-19	Delegate Permit Issued	18 View Street Surrey Hills Vic 3127	Elgar	Construction of a front fence construction within 4 metres of a protected tree.	VicSmart - General Application
WH/2019/801	22-10-19	Delegate Permit Issued	16-28 Nelson Road Box Hill Vic 3128	Elgar	Removal of one tree - street tree	VicSmart - Tree
WH/2019/809	21-10-19	Delegate Permit Issued	137-139 Burwood Highway Burwood Vic 3125	Riversdale	Thirty nine lot subdivision	Subdivision
WH/2019/824	15-10-19	Delegate Permit Issued	801-805 Whitehorse Road Mont Albert Vic 3127	Elgar	50 lot subdivision	Subdivision
WH/2019/825	03-10-19	Delegate Permit Issued	33 Newton Street Surrey Hills Vic 3127	Riversdale	Buildings and works and removal of vegetation within SLO9	Single Dwelling < 300m2
WH/2019/854	16-10-19	Delegate Permit Issued	5 Alpha Court Mitcham Vic 3132	Springfield	Buildings and works to extend an existing dwelling within SLO6	Special Landscape Area
WH/2019/873	07-10-19	Delegate Permit Issued	128 Elgar Road Box Hill South Vic 3128	Riversdale	Alteration of an accessway to a Road Zone Category 1	Special Landscape Area
WH/2019/892	03-10-19	Delegate Permit Issued	26 Candlebark Lane Nunawading Vic 3131	Springfield	Construction of an extension to an existing dwelling on a land lot size of less than 500 square metres	Single Dwelling < 300m2
WH/2019/893	25-10-19	Delegate Permit Issued	24 Harold Street Blackburn Vic 3130	Central	Construction of a Front Fence within 4 metres of a tree protected under the Significant Landscape Overlay Schedule 9	VicSmart - General Application

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/9 09	10-10-19	Delegate Permit Issued	6/125 Rooks Road Nunawading Vic 3131	Springfield	Buildings and works for the construction of an internal mezzanine extension	Other
WH/2019/9 10	23-10-19	Delegate Permit Issued	104-168 Hawthorn Road Forest Hill Vic 3131	Morack	Lopping of one tree within the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/9 22	16-10-19	Delegate Permit Issued	1-19 Burwood Highway Burwood East Vic 3151	Riversdale	Removal of carriageway easement E-2 created on PS347288N	Subdivision
WH/2019/9 27	03-10-19	Delegate Permit Issued	214 Dorking Road Box Hill North Vic 3129	Elgar	Removal of one tree	VicSmart - Tree
WH/2019/9 31	03-10-19	Delegate Permit Issued	104/1 Charlnet Drive Vermont South Vic 3133	Morack	Resubdivision of land into 5 lots	Subdivision
WH/2019/9 34	01-10-19	Delegate Permit Issued	1/40 Hamilton Street Mont Albert Vic 3127	Elgar	Buildings and works to externally paint an existing building and business identification signage.	VicSmart - General Application
WH/2019/9 42	07-10-19	Delegate Permit Issued	47 Stanley Grove Blackburn Vic 3130	Central	Three lot subdivision	Subdivision
WH/2019/9 48	23-10-19	Delegate Permit Issued	9 Wellesley Street Mont Albert Vic 3127	Elgar	Construction of a front fence	VicSmart - General Application
WH/2019/9 50	25-10-19	Delegate Permit Issued	8 Goodwin Street Blackburn Vic 3130	Central	Removal of one protected tree under Significant Landscape Overlay - Schedule 9 and the Vegetation Protection Overlay - Schedule 3	VicSmart - Tree
WH/2019/9 59	21-10-19	Delegate Permit Issued	29-31 Carrington Road Box Hill Vic 3128	Elgar	Alterations to existing commercial building and Display of internally-illuminated business identification signage	Other

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/963	03-10-19	Delegate Permit Issued	1 Williamson Road Mont Albert North Vic 3129	Elgar	Two lot subdivision	Subdivision
WH/2019/965	18-10-19	Delegate Permit Issued	14 Linden Street Blackburn Vic 3130	Central	Buildings and works within 4 metres of protected SLO9 tree	VicSmart - General Application
WH/2019/968	22-10-19	Delegate Permit Issued	7 Timbertop Drive Vermont Vic 3133	Morack	Removal of a Pittosporum eugeniodes - Variegated Pittosporum Tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/978	03-10-19	Delegate Permit Issued	28 Boyd Street Blackburn South Vic 3130	Central	Removal of Vegetation within Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/987	03-10-19	Delegate Permit Issued	46 Gunyah Road Blackburn North Vic 3130	Central	Removal of one tree	VicSmart - Tree
WH/2019/988	09-10-19	Delegate Permit Issued	29 Panorama Drive Forest Hill Vic 3131	Morack	Removal of one tree under the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/989	18-10-19	Delegate Permit Issued	21 Chessell Street Mont Albert North Vic 3129	Elgar	Removal of Tree (tree 2)	VicSmart - Tree
WH/2019/990	18-10-19	Delegate Permit Issued	21 Chessell Street Mont Albert North Vic 3129	Elgar	removal of tree	VicSmart - Tree
WH/2019/992	03-10-19	Delegate Permit Issued	24 Dalmor Avenue Mitcham Vic 3132	Springfield	Buildings and works within 4 metres of protected SLO6 tree	Special Landscape Area
WH/2019/999	18-10-19	Delegate Permit Issued	21 Chessell Street Mont Albert North Vic 3129	Elgar	Removal of Vegetation (One Tree)	VicSmart - Tree
WH/2019/1000	15-10-19	Delegate Refusal Issued	51 Shawlands Avenue Blackburn South Vic 3130	Central	Additions (deck and patio) to the existing dwelling.	Single Dwelling < 300m2

9.4.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1 017	09-10-19	Delegate Refusal Issued	24 Slater Avenue Blackburn North Vic 3130	Central	Removal of a tree (tree 1) under the Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/1 020	22-10-19	Delegate Refusal Issued	10 Clydesdale Street Box Hill Vic 3128	Elgar	Removal of one (1) tree	VicSmart - Tree
WH/2019/1 066	24-10-19	Delegate Refusal Issued	44 Creek Road Mitcham Vic 3132	Springfield	Removal of Vegetation (One Tree)	VicSmart - Tree
WH/2019/7 52	25-10-19	Delegate Refusal Issued	353-383 Burwood Highway Forest Hill Vic 3131	Morack	Buildings and works associated with the construction of a fence	VicSmart - General Application
WH/2019/9 28	03-10-19	Delegate Refusal Issued	214 Dorking Road Box Hill North Vic 3129	Elgar	Removal of one tree	VicSmart - Tree
WH/2019/9 41	23-10-19	Delegate Refusal Issued	5 Olyve Court Surrey Hills Vic 3127	Riversdale	Removal of one (1) Eucalyptus Botryoides (Southern Mahogany) tree.	VicSmart - Tree
WH/2019/9 73	10-10-19	Delegate Refusal Issued	19 Crow Street Burwood East Vic 3151	Riversdale	Removal of 1 tree under Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2009/5 66/A	11-10-19	No Permit Required	2/205 Central Road Nunawading Vic 3131	Springfield	Subdivision of land into two lots	Permit Amendment
WH/2019/4 47	14-10-19	No Permit Required	902-904 Whitehorse Road Box Hill Vic 3128	Elgar	Alterations to the existing commercial shopfront, including the installation of new roller doors.	Other
WH/2019/6 16	02-10-19	No Permit Required	2/19 Hutchinson Street Burwood East Vic 3151	Morack	Alteration of an existing building facade	Advertising Sign
WH/2019/9 98	15-10-19	No Permit Required	21 Chessell Street Mont Albert North Vic 3129	Elgar	Removal of Vegetation (One Tree)	VicSmart - Tree
WH/2019/8 79	24-10-19	Withdrawn	315 Burwood Highway Burwood East Vic 3151	Morack	For the change of use on the ground floor tenancy to a restricted recreation facility and signage.	Change of Use
WH/2019/9 40	15-10-19	Withdrawn	321-345 Burwood Highway Forest Hill VIC 3131	Morack	tree removal	VicSmart - Tree

9.4.4

(cont)

BUILDING DISPENSATIONS/APPLICATIONS OCTOBER 2019

Address	Date	Ward	Result
10 Shafer Road, Blackburn North	31-10-19	Central	Consent Granted 83
12 Orana Street, Blackburn	28-10-19	Central	Consent Granted 76,79
183 Blackburn Road, Blackburn South	07-10-19	Central	Consent Granted 74
23 Katrina Street, Blackburn North	08-10-19	Central	Consent Granted 89
24 Rosalind Crescent, Blackburn	07-10-19	Central	Consent Granted 74
28 Boyd Street, Blackburn South	30-10-19	Central	Consent Granted 79
28 Orchard Grove, Blackburn South	22-10-19	Central	Consent Granted 79
35 Larch Street, Blackburn	29-10-19	Central	Consent Granted 89
7 Marama Street, Blackburn South	31-10-19	Central	Consent Granted 76,81,75
9 Highfield Avenue, Blackburn South	01-10-19	Central	Consent Granted 80
13 Elder Street, Blackburn	25-10-19	Central	Consent Refused 89
1 Arnold Street, Box Hill	25-10-19	Elgar	Consent Granted 116
1/71 Peter Street, Box Hill North	09-10-19	Elgar	Consent Granted 79
1/711 Canterbury Road, Surrey Hills	16-10-19	Elgar	Consent Granted 89
10a Wellesley Street, Mont Albert	04-10-19	Elgar	Consent Granted 75
14 Curlew Street, Mont Albert	09-10-19	Elgar	Consent Granted 79
26 Boxleigh Grove, Box Hill North	22-10-19	Elgar	Consent Granted 75,80
35 Court Street, Box Hill	17-10-19	Elgar	Consent Granted 75
450 Belmore Road, Mont Albert North	04-10-19	Elgar	Consent Granted 79
46 Mitchell Road, Mont Albert North	18-10-19	Elgar	Consent Granted 79,74
66 Boondara Road, Mont Albert North	16-10-19	Elgar	Consent Granted 76
7 Belgravia Avenue, Mont Albert North	16-10-19	Elgar	Consent Granted 85
826-834 Whitehorse Road, Box Hill	23-10-19	Elgar	Consent Granted 116
9-11 Ellingworth Parade, Box Hill	16-10-19	Elgar	Consent Granted 116
9-11 Prospect Street, Box Hill	15-10-19	Elgar	Consent Granted 116
21 Barkly Street, Box Hill	10-10-19	Elgar	Consent Refused 74
26 Boxleigh Grove, Box Hill North	22-10-19	Elgar	Consent Refused 79,74
10 Market Street, Box Hill	18-10-19	Elgar	Expired 116
9-11 Prospect Street, Box Hill	15-10-19	Elgar	Withdrawn 116
1 Walbrook Drive, Vermont South	30-10-19	Morack	Consent Granted 74,79
3 Radiant Crescent, Forest Hill	04-10-19	Morack	Consent Granted 81
5 Bagleys Lane, Vermont	14-10-19	Morack	Consent Granted 79
571 Highbury Road, Burwood East	14-10-19	Morack	Consent Granted 79
53 Mill Avenue, Forest Hill	01-10-19	Morack	Consent Refused 74
9 Wingrove Street, Forest Hill	10-10-19	Morack	Consent Refused 74
26 Douglas Avenue, Box Hill South	31-10-19	Riversdale	Consent Granted 92
30 Glenice Avenue, Blackburn South	18-10-19	Riversdale	Consent Granted 79,74
7 Donald Road, Burwood	16-10-19	Riversdale	Consent Granted 74
11 O'brien Crescent, Blackburn South	09-10-19	Riversdale	Consent Refused 79
11 Trent Court, Burwood East	04-10-19	Riversdale	Consent Refused 89
137-139 Burwood Highway, Burwood	03-10-19	Riversdale	Consent Refused 116
20 Penrose Street, Box Hill South	21-10-19	Riversdale	Consent Refused 82
33 Newton Street, Surrey Hills	31-10-19	Riversdale	Consent Refused 82
9 Kitchener Street, Box Hill South	04-10-19	Riversdale	Consent Refused 89
1 Leonard Street, Burwood	17-10-19	Riversdale	Expired 116

9.4.4

(cont)

Address	Date	Ward	Result
133 Junction Road, Nunawading	09-10-19	Springfield	Consent Granted 81
14 Milton Street, Nunawading	09-10-19	Springfield	Consent Granted 76,79
18 Park Close, Vermont	03-10-19	Springfield	Consent Granted 74
2 Arbor Avenue, Nunawading	30-10-19	Springfield	Consent Granted 89
34 Orient Avenue, Mitcham	09-10-19	Springfield	Consent Granted 74
42-44 Norcal Road, Nunawading	10-10-19	Springfield	Consent Granted 89
45 O'shannessy Street, Nunawading	18-10-19	Springfield	Consent Granted 86
5/12 Harrison Street, Mitcham	23-10-19	Springfield	Consent Granted 80
70 Mount Pleasant Road, Nunawading	16-10-19	Springfield	Consent Granted 89,76
9 Nicoll Street, Nunawading	17-10-19	Springfield	Consent Granted 80

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS OCTOBER 2019

Decision Date	Act Section	Decision	Street Address	Ward	Proposal	Reference
30.10.19	Whitehorse Planning Scheme	Delegate Approval	Crossway Baptist Church 2-18 and 27-29 Vision Drive and 709 Highbury Road, Burwood East	Morack	Determines the updated and additional Development Plan documents submitted as satisfactory for endorsement and approves a minor amendment to Council's resolution on 24 June 2013 to approve a Traffic Engineering Assessment for Phases 1-4 and require a Traffic Assessment before Phase 5 being the largest stage of the development proposal.	Development Plan Overlay, Schedule 4

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION OCTOBER 2019

Contract Number	Service
30187	Whitehorse Recycling and Waste Centre - E Waste Facility Upgrade
30139	Environmental Monitoring
30203	Chester Street Reconstruction

9.4.4

(cont)

REGISTER OF PROPERTY DOCUMENTS EXECUTED OCTOBER 2019

Property Address	Document Type	Document Detail
Fire Services Property Levy (FSPL)		
Fire Services Property Levy Quarterly Payment Number 1	Vendor Payment Authorisation Form	State Revenue Office
12 Rutland Road, Box Hill	Not applicable	Premises are leased to Yooralla, hence leviable status revised from 'Exempt' to 'Public Benefit' for FSPL purposes.
182 Canterbury Road, Blackburn South	Not applicable	Land use changed from 'Residential' to 'Commercial' for FSPL purposes
337 Blackburn Road, Burwood East	Not applicable	Land use changed from 'Residential' to 'Commercial' for FSPL purposes

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL OCTOBER 2019

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION OCTOBER 2019

Address: **Irving Avenue, Box Hill:** 6m west of the eastern boundary of 5-7 Irving Avenue to 11m west of the eastern boundary of 5-7 Irving Avenue: south side

Previously: 1 '2-Hour, 7.30am to 7.30pm, Monday to Friday' parking space

Now: 1 'No Stopping' parking space

Address: **Irving Avenue, Box Hill:** 5m west of the western boundary of 5-7 Irving Avenue to 10m west of the western boundary of 5-7 Irving Avenue: south side

Previously: 1 '2-Hour, 7.30am to 7.30pm, Monday to Friday' parking space

Now: 1 'No Stopping' parking space

Address: **Hunter Drive, Blackburn South:** from 14m north of 4 Barns Street south boundary to 3m south from 4 Barns Street south boundary: west side

Previously: 2 'Unrestricted' parking spaces

Now: 2 'No Stopping' parking spaces

9.4.4

(cont)

VENDOR PAYMENT SUMMARY: SUMS PAID DURING OCTOBER 2019

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
01/10/2019	\$751.32	2	EFT
03/10/2019	\$2,900.22	7	EFC
03/10/2019	\$9,428.66	10	CHQ
03/10/2019	\$1,489,232.20	208	EFT
04/10/2019	\$48,862.00	1	EFT
09/10/2019	\$652.00	1	EFT
10/10/2019	\$465,540.17	3	EFT
10/10/2019	\$19,032.32	36	EFC
10/10/2019	\$146,466.64	72	CHQ
10/10/2019	\$1,297,835.12	197	EFT
11/10/2019	\$20,069.50	1	EFT
14/10/2019	\$3,534,649.05	1	EFT
16/10/2019	\$6,655.60	36	EFC
17/10/2019	\$34,946.84	20	CHQ
17/10/2019	\$1,191,232.09	228	EFT
18/10/2019	\$13,186.25	1	EFT
22/10/2019	\$192.50	1	EFT
24/10/2019	\$9,227.79	40	EFC
24/10/2019	\$38,591.07	19	CHQ
24/10/2019	\$1,901,043.40	239	EFT
24/10/2019	\$300.00	1	EFT
24/10/2019	\$79,403.50	1	EFT
28/10/2019	\$45,866.25	1	EFT
29/10/2019	\$9,019.29	2	EFT
GROSS	\$14,826,977.69	1503	
Monthly Lease Payments	\$35,146.03		
Direct Debit Payments	\$155,463.06		
CANCELLED PAYMENTS	-\$8,913.20		
NETT	\$15,008,673.58	1488	

**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 2 December 2019**

Nil

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
25.11.19 6:30-7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> Urgent Business 9.1.1 Student Accommodation Policy Review: Results of Exhibition of Amendment C213 Council Approval to Amend Maximum Expenditure Threshold for Contract 30024 Concrete Paving and Kerbing Services Councillor Appointments: Procedure and Current Nominations 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett 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
02.12.19 6:30-11:30pm	Councillor Briefing Session <ul style="list-style-type: none"> Special Committee Agenda: Other Business Regional Assessment Service The Burwood Project Financial report as at 31 October 2019 Draft Council Agenda 9 December 2019 Budget 2020-21 kickoff Organisational Review 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett 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 M Hassan T Johnson D Seddon R Andresson B Upston S Cann C Gripps I Kostopoulos J Nikas T Peak	<ul style="list-style-type: none"> Cr Carr declared a conflict of interest in Item 9.4.2 Intention to lease Land to Not-For-Profit Organisations as she is on the board of Family Access Network Cr Liu declared an indirect conflict of interest in Item 12.1 Other Matter with nominee 1 	<ul style="list-style-type: none"> Cr Carr having declared a conflict of interest in Item 9.4.2 Intention to lease Land to Not-For-Profit Organisations, left the meeting at 9:02pm prior to discussion on the item, returning at 9:10pm Cr Liu having declared an indirect conflict of interest in Item 12.1 Other Matter left the meeting at 11:01pm prior to discussion on the item, returning at 11:03pm.

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) (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 ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON.

13 CLOSE MEETING