



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

Monday 24 February 2020

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 28 January 2020, Confidential Ordinary Council Meeting 28 January 2020, Special Council Meeting 10 February 2020 and Confidential Special Council Meeting 10 February 2020.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 28 January 2020, Confidential Ordinary Council Meeting 28 January 2020, Special Council Meeting 10 February 2020 and Confidential Special Council Meeting 10 February 2020 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 21-23 Irving Avenue, Box Hill (Lots 1-3 TP 551912 16, LOTS 1-3 TP 167024 16) Construction of a 15 storey building (plus basement carpark) providing for 113 dwelling and use of the land for food and drink premises (cafe)

FILE NUMBER: WH/2017/686
ATTACHMENT

SUMMARY

This application was advertised and a total of 15 objections were received. The objections raised issues with neighbourhood character, overdevelopment, amenity issues including overlooking, overshadowing, noise and wind impacts, car parking provision, traffic congestion, construction impacts, loss of trees and extent of new landscaping. A Consultation Forum was held on 12 September 2018 chaired by Councillor Barker, at which the issues were explored. However no resolution was reached between the parties.

This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. This application has been subject to an extended assessment period while internal referral concerns were being resolved. It is recommended that the application be supported, subject to conditions.

RECOMMENDATION

That Council:

- A** *Being the Responsible Authority, having caused Application WH/2017/686 for 21-23 Irving Avenue, BOX HILL (LOTS 1-3 TP 551912 16, LOTS 1-3 TP 167024 16) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the construction of a 15 storey building (plus basement carpark) providing for 113 dwellings and use of the land for food and drink premises (cafe) is acceptable and should not unreasonably impact the amenity of adjacent properties.*
- B** *Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 21-23 Irving Avenue, BOX HILL (LOTS 1-3 TP 551912 16, LOTS 1-3 TP 167024 16) for the construction of a 15 storey building (plus basement carpark) providing for 113 dwellings and use of the land for food and drink premises (cafe), subject to the following conditions:*
- 1.** *Before the development starts, or any trees or vegetation removed, amended plans and documents must be submitted to and approved by the Responsible Authority. The plans must be drawn to 1:100 scale, with dimensions, and be generally in accordance with the plans identified as Amendment A and Amendment D (discussion plans) prepared by DKO Architecture, dated 29th March 2019 and 22nd November 2019 respectively, but modified to show:*
 - a)** *Any modifications and/or recommendations required by the approved Hydraulic Assessment Report, in accordance with Condition 3.*
 - b)** *Floor plans for all floors and notation of all apartments/dwellings by number.*
 - c)** *Each dwelling to detail all operable windows, doors and vents on floor plans and elevation drawings.*

9.1.1
(cont)

- d) *Roof plan illustrating all plant and equipment with screening ensuring views from all street frontages are obscured.*
- e) *Façade Strategy in accordance with Conditions 6 including the following:*
 - i. *Details of material and cladding finishes, including colours and textures for the south west boundary wall.*
 - ii. *The use of warm highly tactile materials at ground level and up to at least Level 4, or as otherwise approved, to create visual interest at the pedestrian level public interface.*
 - iii. *Colour photographs and external cladding sample board of external materials and finishes of key elements of the facade system at the ground, middle and upper levels.*
- f) *Engineering and Environmental Services requirements as follows:*
 - i. *The provision of bicycle facilities are to be in accordance with clause '52.34 Bicycle Facilities' of the Whitehorse Planning Scheme, and designed in accordance with AS2890.3.*
 - ii. *Prior to construction works commencing a Car Parking Management Plan is to be submitted in accordance with Condition 4 and shall include detail of any access controls to the parking area, such as boom gates which shall take into account the required queue length required as per section 3.4 of AS 2890.1.*
 - iii. *The proposed car stacker make and model are required to be nominated on the proposed layout plans. The proposed car stacker spaces are required to accommodate a 1.8m high vehicle.*
 - iv. *The proposed pits for the car stackers are required to provide a minimum internal clear length of 5.4m to accommodate the B99 design vehicle specified in Australian Standard AS 2890.1.*
 - v. *All tandem parking bays shall be a minimum length of 10.3m as per Clause 52.06-08 of the Whitehorse Planning Scheme.*
 - vi. *All disabled parking spaces are to be designed in accordance with AS 2890.6.*
 - vii. *All proposed parking bays abutting an obstruction such as a wall are to be designed in accordance with section 2.4 of AS 2890.1.*
 - viii. *The location of columns within the car park are to be designed in accordance with Clause 52.06-9 of the Whitehorse Planning Scheme.*
 - ix. *The proposed parking bays, circulation roadways, parking aisles are to be dimensioned and designed in accordance with the Whitehorse Planning Scheme and/or Section 2.4 of AS2890.1. A longitudinal section of the proposed circulation roadway from the road to the parking area that shows the proposed grades, length of grades and levels.*
 - x. *The gradients within the proposed parking bays and parking area are to be designed in accordance with Section 2.4.6 of AS 2890.1.*
 - xi. *A minimum of 1.8m headroom clearance must be achieved for all overhead storage areas.*
 - xii. *The vertical headroom at the entry point and throughout the car park is to be a minimum of 2.2m throughout the parking area which is to be demonstrated by the provision of a longitudinal section.*
- g) *All relevant requirements of Condition 22, Lighting Strategy.*

9.1.1

(cont)

- h) Development plans to reflect all sustainability features indicated in the amended Sustainability Management Plan (SMP). Where features cannot be visually shown, include a notes table providing details of the requirements (ie. energy and water efficiency ratings for heating/cooling systems and plumbing fixtures, etc.). The plans are to be modified to show:
 - i. Room depths for single-aspect living rooms and bedrooms to be less than or equal to 8 metres, or 5 metres if south-facing. Alternatively provide alternative pathway showing how BESS IEQ Daylight standards are to be achieved.*
 - ii. Provide floor plans for all floors, and identify all apartment unit numbers.*
 - iii. All operable windows, doors, winter garden openings and vents in elevation drawings.*
 - iv. Shadows as per actual sun angles on all elevation drawings.*
 - v. All exterior building services equipment, including but not limited to heating, cooling, ventilation and hot water systems.**
- i) All modifications to the plans as specified in Condition 15 amendment to the Wind Impact Assessment Report.*
- j) All modifications to plans as required by Condition 3 and Conditions 23 to 30, Drainage and Assets.*
- k) All of the relevant requirements of the Sustainability Management Plan as detailed in Condition 7 of this report.*
- l) Landscape Plan in accordance with Condition 8 including the following:
 - i. Retention of street trees unless further approval is obtained from Council's Parkswide Department.*
 - ii. Details of all works to ensure no alteration to existing ground surface levels in the TPZ of existing trees in the road reservation.*
 - iii. Any proposed new street tree planting. Species will be subject to separate approval in writing from Council's Parkswide Department and all works done by Parkswide at the Applicant's expense.*
 - iv. Specifications for the rain garden and all frontage planter boxes.*
 - v. Details for reticulated recycled irrigation for all ground level planting areas.*
 - vi. Species legend for all new planting in the frontage and above Level 14 in the communal open space.**
- m) All modifications to plans in accordance with Condition 20 (Waste Management Plan).*
- n) All modifications to plans in accordance with Condition 13 and 14 (Acoustic Report).*

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

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.*

9.1.1 (cont)

Hydraulic Assessment Report

- 3. Prior to the commencement of any buildings or works, an amended Hydraulic Assessment Report (HAR) must be submitted and approved by the Responsible Authority.**

The amended HAR must be generally in accordance with the HAR submitted with the application (prepared by Cardno, Version V181620, dated 30 May 2019), but amended to include and/or address the following:

- a) No increase in flood levels for this site and surrounding properties and/or land.***
- b) The channel at the southern end of the property must be designed to accommodate 50% blockage of debris plus blockage of the bars located within the grate.***
- c) A hydraulic grade line analysis starting from 1% Annual Exceedance Probability (AEP) flood level in Irving Avenue must be submitted to Council showing all parameters used in design. A 2D model must not been used for this analysis.***
- d) The location of the flood valve must be shown on the design plans. The consultant must provide evidence that the valve will function in a 1% AEP and not impact upon the flood levels stipulated in the HAR.***
- e) How the safety criteria for flood hazard will be met for the laneway and the front of Irving Avenue.***

Once submitted and approved the HAR will form part of the endorsed plans for this permit. The approved HAR must be implemented to the satisfaction of the Responsible Authority.

Car Parking Management Plan

- 4. Prior to the commencement of any buildings or works, a Car Parking Management Plan, detailing how car and bicycle parking areas, accessways and waste collection bays will be allocated and managed, must be submitted to and approved by Responsible Authority.**

This plan is to be to the satisfaction of the Responsible Authority and must include, but is not limited to, the following:

- a) Allocation of all parking spaces (except visitor spaces) to individual dwellings and procedures to allocate disabled car spaces to residents/visitors as required.***
- b) Pedestrian access and movement within the car parking areas, including strategies to minimise the potential for conflict between pedestrians and vehicles. This may include line marking such as hatched shared areas, direction signs and/or physical barriers.***
- c) Allocation of bicycle spaces to tenancies and visitors.***
- d) Directional signs to car and bicycle parking spaces and facilities.***
- e) Location of bicycle parking signs in accordance with Clause 52.34-5.***
- f) Line marking of parking spaces.***
- g) How parking will be secured and details of how access to car spaces, disabled car spaces and bicycle spaces will be achieved by visitors and delivery vehicles as required (via an intercom).***
- h) Details of how access to the waste collection areas will be achieved by waste collection vehicles and how these areas will be secured.***

9.1.1 (cont)

- i) Advise where delivery vehicles and moving vans serving the dwellings will park. These vehicles must be able to park for a reasonable period of time in convenient locations.*
- j) How the car park will be managed to ensure that all vehicles exit the site in a forwards direction.*

Once submitted to and approved by the Responsible Authority, the Car Parking Management Plan will form part of the documents endorsed as part of this planning permit.

The requirements of the Car Parking Management Plan must be implemented by the building manager, owners and occupiers of the site for the life of the building, to the satisfaction of the Responsible Authority.

- 5. Prior to commencement of any building and works which have any impact to the road reservation and existing trees, a Construction Impact Assessment and Tree Management Plan is to be prepared for these trees by a suitably qualified arborist, detailing construction methodologies and tree protection measures to the satisfaction of the Responsible Authority.*

Façade Strategy

- 6. Before the development starts, excluding the works detailed in the Early Works Plan, a Façade Strategy must be submitted to and be to the satisfaction of the Responsible Authority. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy is required to detail:*
 - a) A concise description by the architect of the building design concept and how the façade works to achieve this.*
 - b) Schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding.*
 - c) External building materials and finishes not resulting in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces to the satisfaction of the Responsible Authority.*
 - d) Issues relating to glare and reflectivity of chosen building materials must be addressed within a report prepared by a suitably qualified engineer.*
 - e) Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, glazing, window detail and any special features which are important to the building's presentation.*
 - f) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.*
 - g) Information about how the façade will be accessed and maintained and cleaned, including planting where proposed.*
 - h) Example prototypes and/or precedents that demonstrate the intended design outcome indicated on plans and perspective images to produce a high quality built outcome in accordance with the design concept.*

9.1.1 (cont)

Sustainability Management Plan

- 7. Prior to the commencement of any buildings or works, an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. This SMP must be generally in accordance with the SMP submitted with the application but amended to include the following changes:**
- a) A STORM Rating Report with a score of at least 100% or equivalent. Rain garden details to include strategies for controlling flow speed (down fourteen floors) and distribution to avoid decimating the rain garden filter media and plant structure.**
 - b) A complete, published BESS Report, with an overall score that legitimately exceeds 50% and exceed the 'pass' marks in the categories of Water, Energy Stormwater and IEQ (indoor environment quality).**
 - c) Provide all "Documents and Evidence" items described in the BESS Report.**
 - d) Provide example specifications for bronze tinted glazing, including U-value, SHGC and VLT noting that the BESS IEQ DTS pathway requires VLT values to be $\geq 60\%$. If a double glazed bronze-tinted IGU cannot be found meeting the requirements specified, either pursue an alternative pathway or amend the glazing type such that it meets the BESS IEQ VLT (and NatHERS) criteria.**
 - e) Room depths for single-aspect living rooms and bedrooms to be less than or equal to 8 metres, or 5 metres if south-facing. Alternatively provide alternative pathway showing how BESS IEQ Daylight standards are to be achieved.**
 - f) Include a preliminary sample set of NatHERS scores as per Guide to NatHERS Sample Sizes – see <http://bit.ly/NatHERS-sampleset>. Ensure that the sample identifies each dwelling and includes the scores for the southeast most units on levels 1, 3, 8 and 10.**
 - g) Control car park ventilation with variable speed fans and CO sensors.**
 - h) Control car park lighting (at least 75% of lighting fixtures) with motion sensors.**
 - i) Commit to controlling all service and lift area lighting with occupancy sensors.**
 - j) Commit to control common, service and lift area ventilation with occupancy sensors.**
 - k) Commit to diverting at least 80% of construction/demolition waste from landfill.**
 - l) Connect the rainwater tanks to a significant amount of toilet flushing systems.**

All of the above is to be to the satisfaction of the Responsible Authority.

Landscape Plan

- 8. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must address the following:**
- a) Any landscaping/footpath works within the road reserve should be at or above grade and there should be no excavation below existing grade within the TPZ of trees in the road reserve.**

9.1.1

(cont)

- b) All services i.e. – drainage/sewerage within the TPZ of these trees, should be installed using horizontal boring underneath the root systems to avoid open trenching within the TPZ.*
- c) Notate the type, location, quantity, height at maturity and botanical names of all proposed plants. Shade tolerant species are recommended for the ground floor.*
- d) Details of all containerised planting infrastructure.*
- e) Notate reticulated irrigation (recycled) water systems for planter boxes.*
- f) Notate play equipment or playable elements such as sculptures for children residing or visiting the building.*
- g) Confirm any green façade elements.*
- h) Detail the design (including the provision of sections) and layout of the common area, planters and ground level planting areas.*
- i) Provide a specification of works to be undertaken prior to planting.*
- j) Further detail on any sustainable treatments and water harvesting methods.*
- k) Moveable furniture in the café forecourt and on the proposed level 14 roof top garden to demonstrate fixing mechanisms.*
- l) Level 4 roof top garden balustrade to comply with relevant building regulations.*
- m) Minimum soil depth for containerised tree planting should be 1 metre with appropriate tree anchoring system.*

All detail plant/planting maintenance schedules and requirements to the satisfaction of the Responsible Authority.

Landscape Maintenance Plan

- 9. Prior to the occupation of the approved building, a Landscaping Maintenance Plan, prepared by a suitably qualified consultant, must be submitted and approved by the Responsible Authority. The landscaping maintenance plan must include, but is not limited to:*
 - a) Irrigation system/program for street trees and street level garden beds, including details of frequency and water delivery method.*
 - b) Details of the ongoing maintenance procedures to ensure that the garden areas in the communal open space above Level 14 are healthy and well maintained to the satisfaction of the Responsible Authority. This must include:*
 - i. Irrigation frequency and delivery method.*
 - ii. Drainage.*
- 10. Before the building is occupied, or by a specified later date, as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must achieve at all times:*
 - a) Compliance with the provisions, recommendations and requirements of the endorsed Landscape Plan;*
 - b) Compliance so that areas set aside on the endorsed Landscape Plan for landscaping are not be used for any other purpose; and*
 - c) Replacement of any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.*

9.1.1

(cont)

- 11. Prior to the occupation of the approved building, the road reserve between the subject site and the kerb along all site's frontages must be constructed and laid out in accordance with the endorsed plans to the satisfaction of the Responsible Authority. Pavement areas, lighting, landscaping, signage and materials must be consistent with the Box Hill Urban Realm Treatment Guidelines, to the satisfaction of the Responsible Authority.**
- 12. No street tree may be removed without the prior written consent of the Responsible Authority.**

Acoustic Report

- 13. Prior to the commencement of any buildings or works, an amended Acoustic Report must be submitted to and approved by the Responsible Authority. This report is required to document acoustic mitigation measures to be implemented in the building to achieve compliance with the Australian Standards – AS1191. The requirements/recommendations of Acoustic Report must be illustrated (as appropriate) on the plans and elevations submitted for endorsement and be implemented to the satisfaction of the Responsible Authority.**
- 14. Prior to the occupation of the development, a letter of confirmation from a suitably qualified acoustic consultant must be submitted for approval by the Responsible Authority to certify that the development has been constructed in accordance with the requirements of the Acoustic Report.**

Wind Impact Assessment Report

- 15. Prior to the commencement of the development, an amended Wind Impact Assessment Report, prepared by a suitably qualified professional, must be submitted to and endorsed by the Responsible Authority. The Wind Impact Assessment Report must be amended to include an Executive Summary to address the following:**
 - a) The wind impact assessment was undertaken in accordance with the Australian Wind Engineering Society Quality Assurance Manual (AWES-QAM-2001) with mitigation measures/ features incorporated.**
 - b) Achievement of the following outcomes indicating:**
 - i. Walking comfort along the streetscapes surrounding the Development demonstrating that peak gust wind speeds shall not be exceeded for greater than 1% of the number of hours per year.**
 - ii. Standing comfort at main building entrances/exits demonstrating that peak gust wind speeds shall not be exceeded for greater than 1% of the number of hours per year.**
 - iii. Sitting comfort within outdoor seating areas of the café demonstrating that peak gust wind speeds shall not be exceeded for greater than 1% of the number of hours per year.**
 - iv. A minimum of walking comfort on communal terraces demonstrating that peak gust wind speeds shall not be exceeded for greater than 5% of the number of hours per year.**
 - v. A minimum of standing and sitting comfort on communal terraces with areas intended for stationary activities (e.g. seating, BBQ, etc.) demonstrating that peak gust wind speeds shall not be exceeded for greater than 10% (standing) and 15% (sitting) of the number of hours per year.**
 - vi. A minimum of standing comfort on private balconies demonstrating that peak gust wind speeds shall not be exceeded for greater than 10% of the number of hours per year.**

9.1.1

(cont)

- c) Wind tunnel measurements, when modelling utilising local data, at areas specified under (b) to provide estimates on which dwellings, number of days and number hours per year that relevant comfort criteria specified (i.e. walking/standing/sitting) shall be exceeded.*
- d) Where existing wind conditions in the surrounding streetscapes already exceed the walking comfort criterion, the development must not make these conditions worse.*

The requirements and outcomes of the Wind Impact Assessment Report must be demonstrated on the plans and elevations submitted for endorsement.

Once submitted to and approved by the Responsible Authority, the Wind Impact Assessment Report will form part of the documents endorsed as part of this planning permit.

The requirements of the Wind Impact Assessment Report must be implemented by the building manager, owners and occupiers of the site for the life of the building, to the satisfaction of the Responsible Authority.

- 16. The recommendations within the Wind Impact Assessment Report must be implemented such that:**
 - a) There is no cost to the Responsible Authority.*
 - b) There is no reliance on the provision of street trees for wind mitigation.*
 - c) There is no reliance on the provision of vertical baffles on public land, except where all appropriate approvals have been obtained from all relevant authorities and land managers and approval also granted by the Responsible Authority.*
 - d) Consent and the appropriate approvals are obtained from Whitehorse City Council for all wind amelioration features that protrude into or over relevant property boundaries.*

Early Works Plan

- 17. With the prior written consent of the Responsible Authority and before the commencement of any buildings and works, an Early Works Plan may be prepared and must be to the satisfaction of the Responsible Authority. The Early Works Plan must provide details of all works which comprise the 'early works', including but not limited to:**
 - a) Piling works (Bored Piers), including Capping Beams.*
 - b) Retention system including structural columns, shotcrete walls and rock anchors.*
 - c) Bulk excavation.*
 - d) Detailed excavation.*
 - e) Excavation and pouring of pad footings, pile caps and basement slabs.*
 - f) Civil drainage retention system.*
 - g) Crane pad footing system.*

Construction Management Plan (CMP)

- 18. Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner will manage the environmental and construction issues associated with the development, must be submitted to and approved by the Responsible Authority .**

The Construction Management Plan must be prepared and managed by a suitably qualified person who is experienced in preparing Construction Management Plans in accordance with the City of Whitehorse Construction Management Plan Guidelines.

9.1.1 (cont)

When approved, the Construction Management Plan will form part of this permit and must be complied with, to the satisfaction of the Responsible Authority, to the extent that this is in the control of the owner of the land. The owner of the land is to be responsible for all costs associated with the works to be undertaken in accordance with the requirements of the Construction Management Plan.

19. *The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

Waste Management Plan (WMP)

20. *Prior to the commencement of any buildings or works, an amended Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. This WMP must be generally in accordance with the WMP submitted with the application but amended to show:*

- a) *MGB that allows access to all of the bins.*
- b) *Adequate size to allow easy movement/transfer of the required number of MGBs.*
- c) *Adequate space for MGB's and for bulk items cardboard etc).*
- d) *Secure location.*
- e) *Vermin proof.*
- f) *Adequate lighting.*
- g) *Adequate drainage.*
- h) *MGB washing facilities.*
- i) *Storage for MGB tug device.*

21. *The requirements of the endorsed Waste Management Plan, forming part of this permit, must be implemented by the building manager, owners and occupiers of the site for the life of the building, to the satisfaction of the Responsible Authority.*

Lighting Strategy

22. *Prior to the commencement of the development, a Lighting Strategy must be prepared to the satisfaction of the Responsible Authority. The Lighting Strategy must provide details of proposed lighting of Irving Avenue, Shipley Street and the laneway, and must be prepared in accordance with the Safer Design Guidelines for Victoria, Department of Sustainability and Environment, June 2005, to the satisfaction of the Responsible Authority.*

All external lights must be of a limited intensity and must ensure no unreasonable nuisance is caused to surrounding road network, adjoining properties or nearby residents.

This lighting must be maintained and operated for the life of the building to the satisfaction of the Responsible Authority.

Drainage and Assets

23. *All stormwater drains and on-site detention systems are to be connected to the legal point of discharge to the satisfaction of the Responsible Authority prior to the occupation of the building/s. The requirement for onsite detention will be noted in the stormwater point of discharge report, or it might be required as part of the civil plans approval.*
24. *Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.*

9.1.1

(cont)

- 25. Prior to works commencing the Applicant/Owner is to submit design plans for all proposed engineering works external to the site. The plans are to be submitted as separate engineering drawings for assessment by the Responsible Authority.**
- 26. The Applicant/Owner is responsible to pay for all costs associated with reinstatement and/or alterations to Council or other Public Authority assets as a result of the development. The Applicant/Owner is responsible to obtain all relevant permits and consents from Council at least 7 days prior to the commencement of any works on the land and is to obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets. Adequate protection is to be provided to Council's infrastructure prior to works commencing and during the construction process.**
- 27. The main switchboard and substation must be constructed at least 300mm above the 1% AEP flood level. Any variations to this floor level must be approved by a Registered Building Surveyor.**
- 28. Fences must not impede overland flow/floodwaters.**
- 29. The floodway/channel on the southern boundary of the property must be impermeable and the top of the channel walls must be constructed at least 300mm above the 1% (AEP) flood level. A drainage easement/floodway in favour of Whitehorse City Council must be created over the full width and length of the channel.**
- 30. Landscaping is not permitted within the south boundary drainage infrastructure and/or floodway channels.**

Amenity

- 31. The amenity of the area shall not be detrimentally affected by the use or development, through:**
 - a) Transportation of materials, goods or commodities to or from the land.**
 - b) Appearance of any building, works or materials.**
 - c) In any other way.**
- 32. The development and use of the site must not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. Noise emissions from the proposed development must not exceed the limits set out in the Environmental Protection Authority's State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No-N1. (Sepp N1).**
- 33. Where a residential area will be impacted by noise from deliveries to the commercial tenancy, the deliveries must be inaudible in a habitable room of any residential premises (regardless of whether any door or window giving access to the room is open).**
- 34. The deliveries to the commercial tenancy (café) shall occur between the following hours:**
 - a) 7.00am to 10.00pm Monday to Saturday.**
 - b) 9.00am to 10.00pm Sundays and Public Holidays.**

Building Services

- 35. The development must provide the capacity for television signal distribution to each dwelling unit and any satellite dish, antenna or similar structure must be designed and located at a single point to the satisfaction of the Responsible Authority.**

9.1.1

(cont)

- 36. All building plant and equipment on the roofs, balcony areas, common areas and public thoroughfares is to be concealed to the satisfaction of the Responsible Authority. Noise emitting plant equipment such as air conditioners, must be shielded with acoustic screening to prevent the transmission of noise having detrimental amenity impacts. The construction of any additional plant, machinery or other equipment, including but not limited to all service structures, down pipes, aerials, satellite dishes, air-conditioners, equipment, ducts, flues, all exhausts including car parking and communication equipment must include appropriate screening measures to the satisfaction of the Responsible Authority.**
- 37. All mechanical exhaust systems for the car park hereby approved must be located and sound attenuated to prevent noise and general nuisance to the occupants of the surrounding properties, to the satisfaction of the Responsible Authority.**

Yarra Valley Water

- 38. Yarra Valley Water compliance as follows:**
 - a) The owner of the subject land must enter into an Agreement with Yarra Valley Water for the provision of water services.**
 - b) The owner of the land must enter into an Agreement with Yarra Valley Water for the provision of sewerage services.**
 - c) All works shall be in accordance with an updated Development Deed to be submitted to Yarra Valley Water for approval.**

Expiry

- 39. This permit will expire if one of the following circumstances applies:**
 - a) The development is not commenced within three (3) years from the date of issue of this permit;**
 - b) The development is not completed within five (5) years from the date of this permit;**
 - c) The food and drink premises use has not commenced within one year of the completion of the development.**
- C Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.**

9.1.1


(cont)

MELWAYS REFERENCE 47-C8

Applicant:	Kin Consolidated Unit Trust Pty Ltd
Zoning:	Residential Growth Zone, Schedule 3 (RGZ3)
Overlays:	Significant Landscape Overlay, Schedule 9 (SLO9) Parking Overlay, Schedule 1 (PO1)
Relevant Clauses:	
Clause 11	Settlement
Clause 11.03-01S	Activity Centres
Clause 12	Environment and Landscape Values
Clause 15	Built Environment and Heritage
Clause 15.01-2S	Building Design
Clause 15.01-4R	Healthy Neighbourhood – Metropolitan Melbourne
Clause 15.01-5S	Neighbourhood Character
Clause 16	Housing
Clause 16.01	Residential Development
Clause 16.01-01S	Integrated Housing
Clause 16.01-2S	Location of Residential Development
Clause 16.01-03S	Housing Diversity
Clause 17	Economic Development
Clause 17.01-1R	Diversified Economy – Metropolitan Melbourne
Clause 18	Transport
Clause 18.01-01-S	Land Use and Transport Planning
Clause 21.05	Environment
Clause 21.06	Housing
Clause 21.07	Economic Development
Clause 22.03	Residential Development
Clause 22.04	Tree Conservation
Clause 22.05	Non Residential Uses in Residential Areas
Clause 22.07	Box Hill Metropolitan Activity Centre
Clause 22.10	Environmentally Sustainable Development
Clause 32.07	Residential Growth Zone
Clause 42.03	Significant Landscape Overlay
Clause 52.06	Car Parking
Clause 52.34	Bicycle Facilities
Clause 58	Apartment Developments
Clause 65	Decision Guidelines
Ward:	Elgar

9.1.1
(cont)



	Subject site		Objector properties (12) and 3 properties outside the map	 North
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9.1.1

(cont)

BACKGROUND

History

This application was lodged on 23rd August 2017 and has been subject to an extended assessment period as a result of the complex stormwater and drainage issues that needed to be addressed. Council's Assets Team identified a number of concerns with stormwater overland flows given the size of the drainage catchment and the need for relocation/creation of new easements. A number of hydrology reports and plans were submitted to Council which required further information and modification to proposed infrastructure provision.

Subsequent to ongoing discussion with Council officers, a Section 57 amendment was formally lodged on 16th April 2019 which provided a mechanism for Council officers to directly liaise with the applicant for drainage plans which were acceptable to Council and progress the application to a decision.

The permit applicant further circulated sketch plans dated 22nd November 2019, responding to key outstanding issues raised by officers in relation to the drainage issues. The sketch plans were subsequently submitted as discussion plans on 26th November 2019. The latest set of amended plans and discussion plans provided to officers can now be accepted in principle. Conditions will be included should a permit be granted to give effect to the further design revisions detailed in the discussion plans received 26th November 2019.

These amended plans and discussion plans were not readvertised.

The Site and Surrounds

The subject land is located on the south eastern corner of Irving Avenue and Shipley Street in Box Hill. It comprises two lots and has a total site area of approximately 1295 square metres. The site is vacant and has no existing vegetation. The land has a fall of approximately 1.2 metres falling from the rear south east corner to the north- west frontage in Irving Avenue. The subject land is at a low point of the surrounding residential lots with a number of properties to the south and south east falling towards the subject land. There are two mature street trees in the Irving Avenue road reservation frontage and two mature trees in the Shipley Street road reservation frontage.

A number of easements traverse the subject site and include:

- A sewerage easement traversing the property along an east west axis from Shipley Street to the laneway to the east of the site.
- A drainage easement diagonally traversing the property along a north-west to south-east axis; and
- An easement located in the north-eastern corner of the site.

The subject land abuts part single and double storey residential units to the south, a seven storey residential apartment building to the east with an intervening 3.5 metre wide laneway, and public open space to the north (Box Hill Gardens). The Box Hill RSL is diagonally opposite to the north- west (16-28 Nelson Road).

There are a number of residential apartment developments under construction/recently completed in the immediate vicinity of the subject land. These include:

- 12-14 Nelson Road (20 storey residential apartment development),
- 4-7 Irving Avenue (9 storey residential apartment development),
- 15-17 Irving Avenue (9 storey residential apartment development),
- 1 Bruce Street (10 storey residential apartment development) and
- 2-4 Bruce Street (10 and 19 storeys residential apartment development).

9.1.1

(cont)

The site is well located with access to public transport. A number of public transport options are provided within 300m of the subject site. These include:

- Box Hill Train Station - this station is serviced by the Belgrave and Lilydale train services that run to the CBD as well as many other metropolitan destinations. During certain peak hour times express trains services from Box Hill arrive into the Melbourne CBD in under 30 minutes.
- A bus interchange is located at the Box Hill train station. 20 bus routes operate through this terminal and travel to locations such as Doncaster, Chadstone, Oakleigh, Mentone, Deakin University, Surrey Hills, Knox and Monash.
- Tram services operate along the Whitehorse Road corridor. Box Hill is the last stop on the tram service and services operate from Box Hill, to Port Melbourne, Kew and the CBD.

The site is located within the Major Development Precinct, as designated by the Box Hill Transit City Activity Centre Structure Plan 2007. The Activity Centre provides for residential, retail, education, office, civic, medical, educational, entertainment and recreational opportunities for the regional population as well as local community activities. In the context the subject land is close to the Box Hill and Epworth hospitals, Box Hill TAFE and a significant range of restaurants, cafes and other recreational activities.

Planning Controls

Residential Growth Zone – Schedule 3 (RGZ3)

The purpose of the Residential Growth Zone includes:

- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

According to the requirement of the RGZ3, a planning permit is required for the use of the land for Food and Drink Premises. A planning permit is also required for buildings and works associated with a Section 2 use and for the construction of a Residential Building.

The proposed apartment development triggers permission as follows:

- 'Dwelling' is included in Section 1, no permit is required to use the land for the purpose of dwelling, pursuant to the RGZ3.
- A permit is required for the construction of two or more dwellings on a lot and Residential Buildings.

Parking Overlay – Schedule 1 (PO1)

The land is included in the Parking Overlay (Schedule 1), Clause 45.09 of the Whitehorse Planning Scheme.

The Car Parking Overlay varies the car parking rates set out in Clause 52.06 (Car Parking). Applying the car parking overlay rate, the development would generate a car parking requirement of 96 car parking spaces. The proposed development seeks to provide 122 car parking spaces. The proposed car parking provided exceeds the requirement of the car parking requirements, pursuant to Clause 45.09 – Parking Overlay. No permit is therefore triggered by the overlay.

9.1.1

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Significant Landscape Overlay – Schedule 9 (SLO9)

The land is included in the Significant Landscape Overlay (Schedule 9), Clause 42.03 of the Planning Scheme.

The Overlay is of limited relevance to the subject land, in that tree retention requirements affecting the Residential Growth Zone relate to the frontage of the site only and there are no existing trees on this part of the site. The site does however provide replanting opportunities.

Box Hill Transit City Activity Centre Structure Plan, 2007

The subject land is located in Activity Precinct E, Box Hill Gardens Precinct of the existing Structure Plan which provides for significant medium to high density residential growth, with small scale offices and retail to activate ground level street frontages.

The subject land is located in Built Form Precinct F, Major Development Precinct where taller buildings are permitted enabling increased density. No specific building height maximums are stipulated in the Structure Plan. Transitional heights are to be provided at the edges of the precinct to respect the scale of neighbouring precincts.

PROPOSAL

The proposed development and use as per the amended plans (dated 16th April 2019), in summary, comprises the following:

- A 15 level building with a total of 113 apartments, with 22 one bedroom, 82 two bedroom and 9 three bedroom apartments.
- A Food and Drink Premises of 125 square metres located on the ground level, north east corner of the site.
- A communal space of 330 square metres above Level 14. This area includes BBQ facilities, passive seating nooks in decked areas, new trees and a range of other vegetation.
- A recessed building envelope of 3 metres above ground level on the east boundary to the existing laneway to provide a 6 metre wide vehicle carriageway for two way vehicle access to the basement carpark entry adjacent to the south east corner of the site.
- Three basement levels comprising 122 car parking spaces. Basement Level 3 includes residential at grade and car stacker parking and residential storage lockers; Level 2 provides basement residential storage lockers and visitor car parking spaces, including a disabled visitor parking space; and Level 1 basement includes residential at grade and stacker car parking spaces.
- Creation of a new easement for drainage on the south (rear boundary) and realignment of the existing sewerage and drainage easements.
- A building setback of 2.17 metres at ground level on the south boundary for 22.57 metres in length to collect overland flow in a culvert drain to the east side laneway.
- The ground floor includes five one-bedroom residential apartments, residential storage lockers, water storage tank and fire tank, electrical switchboard, substations and the vehicle access to the basement (both services and vehicle access facing the east laneway), café and outdoor paved/ landscaped outdoor space.
- Lower levels generally provide for one and two bedroom apartments, upper levels have two bedroom with some three bedroom apartments and Level 14 comprise three bedroom apartments.
- The secluded private space is provided in the form of balconies which generally range from 8.1 square metres to up to approximately 30 square metres for the one and two bedroom apartments. The three bedroom apartments on upper levels have balcony areas generally ranging from approximately 30 to 54 square metres.

9.1.1

(cont)

- The building form is curved to present a more distinctive architectural perspective, with building setbacks varying from approximately 1.8 metres to 2.8 metres in Irving Avenue with 3-4 metres to the wall glazing on the north west frontage corner, approximately 2.2 metres setback to Shipley Street, a 3.1 metre setback to the eastern laneway, (allowing for the widening of the laneway for two way vehicle access and a 2.0 metre setback to the south to allow for a new drainage easement and a stormwater outfall culvert).
- Raised landscaped planting areas along the primary frontage to Irving Avenue, landscape beds along the Shipley Street frontage and also along the eastern laneway. A rain garden is also proposed in the landscaping treatment for Shipley Street.
- Existing street trees are proposed for retention and two new street trees are proposed for Irving Avenue.
- Cladding finishes to all elevations include light and flat grey rendered concrete, clear, light and dark bronze glazing.

CONSULTATION

Public Notice

The application was advertised on 16th July 2018 by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Irving Avenue and Shipley Street frontages. Following the advertising period 15 objections were received.

The issues raised are summarised as follows:

- a) Neighbourhood Character:
 - i. Overdevelopment and the site and the area in general.
 - ii. Building height.
 - iii. Insufficient setbacks
- b) Overcrowding.
- c) Car parking and traffic:
 - i. Impacts to on-street parking.
 - ii. Traffic congestion
 - iii. Impacts to RSL loading bay.
 - iv. Hazard for pedestrians.
 - v. No loading bay.
- d) Amenity impacts:
 - i. Overlooking
 - ii. Overshadowing and loss of light to the south and east.
 - iii. Loss of views from south and east.
 - iv. Noise from too many people.
 - v. Impacts on the park
 - vi. Wind impacts.
- e) Landscaping:
 - i. Integration of proposed footpath
 - ii. Tree removal.
- f) Added load on amenities.
- g) Construction impacts.
- h) Impacts to TV reception and mobile phone network.

With respect to the submitted amended plans (Section 57A), dated 16th April 2019, re-notification of the application was not given as the proposed design change only involved the increased setback of the building along the southern boundary to accommodate for drainage run-off. It was considered that this increased setback, ranging from 2 – 4 metres was a positive reduction of built form along this interface, therefore would not result in further detriment to the immediate abutting properties to the south.

9.1.1

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Consultation Forum

A Consultation Forum was held on 12 September 2018. Approximately seven (7) objectors attended the meeting. The meeting was chaired by Cr Barker, and was attended by the Applicant and a Council planning officer.

Objectors raised issues of amenity, particularly overshadowing to the east, overlooking, loss of views, noise (from waste collection, air conditioning and water pumps), visual impact to the park reserve, setbacks to Irving Avenue and Shipley Street and wind impact assessment. Also raised was concern about construction noise affecting RSL services, and “quiet reflection” by RSL members.

Concerns were also raised in respect to:

- Neighbourhood character in terms of the height and appearance of the proposed building.
- Adequate car parking and traffic disruptions to other residential properties and impacts to commercial deliveries to the RSL as a result of partial road closures during construction.
- Pedestrian hazard in the event of debris falling from balconies or the rooftop garden.
- Lack of provision of a loading bay.
- Reflectivity of the cladding finish.
- Overloading existing infrastructure
- Extent of tree removal and concern about replanting only in the front property boundary.

Despite a robust conversation amongst parties attending the forum, no resolutions were reached and no changes proposed to the plans at that stage.

Referrals

External

Integrated Public Transport Planning

Pursuant to Clause 66.02, an application to construct a building or to construct or carry out works for a residential development comprising 60 or more dwellings must be referred to Transport for Victoria. However, Clause 66.02-11, outlines exemptions from the referral requirement, which includes a development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.

The subject site is located within the Box Hill Transit City Activity Centre Structure Plan, which is a reference document within the Whitehorse Planning Scheme. It is submitted that the proposed development meets the exemption, outlined above, as the Box Hill Transit City Activity Centre Structure Plan has been prepared in consultation with and endorsed by the Head, Transport for Victoria.

Nevertheless given the age of the Structure Plan a procedural referral was undertaken. A reply of no objection was received in July 2018.

Yarra Valley Water

The proposal was referred to Yarra Valley Water, who do not object subject to the inclusion of conditions on any approval issued.

9.1.1

(cont)

Internal

Engineering and Environmental Services Department

Transport

The proposal was referred to Council's Transport Engineers who did not object to car parking or bicycle space provision for the apartments and the food and drink premises, as both uses comply with Clause 45.09, Box Hill Activity Centre Parking Overlay. Also supported is the capacity of the surrounding road network to accommodate traffic generation as a result of the proposed development.

The Transport Engineers require further detail via conditions to any permit approval in relation to other concerns as follows:

- Submission and approval of a Parking Management Plan.
- Specifications of the car stacker systems.
- Review of column dimensions for vehicle turning circle compliance.
- Compliance with sight distances for vehicles exiting the laneway.
- Vehicle access ramp grade compliance and installation of an intercom system.
- Clarification of location and design of the loading/unloading area.

Assets

Significant and extended negotiation occurred regarding the potential impact of the proposed building envelope to stormwater overland flows, given this property is at a low point in a larger drainage catchment. Plans which in principle may satisfy drainage concerns have been submitted however further information and amendment is required.

At this time Council's Asset Engineers do not object subject to the inclusion of conditions on any approval to address an amended Hydraulic Assessment Report (HAR). This report must be submitted to and approved by the Responsible Authority, with amended plans, including any modifications and/or recommendations required by the approved Hydraulic Assessment Report.

Of relevance however, is that Council's Assets Team is satisfied that the drainage issues can be appropriately managed to the extent that conditions on any permit issued will resolve concerns.

Waste

The proposal was referred to Council's Waste Services Engineers who have reviewed the submitted Waste Management Plan (dated 16/04/2018) and has found it to be satisfactory.

It should be noted that the amended plans (Section 57) were not accompanied by a revised Waste Management Plan. This can be conditioned as part of permit conditions, for any approval granted.

Investment and Economic Development

The proposed café on the corner of Irving Avenue and Shipley Street is supported as it will activate the street and provide food and beverage opportunities for park users and local residents. The treatment of the public space at this location and the extended vault above this area is also supported.

Landscape Architecture

No objection subject to confirmation of the safety of moveable furniture, rooftop balustrade compliance with relevant standards, and minimum soil depth, cubic capacity, irrigation and tree anchoring for containerised tree planting which should be at least 1 cubic metre of soil with appropriate tree anchoring system.

9.1.1

(cont)

ParksWide

The street trees in Shipley Street are considered significant and a Construction Impact Assessment and Tree Management Plan are listed for inclusion as conditions on any approval issued.

ESD Advisor

The proposal was referred to Council's ESD Advisor who does not object, subject to the inclusion of conditions on any approval issued.

Urban Design

The application was referred to an urban design consultant whose comments are summarised as:

- Improved podium delineation and distinctive architectural details between the lower and upper wall sections.
- The overall height is supported in principle, subject to the quality of the architecture, and innovative elements of the design, (such as sustainability, green walls and roofs, shared community kitchen and dining areas), the integrated art and contribution to overall amenity of the area. This would ideally include more than ground level interface treatment, activation and the inclusion of a ground level Café. These factors are highlighted given the subject land's important siting on the Irving/Shipley intersection and opposite the gardens.
- The ground level recessed Cafe is accepted but improvements to the building appearance are suggested so that the building does not appear "floating on a recessed glass base". It is suggested that use of fine grain materials (not off form concrete) is encouraged.
- Review of the interface between ground level dwellings and the public realm.
- Explore reduced setbacks to Irving Avenue but avoid a wedding cake form.
- Variation to the under-croft treatment for Levels 1 and 2 in Shipley Street.
- The curvature of the building should be accentuated at the corner by variation of the facade treatment so there is a differentiation of the cladding finish not a continuous "wrapping façade".
- Consider the second level space at the corner of Irving Avenue and Shipley Street such as provision of a balcony at this level to increase activation and surveillance.
- Void blank wall treatments for the south property interface in Shipley Street.

The above comments are reviewed further in the planning assessment of the building design and form.

9.1.1

(cont)

DISCUSSION

Consistency with State and Local Planning Policies

The subject site is zoned Residential Growth Zone, Schedule 3 (RGZ3). To the south are zoned Residential Growth (RGZ) and Mixed Use. The RGZ seeks: *“To provide housing at increased densities in buildings up to and including four storey buildings”*, and *“if no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres”*.

It is noted this is a performance measure not a mandatory requirement. As the subject land is also within the Box Hill Major Activity Centre (MAC) and in a Major Development Precinct much larger and intensive developments can be considered with greater building heights. The proposal complies with this strategic direction by continuing to provide a range of residential and commercial uses for the site in a more intensive form to facilitate greater residential density and employment opportunities in the area.

The site is close to the public transport systems and road network supporting vehicular, pedestrian and cycling. State policy encourages the intensification of employment generating uses in areas with these locational characteristics close to where people live (clause 11.03-1S Activity Centres and Clause 15.01-4R Healthy Neighbourhoods – Metropolitan Melbourne).

By reference to State planning policy in general, the subject site represents a significant strategic redevelopment opportunity to deliver higher density residential uses and complementary commercial activity. This is justified given the site's location within the Box Hill Metropolitan Activity Centre, its frontages to Irving Avenue and Shipley Street with direct access to Whitehorse Road to the south and its proximity to a broad range of urban infrastructure including public transport services, employment opportunities and commercial facilities.

Similarly, local planning policy identify the vibrant and mixed use nature of activity centres as an important attribute of the municipality and seek to encourage their long term viability through development and land uses that contribute to their adaptation, redevelopment and economic growth. Clause 21.07, Economic Development, also seeks to increase the number and diversity of employment opportunities, specifically identifying retail activities as an area where opportunities can be created, particularly on redevelopment sites. The proposal complies with this policy and achieves these goals.

The proposed density of the development is consistent with both State and Local Policies such as Clauses 16.01-1S Integrated Housing, 17.01-1R Diversified Economy – Metropolitan Melbourne, 18.01-1S Land Use and Transport Planning which encourages concentration of development and employment opportunities in and around activity centres and intensifying development on sites well connected to public transport. This enables more efficient use of existing infrastructure.

Overall, the proposed re-development of the site for a 15 storey apartment building at the proposed scale is considered to have strong strategic planning support.

Reference to Council's 'Non Residential Uses in Residential Areas Policy' (Clause 22.05) indicates that the proposed food and drink premises tenancy is an appropriate use. It is considered that there is support for the use where it can be demonstrated that the scale of operation would not result in unreasonable impacts to surrounding area or the erosion of the primary purpose of the RGZ.

9.1.1

(cont)

The RGZ in Clause 32.07-13 lists specific requirements for non-residential uses and development, with performance measures including:

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal*

In response it is considered that the proposed Café use responds positively to its context, design and siting on the subject land as follows:

- It responds to the objective of the Residential Growth Zone; *to allow education, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate location.* The site is located within a MAC which is of importance not only to the municipality, but also to the broader metropolitan region given its capacity for change and connections to other activity centres, residential areas and transport. The area supports a growing employment base, and the proposed food and drink premises will support this by providing a venue where the local workers as well as local residents (whose number are also increasing) can obtain food and drinks.
- The food and drink premises will contribute to the mixed use nature of the location which includes other commercial entities. On weekends, there is an expectation that buildings are active and provide for local residents and visitors, particularly patrons of the adjacent park.
- The proposed Food and Drink premises provides for a recessed building form on the northwest corner at the road intersection and provides for pedestrian/community interface and interaction, especially given its proximity to Box Hill Gardens.

Design and Built Form

Since the inception of the Box Hill Structure Plan significant redevelopment has occurred in Box Hill, in the vicinity of arterial roads, the transport interchange and the commercial centre, as well as in the area between Whitehorse Road and the Box Hill Gardens. Specific urban design guidelines for residential growth areas have not been formally adopted or incorporated in the Planning Scheme at this time so each planning application is assessed in terms of the specific site circumstance and the general design response in the evolving context of the area.

The Box Hill Structure Plan does not specify height limits and consequently in the intervening time between this document being prepared and the current work for Box Hill being undertaken (but not yet completed), there are limited tools within the planning scheme to direct expectations for building height. Whilst some of the current buildings have been directed through VCAT decisions, the area containing the subject land is identified as being capable of achieving larger and taller buildings; it is a matter of context that determines what may or may not be suitable. Extensive redevelopment has therefore occurred in the vicinity and surrounds of the subject site, and as such the proposed building scale is proportional to the evolving transitional built form.

In assessing the appropriateness of the proposed built form, planning officers refer to the decision guidelines of the RGZ, the objectives and strategies outlined under Clause 15.01-1S, Urban Design and Clause 15.01-2S, Building Design and where relevant the policy documents relating to Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017) and Apartment Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017) are applicable.

9.1.1

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The objective of Clause 15.01-2S – Building Design is ‘to achieve building design outcomes that contribute positively to the local context and enhance the public realm’. To achieve the objective, this clause further outlines design strategies which include:

- *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
- *Encourage development to retain existing vegetation.*

The proposal is considered to adequately comply with the objective of Clause 15.01-2S, Building Design as discussed below:

Site Analysis/Character

Strategically, the subject site is appropriately located for a higher-density development. The surrounding neighbourhood character is mixed. The eastern lot abuttals have new apartment buildings up to 7 storeys and single storey remnant dwellings. To the south east there are apartment developments up to 12 storeys. To the North West at 16-28 Nelson Rd is the RSL building with its rear (eastern interface) to Shipley Street. The RSL is anticipated to commence redevelopment of the main building soon, and construct a multi deck car park, which will become a strong building element in the Shipley streetscape. To the west on 12-14 Nelson Road approval has been obtained for a 20 storey building, this building is currently under construction and is near completion. The remaining properties further along this portion of Whitehorse Road comprise of a mixture of finer grain commercial buildings. These areas have, and will continue to experience, an intensification of use and development.

The proposal incorporates a four-storey component to Shipley Street, with part of the building form achieving varying recession above the fourth level podium, particularly along the south west corner of the subject site. In Irving Avenue no podium or tower recess is provided. This is acceptable as it will respond to both the existing and emerging street wall heights and building appearance. In addition, the south interface to single and double storey units is anticipated to change in the short term as this site and surrounding lots have all been purchased for redevelopment.

Above podium level, the proposal includes various setbacks which comprise:

- East boundary – varying between 3.0 metres (Levels 5-10) to 10.25 metres (Level 13).
- West boundary – varying between zero (north-west corner) to 9 metres (south-west corner)
- South boundary – minimum of 5.0 metres varying up to beyond 11 metres at level 15.

It is considered that the proposed setbacks will not visually dominate the existing streetscape.

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Height

The development comprises a 15 storey building, approximately 49.3 metres high (maximum height), with a four storey component in Shipley Street which equates to a maximum varying height of 13 -15 metres given the slope of the land. It is noted that the proposed building services on the rooftop of the building will extend above this building height approximately 2-3 metres. However, the building services are centrally located, well set back from the building edge and will not be visible at the street level.

Whilst it is acknowledged that the building will be taller than adjoining developments to the east and south, it is considered that the proposed built form is generally consistent with other recently completed developments in this area. Recent examples include the approved development of 2-4 Bruce Street and closer to the site the recently constructed building at 12-14 Nelson Road. Overall it is considered the proposed building height provides an appropriate response and transition in height from the ATO building to the south and the 10 storey buildings further north and east of the site.

Within the Box Hill Structure Plan, the site is located in 'Built Form Precinct F' (Major Development Precinct). In this precinct taller buildings are permitted, enabling increased density. Building heights must not cause overshadowing of Key Open Spaces, Residential Precincts A or B or residential areas beyond the study area. Transitional heights are to be provided at edges of the precinct to respect the scale of neighbouring precincts. There is currently no preferred maximum building height indicated in Built Form Precinct F. A response to the impact of buildings on key open spaces is provided under 'Public Realm', below.

Council's Urban Designer considered the proposed building heights to be acceptable, subject to refinement in the architectural detailing, particularly at the street corner interface and the café roof façade treatment. In addition, officer comment is provided in regard to the proposed building height between the development to the eastern and southern (eastern building) as follows:

- The proposed building will be one of the taller buildings when compared to immediately adjoining properties. It is, however, lower than the development at 12-14 Nelson Road. The overall height of the buildings is considered acceptable due to its location as a prominent corner site, the emerging character of the area and strategic redevelopment potential.
- With respect to the sensitive interface to the east and south, given no height controls currently apply to the site and the site's location within a MAC, it is expected that over time, the area will increasingly become developed with multi-level commercial/residential buildings contributing to the economic viability of the centre. Whilst initially, this development may appear prominent, this will lessen over time as surrounding sites (including the southern properties) are developed, such as approved and constructed at 12-14 Nelson Road.
- The proposal has allowed for adequate, and varying setbacks to the east (minimum of 3.0 metres, excluding the laneway) enabling equitable development opportunity for future redevelopment of this site, with the current proposed setbacks varying between 3.0 metres and 4.5 metres.
- The varying side rear setback, along the southern interface reduces the visual scale of the building mass.

As noted, Precinct F is the only precinct within the Box Hill Structure Plan where no specific preferred or maximum height limit applies. This area therefore represents a significant opportunity to deliver the proposed mixed-use development without unreasonably impacting on the amenity of the surrounding residential neighbourhood or identified key public open spaces. With the absence of a mandatory building height, emphasis is placed on how a building responds to its context, and manages amenity impacts to surrounding properties through matters such as overshadowing.

9.1.1

(cont)

Overall, the site is located within an area undergoing transition which has resulted in a mixture of heights approved ranging up to 80 metres (ATO building) in the immediate surrounds. The proposed 15 storeys is considered an appropriate design response to the surrounding context.

Massing

As detailed in the earlier section, Council's Urban Designer, is generally comfortable with the building massing and height, however the referral raised some concerns in relation to street level interface and some material treatments, and recommended as follows:

- a) Improved podium delineation and distinctive architectural details between the lower and upper wall sections.
- b) The ground level recessed Cafe is accepted but improvements to the building appearance are suggested so that the building does not appear "floating on a recessed glass base". It is suggested that use of fine grain materials (not off form concrete) is encouraged.
- c) Review of the interface between ground level dwellings and the public realm.
- d) Variation to the under-croft treatment for Levels 1 and 2 in Shipley Street.
- e) The curvature of the building should be accentuated at the corner by variation of the facade treatment so there is a differentiation of the cladding finish not a continuous "wrapping façade".
- f) Consider the second level space at the corner of Irving Avenue and Shipley Street such as provision of a balcony at this level to increase activation and surveillance.
- g) Avoid blank wall treatments for the south property interface in Shipley Street.

Planning officers agree with the above recommendation, and this is listed in conditions for any approval granted. It is noted that the applicant has adopted some of the recommendations and these are reflected in the current decision plans.

Overall, the development is in an area where it is appropriate and practicable to provide a building of this height and massing in order to achieve planning objectives, with the scale of the building aligning with all relevant policies and objectives.

As there are no requirements listed in the Planning Scheme specifying building heights and setbacks in the Major Development Precinct setbacks, overshadowing, overlooking and building bulk become central considerations.

Public Realm

The design of interfaces between buildings and public spaces need to enhance the visual and social experience of the user. In this respect, the proposal represents an improvement in the streetscape, public space quality and perceived safety.

The construction of a modern apartment building with large glazed ground floor lobbies, active tenancies and outdoor spaces is appropriate and provides an opportunity for improved surveillance and activation at both the Irving Avenue and Shipley Street streetscapes. Through the activation of the ground floor, the building will provide interaction at street level where there currently is none. The proposal includes activation of the Irving Avenue streetscape at the Shipley Street intersection, as a result of the proposed café and open paved and landscaped area in the frontage.

Overall, the development will provide for significant public realm improvements, notably to the accessibility and walkability of the surrounding area, in turn benefiting the community as a whole. This is an important consideration to the acceptability of the proposed development.

In terms of light and shade to the public realm, due to the orientation of the site, the proposal will result in minor shadow impact to the surrounding public areas, mainly the pedestrian footpath along Shipley Street frontage, however, this will only largely be affected during the afternoon and the overall impact will be at an acceptable level.

9.1.1

(cont)

Clause 22.07 seeks to protect key open spaces from overshadowing. The Box Hill Structure Plan expands on this further:

- *Avoid overshadowing of Key Public Spaces, Peripheral Residential Precincts or residential areas outside the Activity Centre between 11 am and 2pm on 22 June, beyond what would result from an 11 m building over the full extent of the site.*

There is no overshadowing to public open space as the site is located south of the Box Hill Gardens.

In relation to overshadowing of the adjoining property to the east and south of the site, it is acknowledged that additional shadow will be cast upon properties to the east, however, given the location of the site and the proposed building, it is considered that the existing residential dwellings to the east would still receive adequate sunlight throughout the day.

In terms of shadowing impact to the south, given to the orientation of the site, the proposal will result in increased shadowing to the south, over the existing residential dwellings at 12 Shipley Street. The applicant provided shadow diagrams which shows that at 9am, the north-west corner of the southern property, which is currently comprising of outbuildings and garages will be in shadow. As the day progresses, the shadow will continue east, however the majority of the adjoining properties to the south would still have some part free of any shadows. Based on the above, planning officers accept the argument that redevelopment in a "Major Development Precinct" will result in some additional overshadowing.

Landscaping

Existing street trees in Shipley Street are mature Oaks: *Quercus robur*, English Oak (Tree 1) and *Quercus palustris*, Pin Oak (Tree 2). Both provide significant amenity to the street scape. These trees exhibit good health and fair structure with a long useful life expectancy (ULE).

Trees 3 and Tree 4 are mature *Photinia serrulata* (Chinese Hawthorn) located within the Shipley Street road reserve. Tree 3 exhibited poor health and fair structure with a ULE of 5-15 years and has since been removed as it met Council's ParksWide Department criteria for removal (i.e. – dead, dying or hazardous). The current proposal retains the remaining trees along both street frontages.

The plans provided show that there will be extensive excavation within the subject site to construct the basement levels. This excavation is approximately 3.0m from the existing street trees and represents a major encroachment into the Tree Protection Zone (TPZ) of greater than the 10% mandated within AS 4970 2009 – Protection of Trees on Development Sites, and is therefore likely to damage a significant amount of root mass.

Considering the extent of excavation proposed within the TPZ of these trees, it is recommended that a Construction Impact Assessment and Tree Management Plan be created for these trees by a suitably qualified arborist, detailing construction methodologies and tree protection measures that might enable these trees will remain viable within the proposed development. These requirements are listed in permit conditions.

9.1.1

(cont)

Apartment Development

Clause 58 (Apartment Developments), offers an effective tool to consider on and offsite amenity impacts. Planning officers have assessed the proposal against the requirements of Clause 58 and the proposal largely meets these requirements. The following assessment highlights some areas that will need further refinement:

- Standard D10 (Landscaping)

The extent of residential apartments compared to commercial frontage on the ground floor is supported. The recessive building line in both Irving Avenue and Shipley Streets with decking areas and a range of raised garden beds in frontages is supported.

There is no evidence that existing trees removed on site at the time of demolition of the original housing stock were significant. There are no areas of deep soil in the proposal and this reduces the opportunity to provide any new tree planting on site. The proposed additional new tree planting in the road reservation is supported in principle by Council's Parkswide Department and Council's Design and Construction team, and will provide softening of the built form and integration of new tree planting in both street frontages.

- Standard D14 (Building setback)

Daylight to new dwellings and views into habitable room windows of new and existing dwellings requires further consideration and is listed in conditions for any approval granted.

The south side setback satisfied the minimum equity setback of 4.5 metres from the common boundary. However as the site backs on to the open space and habitable windows of the immediate dwellings south of the site. All south facing windows and balcony spaces, situated less than 9 metres from the southern boundary will require screening. This is listed in conditions for any approval granted.

The east side setback is approximately 3 metres, providing a separation of approximately 6 metres between habitable room window of dwellings on the subject site and the adjoining apartment development at 10 Irving Avenue. Screening from Level 1 to Level 9 of all habitable room windows in the east elevation will be listed in conditions for any approval granted.

A total of 31 of the proposed 113 dwellings are south facing, which equates to approximately 27.4% of all dwelling totals. Given the orientation of the land this ratio is acceptable. It is also noted that the dwellings facing south are generally setback 5-6.2 metres from the south boundary which provides for adequate space for acceptable light access. Calculation of window dimension and heights have been reviewed and listed in ESD conditions.

- Standard D17 (Accessibility)

As submitted plans are schematic with minimal dimensions noted. Accessibility standards require clarification in regard to 50% of dwellings providing 0.850 m door openings, entry path widths and access from bedrooms to habitable rooms. This is listed in conditions for any approval granted.

9.1.1

(cont)

- Standard D19 (Private open space)

Ratios of private open space in relation to apartment sizes/numbers of bedrooms is not compliant for a number of dwellings. The table listed under D19 specifies that the following should be achieved: one bedroom - 8 square metres with a minimum width of 1.8 metres; two bedrooms - 8 square metres with a minimum width of 2 metres; and three bedrooms - 12 square metres with a minimum dimension of 2.4 metres. Whilst the proposal has achieved compliant with minimum area requirements, however has failed to achieve the minimum width requirements in particular the apartments labelled type 2D, 2H and 2J due to the curved nature of these balconies. This can be addressed by way of permit conditions of any approval granted.

- Standard D20 (Storage)

Storage capacities are unclear on the submitted plans. This is addressed in conditions for any approval granted.

- Standard D23 (Waste and recycling)

Size and ventilation of bin storage areas, convenient access to bin and bin washing facilities requires further clarification. These issues will be generally addressed in Condition 20, requiring submission of a Waste Management Plan. These requirements will also be cross referenced in Condition 1 of conditions for any approval granted. Also referenced will be refuse/recycling for the proposed commercial use (Café).

- Standard D24 (Functional layout)

Room depth calculations are unclear. Requirements for apartment room dimensions, room depth and ceiling height ratios are sufficiently addressed in ESD condition requirements.

Noise

The policy at Clause 22.05 (Non-residential Uses in Residential Areas) of the Scheme is applicable to the assessment of the proposed café use. This policy seeks to ensure that new non-residential uses are adequately managed having regards to the proximity to residential uses.

The proposal is unlikely to result in unacceptable noise emission to nearby residential properties/buildings given the majority of the building would be used for residential purposes dwellings. Due to the nature of the residential use, there will be minimal noise generated by pedestrian activity, with this largely limited to the corner intersection of Shipley Street and Irving Avenue, as well as to the north of Irving Avenue in the Gardens opposite which is not considered to be detrimental to the amenity of the adjacent properties.

It should be noted that residential noise associated with residential uses are considered normal in an urban setting. Any future issues, if they arise, should be pursued as a civil matter.

With respect to construction noise, it is acknowledged offsite impacts are inevitable when any construction occurs. The development will be required to meet relevant Building and EPA regulations and Construction Management Plan (CMP) will be required as a condition of any approval granted.

9.1.1

(cont)

Car Parking and Bicycle Parking

Car parking in the Box Hill Activity Centre is managed by the Schedule 1 to the Parking Overlay, including the following objectives:

- *Manage car parking demand and supply to satisfy user needs (with a focus on maintaining/increasing the viability of Box Hill).*
- *Locate and manage car parking so as to minimise traffic generated by the search for a parking space.*
- *Encourage the use of active and sustainable travel modes rather than increased private vehicle travel.*
- *Improve general amenity for pedestrians within Box Hill to increase the willingness for visitors and staff to walk to and within the Centre to their destination.*

Council's Transport Team has reviewed the proposed car parking provision and in summary have provided the following comments:

The proposal requires the following parking provision for the proposed development:

Land Use	Number / Area	Statutory Parking Rate	Number required
Dwellings			
1 bedroom	22	0.5 spaces per dwelling	11
2 bedroom	82	0.75 spaces per dwelling	61
3 bedroom	9	1 space per dwelling	9
Visitor parking (dwellings)	113	0.2 spaces for the first 5 dwellings plus 0.1 spaces to each subsequent dwelling	11
Food and drink Premises	125m ²	3.5 spaces per 100m ² of net floor area	4
Total			96

The proposal provides 122 parking spaces and it is proposed to allocate the parking spaces as per the table above with 26 additional parking spaces to be allocated by the developer.

A Parking Management Plan is required to be submitted which will include allocation of parking spaces to individual properties, signing and line marking of parking spaces and detail of how access will be achieved by visitors (i.e. an intercom) and how parking will be secured.

With respect to traffic generation, council's Traffic Engineers agree with the submitted traffic impact assessment report (submitted by the applicant) and it is not considered that the proposal would result in significant impact upon the local road network or nearby intersections.

Regarding bicycle parking facilities, the number of bicycle parking spaces are required as per Clause 52.34 of the planning scheme:

Usage	Number / Area	Employee Rate	Visitor Rate	Number required
Dwellings (4 or more storeys)	102	1 space per 5 dwellings	1 space per 10 dwellings	20 Resident 10 visitor
Total				30

The submitted plans (Section 57 amended plans) do not show clear location of bicycle parking locations and/or facilities. Accordingly, a permit condition will require amended plans to show full compliance with the requirement of Clause 52.34 of the Whitehorse Planning Scheme.

9.1.1

(cont)

Council's Transport Engineers also stipulate standard conditions relating to car parking layout, access arrangement and access design gradient, and these are listed in conditions for any approval granted.

Drainage and Assets

The site is located within the flood investigation area, whereby the land has the potential to be affected by water overflow from stormwater run-off. The application was initially referred to Council's Asset Engineering Team, who have raised concerns relating to the development potentially having an impact on the overland stormwater flow path. The reconciliation of this issue between the applicant and the Assets Team has taken considerable time, with the applicant having to seek specialist hydrological advice to resolve the issue.

Council's Asset Engineering Team have reviewed the additional information and recommended several conditions to form part of an approved permit, however are satisfied that the additional information provided and changes identified to the proposal will enable stormwater flows and run off to the appropriately managed.

Objectors Concerns not Previously Addressed

Overdevelopment

The subject land and surrounding lots are located in Residential Growth Zone and is within the Box Hill Activity Centre and Transit City Structure Plan. The site is within a Metropolitan Activity Centre and it is accepted that the area is in transition and new developments are anticipated to be significantly more intensive than traditional housing.

Street setbacks

The Residential Growth Zone, Schedule 3 does not specify minimum street setbacks.

Overcrowding

The internal layout of the proposed dwellings is functional and provides adequate space for residential amenity in compliance with Clause 58 of the Planning Scheme, Apartment Development.

Impacts to street parking

The proposed development provides car parking in compliance with Clause 45.09 of the Planning Scheme, Parking Overlay.

Impacts to RSL loading bay

If approval is granted for this development, a CMP will be required to address and manage peak construction traffic movements. Satisfactory access to abutting properties would be a requirement to be addressed through the CMP.

Falling debris

All fixtures and facilities in the communal open space above Level 14 are required to be fixed and anchored in accordance with listed permit conditions.

Onsite loading bay

A loading bay is now provided on plans and conditions direct improved access function and access to/from this area.

Loss of views

It is well established planning case law that protection of views is not a planning assessment consideration.

9.1.1

(cont)

Impacts on the park

The park reserve already has a range of apartment developments on the south interface and in the vicinity of the park reserve. These type of developments are typical of a major development precinct in a Residential Growth Zone.

Wind impacts

This is addressed by permit conditions.

Integration of proposed footpath

Works in the frontage of a subject land and the interface with the road reservation will be managed in accordance with the Box Hill Urban Realm Treatment Guidelines as listed in conditions for any approval granted.

Tree removal

Tree protection requirements as listed in the Significant Landscape Overlay Schedule 9 are not relevant to the subject land. In accordance with the Residential Growth Zone which applies to the subject land, potential for tree retention and replanting is only relevant to the frontage. Planter boxes for low level vegetation, retention of existing street trees and new tree planting in the road reservation is included in this proposal.

Added load on amenities

The application was referred to Yarra Valley Water and Council's Engineering and Environmental Services Department. No concerns were raised relating to overloading of existing infrastructures, therefore, it is reasonable to assume that the existing infrastructure has capacity for this new development.

Impacts to TV reception and mobile phone network

This is not a relevant planning consideration, furthermore, no evidence is available to substantiate this claim.

Reflectivity of the cladding finish

This is addressed by permit conditions.

CONCLUSION

The proposal for the construction of a 15 storey building (plus basement carpark), providing 113 dwellings and use of the land for food and drink premises (cafe) is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the Residential Growth Zone, Clause 58, Apartment Development and strategies, particularly the Box Hill Structure Plan.

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

It is considered that the application should be approved

ATTACHMENT

- 1 Architectural Plans (Assessment Plans)

Engineering and Environmental

9.1.2 Developing an updated Whitehorse Climate Response Plan

FILE NUMBER: 20/15754
ATTACHMENT

SUMMARY

The purpose of this report is to seek Council support for the development of a 2-year Climate Response Plan (CRP) that acknowledges the impact of climate change and community expectation for accelerated action by Council to address climate change mitigation and adaptation.

The Climate Response Plan will be an update of the Whitehorse Climate Change Adaptation Plan 2011 which includes measures to mitigate risks to Council's operations, assets and the community. The updated Climate Response Plan will include ongoing proven actions currently being delivered, acceleration of some planned programs and new initiatives that can be delivered over the next 2 years.

An updated Climate Change Response Plan is required now to ensure Council's actions to address climate change are relevant, compliant with expectation from the community, and consistent with the role of local government as defined in Victoria's Climate Change Adaptation Plan 2017-2020. An updated Climate Response Plan will better inform the development of Council's 10-year Vision and the next 4-year Council Plan. It will also build on the progress to date as Council works towards its carbon neutral and greenhouse reduction targets.

RECOMMENDATION

That Council:

- 1. Develops a 2-year interim Climate Response Plan by September 2020, as an update to the Whitehorse Climate Change Adaptation Plan 2011, that includes:***
 - a) Commitment to prioritise actions to mitigate climate change in all Council policies as they are updated and reviewed.***
 - b) Commitment to support an acceleration of Council and municipal greenhouse gas emissions reduction.***
 - c) Advocacy for taking additional actions towards climate change mitigation at all levels of government.***
 - d) Continued commitment to work collaboratively with other councils and regional greenhouse action alliances on larger scale projects to reduce emissions.***
 - 2. Supports the development of a longer-term Climate Response Plan that will be embedded into Council's next Sustainability Strategy in 2021/22, to be effective from 2022 onwards.***
 - 3. Considers additional resourcing to support an acceleration of corporate and community actions to mitigate the risks of climate change, which will largely be presented as New Budget Initiatives for Council consideration in the 2020/21 and 2021/22 budgets.***
-

9.1.2

(cont)

BACKGROUND

Council's journey to take relevant actions to mitigate and adapt to climate change commenced in 2009, when it undertook a Climate Change Risk Assessment. This led to the development of the Whitehorse Climate Change Adaptation Plan 2011 (CCAP) which remains Council's leading strategic document guiding actions to develop climate resilience within the community and across Council's services and assets.

Since 2011, other levels of government have developed policy and strategies that include expectations of the role that local government will play in addressing climate change. The following summaries are provided of the various policies and strategies that influence Council's role in addressing climate change.

Council's current Whitehorse Climate Change Adaptation Plan and related strategies

The Whitehorse Climate Change Adaptation Plan progressively embedded actions across Council's operations, services and assets to both mitigate and adapt to the impacts of climate change. Council accepted that climate change is real and influenced by man-made factors, and that local actions can contribute to reducing the negative impacts on Council and our community. The adopted CCAP was based on a risk reduction approach in response to the climate-related risks identified in the Climate Change Risk Assessment.

The accompanying CCAP Action Plan informed subsequent Council budgets and strategies, and the Plan had a nominal 10-year outlook. The CCAP recognised that Council needs to work with other councils and levels of government to make a more substantive impact through taking potentially larger-scale actions using a multi-council or regional approach. Council's membership of the Eastern Alliance for Greenhouse Action (EAGA) with 7 other councils is an example of this collaborative approach.

A summary of the status of these actions in CCAP is included in Attachment 1.

Since the development of CCAP, a number of additional Council strategies and plans have included measures in response to the significant impact of our changing climate. These include the Sustainability Strategy 2016-2022, Health and Wellbeing Plan 2017-2021, Procurement Policy 2019 and Urban Forest Strategy 2018.

Council's Emergency Management Plan was developed utilising the Community Emergency Risk Assessment (CERA) tool to identify, mitigate and reduce risks. This includes consideration of weather-related events such as extreme temperatures, heatwaves, storms, bushfires and local floods.

Changed climactic conditions is an increasing consideration in the building and retro-fitting of Council facilities. Recently Council has accelerated actions to make Council buildings more energy-efficient, and hence reduce our greenhouse emissions. Since 2015, Council's Ecologically Sustainable Development policy requires applicants for larger developments to provide a Sustainable Design Assessment Report or Sustainability Management Plan Report with their planning application to improve the environmental performance of private developments.

Federal climate policy

In December 2015 the Australian Government released a National Climate Resilience and Adaptation Strategy. The strategy identified Governments as being primarily responsible for *managing risks to public goods and assets (including the natural environment) and government service delivery and creating an institutional, market and regulatory environment that supports and promotes private adaptation.*

9.1.2 (cont)

The strategy clearly outlines the responsibilities of local government, including:

- Administer relevant state and territory and/or Commonwealth legislation to promote adaptation as required including the application of relevant codes, such as the Building Code of Australia;
- Manage risks and impacts to public assets owned and managed by local governments;
- Manage risks and impacts to local government service delivery;
- Collaborate across councils and with State and Territory Governments to manage risks of regional climate change impacts;
- Ensure policies and regulations under their jurisdiction, including local planning and development regulations, incorporate climate change considerations and are consistent with State and Commonwealth Government adaptation approaches;
- Facilitate building resilience and adaptive capacity in the local community, including through providing information about relevant climate change risks;
- Work in partnership with the community, locally-based and relevant NGOs, business and other key stakeholders to manage the risks and impacts associated with climate change;
- Contribute appropriate resources to prepare, prevent, respond and recover from detrimental climatic impacts.

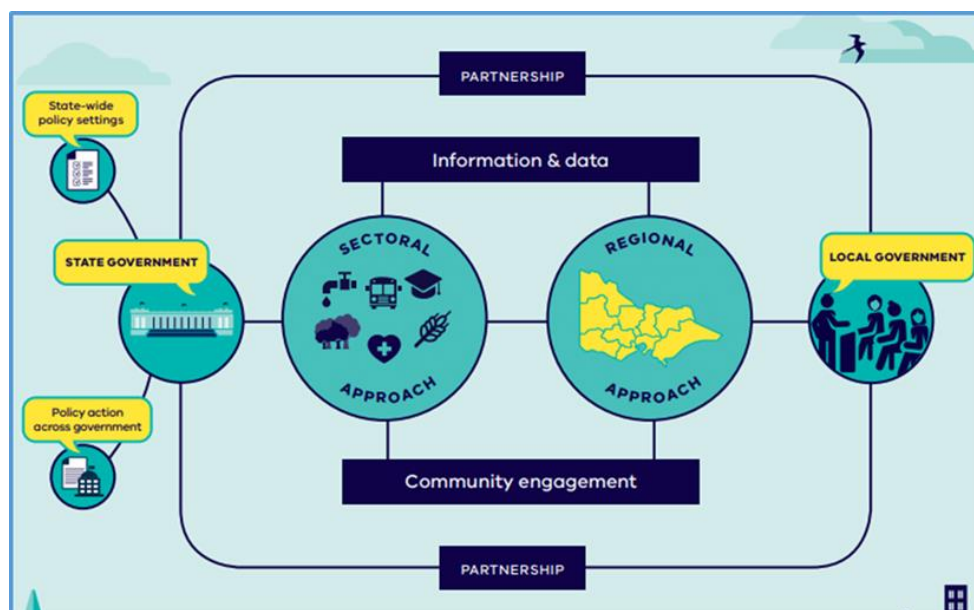
State climate policy

Victoria's Climate Change Framework outlines the steps the state government is taking to transition to net zero emissions by 2050.

This is encapsulated by four 'pillars' for emissions reduction:

1. Increase our energy efficiency and productivity
2. Move to a clean electricity supply
3. Electrify our economy and switch to clean fuels
4. Reduce non-energy emissions and increase carbon storage

Figure 1: Victoria's Climate Change Framework



9.1.2

(cont)

The framework defines how the State Government will work on an international platform and with Federal Government, local government, community, and business sectors as part of a collective approach to ensure our economy, environment and way of living is resilient and prosperous in the face of climate change.

Victoria's Climate Change Adaptation Plan 2017-2020 was developed to detail the state's exposure to climate change risks and impacts, identify partnerships for effective responses to climate change and respond to immediate risks. The plan acknowledges that the role of State Government is to co-ordinate state-wide action and help people and organisations to work together to understand and address common challenges. It also explains how the State Government will support adaptation on different scales – local, regional and sectoral.

The State Government will also assist local governments to develop regional partnerships to address common areas of risk and dedicate resources to support alliances and collaborative adaptation projects.

The Plan states that the role of local government is to:

- Manage climate change risks to council community services and assets
- Identify the needs and priorities of the municipality, and communicate these to State Government
- Develop and deliver locally-appropriate adaptation responses
- Build the resilience of local assets and services
- Plan for emergency management at the municipal level, provide relief and recovery services, and support emergency response operations
- Help the State Government understand localised impacts and responses
- Work with the community to help people understand and get involved in adaptation
- Help connect the State Government with the community

The Victorian Climate Change Act 2017 provides a legislative framework for action on climate change that includes a target of net zero emissions by 2050 and a system of reporting to provide transparency and accountability. It includes a sector approach that requires 5-year adaptation plans for the areas of policy and economic activity that are most relevant to climate change adaptation: health and human services; natural environment; built environment; water cycle; primary production; and transport.

The Department of Environment, Land Water and Planning's Climate Science Report 2019 provides a summary of scientific evidence and provides predictions based on most-likely scenarios.

According to the report, climate projections suggest the following:

- Victoria will continue to become warmer and drier in the future.
- Total annual rainfall is projected to decrease across the state but high intensity rainfall episodes will increase.
- By the 2050s, if the current rate of global warming continues, Victorian towns could experience around double the number of very hot days each year compared to the 1986–2005 average.
- By the 2090s, Victoria is projected to warm on average by 2.8 to 4.3°C under a high emissions scenario compared to 1986–2005.
- Victoria is likely to have a significantly lengthened fire season with the number of very high fire danger days likely to continue to increase.
- Sea levels along the Victorian coast are also likely to continue to rise.

9.1.2

(cont)

DISCUSSION

In Australia, there has been an increasing focus on the impact of climate change as we have seen consistent temperature rises, more storm events, prolonged drought and unprecedented levels of bushfire activity across much of the country. The growing grass-roots climate movement has also increased the media spotlight on government policy with regular large scale rallies and protests, as well as calls for community leaders to accelerate action in response to the issues of climate change.

Council is receiving calls to accelerate its actions on climate change mitigation.

Guided by the Whitehorse Climate Change Adaptation Plan 2011, Council has been progressively implementing actions to mitigate and adapt to the impact of climate change. Examples of key actions undertaken by Council to address the changing climate include:

- Provision of community education about energy efficiency and emissions reduction through Council's annual Sustainable Living Week and Smarter Living programs
- Free and independent energy efficiency advice for residents through our partnership with the Australian Energy Foundation (formerly Positive Charge)
- Technical review into the impact of climate change on Council buildings (Buildings Vulnerability Report 2012)
- Development of Biodiversity Strategy and Urban Forest Strategy
- Energy Performance Contract to accelerate the reduction in energy consumption and greenhouse gas emissions from Council buildings
- Introduction of utilities tracking software program to monitor and evaluate water, gas and electricity consumption
- Energy efficient upgrades for street lighting, significantly reducing emissions
- Introduction of electric and more fuel-efficient vehicles to Council's fleet
- Updated heatwave practices for staff and the more vulnerable sectors of the community
- Appointment of a utilities officer to identify efficiency improvement opportunities
- Use of drought tolerant native and indigenous plants in Council's parks and gardens
- Water saving measures in Council sporting fields including the use of drought tolerant grasses and storm-water harvesting
- Development of an Energy Roadmap to prioritise the actions required by Council to reach emissions targets
- Development of an Energy Framework to guide the development of our Response Plan

As the 10-year outlook period of the current Climate Change Adaptation Plan nears its end, it is timely to build on the actions implemented to date and ensure that proven ongoing actions are incorporated into Council's next Climate Change Response Plan. It is important that Council continues to plan in a strategic manner that reflects the current environmental, technological and political landscape.

Declaring a Climate Emergency

Council has been approached by a number of residents asking whether Council will declare a *climate emergency*, and join other councils across Australia who have done so in recent years.

9.1.2

(cont)

In December 2016, the City of Darebin was the first government globally to declare a *climate emergency*. The term '*climate emergency*' has been promoted by climate activists to highlight the urgency of action required to minimise the impacts of climate change. A *Declaration of Climate Emergency* is passed by a governing body in support of urgent action to minimise global warming. It includes a *binding* resolution to develop an Emergency Plan. Over the last 3 years there has been growing pressure on jurisdictions at many levels to declare a climate emergency.

In May 2017 the Municipal Association of Victoria (MAV), the legislated peak body for 79 local governments, passed a climate emergency motion, with 77 percent of voting municipalities in support.

The MAV declaration included recognition that:

- We are in a state of climate emergency that requires urgent action by all levels of government
- Human induced climate change stands in the first rank of threats to humans, civilisation and other species
- It is still possible to restore a safe climate and prevent most of the anticipated long-term climate impacts, but only if societies across the world adopt an emergency mode of action that can enable the restructuring of the physical economy at the necessary scale and speed.

The Australian Federal Government voted down an attempt to declare a national climate emergency in October 2019.

As of 3rd January 2020, 84 Australian councils, including 24 in Victoria, had declared a climate emergency.

What is happening in our region?

Whitehorse Council is part of the Eastern Alliance for Greenhouse Action (EAGA), a collaboration of eight councils that work together to reduce greenhouse gas emissions and facilitate regional adaptation. EAGA and other greenhouse alliances across Victoria also advocate to state and federal government for initiatives that promote environmental sustainability and low carbon communities, and are able to deliver larger-scale emission reduction projects beyond the resources of a single council.

Several of the alliance councils have recently responded to community-led calls to declare a Climate Emergency, and other councils are at different stages in their consideration.

9.1.2
(cont)

Municipality	Climate policy
Yarra Ranges	In September 2019, Yarra Ranges Shire Council voted to declare a climate emergency that included a commitment to a target of 100% renewable energy for Council operations by 2025 and net zero emissions for the community by 2040. They are currently developing a Climate Change Policy that will be open for public comment and submissions in March 2020.
Monash	Monash City Council considered but did not support a motion tabled in August 2019 to declare a climate emergency. An alternate motion with a range of provisos, including \$90,000 allocation for the development of a Global Warming Action Plan and listing the reduction of corporate and community emissions as a KPI for the CEO was also not passed. Their ongoing response to climate change is outlined in the <u>City of Monash Environmental Sustainability Strategy 2016-2026</u> .
Knox	In October 2019, Knox City Council voted unanimously to pass a motion acknowledging a state of serious climate and environmental change that demands swift, decisive action. Whilst the term emergency was omitted from the declaration they have committed to update the <u>Climate Change Response Plan 2012-2022</u> by January 2020 to reflect the changed landscape.
Boroondara	Boroondara Council adopted a 3-year update of their <u>Low Carbon Future Strategy</u> with a sunset date of December 2020.
Glen Eira	Glen Eira's <u>Environmental Sustainability Strategy 2016-2021</u> outlines their plans to address climate change.
Maroondah	Maroondah Council adopted a <u>Climate Change Risk and Adaptation Policy 2018/19-2021/22</u> .
Stonnington	Stonnington Council's <u>Sustainable Environment Strategy 2018-2023</u> lists climate change and energy as one of their five strategic priorities.

Next steps for Whitehorse

A formal declaration of *climate emergency* by Council is not recommended at this stage. There is an obligation when declaring a *climate emergency* that all Council policies and strategies will be reviewed to include more action on climate change within 3 to 6 months of the declaration. Such a tight strategy review schedule may not result in meaningful change, and is not consistent with Council's planned deliberative preparation in 2020 for a new 10-year Vision and subsequent new 4-year Council Plan that will be developed in 2021. There is also a risk that a rushed review process may not lead to the most appropriate outcomes or recommended actions.

Council's Climate Change Adaptation Plan is scheduled for review in 2020/21 and a new Whitehorse Sustainability Strategy will be developed in 2021/22, ahead of the expiry of the current Sustainability Strategy in 2022. In line with the current Council approach to streamline and consolidate various Council strategies so they better align with the 10-year Council Vision and 4-year Council Plan, it is intended that the next Sustainability Strategy 2022-26 will include a specific and detailed component outlining Council's response to climate change, rather than having separate sustainability and climate strategies. This will not diminish Council's response to climate change, and will ensure closer alignment of sustainability and climate-related actions and programs.

9.1.2

(cont)

As the Victorian Parliament is expected to pass a Local Government Bill soon that will mandate that all strategic planning processes by local government must address the Community Vision, it would be advantageous to delay any long-term sustainability and climate strategy development until Council's new 10-year Vision is developed this year.

In recognition that Council has a responsibility to take appropriate action on climate change, it is recommended that Council develop an interim 2-year Climate Response Plan now that reflects current climate projections, meets community expectations and demonstrates Council's commitment to act on climate change.

This Climate Response update will build on the actions taken to date through Council's Climate Change Adaptation Plan and contain accelerated, responsible actions that Council can take over the next 2 years. An appropriate 2-year Climate Response Plan can be finalised by September 2020.

A more detailed and longer-term Climate Response Plan will then be developed as part of the updated Sustainability Strategy in 2021/22. This strategic approach ensures that the longer-term response to climate change is carefully and fully considered, is not a reflex reaction, and is sincere. It also ensures that it closely aligns to Council's 10-year Vision and 4-year Council Plan to better reflect community expectations and align with state government strategic planning principles expected to be mandated this year.

In the meantime, a 2-year interim Climate Change Response Plan can consider community views received through the deliberative community consultation process that commences shortly for the next Council Vision. Over the next 6 months, Council can draw on input from suitably experienced consultants, EAGA, relevant agencies and other Councils to identify further priority actions and areas of focus for the interim 2-year Climate Response Plan. Additional community input can be sought as part of Council's 2020 Sustainable Living Week at community events in May.

It is therefore recommended that Council develop a 2-year interim Climate Response Plan and consider funding to accelerate its action on climate change in the 2020/21 and 2021/22 budgets as part of this interim plan.

CONSULTATION

CCAP 2011 outlined 50 corporate actions to mitigate the risks associated with climate change. Each action was determined to be the responsibility of one of Council's Divisions or the Executive Management Team. The recent review involved seeking feedback from the Department Manager or Team Coordinator from each division who was responsible for delivering the action. See Attachment 1.

A desktop review of current federal and state policy was undertaken, as well as benchmarking to assess the progress of neighbouring councils.

It is proposed that community consultation for the interim Climate Response Plan can be undertaken as part of the planned deliberative community engagement for the new Council Vision, and during Council's Sustainable Living Week in May 2020.

FINANCIAL IMPLICATIONS

It is increasingly recognised that the economic and environmental cost of not taking action on climate change is ultimately greater than the cost of taking decisive and effective action. As identified in Council's original Climate Change Risk Assessment, progressively implementing precautionary measures to reduce the exposure of Council services, programs and assets to the negative impacts of climate change is a prudent investment that will save money in the long term. Council has continued to invest funds to make Council's assets, services and our community more resilient to the impacts of our changing climate.

9.1.2 (cont)

In March 2018, Council resolved to accelerate its investment to become carbon neutral by 2022, including the establishment of an Energy Management Fund and increased investment in greenhouse emission reduction measures.

A range of operational and capital measures to mitigate and adapt to climate change this financial year includes:

- Capital Works' Energy Performance Contract initiative, investing \$2M to make 8 of Council's larger building more energy efficient and thereby reduce greenhouse emissions (payback period is 7.2 years)
- Dedicating in total 67% of Council's electricity load to a new Power Purchase Agreement that will source electricity from renewable energy generation sources with costs expected to be lower than 'business as usual' electricity agreements.

Reflecting on the need to take more action on climate change, Council could build on the measures supported to date and implement even more proven but prudent measures to further reduce its risk of increased financial costs due to climate change impacts.

Development and delivery of a 2-year Climate Response Plan can be achieved in an affordable manner. The focus will continue greenhouse emission reduction measures in Council's own operations, as well as helping the community to become more climate resilient.

Work can commence on developing an interim 2-year Climate Response Plan now, as there is already funding allocated in the 2019/20 Sustainability budget and Energy Management Fund for the implementation of sustainability-related actions. However to develop a new, comprehensive interim Climate Response Plan, further funding will be required. This can be spread over the current financial year and 2020/21 budget as indicated in the table below.

Further capital funding to accelerate the implementation of larger climate measures can be drawn from Council's Energy Management Fund and the 2021/22 budget where projects will be presented as New Budget Initiatives (NBIs) for Council consideration. Indicative levels of expenditure are indicated in the table below. Energy-efficiency measures typically will have a payback period of less than 10 years, with ongoing savings thereafter.

The most cost-effective measures that will likely form the basis of the 2-year interim Climate Response Plan are proven measures that can be readily implemented, such as:

- Increased number of practical programs to help the community to reduce energy and water consumption, including with community clubs and leaseholders in Council buildings
- Food security measures to increase the growing of fresh food locally
- Making Council's buildings more energy-efficient to reduce energy consumption
- Install more solar panels and progressively add battery storage
- Purchase more renewable energy in future electricity contracts
- Install more energy-efficient street lighting in lights yet to be changed over
- Embed more sustainable work practices across the organisation
- Increasing vegetation cover and climate-resilient plantings
- Regional projects with EAGA and State Government agencies

Other actions will arise from independent expert advice, research and an update of how to best manage climate change risks when the interim Climate Response Plan is being developed.

9.1.2

(cont)

Note that the costs in the table below are indicative at this stage, and any measures identified in the interim Climate Response Plan (CRP) to accelerate Council's action on climate will have more detailed costing for Council consideration as part of the normal budget process.

Council will also apply for relevant grant funding that might arise from partnering opportunities with State Government as they implement their climate resilience programs.

Indicative costing table for development and implementation of an interim CRP:

	Budget \$	Expenditure \$
Current Budget 2019/20		
Sustainability, to commence interim CRP development and community & stakeholder engagement	17,000	17,000
Energy Management Fund – engage expert consultants	20,000	20,000
Draft Budget 2020/21		
Sustainability – finalise interim CRP development, commence review of operational practices	39,000	39,000
Energy Management Fund – minor works, new processes	50,000	50,000
Cap Wks Climate Change Risk Adaptation fund (existing item in 10 yr Cap Wks budget)	100,000	100,000
Future budget 2021/22		
Sustainability NBI – 2 nd phase implementation of CRP (possibly from Energy Management Fund)	75,000	75,000
NBI Cap Wks Climate Change Risk Adaptation fund (proposed new item for 10 yr Cap Wks budget)	100,000	100,000
NBI Proven energy efficiency/solar panel/LED lighting/additional energy-efficient plant & control installations	1,000,000	1,000,000
Indicative 3-year Total Expenditure	1,401,000	1,401,000

NBI = new budget initiative, which will be subject to Council approval

POLICY IMPLICATIONS

The interim 2-year Climate Response Plan will be an update of the Climate Change Adaptation Plan 2011. It will align with Council's Sustainability Strategy 2016-2022 and Council's adopted 2022 carbon neutral target. Council's new 10-year Vision will be developed in 2020, and so the development of the interim Climate Response Plan in 2020 will run in parallel and be consistent with this process.

In 2021-22, a more detailed long-term Climate Response Plan will be developed and integrated into Council's next Sustainability Strategy 2022-2026 which will also be developed in 2021-22.

Council's new 4-year Council Plan will be developed in 2021 following the adoption of Council's new 10-year Community Vision. The new Council Plan and more detailed longer-term 2022 Climate Response Plan will closely align.

9.1.2

(cont)

The Sustainability Team will continue to work with Council's Corporate Performance team to ensure organisational alignment and adherence to the strategic planning principles outlined in the proposed Local Government Bill 2019:

- a) An integrated approach to planning, monitoring and performance
- b) Strategic planning must address the Community Vision;
- c) Strategic planning must take into account the resources needed for effective implementation;
- d) Strategic planning must identify and address the risks to effective implementation;
- e) Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

ATTACHMENT

- 1 Climate Change Adaptation Plan status

Business and Economic Development

9.1.3 Support for Box Hill Businesses

Separately circulated at meeting.

9.2 CORPORATE

9.2.1 Tender Evaluation (Contract 30222) Insurance Broking Services

SUMMARY

To consider tenders received for provision of Insurance Broking Services and to recommend the acceptance of the tender received from Aon, trading as Aon Risk Solutions, for the annual amount of \$32,450 including GST for a period of three years commencing on 1 July 2020 and to include anticipated expenditure per year of \$1M+ for the relevant insurances that will pass through the contract to the insurance companies via the broker.

RECOMMENDATION

That Council:

- 1. Accept the tender and sign the formal contract document for Contract 30222 for the Insurance Broking Services received from Aon (ABN 17 000 434 720), of Level 31, 80 Collins Street, Melbourne, Victoria, trading as Aon Risk Solutions, for the tendered amount of \$32,450 per annum, including GST; as part of the total expected expenditure of \$162,250, including GST for three year contract with extension option of two years.***
 - 2. Authorise the General Manager Corporate Services to execute all insurance policies that result from the brokerage services contract up to the value of \$7M expenditure over the life of the contract.***
 - 3. Authorise the Chief Executive Officer to award an extension of this contract, subject to a review of the contractor's performance and Council's business needs, at the conclusion of the initial three year contract term.***
-

BACKGROUND

On 1 July 2015, Council engaged Willis Towers Watson to provide Insurance Broking Services for, but not limited to, the following classes, Fleet, Specialised Industrial, Personal Accident, Councillors and Officers Liability, Corporate Travel, Crime, Fine Arts, Public and Products Liability and Professional Indemnity. Following the initial three year term, Council exercised the option to extend the contract for two years. The contract is due to expire 30 June 2020.

To ensure continuity of insurance coverage and to allow for a smooth transition of services should a new supplier be engaged, Council went to the market well ahead of time.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 9th November 2019 and were closed on Friday 29th November 2019. The tenders were evaluated against the following criteria:

- Demonstrated knowledge;
- Quality of work;
- Available resources;
- Availability of tenderer; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

Following an extensive evaluation process the panel agreed that Aon provided the most competitive submission. Aon has significant experience in local government insurance provision and broking services, is highly respected in the sector and demonstrated a robust, consultative and business partnering approach to working closely with Council.

9.2.1

(cont)

Aon's extensive commercial experience and resources gave Council assurance that they were in a strong position to provide a best practice approach to market options for insurance placement. The tender submission received from Aon is considered to provide the best value for money for this Contract.

CONSULTATION

Internal stakeholders including Procurement, Compliance and People & Culture have been consulted with regards to the appointment of this Contract.

FINANCIAL IMPLICATIONS

The contract for the provision of insurance broking services is based on an annual lump sum. Aon tendered a rate of \$32,450 per annum, including GST. The rate is subject to a CPI adjustment on each anniversary of the contract.

The total brokerage expenditure under this contract over the initial three (3) year contract term is approximately \$97,350 including GST. The expenditure will increase to approximately \$162,250, including GST if the option to extend the contract are exercised.

The value of insurance policies that have passed through the current broker contract for the 2019/2020 insurance renewal was \$770,000 including GST. The combination of high volatility and local/international insurance markets will influence the estimated value of insurance policies that will pass through the new brokerage contract. It is predicted the estimated value of insurances to pass through this contract from Council to the Insurance companies via the broker arrangement will be \$1M+ per annum. Allowances will be made in the relevant recurrent budget to cover the anticipated insurance costs.

9.2.2 Quarterly Performance Report 2019-20: October to December 2019

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 31 December 2019.

RECOMMENDATION

That Council notes the Quarterly Performance Report for the quarter ended 31 December 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 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 31 December 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 (Section 5, Attachment 1).

Consolidated Performance Reporting Current Approach

As per section 131(3) (a) (iii) under the *Local Government Act 1989* ('Act'), Council is required to:

- Report the performance of Council against the Council Plan, including the result in achieving the Strategic Objectives of the Council Plan through the Measures of Success, for the first six months of the financial year.
- Provide six monthly reports on service performance and financial performance indicators via the prescribed Local Government Performance Reporting Framework (LGPRF) indicators.

To minimise the duplication in reporting and the burden on reporting for officers across the organisation, from this 2019/20 financial year until the conclusion of Council Plan 2017-21, we have inserted a Council Plan Measures of Success and LGPRF performance indicator scorecard in the second quarter Quarterly Performance Report to present a holistic progress snapshot of Council's performance in a single report.

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, two are complete, 22 are on track, 4 are behind schedule and 1 has not yet commenced.

9.2.2

(cont)

Highlights for the quarter include:

- Abbey Walk Bridge in Vermont – Bridge refurbishment works including the re-adjustment of the tension elements, replacement of the existing decking and balustrade
- 2019 Professional Theatre and Music Season – The year finished on a high with sold out shows including all four performances of the Wharf Revue
- Water Safety Week – water safety quizzes and prize giveaways occurred across 2 - 8 December to promote water safety awareness as part of the changes to the nationwide Watch around Water program
- Give the Gift of Reading – this fundraiser provided distribution of 90 early literacy packs to families experiencing disadvantage
- Shop Play and Connect – Mitcham Mall Activation – renowned Victorian artist Jimmi Buscombe created a 3D festive art work featuring the flora and fauna of Whitehorse
- E-Waste Collection Infrastructure – now operational at the Whitehorse Recycling and Waste Centre

Performance against Annual Budget

The year to date financial result at 31 December 2019 was a surplus of \$81.52m which was \$3.41m favourable to budget. This primarily relates to income which was \$2.86m favourable, which mainly relates to grants – operating (\$2.15m) and statutory fees and fines (\$618k).

The year-end result is forecast to be a surplus of \$25.06m, \$32k unfavourable to budget.

ATTACHMENT

1 Quarter 2 Oct - Dec 2019

9.2.3 Delegated Decisions December 2019

SUMMARY

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

RECOMMENDATION

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

DELEGATION	FUNCTION	Number for December 2018	Number for December 2019
Planning and Environment Act 1987	Delegated Decisions	133	172
	Strategic Planning Decisions	1	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		18	20
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	51	68
Liquor Control Reform Act 1998	Objections and Prosecutions	1	1
Food Act 1984	Food Act Orders	3	2
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	2	Nil
Local Government Act 1989	Temporary Rd. Closures	4	4
Other Delegations	CEO Signed Contracts between \$150,000 - \$750,000	5	2
	Property Sales and Leases	8	16
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	1147	1384
	Parking Amendments	7	5
	Parking Infringements Withdrawn	253	175

9.2.3

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS DECEMBER 2019

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

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1036	12.12.19	Application Lapsed	75-77 Carrington Rd Box Hill Vic 3128	Elgar	Operate car park as public car park	Business
WH/2019/1067	17.12.19	Application Lapsed	25 Craig St Blackburn South Vic 3130	Central	Two lot subdivision	Subdivision
WH/2019/1080	02.12.19	Application Lapsed	23 Ireland St Burwood Vic 3125	Riversdale	Buildings and works within 4 metres of protected trees	Special Landscape Area
WH/2019/63	18.12.19	Application Lapsed	6 Corlett St Mont Albert North Vic 3129	Elgar	Buildings and works within 4m of a protected tree	Special Landscape Area
WH/2019/799	18.12.19	Application Lapsed	852 Whitehorse Rd Box Hill Vic 3128	Elgar	Advertising Signs.	Advertising Sign
WH/2019/852	27.12.19	Application Lapsed	10 Salisbury Ave Blackburn Vic 3130	Central	Tree removal permit only	Single Dwelling < 300m2
WH/2019/899	10.12.19	Application Lapsed	18 Byron St Box Hill South Vic 3128	Riversdale	Tree Removal	VicSmart - Tree
WH/2013/234/B	03.12.19	Delegate Approval - S72 Amendment	51 Hanover Rd Vermont South Vic 3133	Morack	Construction of two double storey dwellings and buildings and works within a Special Building Overlay	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2013/937/A	23.12.19	Delegate Approval - S72 Amendment	47 Mccomas Gr Burwood VIC 3125	Riversdale	Construction of three double storey dwellings	Permit Amendment
WH/2014/265/A	16.12.19	Delegate Approval - S72 Amendment	83 Pakenham St Blackburn Vic 3130	Central	Construction of a double storey dwelling and alterations to the existing dwelling	Permit Amendment
WH/2014/287/B	24.12.19	Delegate Approval - S72 Amendment	40 Eram Rd Box Hill North Vic 3129	Elgar	Construction of a double storey dwelling to the rear of the existing dwelling	Permit Amendment
WH/2014/428/A	24.12.19	Delegate Approval - S72 Amendment	6 Catherine St Box Hill Vic 3128	Elgar	Construction of three dwellings on a lot, removal of trees and buildings and works within 4m of protected vegetation	Permit Amendment
WH/2014/763/G	20.12.19	Delegate Approval - S72 Amendment	850 Whitehorse Rd Box Hill Vic 3128	Elgar	Buildings and works to construct a building comprising two towers of 36 storeys and 26 storeys plus rooftop plant and four levels of basement car parking (including a residential hotel, dwellings and commercial uses), use of land for accommodation and a restricted recreation facility (gym), and associated reduction of car parking requirements	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2015/7/C	31.12.19	Delegate Approval - S72 Amendment	27 Manniche Ave Mont Albert North Vic 3129	Elgar	Construction of two double storey dwellings and tree removal	Permit Amendment
WH/2016/1105 /A	10.12.19	Delegate Approval - S72 Amendment	874-878 Whitehorse Rd Box Hill Vic 3128	Elgar	Use and development of land for a Residential hotel (excluding Serviced apartments), buildings and works for the construction of a mixed use tower building with basement car parking, associated reduction to the car parking and bicycle requirements, and variation of access to a Rd within the Rd Zone Category 1 (RDZ1)	Permit Amendment
WH/2016/1199 /B	05.12.19	Delegate Approval - S72 Amendment	78 Middleborough Rd Burwood East Vic 3151	Riversdale	Creation of an access to a Rd in a Rd Zone Category 1, intersection works to a Rd in a Rd Zone Category 1, building and works for a retaining wall and associated removal of native vegetation	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/1200 /A	23.12.19	Delegate Approval - S72 Amendment	81 Broughton Rd Surrey Hills Vic 3127	Riversdale	To construct two double storey dwellings, vegetation removal, buildings and works within 4 metres of protected trees and to subdivide the land into two lots	Permit Amendment
WH/2016/1206 /B	05.12.19	Delegate Approval - S72 Amendment	78 Middleborough Rd Burwood East Vic 3151	Riversdale	Buildings and works to construct a retail centre, use of a childcare centre and restricted recreation facility (gymnasium), and alteration of access to a Rd in a Rd Zone Category 1.	Permit Amendment
WH/2016/267/ C	05.12.19	Delegate Approval - S72 Amendment	10 Eley Rd Burwood East Vic 3151	Riversdale	Subdivision of land into five superlots, creation of access to Rds in a Rd Zone Category 1 and variation of part Easement E-2 on PS347288N	Permit Amendment
WH/2016/438/ B	02.12.19	Delegate Approval - S72 Amendment	26 Birdwood St Box Hill South Vic 3128	Riversdale	Construction of a double storey dwelling at the rear of an existing house	Permit Amendment
WH/2016/462/ A	27.12.19	Delegate Approval - S72 Amendment	9 Eley Rd Box Hill South Vic 3128	Riversdale	Construction of two double storey dwellings and buildings and works within SLO9	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/625/A	31.12.19	Delegate Approval - S72 Amendment	657a Whitehorse Rd Mitcham Vic 3132	Springfield	Construction of two (2) double storey dwellings and creation of access to a Rd in a Rd Zone Category 1	Permit Amendment
WH/2016/68/B	18.12.19	Delegate Approval - S72 Amendment	820-824 Whitehorse Rd Box Hill Vic 3128	Elgar	Use of land for accommodation, buildings and works for the construction of a multi-storey building comprising up to 280 dwellings, with basement car parking and a reduction in car parking requirements	Permit Amendment
WH/2017/1011/A	04.12.19	Delegate Approval - S72 Amendment	81 Rooks Rd Mitcham Vic 3132	Springfield	Buildings and works to existing dwelling, construction of a single storey dwelling to the rear of existing dwelling and the removal of vegetation in a VPO1, VPO4, and SLO9	Permit Amendment
WH/2017/250/A	11.12.19	Delegate Approval - S72 Amendment	15 Hiddleston Ave Box Hill South Vic 3128	Riversdale	The construction of two (2) double storey dwellings and construction of a front fence within 4 metres of a tree under the Significant Landscape Overlay Schedule 9	Permit Amendment
WH/2017/377/A	17.12.19	Delegate Approval - S72 Amendment	53 Broughton Rd Surrey Hills Vic 3127	Riversdale	Construction of two double storey dwellings and works within 4 metres of a protected tree located within Shepherd St Rd reserve	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/171/A	30.12.19	Delegate Approval - S72 Amendment	23 High St Mont Albert Vic 3127	Elgar	Construct and building or carry out works to an existing heritage dwelling, building and works within 4m of vegetation and vegetation removal	Permit Amendment
WH/2018/23/B	11.12.19	Delegate Approval - S72 Amendment	2a Laughlin Ave Nunawading Vic 3131	Springfield	Use and development of two additional independent living units as part of the existing retirement village including associated buildings and works within 4 metres of protected SLO9 trees and SLO9 tree removal	Permit Amendment
WH/2018/606/A	23.12.19	Delegate Approval - S72 Amendment	9 Willcyrus St Surrey Hills Vic 3127	Elgar	Construction of two double storey dwellings, removal of and buildings and works within 4m of protected trees	Permit Amendment
WH/2018/616/A	03.12.19	Delegate Approval - S72 Amendment	29 Farleigh Ave Burwood Vic 3125	Riversdale	The development of the land for three (3) double storey dwellings, including associated buildings and works within 4 metres of protected trees and tree removal	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/252/B	19.12.19	Delegate Approval - S72 Amendment	9-19 Rooks Rd Mitcham Vic 3132	Springfield	Buildings and works (extension to existing canopy and construction of wash bay) in association with use of land for the purpose of Industry	Permit Amendment
WH/2019/711/A	11.12.19	Delegate Approval - S72 Amendment	Cntre Mang 17-21 Market St Box Hill Vic 3128	Elgar	Buildings and Works & Display of Illuminated Advertising Signage within a Commercial 1 Zone	Permit Amendment
WH/2019/869/A	16.12.19	Delegate Approval - S72 Amendment	20 Cherry Orchard Rise Box Hill North Vic 3129	Elgar	Removal of one tree (Tree 5)	Permit Amendment
WH/2014/633/A	27.12.19	Delegate NOD Issued	71 Orchard Cres Mont Albert North Vic 3129	Elgar	Construction of two double storey dwellings and buildings and works within 4m of vegetation	Permit Amendment
WH/2016/1156/A	11.12.19	Delegate NOD Issued	34-36 Prospect St Box Hill Vic 3128	Elgar	Amendment to current Permit for Use of the land for accommodation (dwellings), buildings and works for the construction of a thirty (30) storey mixed use building comprising retail premises, office, and dwellings, with basement car parking and associated reduction in the provision of car parking spaces	Permit Amendment

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/265/A	20.12.19	Delegate NOD Issued	6 Windsor Cres Surrey Hills Vic 3127	Elgar	Amendment to Planning Permit WH/2016/265 (issued for construction of two dwellings on a lot comprising a new double storey dwelling to the rear of the existing dwelling, demolition of an outbuilding and subdivision of the land into two lots) to alter the setbacks, layout and presentation of the new dwelling and associated tree removal	Permit Amendment
WH/2018/1201	23.12.19	Delegate NOD Issued	19 Worrall St Burwood Vic 3125	Riversdale	Construction of four (4), two story dwellings above basement and associated removal of vegetation and works within 4 metres of trees protected under the Significant Landscape Overlay Schedule 9 and	Multiple Dwellings
WH/2018/1231	17.12.19	Delegate NOD Issued	7 Francesca St Mont Albert North Vic 3129	Elgar	Construction of five dwellings, remove vegetation and buildings and works within the Significant Landscape Overlay and Special Building Overlay	Multiple Dwellings

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1350	04.12.19	Delegate NOD Issued	214 Canterbury Rd Blackburn South Vic 3130	Central	Construction of two dwellings, tree removal, buildings and works within 4 metres of protected trees and alterations of access to a Rd Zone Category 1 (RDZ1)	Multiple Dwellings
WH/2018/825	04.12.19	Delegate NOD Issued	40 Station St Nunawading Vic 3131	Springfield	Development of a four storey residential building containing twelve dwellings, tree removal and buildings and works within four metres of a protected tree in the Significant Landscape Overlay	Multiple Dwellings
WH/2019/1016	03.12.19	Delegate NOD Issued	9/8 Monomeeth Dve Mitcham Vic 3132	Springfield	Use of the land for an indoor recreation facility (swim school)	Change of Use
WH/2019/291	13.12.19	Delegate NOD Issued	21 Richmond St Blackburn South Vic 3130	Riversdale	Construction of two double storey dwellings and associated buildings and works within 4 metres of protected trees	Multiple Dwellings
WH/2019/43	04.12.19	Delegate NOD Issued	26 Melrose St Mont Albert North Vic 3129	Elgar	Construction of three double storey dwellings and associated removal trees within the Significant Landscape Overlay Schedule 9	Multiple Dwellings

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/46	16.12.19	Delegate NOD Issued	55 Andrews St Burwood Vic 3125	Riversdale	Construction of three, two storey dwellings and associated vegetation removal within the Significant Landscape Overlay Schedule 9	Multiple Dwellings
WH/2019/460	11.12.19	Delegate NOD Issued	17 Hirst St Blackburn Vic 3130	Central	Construction of one dwelling on a lot of less than 500 sq. metres and associated tree removal and buildings and works within 4 metres of trees under the Significant Landscape Overlay Schedule 9	Single Dwelling < 300m2
WH/2019/607	17.12.19	Delegate NOD Issued	16 Mccubbin St Burwood Vic 3125	Riversdale	Construction of five (5) double storey dwellings, associated tree removal and buildings and works within 4 metres of protected trees (SLO9)	Multiple Dwellings
WH/2019/714	23.12.19	Delegate NOD Issued	33 Creek Rd Mitcham Vic 3132	Springfield	Construction of one new double storey dwelling at the rear of the existing dwelling, buildings and works within 4 metres of vegetation and vegetation removal	Multiple Dwellings

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/738	16.12.19	Delegate NOD Issued	59 Roslyn St Burwood Vic 3125	Riversdale	Tree removal and buildings and works associated with the construction of a new dwelling within 4 metres of trees protected under Significant Landscape Overlay, Schedule 9 (SLO9).	Special Landscape Area
WH/2019/748	30.12.19	Delegate NOD Issued	28 Margaret St Box Hill Vic 3128	Elgar	Construction of three double storey dwellings, tree removal and buildings and works within 4 metres of a protected tree	Multiple Dwellings
WH/2019/845	23.12.19	Delegate NOD Issued	63 Harrison St Box Hill North Vic 3129	Elgar	Construction of Three (3) Dwellings on a Lot	Multiple Dwellings
WH/2019/969	11.12.19	Delegate NOD Issued	2/2-10 Harrow St Box Hill Vic 3128	Elgar	Use of the land as a food and drinks premises (cafe), including an associated reduction in car parking requirements	Residential (Other)
WH/2018/1212	06.12.19	Delegate Permit Issued	200 Mitcham Rd Mitcham Vic 3132	Springfield	Alteration of access to a Rd in a Rd Zone Category 1 (RDZ1), and buildings and works associated with the construction of a Dveway, car park and front fence within 4 metres of protected trees.	Residential (Other)

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1030	11.12.19	Delegate Permit Issued	5 Alan St Blackburn South Vic 3130	Central	Buildings and works within 4 metres of protected vegetation within SLO2	Special Landscape Area
WH/2019/1033	30.12.19	Delegate Permit Issued	35 Terrara Rd Vermont Vic 3133	Morack	Buildings and works within 4 metres of protected SLO9 trees and SLO9 tree removal	Special Landscape Area
WH/2019/1057	02.12.19	Delegate Permit Issued	1/24 Daniel St Burwood Vic 3125	Riversdale	Buildings and works for the construction of a verandah on a lot less than 300sqm	VicSmart - General Application
WH/2019/1064	17.12.19	Delegate Permit Issued	18 David St Box Hill South Vic 3128	Riversdale	Buildings and works (crossover) within 4 metres of protected SLO9 tree	Special Landscape Area
WH/2019/1065	04.12.19	Delegate Permit Issued	1/16 Merle St Blackburn North Vic 3130	Central	Removal of SLO9 trees	Special Landscape Area
WH/2019/1094	03.12.19	Delegate Permit Issued	358 Mitcham Rd Mitcham Vic 3132	Springfield	Construct and Display One (1) Business Identification Sign	Advertising Sign
WH/2019/1103	02.12.19	Delegate Permit Issued	81 Shannon St Box Hill North Vic 3129	Elgar	Buildings and works (studio) within 4 metres of a protected tree (SLO9)	VicSmart - Tree
WH/2019/1119	17.12.19	Delegate Permit Issued	1/8 Grigg Ave Vermont Vic 3133	Springfield	Six lot subdivision	Subdivision
WH/2019/1122	05.12.19	Delegate Permit Issued	16 David St Box Hill South Vic 3128	Riversdale	Removal of one tree	VicSmart - Tree

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1136	23.12.19	Delegate Permit Issued	86 Carrington Rd Box Hill Vic 3128	Elgar	Display of Signage	Advertising Sign
WH/2019/1149	20.12.19	Delegate Permit Issued	462-472 Middleborough Rd Blackburn Vic 3130	Central	Twenty-five lot subdivision	Subdivision
WH/2019/1160	02.12.19	Delegate Permit Issued	512 Station St Box Hill Vic 3128	Elgar	Creation and removal of easement	Subdivision
WH/2019/1161	03.12.19	Delegate Permit Issued	514 Station St Box Hill Vic 3128	Elgar	Removal of easement	Subdivision
WH/2019/1170	19.12.19	Delegate Permit Issued	1a Blackburn Rd Blackburn Vic 3130	Central	Alterations to shop front	VicSmart - General Application
WH/2019/1178	23.12.19	Delegate Permit Issued	220 Middleborough Rd Blackburn South Vic 3130	Central	Buildings and works associated with a Section 2 Use under the Neighbourhood Residential Zone Schedule 3	VicSmart - General Application
WH/2019/1179	27.12.19	Delegate Permit Issued	14 Mildara St Vermont South Vic 3133	Morack	Removal of vegetation	Special Landscape Area
WH/2019/1181	11.12.19	Delegate Permit Issued	7 Neville St Box Hill South Vic 3128	Riversdale	Two lot subdivision	Subdivision
WH/2019/1182	03.12.19	Delegate Permit Issued	28 Tyrrell Ave Blackburn Vic 3130	Central	Removal of one (1) protected Ulmus glabra 'Lutescens' (Golden Elm) tree.	VicSmart - Tree
WH/2019/1183	02.12.19	Delegate Permit Issued	4/34-36 Kerr St Blackburn Vic 3130	Central	Removal of one tree	VicSmart - Tree

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1184	13.12.19	Delegate Permit Issued	118 Surrey Rd Blackburn North Vic 3130	Central	Buildings and works associated with a Section 2 Use (extension to the rear of the existing child care centre)	VicSmart - General Application
WH/2019/1185	31.12.19	Delegate Permit Issued	101/300 Elgar Rd Box Hill South Vic 3128	Riversdale	Removal of one tree under the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/1191	02.12.19	Delegate Permit Issued	33 The Ave Blackburn Vic 3130	Central	Removal of one tree	VicSmart - General Application
WH/2019/1198	05.12.19	Delegate Permit Issued	12 Warnes Rd Mitcham Vic 3132	Springfield	Three lot subdivision	Subdivision
WH/2019/1206	13.12.19	Delegate Permit Issued	14 Martin St Box Hill North Vic 3129	Elgar	Removal of one tree (tree 11)	VicSmart - Tree
WH/2019/1210	20.12.19	Delegate Permit Issued	123 Junction Rd Nunawading Vic 3131	Springfield	Removal of one (1) Lophostemon confertus (Brush Box) tree.	VicSmart - Tree
WH/2019/1212	23.12.19	Delegate Permit Issued	2 Clydesdale St Box Hill Vic 3128	Elgar	Construction of a fence within a Heritage Overlay and Significant Landscape Overlay Schedule 9	VicSmart - General Application
WH/2019/1213	02.12.19	Delegate Permit Issued	43 Raleigh St Forest Hill Vic 3131	Central	Two lot subdivision	Subdivision

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1216	09.12.19	Delegate Permit Issued	223 Dorking Rd Box Hill North Vic 3129	Elgar	Removal of one (1) tree	VicSmart - Tree
WH/2019/1217	06.12.19	Delegate Permit Issued	223 Dorking Rd Box Hill North Vic 3129	Elgar	Removal of one (1) tree	VicSmart - Tree
WH/2019/1219	20.12.19	Delegate Permit Issued	436 Canterbury Rd Forest Hill Vic 3131	Morack	Two lot subdivision	Subdivision
WH/2019/1221	06.12.19	Delegate Permit Issued	29 Burnett St Mitcham Vic 3132	Springfield	Removal of one tree	VicSmart - Tree
WH/2019/1222	23.12.19	Delegate Permit Issued	1/828 Canterbury Rd Box Hill South Vic 3128	Riversdale	Removal of a protected tree (Ulmus procera English Elm) pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1230	20.12.19	Delegate Permit Issued	4 Carlyle Cres Mont Albert Vic 3127	Elgar	Removal of Tree (SLO9)	VicSmart - Tree
WH/2019/1231	02.12.19	Delegate Permit Issued	6 Calcutta St Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/1233	20.12.19	Delegate Permit Issued	5 Cornfield Gr Box Hill South Vic 3128	Riversdale	Removal of one (1) Betula pendula (Silver Birch) tree.	VicSmart - Tree
WH/2019/1235	24.12.19	Delegate Permit Issued	1/828 Canterbury Rd Box Hill South Vic 3128	Riversdale	Removal of a protected tree Melaleuca armillaris Bracelet Honey myrtle pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree

9.2.3
(cont)

WH/2019/1237	11.12.19	Delegate Permit Issued	1/380 Belmore Rd Mont Albert North Vic 3129	Elgar	Buildings and works for a front fence within 4 metres of protected SLO9 trees	VicSmart - General Application
WH/2019/1238	20.12.19	Delegate Permit Issued	442 Mitcham Rd Mitcham Vic 3132	Springfield	Removal of one tree	VicSmart - Tree
WH/2019/1243	05.12.19	Delegate Permit Issued	72 Shafer Rd Blackburn North Vic 3130	Central	Two lot subdivision	Subdivision
WH/2019/1245	20.12.19	Delegate Permit Issued	3/9 Poole St Burwood Vic 3125	Riversdale	Remove a tree	VicSmart - Tree
WH/2019/1247	17.12.19	Delegate Permit Issued	21 Barkly St Box Hill Vic 3128	Elgar	Removal of one (1) protected tree (Phoenix canariensis - Canary Island Date Palm - Tree 10) within Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1248	17.12.19	Delegate Permit Issued	21 Barkly St Box Hill Vic 3128	Elgar	Removal of one (1) protected tree (Callistemon viminalis - Weeping Bottlebrush) within Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1250	13.12.19	Delegate Permit Issued	245 Burwood Hwy Burwood Vic 3125	Riversdale	Buildings and works (extend existing school building located centrally within the site) within a Special Use Zone	VicSmart - General Application

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1257	24.12.19	Delegate Permit Issued	15 Nicholi Walk Vermont South Vic 3133	Morack	Construction of a shed	VicSmart - General Application
WH/2019/1259	20.12.19	Delegate Permit Issued	18 Marlborough St Mont Albert Vic 3127	Elgar	Removal of one (1) tree	VicSmart - General Application
WH/2019/1260	11.12.19	Delegate Permit Issued	4 Surrey St Box Hill South Vic 3128	Riversdale	Two lot subdivision	VicSmart - Subdivision
WH/2019/1266	17.12.19	Delegate Permit Issued	161 Woodhouse Gr Box Hill North Vic 3129	Elgar	Two lot subdivision	Subdivision
WH/2019/1269	20.12.19	Delegate Permit Issued	36 Ruby St Burwood East Vic 3151	Morack	Two lot subdivision	VicSmart - Subdivision
WH/2019/1275	20.12.19	Delegate Permit Issued	81 Rooks Rd Mitcham Vic 3132	Springfield	Two lot subdivision	Subdivision
WH/2019/1279	17.12.19	Delegate Permit Issued	4 Frances Ave Vermont Vic 3133	Morack	Buildings and works for the construction of a shed and within 4 metres of a protected SLO8 tree	VicSmart - General Application
WH/2019/1285	17.12.19	Delegate Permit Issued	16 Gibson St Box Hill South Vic 3128	Riversdale	Two lot subdivision	VicSmart - Subdivision
WH/2019/1287	19.12.19	Delegate Permit Issued	178 Springfield Rd Blackburn Vic 3130	Central	Removal of one (1) tree	VicSmart - Tree
WH/2019/1293	17.12.19	Delegate Permit Issued	1/249 Springvale Rd Nunawading Vic 3131	Springfield	Two lot subdivision	Subdivision
WH/2019/1295	20.12.19	Delegate Permit Issued	14 Station St Nunawading Vic 3131	Springfield	Buildings and works to construct a garage	VicSmart - General Application

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1310	23.12.19	Delegate Permit Issued	21 Graham Pl Box Hill Vic 3128	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/138	16.12.19	Delegate Permit Issued	13 Tudor St Burwood Vic 3125	Riversdale	Addition and alterations to the upper floor of the building and change of use to storage (self-storage)	Industrial
WH/2019/282	24.12.19	Delegate Permit Issued	13 Bronte Ave Burwood Vic 3125	Riversdale	Construction of two double storey dwellings and removal of protected trees	Multiple Dwellings
WH/2019/290	11.12.19	Delegate Permit Issued	12 Salvana Ave Mitcham Vic 3132	Springfield	Buildings and works associated with the construction of a new dwelling within 4 metres of protected vegetation, and removal of three (3) trees protected under Significant Landscape Overlay, Schedule 9 (SLO9).	Special Landscape Area
WH/2019/310	06.12.19	Delegate Permit Issued	442 Station St Box Hill Vic 3128	Elgar	Buildings and works (re Plment windows), and construction and display of business identification signage including an electronic LED sign.	Other

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/326	16.12.19	Delegate Permit Issued	2 Harcourt St Blackburn North Vic 3130	Central	Construction of Two (2) Double Storey Dwellings on a Lot and Removal of Vegetation	Multiple Dwellings
WH/2019/345	11.12.19	Delegate Permit Issued	11 Tennyson St Burwood Vic 3125	Riversdale	Construction of Four (4) Double Storey Dwellings on a Lot and Removal of Vegetation	Multiple Dwellings
WH/2019/357	19.12.19	Delegate Permit Issued	2 Maculata Walk Vermont South Vic 3133	Morack	Part demolition, additions and alterations to an existing dwelling within a Heritage Overlay (HO118 - Vermont Park Precinct), and buildings and works within 4 metres of protected trees.	Heritage
WH/2019/390	20.12.19	Delegate Permit Issued	1164 Riversdale Rd Box Hill South Vic 3128	Riversdale	Construction of two dwellings behind existing dwelling and works within 4 metres of a protected tree	Multiple Dwellings
WH/2019/410	03.12.19	Delegate Permit Issued	145 Mahoneys Rd Forest Hill Vic 3131	Morack	Construction of a two storey dwelling to the rear of the existing dwelling	Multiple Dwellings
WH/2019/474	05.12.19	Delegate Permit Issued	20 Stanley Gr Blackburn Vic 3130	Central	Buildings and works (within a SBO) and within 4m of protected trees (SLO9) and tree removal.	Single Dwelling < 300m2

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/532	18.12.19	Delegate Permit Issued	13 Davison St Mitcham Vic 3132	Springfield	Removal of one tree in Significant Landscape Overlay 9	VicSmart - Tree
WH/2019/545	17.12.19	Delegate Permit Issued	15 Walkers Rd Nunawading Vic 3131	Springfield	Change of use to retail sales of motor vehicles	Change of Use
WH/2019/583	02.12.19	Delegate Permit Issued	2 Kett St Nunawading Vic 3131	Springfield	Construction of two dwellings, associated tree removal, and buildings and works within 4 metres of a protected trees (SLO9)	Multiple Dwellings
WH/2019/592	16.12.19	Delegate Permit Issued	95 Middleborough Rd Burwood Vic 3125	Riversdale	Construction of Two Double Storey Dwellings on a Lot, Removal of Vegetation and Alteration of Access to a Rd in a Rd Zone, Category 1	Multiple Dwellings
WH/2019/650	24.12.19	Delegate Permit Issued	5 Caroline St Box Hill North Vic 3129	Elgar	Alterations and additions to the existing dwelling and the development of a double storey dwelling at the rear and development within four metres of a protected tree	Multiple Dwellings
WH/2019/706	19.12.19	Delegate Permit Issued	4/10 Kangerong Rd Box Hill Vic 3128	Elgar	Buildings and works associated with a first floor extension to the existing dwelling on a lot less than 300sqm.	Single Dwelling < 300m2

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/766	24.12.19	Delegate Permit Issued	46 Churinga Ave Mitcham Vic 3132	Springfield	Buildings and works (Dveway) within 4 meters of a tree under the Significant Landscape Overlay 9	Special Landscape Area
WH/2019/775	13.12.19	Delegate Permit Issued	21 Deanswood Rd Forest Hill Vic 3131	Central	Buildings and works (extension to a dwelling) under the Significant Landscape Overlay - Schedule 2	Special Landscape Area
WH/2019/785	17.12.19	Delegate Permit Issued	152 Dorking Rd Box Hill North Vic 3129	Elgar	Construct and display Business identification signage	Advertising Sign
WH/2019/802	10.12.19	Delegate Permit Issued	353-383 Burwood Hwy Forest Hill Vic 3131	Morack	Installation of two (2) internally illuminated high-wall building signs.	Advertising Sign
WH/2019/818	20.12.19	Delegate Permit Issued	Level 1 10 Rutland Rd Box Hill Vic 3128	Elgar	Two internally illuminated business identification signs and one animated electronic sign within 60 metres of a Rd in a Rd Zone 1.	Advertising Sign
WH/2019/881	20.12.19	Delegate Permit Issued	1002/12 Nelson Rd Box Hill Vic 3128	Elgar	Display of two (2) single sided, high wall, business identification signs	Advertising Sign

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/882	24.12.19	Delegate Permit Issued	1197 Riversdale Rd Box Hill South Vic 3128	Riversdale	Construction of one new dwelling to the rear of existing dwelling and alteration of access to Rd Zone Category 1	Multiple Dwellings
WH/2019/937	18.12.19	Delegate Permit Issued	27 Haines St Mitcham Vic 3132	Springfield	Development of the land for a single storey dwelling including associated vegetation removal and buildings and works within 4 metres of a protected tree	Single Dwelling < 300m2
WH/2019/947	16.12.19	Delegate Permit Issued	495 Whitehorse Rd Mitcham Vic 3132	Springfield	Use of the land for the sale and consumption of liquor	Liquor Licence
WH/2019/976	05.12.19	Delegate Permit Issued	592 Station St Box Hill Vic 3128	Elgar	Buildings and Works (external alterations)	VicSmart - General Application
WH/2019/983	09.12.19	Delegate Permit Issued	12/249 Middleborough Rd Box Hill South Vic 3128	Riversdale	Retail	Change of Use
WH/2019/984	03.12.19	Delegate Permit Issued	41 Rostrevor Parade Mont Albert North Vic 3129	Elgar	Buildings and Works within the Significant Landscape Overlay - Schedule 9	Special Landscape Area
WH/2019/991	23.12.19	Delegate Permit Issued	182 Burwood Hwy Burwood Vic 3125	Riversdale	Seven lot subdivision	Subdivision

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2004/1507 2/C	20.12.19	Delegate Refusal Issued	14 Banksia St Burwood Vic 3125	Riversdale	Amendment to conditions for modification to hours of operation, number of students, staff and bicycle spaces and deletion of condition for class completion intervals	Permit Amendment
WH/2018/417	04.12.19	Delegate Refusal Issued	10 Goodwin St Blackburn Vic 3130	Central	Development of the land for two (2) double storey dwellings including associated buildings and works within 4 metres of protected trees and tree removal	Multiple Dwellings
WH/2019/1134	17.12.19	Delegate Refusal Issued	5 Weber Cres Burwood East Vic 3151	Riversdale	Removal of a Leyland Cypress (Cupressocyparis x leylandii) tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1171	05.12.19	Delegate Refusal Issued	1/84 Brunswick Rd Mitcham Vic 3132	Springfield	Remove One Tree	VicSmart - Tree
WH/2019/1172	03.12.19	Delegate Refusal Issued	10 Mersey St Box Hill North Vic 3129	Elgar	Removal of one tree (tree 1)	VicSmart - Tree
WH/2019/1229	23.12.19	Delegate Refusal Issued	83 Roslyn St Burwood Vic 3125	Riversdale	Removal of one (1) tree	VicSmart - Tree

9.2.3
(cont)

WH/2019/1234	24.12.19	Delegate Refusal Issued	1/828 Canterbury Rd Box Hill South Vic 3128	Riversdale	Tree removal of a protected tree Arbutus unedo Strawberry Tree Bracelet pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1246	24.12.19	Delegate Refusal Issued	21 Barkly St Box Hill Vic 3128	Elgar	Removal of a Liquidambar styraciflua (Sweetgum - Tree No. 12) tree pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1249	23.12.19	Delegate Refusal Issued	21 Barkly St Box Hill Vic 3128	Elgar	Removal of a protected tree (Liriodendron tulipifera - Tulip Tree - Tree 14) pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/1262	23.12.19	Delegate Refusal Issued	81 Roslyn St Burwood Vic 3125	Riversdale	Removal of a tree (SLO9)	VicSmart - Tree
WH/2019/1277	24.12.19	Delegate Refusal Issued	94 Whitehorse Rd Blackburn Vic 3130	Central	Removal of a protected tree (Grevillea robusta/ Silky Oak- Tree 1) pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1278	24.12.19	Delegate Refusal Issued	94 Whitehorse Rd Blackburn Vic 3130	Central	Removal of a protected tree (Quercus palustris/Pin Oak - Tree 2) pursuant to Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/175	03.12.19	Delegate Refusal Issued	88 Junction Rd Blackburn North Vic 3130	Springfield	Construction of Four (4) Double Storey Dwellings and Removal of Vegetation	Multiple Dwellings
WH/2019/211	13.12.19	Delegate Refusal Issued	7 James Ave Mitcham Vic 3132	Springfield	Construction of second (double storey) dwelling on a lot and buildings and works within 4m of protected trees	Multiple Dwellings
WH/2019/295	24.12.19	Delegate Refusal Issued	3 Talbot St Mitcham Vic 3132	Springfield	Construction of four dwellings, tree removal and buildings and works within 4 metres of protected trees	Multiple Dwellings
WH/2019/492	03.12.19	Delegate Refusal Issued	242 Elgar Rd Box Hill South Vic 3128	Riversdale	Construction of One (1) Double Storey Dwelling at Rear of Existing and Removal of Vegetation	Multiple Dwellings
WH/2019/596	03.12.19	Delegate Refusal Issued	23 Bass St Box Hill Vic 3128	Elgar	CONSTRUCTION OF TWO (2) DOUBLE STOREY DWELLINGS ON A LOT AND REMOVAL OF VEGETATION	Multiple Dwellings

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/754	11.12.19	Delegate Refusal Issued	19 Lucknow St Mitcham Vic 3132	Springfield	Tree Removal (protected under the SLO9, VPO3 and Clause 52.17)	VicSmart - Tree
WH/2019/804	24.12.19	Delegate Refusal Issued	31 Murray Dve Burwood Vic 3125	Riversdale	Construction of front fence within 4 metres of a protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - General Application
WH/2019/1143	03.12.19	No Permit Required	54 Margaret St Box Hill Vic 3128	Elgar	Removal of one (1) Prunus armeniaca (Apricot) tree.	VicSmart - Tree
WH/2019/1205	24.12.19	No Permit Required	1c Morloc St Forest Hill Vic 3131	Springfield	Buildings and works for the construction of a front fence greater than 1.2m in height, within 4m of an existing tree and on a site less than 300msq	VicSmart - General Application
WH/2019/1270	20.12.19	No Permit Required	16 Salisbury Ave Mont Albert Vic 3127	Elgar	Buildings and works to a dwelling (extension) in the Neighbourhood Residential Zone schedule 5.	Single Dwelling < 300m2
WH/2019/1298	24.12.19	No Permit Required	13 Corlett St Mont Albert North Vic 3129	Elgar	Construction of a new dwelling within SBO	VicSmart - General Application

9.2.3
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2013/229/A	17.12.19	Withdrawn	719-721 Whitehorse Rd Mont Albert Vic 3127	Elgar	Construction of a building comprising a shop, a food and drink premises, ten dwellings, waiver of loading and unloading facilities and a reduction in car parking requirements	Permit Amendment
WH/2018/1064	09.12.19	Withdrawn	365 Elgar Rd Mont Albert Vic 3127	Elgar	Two unit development in a SLO, removal of trees and works within 4 metres of protected trees in the SLO9.	Multiple Dwellings
WH/2018/966	16.12.19	Withdrawn	31-35 Prospect St Box Hill Vic 3128	Elgar	Buildings and works for Construction of 25 storey building, including use of accommodation (no less than 194 dwellings), associated retail and office space, with basement car park, and reduction in the required car parking rate	Business
WH/2019/1055	04.12.19	Withdrawn	65 Elgar Rd Burwood Vic 3125	Riversdale	Construction of three (3) triple storey townhouses with associated basement car park	Multiple Dwellings
WH/2019/1079	09.12.19	Withdrawn	Lg02/ 21 Queen St Blackburn Vic 3130	Central	Use of unit as an office, car parking reduction, installation of two business identification signs	Business

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(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/1204	12.12.19	Withdrawn	22/31-37 Norcal Rd Nunawading Vic 3131	Springfield	Proposed internal works, changes of use to a warehouse and office and waiver of car parking.	Other
WH/2019/1255	18.12.19	Withdrawn	850 Whitehorse Rd Box Hill Vic 3128	Elgar	To locate an additional two dwellings on Lot 36	VicSmart - General Application
WH/2019/1273	11.12.19	Withdrawn	6 Elva Court Mitcham Vic 3132	Springfield	Remove 2 trees under SLO9	Single Dwelling < 300m2
WH/2019/1281	18.12.19	Withdrawn	45 Sandy St Nunawading Vic 3131	Springfield	Removal of a tree under the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/1282	18.12.19	Withdrawn	45 Sandy St Nunawading Vic 3131	Springfield	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/1326	30.12.19	Withdrawn	27 Doncaster East Rd Mitcham Vic 3132	Springfield	Buildings and works associated with existing hospital	Multi Dwelling and Use
WH/2019/683	20.12.19	Withdrawn	26 Boxleigh Gr Box Hill North Vic 3129	Elgar	Tree Removal and Buildings and Works within 4 metres of a protected tree under SLO9.	Single Dwelling < 300m2
WH/2019/915	12.12.19	Withdrawn	40 Livingstone Rd Vermont South Vic 3133	Morack	Buildings and works within 4 metres of protected vegetation	Special Landscape Area

9.2.3

(cont)

BUILDING DISPENSATIONS/APPLICATIONS DECEMBER 2019

Address	Date	Ward	Result
1 Wilton Street, Blackburn North	06.12.19	Central	Consent Granted 79,74
101 Blackburn Road, Blackburn	27.12.19	Central	Consent Granted 74
12 Kevin Avenue, Blackburn	31.12.19	Central	Consent Granted 74
15 Hartigan Street, Blackburn	20.12.19	Central	Consent Granted 79
15 Rosalind Crescent, Blackburn	19.12.19	Central	Consent Granted 89
1a Donald Street, Blackburn South	03.12.19	Central	Consent Granted 89
30 Sheehans Road, Blackburn	16.12.19	Central	Consent Granted 79
4 Anne Street, Blackburn North	04.12.19	Central	Consent Granted 76
5 Canora Street, Blackburn South	05.12.19	Central	Consent Granted 79
97 Lake Road, Blackburn	13.12.19	Central	Consent Granted 74
20 Malcolm Street, Blackburn	17.12.19	Central	Consent Refused 89
24 Gunyah Road, Blackburn North	05.12.19	Central	Consent Refused 74
5 Canora Street, Blackburn South	05.12.19	Central	Consent Refused 80
1/380 Belmore Road, Mont Albert North	05.12.19	Elgar	Consent Granted 89
12 Stanhope Street, Mont Albert	20.12.19	Elgar	Consent Granted 80,85,79
20 Kneale Drive, Box Hill North	17.12.19	Elgar	Consent Granted 89
21 Box Hill Crescent, Mont Albert North	31.12.19	Elgar	Consent Granted 79
214 Dorking Road, Box Hill North	02.12.19	Elgar	Consent Granted 74
5 Barbara Street, Mont Albert North	27.12.19	Elgar	Consent Granted 79
837 Whitehorse Road, Box Hill	02.12.19	Elgar	Consent Granted 116
13 Inglis Street, Box Hill North	18.12.19	Elgar	Consent Refused 79
17 Victoria Crescent, Mont Albert	31.12.19	Elgar	Consent Refused 80,86
5 Barbara Street, Mont Albert North	27.12.19	Elgar	Consent Refused 74, 80
54 Margaret Street, Box Hill	05.12.19	Elgar	Consent Refused 74
10 Market Street, Box Hill	05.12.19	Elgar	Withdrawn 116
10 Longstaff Court, Vermont	02.12.19	Morack	Consent Granted 79
155 Hawthorn Road, Forest Hill	31.12.19	Morack	Consent Granted 89
19 Boronia Road, Vermont	09.12.19	Morack	Consent Granted 92
2 Marleigh Street, Vermont	31.12.19	Morack	Consent Granted 83
6 Kingsley Avenue, Vermont	31.12.19	Morack	Consent Granted 74
7 Karwitha Street, Vermont	10.12.19	Morack	Consent Granted 79,74
95 Morack Road, Vermont South	24.12.19	Morack	Consent Granted 89
12 Radiant Crescent, Forest Hill	18.12.19	Morack	Consent Refused 89,92
41 Barry Road, Burwood East	09.12.19	Morack	Consent Refused 74
6 Kingsley Avenue, Vermont	13.12.19	Morack	Consent Refused 74
19 Boronia Road, Vermont	17.12.19	Morack	Withdrawn 92
18 Cromwell Street, Burwood	02.12.19	Riversdale	Consent Granted 92
52 Hilltop Crescent, Burwood East	13.12.19	Riversdale	Consent Granted 81
83 Roslyn Street, Burwood	31.12.19	Riversdale	Consent Granted 82
89 Parer Street, Burwood	31.12.19	Riversdale	Consent Granted 89
18 Cromwell Street, Burwood	02.12.19	Riversdale	Consent Refused 89
5 Bentley Street, Surrey Hills	13.12.19	Riversdale	Consent Refused 89
83 Roslyn Street, Burwood	05.12.19	Riversdale	Consent Refused 74
1 Somers Street, Mitcham	10.12.19	Springfield	Consent Granted 74

9.2.3

(cont)

Address	Date	Ward	Result
19 Ferguson Street, Mitcham	04.12.19	Springfield	Consent Granted 75,80
2 Edward Street, Mitcham	27.12.19	Springfield	Consent Granted 85
20 Lindsay Avenue, Nunawading	20.12.19	Springfield	Consent Granted 79
23 Beaufort Street, Mitcham	16.12.19	Springfield	Consent Granted 74
25 Davison Street, Mitcham	13.12.19	Springfield	Consent Granted 74
27 Bruce Street, Mitcham	03.12.19	Springfield	Consent Granted 74
27 Closter Avenue, Nunawading	13.12.19	Springfield	Consent Granted 89
34 Orient Avenue, Mitcham	20.12.19	Springfield	Consent Granted 76
89 Orient Avenue, Mitcham	05.12.19	Springfield	Consent Granted 76,79
20 Lindsay Avenue, Nunawading	20.12.19	Springfield	Consent Refused 74
33 Owen Street, Mitcham	13.12.19	Springfield	Consent Refused 74
5 Haslemere Road, Mitcham	19.12.19	Springfield	Consent Refused 80, 75
51 O'shannessy Street, Nunawading	06.12.19	Springfield	Consent Refused 82
58 Dunlavin Road, Nunawading	02.12.19	Springfield	Consent Refused 74

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS DECEMBER 2019

Under the Planning and Environment Act 1987: Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION DECEMBER 2019

Contract Number	Service
30198	Springfield Park Lighting Upgrade
30206	Bill Sewart Athletics Track Lighting Upgrade

9.2.3 (cont)

REGISTER OF PROPERTY DOCUMENTS EXECUTED DECEMBER 2019

Property Address	Document Type	Document Detail
Leases		
Suite 1/2-10 Harrow Street, Box Hill	Lease	Family Access Network
Land Transfers		
Parts of discontinued road at rear of 32 Kintore Crescent and 113 Carrington Road, Box Hill	Client Authorisation for Transfer of Land and Creation of Easement	Sale of Discontinued Road and Creation of Easement Section 207D Local Government Act 1989 and Section 45(1) Transfer of Land Act 1958
Parts of discontinued road at rear of 32 Kintore Crescent and 113 Carrington Road, Box Hill	Duties Form	Duties Act 2000
Parts of discontinued road at rear of 25-31 Tyne Street, 35 Tyne Street, and 44 Medway Street, Box Hill North	Client Authorisation for Transfer of Land and Creation of Easement	Sale of Discontinued Road and Creation of Easement Section 207D Local Government Act 1989 and Section 45(1) Transfer of Land Act 1958
Parts of discontinued road at rear of 35 Tyne Street, Box Hill North and 44 Medway Street, Box Hill North	Client Authorisation for Transfer of Land	Sale of Discontinued Road, section 207D Local Government Act 1989
Parts of discontinued road at rear of 5-7 Albert Street, 11-15 Albert Street, and 4-8 Chapel Street, Blackburn	Section 173 Agreement	Agreement under Sections 173 and 181 of the Planning and Environment Act 1987
Parts of discontinued road at rear of 5-7 Albert Street, 11-15 Albert Street and 4-8 Chapel Street, Blackburn	Duties Form	Duties Act 2000
Fire Services Property Levy (FSPL)		
11 Chaucer Street, Box Hill Sout	Not applicable	Land use changed from 'Residential' to 'Public Benefit' for FSPL purposes
21 Wattle Valley Road, Mitcham	Not applicable	Land use changed from 'Residential' to 'Public Benefit' for FSPL purposes
423 Station Street, Box Hill	Not applicable	Land use changed from 'Residential' to 'Commercial' for FSPL purposes
80 Dorking Road, Box Hill North	Not applicable	Land use changed from 'Residential' to 'Commercial' for FSPL purposes
429 Mitcham Road, Mitcham	Not applicable	Land use changed from 'Residential' to 'Commercial' for FSPL purposes
16 Arcade Road, Mont Albert North	Not applicable	Land use changed from 'Residential' to 'Public Benefit' for FSPL purposes
Rateability Changes (section 154 of Local Government Act 1989)		
31 Strabane Avenue, Mont Albert North	Property Now Rateable	Former Charitable use site sold and vacated
10 Serpentine Street, Mont Albert	Property Now Rateable	Former Charitable use site sold and vacated
Other		
14 + 16 Scott Grove Burwood	Caveat authorisation	Withheld for privacy

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL DECEMBER 2019

Deed of Settlement WCC and ST Thomas Anglican Church (06.12.19)

9.2.3

(cont)

PARKING RESTRICTIONS APPROVED BY DELEGATION DECEMBER 2019

Address:	Eram Rd, Box Hill North: Second Ave to Middleborough Rd (cul-de-sac) (south side of Eram Rd)
Previously:	17 Unrestricted parking spaces
Now:	17 '2-Hour, 8am to 6pm, Monday to Friday' parking space
Address:	First Ave, Box Hill North: Eram Rd to Cherry Orchard Rise (East side of First Ave)
Previously:	17 Unrestricted parking spaces
Now:	17 '2-Hour, 8am to 6pm, Monday to Friday' parking space
Address:	Nelson Rd, Box Hill: Thames St to Whitehorse Rd (East Side)
Previously:	26 P Ticket, 8.30am to 6pm, Monday to Saturday
Now:	26 2P Ticket, 8.30am to 9pm, Monday to Saturday
Address:	Nelson Rd, Box Hill: Arnold St to Whitehorse Rd (West Side)
Previously:	26 P Ticket, 8.30am to 6pm, Monday to Saturday
Now:	26 2P Ticket, 8.30am to 9pm, Monday to Saturday
Address:	Nelson Rd, Box Hill: 13m south from southern boundary of 16-28 Nelson Rd to 18.6m south from southern boundary of 16-28 Nelson Rd (east side of Nelson Rd)
Previously:	1 'No Stopping' parking space
Now:	1 '1/4 - Hour' parking space

9.2.3

(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING DECEMBER 2019

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
03/12/2019	\$122.00	1	EFT
05/12/2019	\$12,308.47	33	EFC
05/12/2019	\$96,163.09	46	CHQ
05/12/2019	\$1,122,131.04	188	EFT
05/12/2019	\$6,205.42	1	EFC
05/12/2019	\$5,000.00	2	CHQ
10/12/2019	\$53,000.00	1	EFT
12/12/2019	\$15,111.37	32	EFC
12/12/2019	\$120,375.00	58	CHQ
12/12/2019	\$1,812,735.56	229	EFT
12/12/2019	\$121.90	1	CHQ
12/12/2019	\$174.94	1	EFT
13/12/2019	\$37,019.11	1	EFT
13/12/2019	\$38,500.00	1	CHQ
13/12/2019	\$2,436,214.70	1	EFT
16/12/2019	\$1,927.00	1	EFT
18/12/2019	\$12,408.00	1	EFT
18/12/2019	\$2,673.00	1	EFT
19/12/2019	\$4,190.10	11	EFC
19/12/2019	\$26,531.75	20	CHQ
19/12/2019	\$1,331,206.07	247	EFT
19/12/2019	\$964.90	1	EFC
20/12/2019	\$1,459,561.68	1	EFT
20/12/2019	\$43,055.09	1	EFT
23/12/2019	\$34,200.32	1	EFT
24/12/2019	\$8,441.40	1	EFT
27/12/2019	\$159,856.03	116	CHQ
27/12/2019	\$6,508,302.90	337	EFT
30/12/2019	\$12,654.85	20	EFC
30/12/2019	\$50,358.68	29	CHQ
GROSS	\$15,411,514.37	1384	
Monthly Lease Payments	\$35,452.30		
Direct Debit Payments	\$174,533.06		
CANCELLED PAYMENTS	-\$26,658.26	-26	
NETT	\$15,594,841.47	1358	

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

10.1 Reports by Delegates

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

RECOMMENDATION

That the reports from delegates be received and noted.

10.2 Recommendation from the Special Committee of Council Meeting of 10 February 2020

10.2.1 Concerned Whitehorse Traders and Box Hill Businesses

SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION

Moved by Cr Liu, Seconded by Cr Barker

That Council:

- 1. Recognise and acknowledge the concerns of Whitehorse traders and community, in particular Box Hill businesses, in relation to the novel coronavirus and impact on the local economy.***
- 2. Continue to support the Whitehorse business community, community groups and relevant stakeholders – including but not limited to, timely communication of relevant and factual information, marketing and promotions (i.e. promoting Buy Local, special offers, initiatives and car parking) and health/hygiene measures.***
- 3. Advocate on behalf of the Whitehorse business community to State, Federal governments, departments and other key stakeholders (including Box Hill Central), to look at further strategies to address these issues.***

CARRIED UNANIMOUSLY

RECOMMENDATION

That the recommendations from the Special Committee of Council Meeting of 10 February 2020 Item 10.2.1 be received and adopted.

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
28.01.20 6:30-7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 9.3.1 Draft Indoor Sports Facility Feasibility Study Box Hill Aqualink: Update Media Interest Update Chinese New Year Festivities 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Carr Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green (AGMI) S Kinsey T Wilkinson A De Fazio J Russell H Rowlands	Nil	Nil
03.02.20 6:30-8:15pm	Strategic Planning Session <ul style="list-style-type: none"> Social Media Workshop Budget Update #1 Chinese New Year Postponement Update 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Carr Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green S White P Smith T Wilkinson A De Fazio J Russell R Morrow C Altan S Cann N Brown C Gipps S Smith	Nil	Nil
10.02.20 5:00-6:00pm	Advisory Committee for the Review of the Chief Executive Officer's Development <ul style="list-style-type: none"> Contractual Matter 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Carr Cr Davenport Cr Liu Cr Massoud Cr Munroe	S McMillan	Nil	Nil
10.02.20 6:30 - 8:45pm	Councillor Briefing Session <ul style="list-style-type: none"> Special Committee Agenda: Other Business Special Council (Legal Matter) 10 February 2020 Draft Council Agenda 24 February 2020 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Carr Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green S White P Smith T Wilkinson A De Fazio J Russell H Rowlands I Kostopoulos I Barnes L McKenzie M Kerr L McGuinness K Marriott J Hansen S Belmore T Johnson S Adamson J Thyer	Nil	Nil

17.02.20 6:30 – 9:45pm	Major Projects Councillor Reference Group: Capital Works: Finance <ul style="list-style-type: none"> • Major Projects Update • Quarterly Performance 2019-20 October to December 2019 • Capital Works Quarterly Update • Budget Update 2# 	Cr Ellis (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Carr Cr Davenport Cr Liu Cr Massoud Cr Munroe	S McMillan J Green S White P Smith T Wilkinson A De Fazio S Belmore M Ackland S Cann S Smith T McGuckian N Brown C Gipps	Nil	Nil
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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) (D) AND (E) 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 PROPOSED DEVELOPMENTS AND CONTRACTUAL MATTERS.

13 CLOSE MEETING