



City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Box Hill Town Hall

1022 Whitehorse Road Box Hill

on

Monday 30 January 2017

at 7.00pm

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

Ms Noelene Duff
Chief Executive Officer

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Meeting opened at 7.00pm

Present: Cr Massoud (Mayor), Cr Carr, Cr Cutts, Cr Davenport, Cr Ellis, Cr Liu, Cr Munroe,
Cr Tescher

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."

1c One Minute Silence

Council observed a minute silence out of respect for those who were directly affected, involved and responded to the tragic incident at the Bourke Street Mall on the 20 January 2017.

2 WELCOME AND APOLOGIES

The Mayor welcomed all

APOLOGIES:

Cr Bennett and Cr Stennett have previously sought and been granted a leave of absence for the Ordinary Council Meeting 30 January 2017.

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 12 December 2016 and Confidential Ordinary Council Meeting 12 December 2016.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Carr

That the minutes of the Ordinary Council Meeting 12 December 2016 and Confidential Ordinary Council Meeting 12 December 2016 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

None Submitted.

6 NOTICES OF MOTION

6.1 Notice of Motion No 99 - Cr Davenport

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Munroe

That Council receive a report from officers which responds to the Victorian Ombudsman report titled 'Investigation into the transparency of Local Government decision making' Dated December 2016.

CARRIED UNANIMOUSLY

6.2 Notice of Motion No 100 - Cr Davenport

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Tescher

That Council refers for budget consideration, costs and effort associated with implementing strategic recommendations from the Box Hill Central Activities Area Car Parking Strategy.

CARRIED UNANIMOUSLY

6.3 Notice of Motion No 101 - Cr Tescher

RECOMMENDATION

That Council mandates that Councillors be notified by the Planning Department, as soon as it is aware of all planning applications where carparking or any other requirements of the State or Whitehorse Planning Scheme are not met and/or a waiver sought, and subsequently provide Councillors with briefings on such applications and not approve any such applications without seeking the intentions of the applicable ward Councillors.

COUNCIL RESOLUTION

Moved by Cr Tescher, Seconded by Cr Liu

That Council mandates that Councillors be notified by the Planning Department, prior to advertising, of any planning applications where carparking requirements of the Whitehorse Planning Scheme are not strictly met, and subsequently provide Councillors with an opportunity to receive briefings on such applications at the advertising stage, thereby giving the opportunity for ward Councillors to 'call-in' the application

CARRIED UNANIMOUSLY

6.4 Notice of Motion No 102 - Cr Ellis

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Tescher

That Council write to the Municipal Association of Victoria (MAV) urging them to make a brief submission, by February 10, to the review the Residential Tenancies Act 1997- Fairer, Safer Housing requesting that;

- 1. Landlords be responsible for ensuring that tenants appropriately dispose of rubbish (including furniture and mattresses) when vacating premises.*
- 2. Councils can recoup the costs of rubbish removal prior to the release of the bond.*

CARRIED UNANIMOUSLY

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Strategic Planning

9.1.1 Amendment C189 - Corrections to the Whitehorse Planning Scheme - Adoption of Amendment

ATTACHMENT

SUMMARY

Whitehorse City Council, as the planning authority, is responsible for regularly reviewing the Whitehorse Planning Scheme. Minor errors and anomalies were identified up to May 2016 in the Whitehorse Planning Scheme that required correction via a planning scheme amendment.

Amendment C189 consists of 59 corrections which includes rezoning land that has been incorrectly zoned, removing the Vegetation Protection Overlay from properties where trees have been removed and minor amendments to maps, ordinance or incorporated documents to correct errors or anomalies.

Council exhibited Amendment C189 under Section 20(2) of the Planning and Environment Act 1987 for one calendar month to all landowners of properties included in the amendment, as well as to Prescribed Ministers. No submissions were received during the exhibition period.

This report recommends that Council adopt Amendment C189 and send it to the Minister for Planning for approval under Section 20(2) of the Planning and Environment Act 1987.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts

That Council, being the Planning Authority, having exhibited the amendment and received no submissions:

- 1. Adopt Amendment C189 as exhibited.***
- 2. Submit the adopted Amendment to the Minister for Planning for approval under the Planning and Environment Act 1987 with the fee of \$266.55.***

CARRIED UNANIMOUSLY

BACKGROUND

The Whitehorse Planning Scheme (the Scheme) was initially developed through preparation of the new format Whitehorse Planning Scheme, which was approved on 5 August 1999. Under Section 12 of the Planning and Environment Act 1987 (the Act), Council must regularly review the provisions of the Scheme, which includes identifying and correcting errors and anomalies.

The Strategic Planning Unit keeps a record of errors and anomalies that have been identified in the Scheme. The previous corrections amendment (C159) was approved on 21 May 2015. This Amendment (C189) proposes to make corrections that generally relate to mapping anomalies, text errors, removing redundant controls or amending overlay provisions to reflect their intent. The Amendment includes any corrections identified up until May 2016. Any corrections identified after May 2016 will be included in a future corrections amendment.

9.1.1 (cont)

DISCUSSION

The Amendment is administrative only and is not expected to have any adverse environmental, social and economic implications. The changes under this Amendment will generally reflect the intent of the planning scheme as adopted by Council.

The Amendment is likely to result in reduced planning permit requirements by reflecting the intended land use and development. In particular, several properties no longer require the Vegetation Protection Overlay (VPO) as the tree/s have been removed. The Amendment consists of 59 corrections, all of which can be grouped under one of the following categories:

Rezoned land

33 parcels of land were identified where the zoning of the land is incorrect or dual or triple zoning has been erroneously applied. This includes parkland reserves which are currently included in a residential zone. To correctly reflect the current use of the reserves, the Amendment rezones land owned by Council from a residential zone to the Public Park and Recreation Zone (PPRZ) where the land is already being used for that purpose.

Vegetation Protection Overlays

The VPO is being updated where the vegetation has been removed and consequential changes are being made to Incorporated Document Number 10 (City of Whitehorse – Statements of Tree Significance – 2005) and Number 11 (City of Whitehorse – Statements of Tree Significance – 2006) to the Planning Scheme to reflect these corrections. There are 22 properties where the VPO is being deleted from land or references to particular trees are to be updated in the Incorporated Documents.

Heritage Overlay

The chimney located at 58-74 Station Street, Nunawading (former Daniel Robertson Brickworks) is included in the Heritage Overlay (HO78). The heritage overlay on the map for HO78 is in the incorrect location and therefore the HO map is being amended to correctly reflect the location of the chimney.

Ordinances, mapping and incorporated documents

There are minor amendments to the ordinance that have been identified to correct errors, including reference to the previous housing study in all schedules to the VPO. The Amendment also corrects a minor formatting error in Schedule 4 to the Neighbourhood Residential Zone. These changes do not change the intent of controls or policy.

An additional correction originally included in this Amendment involved updating all references to the previous residential zones in the Student Accommodation Policy at Clause 22.14. This correction was dealt with in Amendment C177, which was approved in July 2016 and therefore is no longer required to be included in this Amendment.

CONSULTATION

During the preparation of the Amendment consultation was carried out with the Parks Planning and Recreation Team and the Property and Rates Department as they had interest in the sites included in the Amendment. Council's arborist also reviewed all the properties included in the amendment where trees had been removed. Council officers and the arborist agreed with the changes included in the Amendment.

It was determined that a Section 20(2) Amendment made at the request of the Council to the Minister for Planning would be a suitable approach to correct the minor anomalies in this particular circumstance. The advisory note "A Protocol for Fast Tracking Amendments" notes that amendments can be considered for Ministerial exemption from notice under Section 20(2) of the Act if they are a correction to the planning scheme and/or a plain English translation of an existing provision where the effect of the provision is unchanged.

9.1.1 (cont)

The Amendment was requested under Section 20(2) of the Act, which enables amendments to be exempt from the extensive notice requirements set out under sections 17, 18 and 19 of the Act and instead enables amendments to be undertaken with limited exhibition. The notice requirements typically include notification to surrounding properties and public authorities.

Ministerial exemption from the normal notice requirements was granted on 21 September 2016. Council was also authorised to form its own view as to whether any parties would be affected by the Amendment and should be notified. Council notified all landowners with properties included in the Amendment as well as prescribed ministers and relevant council departments. The Amendment was exhibited from Monday 31 October 2016 until Friday 2 December 2016 and no submissions were received.

FINANCIAL IMPLICATIONS

As per the new *Planning and Environment (Fees) Regulations 2016* the fee applying for approval of amendments is \$453.10. However for the first 12 months, until 13 October 2017, the fee will be reduced by 50%, therefore Council is required to pay \$266.55 when lodging the Amendment with the Minister for Planning for approval. This fee can be accommodated in the 2016/2017 budget. The Amendment is likely to reduce future administrative costs by reducing the number of permits required due to the correct zoning being applied.

POLICY IMPLICATIONS

The Amendment accords with the Municipal Strategic Statement at Clause 21.09 Monitoring and Review. The Clause notes that Council will conduct regular reviews of the planning scheme. The current list of corrections has resulted from Council's regular review of the planning scheme and the Amendment will improve the efficiency and effectiveness of the scheme.

In addition to the policy implications for the Planning Scheme, the amendment would address the Council Plan 2015-2019, by:

- Maintaining and enhancing the built environment to ensure a liveable and sustainable city.

The amendment would also address the Council Vision 2013-2023 by:

- Protecting the natural and built heritage environments through appropriate legislative frameworks.

CONCLUSION

Under Section 12 of the *Planning and Environment Act 1987*, Council must regularly review the provisions of the Scheme. The Strategic Planning Unit regularly reviews the Scheme and keeps a record of errors and anomalies that have been identified. Fifty-nine errors and anomalies were identified since the previous corrections amendment in May 2015. The corrections largely comprise removal of a VPO where a tree has been removed or amending zoning anomalies where properties are included in two or three zones.

The Amendment supports the principles of the State and Local Planning Policy Framework and does not affect its intentions. The Amendment is required to correctly reflect land use and development of the City and the outcome of the Amendment will be to improve the order, accuracy and efficiency of the Scheme through the removal of anomalies and minor identified errors.

It is not anticipated that the amendment will increase the resource and administrative costs of Council. On the contrary, by correcting mapping, schedule and provision anomalies in accordance with the current and intended land use and development, the amendment is likely to reduce general enquiries and planning permit requirements.

9.1.1
(cont)

The Amendment was exhibited under Section 20(2) of the *Planning and Environment Act 1987* from 31 October 2016 until 2 December 2016. No submissions were received during the exhibition period. It is therefore recommended that Council adopt Amendment C189 as exhibited and send it to the Minister for Planning for approval.

ATTACHMENT

- 1 List of Corrections  

Engineering and Environmental

9.1.2 Tender Evaluation Report (Contract 20002) Station Street Mitcham Reconstruction

SUMMARY

To consider tenders received for the reconstruction of Station Street, Mitcham and to recommend the acceptance of the tender received from The Trustee for Evergreen Civil Unit Trust, trading as Evergreen Civil Pty Ltd, for the amount of \$1,535,445.44, including GST and to consider the overall project expenditure.

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Munroe

That Council accept the tender and sign the formal contract document for Contract 20002 Station Street Mitcham Reconstruction received from The Trustee for Evergreen Civil Unit Trust (ABN 67 667 088 791), of Factory 11, 24 Brand Drive Thomastown VIC 3074 trading as Evergreen Civil Pty Ltd, for the tendered amount of \$1,535,445.44, including GST; as part of the total expected project expenditure of \$1,877,928 including GST (\$1,707,207 excluding GST).

CARRIED UNANIMOUSLY

BACKGROUND

This contract is to undertake the reconstruction of Station Street between Whitehorse Road and Colombo Street, Mitcham and includes works to the Whitehorse Road signalised intersection and pedestrian crossing connecting Station Street and Britannia Mall. The proposed works are part of Council's commitment to improving shopping centres throughout the municipality to encourage local trade, economic activity and provide the community with improved retail experiences.

The key objective is to revitalise the Shopping Centre by improving the appearance, amenity and function for local traders, customers and visitors to the area. The project is proposed in response to the deteriorating condition of the road pavement and footpath areas in Mitcham, and changes to the Centre generated by the recent rail crossing removal in Mitcham Road and construction of the new Mitcham Railway Station.

The improvements to Mitcham are proposed to be staged in priority order. The initial stages that have been recently completed include:

- Stage 1 – Footpath south side of Whitehorse Road to west of Mitcham Road beyond Station Street.
- Stage 2 – Footpath north side of Whitehorse Road to west of Mitcham Road to Edward Street.

9.1.2 (cont)

The proposed works are Stage 3 of the streetscape improvements and the key features include:

- Pedestrian priority – to provide improved pedestrian access by removing the kerbs in Station Street, widening the footpaths and modifying the signalised crossing across Whitehorse Road to provide a more direct route for pedestrians.
- Feature footpath paving – to provide a consistent paving treatment to unite the many precincts within the Village and improve the safety of pedestrians.
- Customised street furniture – to provide character and identity to the Village.
- Increased greening – to enhance the streetscape with attractive planting including canopy trees and understory planting.
- Parking changes – to provide 15 parking bays in Station Street (19 existing) which would allow planting of large street trees between parking bays. It is also proposed to remove 3 parking bays from the service road in front of Britannia Mall to improve the safety for pedestrians crossing at this location. An information session was held on Thursday 26 May 2016, with no objections lodged to these proposed changes.

Station Street is a two-way street with traffic travelling to and from Colombo Street and the new Mitcham train station, including the public car park. There are a number of bus services that use Station Street and consultation has occurred with the relevant bus companies and Public Transport Victoria (PTV). The Whitehorse Road proposed signalised crossing upgrade works have been reviewed and approved by VicRoads.

It is proposed to award a single contract for works to be staged over the 2016/2017 and 2017/2018 financial years. Works are scheduled to commence in March 2017 and be completed in September 2017. The works will be staged and programmed to limit disruption to the Shopping Centre.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 5 November 2016 and were closed on Wednesday 30 November 2016. Two tenders were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Tenderer's experience in the provision of similar services;
- Quality of the tenderer's work;
- Proposed construction methodology;
- Availability of Tenderer to complete the works; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

The submissions were evaluated using a weighted averages method. Equal Opportunity and Occupational Health & Safety were assessed on a Pass/Fail basis.

The recommended tenderer, Evergreen Civil Pty Ltd has extensive experience in these types of works. They have successfully constructed a number of similar shopping centre streetscape and paving projects for other Councils including Knox City Council, Brimbank City Council and Banyule City Council. They have also recently successfully completed Stages 1 and 2 of the Mitcham Shopping Centre streetscape improvements. In all these projects they have successfully managed traders whilst working in a busy activity centre and have developed innovative methods for managing the construction site and maintaining pedestrian access to businesses. They are a well-resourced company for this type of work and have an acceptable Occupational Health and Safety policy.

The tender received from Evergreen Civil Pty Ltd is considered to provide the best value for money for this Contract.

9.1.2
(cont)

CONSULTATION

This project has been developed in consultation with the Council departments of Engineering and Environmental Services, Business and Economic Development, City Works and ParksWide. The preferred tenderer's business viability has been considered.

A consultation letter with concept plans for the Stage 3 works was sent on 18 May 2016 to a total of 1,146 property owners, tenants and local traders in and around the shopping centre. There was also an information session at the Civic Centre. A total of 8 responses were received. The majority of the comments were positive and in support of the proposed concept design. The remaining comments could be accommodated in the detailed design or were beyond the scope of the current project.

The preferred tenderer's business viability has been considered.

FINANCIAL IMPLICATIONS

	Budget	Expenditure
2016/2017 – Capital Works Funding Account No.T108 Station Street Mitcham Reconstruction	\$ 1,680,000	
Less transfer to 2016/2017 Capital Works Program	-\$ 150,000	
Less transfer to Capital Works Funding Account T806 (Mitcham Shopping Centre – Streetscape Renewal)	-\$ 65,000	
2017/2018 – Capital Works Funding Mitcham Shopping Centre Streetscape Improvements	\$ 500,000	
Total Budget	\$ 1,965,000	
Preferred tenderer's lump sum offer (including GST)		\$ 1,535,445
Less GST		-\$ 139,586
Net cost to Council		\$ 1,395,859
Plus Contingencies (10%)		\$ 139,586
Plus Project Management Fees (6%)		\$ 83,752
Sub Total		\$ 1,619,197
Commitment To Date		\$ 88,010
Total Expenditure		\$ 1,707,207

9.2 INFRASTRUCTURE

9.2.1 Contract Extension (Contract 12021) Provision of Road Pavement Repair Services

FILE NUMBER: SF12/2118

SUMMARY

Council is required by the Road Management Plan to undertake road pavement repairs. AA Asphalt Constructions Pty Ltd have been providing these road services to Council for 4 years to a high standard. An extension of Contract 12021 for the Provision of Road Pavement Repair Services currently held by AA Asphalt Constructions Pty Ltd, on a Schedule of Rates basis for a fixed period of 1 year commencing on 13 February 2017 will facilitate road repair works being undertaken.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Liu

That Council extend Contract 12021 for the Provision of Road Pavement Repair Services currently held by AA Asphalt Constructions Pty Ltd (ABN 27 116 015 733) of PO Box 40, Woori Yallock, Vic 3139 on a Schedule of Rates basis for a period of 1 year, commencing on 13 February 2017.

CARRIED UNANIMOUSLY

BACKGROUND

Council has a contract for the provision of road pavement repair services on an 'as required' basis in accordance with the Road Management Plan.

There is an operational budget for the provision of road pavement repair works throughout the municipality to ensure Council meets the requirements under the Road Management Plan.

The current contract is for a 4 year term, plus the option for a 1 year extension with the current contract, due to expire on 13 February 2017.

DISCUSSION

On 13 February 2013, Council awarded Contract 12021 for the Provision of Road Pavement Repair Services Pty Ltd to AA Asphalt Constructions Pty Ltd following a public tender process. The original 4 year term of the Contract will expire on 13 February 2017. The Contract allows for a 1 year extension at Council's discretion.

AA Asphalt Constructions Pty Ltd has delivered an excellent standard of service throughout the contract period and the performance has been closely monitored and measured through regular onsite inspections and audits.

The Contractor has met the contract requirements with regards to the promotion of service and the appropriate high standard of representation of Council to the public.

The Contractor has agreed to accept Council's offer to extend the Contract under the current Contract terms and conditions, subject to Council approval. The extension of this Contract will negate the need to conduct a new tender process for these services for another 12 months.

CONSULTATION

The Council officers from City Works and Engineering and Environmental Services Departments involved in managing the Contractor have been consulted with regards to the extension of this Contract.

9.2.1
(cont)

FINANCIAL IMPLICATIONS

The contract for the provision of road pavement repair services is based on an agreed Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

The average expenditure under this contract over the initial contract term was approximately \$300,000 per annum. It is anticipated that the expenditure over the next year will be of a similar magnitude.

The costs incurred under this contract will be charged to the relevant Operational and Capital budgets managed by both City Works and Engineering and Environmental Services.

9.2.2 Contract Extension (Contract 12020) Provision of Concrete, Asphalt Paving & Kerbing Services

FILE NUMBER: SF12/2117

SUMMARY

Council has a significant capital and operational budget for the reconstruction of footpaths, kerb and channel and various other concrete paving works throughout the municipality to ensure Council meets the requirements under the Road Management Plan.

The necessary works can continue to be undertaken by the extension of Contract 12020 for the Provision of Concrete / Asphalt Paving and Kerbing Services currently held by Civil Asset Management Services Pty Ltd, Parente Paving Pty Ltd, Roma Bros Pty Ltd and Pavers Plus Pty Ltd, on a Schedule of Rates basis for a fixed period of 1 year commencing on 13 February 2017.

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Ellis

That Council extend Contract 12020 for the Provision of Concrete / Asphalt Paving and Kerbing Services currently held by:

- 1. Civil Asset Management Services Pty Ltd (98 552 701 184) of PO Box 1152, Nth Mitcham, Vic 3132***
- 2. Parente Paving Pty Ltd (ABN 94 297 335 323) of Factory 9, 10 Thornton Cres, Mitcham, Vic 3132***
- 3. Roma Bros Pty Ltd (ABN 29 004 334 114) of PO Box 12, Warrandyte, Vic, 3131;***
- 4. Pavers Plus Pty Ltd (ABN 45 053 807 015) of 389 Maroondah Hwy, Ringwood, Vic 3134***

on a Schedule of Rates basis for a period of 1 year, commencing on 13 February 2017.

CARRIED UNANIMOUSLY

BACKGROUND

This contract is for the provision of concrete / asphalt paving and kerbing services for the City of Whitehorse to undertake planned renewal and risk mitigation works in accordance with the Council's Asset Management Policy and its Road Management Plan obligations. The Road Management Plan determines the level of service that Council is required to deliver for the maintenance of the 1,717 kilometres of footpath, 1,183 kilometres of kerb and channel and 611 kilometres of roads it is responsible for.

In order to maximise cost effectiveness and provide flexibility of service, it is necessary to establish and maintain a panel of contractors. It is common for this type of work that contractors are required, at short notice, to address urgent issues and therefore maintaining access to a panel of capable contractors is preferable.

DISCUSSION

On 13 February 2013, Council awarded Contract 12020 for the Provision of Concrete / Asphalt Paving and Kerbing Services to Civil Asset Management Services Pty Ltd, Parente Paving Pty Ltd, Roma Bros Pty Ltd and Pavers Plus Pty Ltd, following a public tender process. The original 4 year term of the Contract will expire on 13 February 2017. The Contract allows for a 1 year extension at Council's discretion.

All contractors have delivered an excellent standard of service throughout the contract period and the performance of the Contractors has been closely monitored and measured through regular onsite inspections and audits. All Contractors have met contract requirements with regards to the promotion of service and the appropriate high standard of representation of Council to the public.

9.2.2

(cont)

All contractors have agreed to accept Council's offer to extend the Contract under the current Contract terms and conditions, subject to Council approval. The extension of this Contract will negate the need to conduct a new tender process for these services for the next 12 month period.

CONSULTATION

The Council officers in the City Works department involved in managing the contractors have been consulted with regards to the extension of this Contract.

FINANCIAL IMPLICATIONS

The contract for the provision of concrete, asphalt paving and kerbing services is based on an agreed Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

The average expenditure under this contract over the initial contract term was approximately \$2 million per annum. It is anticipated that the expenditure over the next year will be of a similar magnitude.

The costs incurred under this contract will be charged to the relevant Operational and Capital budgets managed by both City Works and Engineering and Environmental Services.

9.3 HUMAN SERVICES

9.3.1 The Whitehorse Manningham Regional Library Corporation Agreement

ATTACHMENT

SUMMARY

The purpose of this report is to recommend that Council sign the Whitehorse Manningham Regional Library Corporation Agreement.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Davenport

That Council sign the agreement and affix the Common Seal to the document.

CARRIED UNANIMOUSLY

BACKGROUND

The Whitehorse Manningham Regional Library Corporation ("the Regional Library") was established in December 1995 pursuant to the provisions of section 196 of the *Local Government Act 1989* ("the Act"). A number of regional library corporations were established during this period. The regional library agreements were based on a model agreement prepared by the State Government.

The Agreement is the document which formally establishes the Regional Library and contains the matters that are fundamental to the direction and operation of the Regional Library. The Agreement is supported by the Regional Library's:

- a) Annual Budget;
- b) Library Plan;
- c) Strategic Resource Plan; and
- d) Policies.

The Board at its meeting on 24 August 2016 considered a report in relation to a new Library Agreement. The current Agreement required updating to reflect current legislative requirements, remove outdated references and to reflect current practice. (Refer Attachment 1)

As required under the Local Government Act 1989 pursuant to sections 197(1) and section 223 a Public Notice inviting submissions was published in the Age and on the Library website on 24 October 2016. No submissions were received.

DISCUSSION

At the meeting of the Library Board on 14 December 2016 the Board resolved the following:

That the Board, acting in accordance with sections 196, 197 and 223 of the Local Government Act 1989 and having given public notice of its intention to execute the proposed Agreement:

- a) Notes that no submissions were received;
- b) Resolves to adopt the proposed agreement;
- c) Refers the proposed Agreement to the two member councils for approval;
- d) Refers the proposed Agreement to the Minister for Local Government for approval by notice published in the Government Gazette.

It is proposed that the Agreement be reviewed every four years in line with the development of the Four Year Library Plan.

9.3.1 (cont)

CONSULTATION

The draft Agreement was adopted by the Board and was placed out for public consultation in October 2016, as required by section 223 and 196 (2) of the Act.

The draft Agreement was duly advertised and no submissions were received.

The Agreement has been updated to reflect legislative amendments to the Local Government Act 1989 which have occurred and changes in practices and service delivery with the Library Corporation. The updated Agreement will have no effect on the funding provisions for or the operation of the Regional Library.

The process has concluded that the Agreement is fundamentally sound and is similar to other regional library agreements. There is no change to the intent of the Agreement. The changes required are to:

- a. Refer to the continuation rather than the formation of the Regional Library;
- b. Amend several clauses to reflect legislative changes and changes in practices (eg: term of membership of Board members and Board vacancies); and
- c. Remove redundant clauses.

The Agreement continues to be a flexible document for the member Councils; retaining the ability for the Councils to agree to changes, such as additional services to be provided by the Regional Library, changes to the Council contributions and changes to the parties, without the requirement to seek approval of the Minister.

FINANCIAL IMPLICATIONS

The agreement is subject to Council's annual budget process.

ATTACHMENT

- 1 WMRLC Draft Agreement December 2016 [!\[\]\(adb0331d22f78481623cc605df40612a_img.jpg\)](#)
- 2 WMRLC Agreement - Summary of Changes - 27 June 2016 [!\[\]\(7e3a264c08e10137510d1aa76522412b_img.jpg\)](#)

9.4 CORPORATE REPORTS

9.4.1 Supplementary Valuation Quarterly Report- October to December 2016

FILE NUMBER: SF16/746

SUMMARY

This report presents supplementary valuations and recommends adjustment of rate records. The supplementary valuations have been carried out on properties in accordance with Section 13DF of the Valuation of Land Act 1960.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Carr

That Council:

- 1. Note and accept the supplementary valuations undertaken during the period commencing 1 October to 31 December 2016.***
- 2. Authorise the rate records being adjusted to take account of the supplementary valuations returned.***

CARRIED UNANIMOUSLY

BACKGROUND

Item 1.11 of the Schedule of Powers contained within the Chief Executive Officer's Instrument of Delegation adopted by Council on 18 May 2015 states the following:

"The delegate must not determine the issue, take the action or do the act or thing if the issue, action, act or thing is an issue, action, act or thing which involves:

- The return of the general valuation and any supplementary valuations."*

This report relates to supplementary valuations undertaken by Council in accordance with the *Valuation of Land Act 1960* for the period from 1 October 2016 to 31 December 2016

DISCUSSION

Supplementary valuations are conducted regularly throughout the financial year to maintain the equity and accuracy of Council's rating valuation base.

Supplementary valuations are primarily due to construction, subdivision and/or planning activities.

The supplementary valuations undertaken are summarised in Table #1 below.

Table # 1: Supplementary Valuations completed between 1 October and 31 December 2016

Supplementary Valuation Reference	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
October 2016	647	\$223,041,000	\$413,209,000	\$20,988,400
November 2016	450	\$288,723,500	\$400,547,500	\$20,440,100
December 2016	270	\$123,541,500	\$201,121,500	\$10,113,850
<i>Supplementary Valuations Total</i>	<i>1,367</i>	<i>\$635,306,000</i>	<i>\$1,014,878,000</i>	<i>\$51,542,350</i>

9.4.1 (cont)

CONSULTATION

The legislative requirement for Council to complete supplementary valuations is contained within the *Valuation of Land Act 1960*. All supplementary valuations contained in this report have been undertaken in accordance with the *2016 Valuation Best Practice Specifications Guidelines*.

The supplementary valuations completed during October and November have been certified by the Valuer-General's office (VGV) as being suitable for use by Council. The supplementary valuations completed during December have been submitted to the VGV, and are awaiting certification. Please note that Councils may use supplementary valuations prior to VGV certification.

FINANCIAL IMPLICATIONS

The total change to the Capital Improved Value (CIV) caused by the supplementary valuations undertaken is an increase of \$310,764,000. This change in CIV has generated an additional \$308,768 of supplementary rate income.

A summary of Council's valuation totals for all rateable and non-rateable properties is shown below in Table #2, Table #3 and Table #4.

Table #2: Valuation Totals as at 30 September 2016

BREAKDOWN	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
Rateable	70,927	\$47,400,653,200	\$64,038,303,000	\$ 3,311,993,825
Non Rateable	1,080	\$3,094,245,500	\$3,504,112,000	\$197,273,075
<i>Municipal Total</i>	<i>72,007</i>	<i>\$50,494,898,700</i>	<i>\$67,542,415,000</i>	<i>\$3,509,266,900</i>

Table#3: Change to valuation totals due to supplementary valuations from 1 October 2016 to 31 December 2016

<i>Supplementary Valuations</i>	<i>Assessments subject to Supplementary Valuation</i>	<i>Change to Site Value</i>	<i>Change to CIV</i>	<i>Change to NAV</i>
	1,367	\$1,784,000	\$310,764,000	\$15,597,400

Table #4: Valuation Totals as at 31 December 2016

NEW BREAKDOWN	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
New Rateable	71,530	\$47,385,814,700	\$64,332,073,500	\$ 3,326,740,850
New Non Rateable	1,077	\$3,110,868,000	\$3,521,105,500	\$198,123,450
<i>New Municipal Total</i>	<i>72,607</i>	<i>\$50,496,682,700</i>	<i>\$67,853,179,000</i>	<i>\$3,524,864,300</i>

NB: Supplementary valuations on non-rateable properties are recorded on Council's rating system and their totals are included in the supplementary valuation reports. This is because non-rateable properties may incur a fire service property levy in accordance with the *Fire Services Property Levy Act 2012*.

POLICY IMPLICATIONS

The Valuations have been undertaken in accordance with the legislative requirements of the *Valuation of Land Act 1960*.

9.4.2 Review of Mayoral and Councillor Allowances

FILE NUMBER: SF12/910

SUMMARY

The purpose of this report is to commence the review process of Mayoral and Councillor Allowances as required under the Local Government Act 1989.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Carr

That Council:

1. ***Having conducted a preliminary review of the Mayoral and Councillor allowances as required by Section 74 (1) of the Local Government Act, proposes that the Councillor and Mayoral allowances for the next four financial years (i.e. 1 July 2017 to 30 June 2021, subject to annual indexation and any change by Order in Council, be set at the following amount:***
 - ***Councillor \$29,630 pa***
 - ***Mayoral \$94,641 pa***
 - ***Plus an amount equivalent to the superannuation guarantee contribution (currently 9.5%)***
2. ***In accordance with section 74(4) of the Local Government Act 1989, give public notice in the Whitehorse Leader on Monday 6 February 2017, as part of the public consultation on the proposed allowances and call for submissions under section 223 of the Act, and***
3. ***Advises that any submissions received will be considered and heard by the Special Committee of the whole Council on Tuesday 14 March 2017 at 8.00pm in the Council Chambers, Whitehorse Civic Centre 379 to 397 Whitehorse Rd Nunawading.***

CARRIED UNANIMOUSLY

BACKGROUND

Section 74(1) of the *Local Government Act 1989* (the Act) requires Councils to “review and determine the level of Mayoral and the Councillor allowances within the period of six months after a general election or by next 30 June, whichever is later.”

This review is a public process and any person has a right to make a submission under section 223 of the Act. This review will determine the allowances that will be payable from the range available for the next four years. The Allowances assist the Mayor and Councillors to offset expenses related to performing and fulfilling their role as a councillor representing the community.

DISCUSSION

Councillor allowances are indexed annually by the State Government under section 73B of the Act, having regard to movements in the levels of remuneration of executives within the meaning of the *Public Administration Act 2004*, with the most recent adjusted by the Minister for Local Government effective from the time of the new Council taking the Oath of Office. **(Refer to the Department of Environment, Land, Water and Planning, circular 42/2016 dated 18 November 2016 Appendix 1 and Victoria Government Gazette G47 24 November 2016 Appendix 2)** The Minister also advised that payment of allowances cannot exceed more than one month in advance.

9.4.2

(cont)

Whitehorse Council is a Category 3 – and the range for allowances are:

- Part A Mayor up to \$94,641pa
- Councillors \$12,367pa - \$29,630pa

Part B An amount equivalent to the superannuation guarantee – currently 9.5% is an additional component added to the allowance

To date, Whitehorse Council has paid the maximum amount. A quick survey of a number of other metropolitan Councils has revealed that they also pay the maximum level, with the only exception being City of Kingston.

The Mayor is not entitled to receive a Councillor allowance if receiving the Mayoral allowance. Further Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance.

Councillors can enter into an arrangement to effectively sacrifice their remuneration before they derive these amounts. Such sacrifice arrangements can be made into a complying superannuation fund and be designated before the payment is made.

Council must now determine what the limit of the allowances will be for the next four years and then commence the public consultation process, to receive and hear, if requested, any community comment on these limits. Council is then required to take into account any comments made by the public before confirming or changing the limit. Any such changes are effective from the date of the Council resolution.

CONSULTATION

Consulted with other Councils to compare allowances paid.

FINANCIAL IMPLICATIONS

Budget allocation required to meet statutory requirements.

9.4.2
(cont)

Appendix 1: Department of Environment, Land, Water and Planning, circular 42/2016 dated 18 November 2016



Department of Environment
Land, Water & Planning

8 Nicholson Street
East Melbourne, Victoria 3002
PO Box 500
East Melbourne, Victoria 8002
www.delwp.vic.gov.au

Circular 42 / 2016

To All Chief Executive Officers
(as addressed)

Dear CEO

MAYORAL & COUNCILLOR ALLOWANCES – ANNUAL ADJUSTMENT

The Minister for Local Government, the Hon Natalie Hutchins MP, has reviewed the limits and ranges of the current mayoral and councillor allowances, and has determined under section 73B of the *Local Government Act 1989* ('the Act') that these allowances be increased by an adjustment factor of **2.5%** from **1 December 2016**. The Minister has had regard to movements in remuneration of executives within the meaning of the *Public Administration Act 2004*.

Councils must therefore increase their current mayoral and councillor allowances by 2.5% from 1 December 2016, under section 73B(5) of the Act.

This adjustment including the adjusted ranges and limits for each of the three council categories, will be published by notice in the Victoria Government Gazette G47 on 24 November 2016 (available online at: www.gazette.vic.gov.au from that day).

The following also apply to allowances:

- The amount equivalent to the superannuation guarantee under Commonwealth taxation legislation (currently 9.5 per cent) is payable in addition to these amounts.
- Allowance payments must not exceed more than one month in advance.
- Mayors and councillors are entitled to receive a 'remote area travel allowance' of \$40 per day in certain circumstances, up to a maximum of \$5,000 per annum.

(Source: Government Gazette G27, 5 July 2012, Page 1491)

Review of allowances after the election

Section 74(1) of the Act requires that councils must review and determine the level of mayoral and councillor allowances within the period of six months after a general election or by next 30 June, whichever is later. As a result of the review, a council may determine to either retain its current allowances or vary them to different amounts within the range and limit applicable to its category. (A list of councils grouped under each category can be found on the 'Know Your Council' website (in the 'Guide to Councils' section under 'How councils work')).



9.4.2
(cont)


The allowances determined by the council remain in place until the next review after the 2020 general elections, subject to any annual adjustments applied by the Minister under section 73B of the Act.

Under section 74(4) of the Act a person has a right to make a submission under section 223 to this review. Councils therefore need to allocate sufficient time to ensure all steps in this process are undertaken so a final determination on allowances is made by the legislated deadline.

Until this review is complete and any decision subsequently made to vary existing amounts, councils must continue to pay the current allowances as adjusted above to their mayors and councillors.

If you require any further information on this matter, please contact Tim Presnell, Senior Advisor, Governance and Legislation on tim.presnell@delwp.vic.gov.au or phone 9948 8508.

Yours sincerely



Graeme Emonson
Executive Director
Local Government Victoria

18/11/2016

9.4.2 (cont)

Appendix 2: Victoria Government Gazette G47 24 November 2016

2968 G 47 24 November 2016

Victoria Government Gazette

Local Government Act 1989

MAYORAL AND COUNCILLOR ALLOWANCES ADJUSTMENT

In accordance with section 73B(4)(a) of the **Local Government Act 1989**, notice is hereby given that an adjustment factor of 2.5% applies to Mayoral and Councillor allowances.

In accordance with section 73B(4)(b) of the **Local Government Act 1989**, the new limits and ranges of Mayoral and Councillor allowances, adjusted in accordance with the adjustment factor, are:

Category 1	Councillors: \$8,324 – \$19,834 per annum	Mayors: up to \$59,257 per annum
Category 2	Councillors: \$10,284 – \$24,730 per annum	Mayors: up to \$76,521 per annum
Category 3	Councillors: \$12,367 – \$29,630 per annum	Mayors: up to \$94,641 per annum

This notice does not apply to the Lord Mayor, Deputy Lord Mayor and Councillors of the Melbourne City Council, and the Mayor and Deputy Mayor of the Greater Geelong City Council.

The new adjusted limits and ranges take effect on 1 December 2016.

Dated 15 November 2016

NATALIE HUTCHINS MP
Minister for Local Government

Councillor Allowance Categories

Councils are divided into three categories based on the income and population of each Council.

The Minister for Local Government has approved an adjustment factor increase of 2.5% to the below Mayoral and Councillor allowances, effective 1 December 2016, under section 73B(4) of the local Government Act 1989.

Category 1	Category 2	Category 3
Current Range: Councillors \$8,324-\$19,834 Mayor up to \$59,257	Current Range: Councillors \$10,284-\$24,730 Mayor up to \$76,521	Current Range: Councillors \$12,367-\$29,630 Mayor up to \$94,641
Alpine Shire Council Ararat Rural City Council Benalla Rural City Council Borough of Queenscliffe Buloke Shire Council Central Goldfields Shire Council Gannawarra Shire Council Golden Plains Shire Council Hepburn Shire Council Hindmarsh Shire Council Horsham Rural City Council Indigo Shire Council Loddon Shire Council Mansfield Shire Council Mount Alexander Shire Council	Ballarat City Council Banyule City Council Bass Coast Shire Council Baw Baw Shire Council Bayside City Council Campaspe Shire Council Cardinia Shire Council Colac Otway Shire Council Corangamite Shire Council East Gippsland Shire Council Glenelg Shire Council Greater Shepparton City Council Hobsons Bay City Council Latrobe City Council Macedon Ranges Shire Council	Boroondara City Council Brimbank City Council Casey City Council Darebin City Council Glen Eira City Council Frankston City Council Greater Bendigo City Council Greater Dandenong City Council Hume City Council Kingston City Council Knox City Council Melton Shire Council Monash City Council Moreland City Council Moonee Valley City Council

9.4.2
(cont)

Category 1	Category 2	Category 3
Murrindindi Shire Council Northern Grampians Shire Council Pyrenees Shire Council Southern Grampians Shire Council Strathbogie Shire Council Towong Shire Council West Wimmera Shire Council Yarriambiack Shire Council	Manningham City Council Maribyrnong City Council Maroondah City Council Mildura Rural City Council Mitchell Shire Council Moirā Shire Council Moorabool Shire Council Moyne Shire Council Nillumbik Shire Council South Gippsland Shire Council Surf Coast Shire Council Swan Hill Rural City Council Wangaratta Rural City Council Warrnambool City Council Wellington Shire Council Wodonga City Council Yarra City Council	Mornington Peninsula Shire Council Port Phillip City Council Stonnington City Council Whitehorse City Council Whittlesea City Council Wyndham City Council Yarra Ranges Shire Council

9.4.3 Meeting Cycle July to December 2017

SUMMARY

This report is to set the meeting dates for the period July to December 2017. It is recommended that Council continue with the current meeting cycle which provides for meetings to take place on Monday nights as follows:

Week 1 – Strategic Planning Session

Week 2 – Councillor Briefing and Special Committee Meeting.

Week 3 – Council Meeting

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Cutts

That:

- 1. The report be received and noted and the Meeting Cycle for the period July to December 2017 as detailed in Appendix A to this report be adopted.***
- 2. Meetings of the Council and Special Committee of Council be held in the Council Chamber, 379 Whitehorse Road, Nunawading.***
- 3. Public notice of Council's meeting schedule be given as required by Section 89 (4) of the Local Government Act 1989.***

CARRIED UNANIMOUSLY

BACKGROUND

The Council Meeting Cycle is currently as follows:

Week 1	Week 2	Week 3
6.30pm Strategic Planning Session (not a formal or public meeting)	6.30 - 8.00pm Councillor Briefing Information gathering for briefing on agenda for Council Meeting on Week 3 (not a formal or public meeting) 8.00pm Special Committee of Council Meeting	7.00pm Council Meeting

9.4.3

(cont)

This report is to set meeting dates for the period July to December 2017 as listed in Appendix A to this report.

It is recommended that Council continue with the current meeting cycle which provides for meetings to take place on Monday nights as follows:

Week 1 – Strategic Planning Session

Week 2 – Councillor Briefing and Special Committee Meeting

Week 3 – Council Meeting

- Meetings will take place on Monday nights in a four weekly cycle, with Week 4 (and Week 5 in those months with a fifth Monday) being a meeting free night, to schedule other matters for consideration as necessary.
- Strategic Planning Sessions will be held from July to October 2017 inclusive.
- Special Committee of Council Meetings will be held from July to December 2017 inclusive.
- During October the Special Statutory Council Meeting for Election of the Mayor is scheduled for Monday 30 October. (*The Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year.*)
- During December 2017 the Councillor Briefing/Special Committee will be held Week 1 and the Council Meeting will be held Week 2.
- All meetings will be conducted in accordance with the Charters and Council's Meeting Procedure and Common Seal Local Law 2013.

CONSULTATION

Councillors are familiar with the meeting cycle, structure and Council meeting processes.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

9.4.3
(cont)

APPENDIX A

MEETING CYCLE 2017 – (JULY TO DECEMBER)

July	
Councillor Briefing/Special Committee	10
Ordinary Council Meeting	17
August	
Councillor Briefing/Special Committee	14
Ordinary Council Meeting	21
September	
Councillor Briefing/Special Committee	11
Ordinary Council Meeting	18
October	
Councillor Briefing/Special Committee	9
Ordinary Council Meeting	16
Special (Statutory) Council Meeting - Election of the Mayor	30
November	
Councillor Briefing/Special Committee	13
Ordinary Council Meeting	20
December	
Councillor Briefing/ Special Committee	4
Ordinary Council Meeting	11

- Additional meetings may be called as required and will be advertised in local newspapers when possible and/or by notice on the public noticeboards at Civic Offices.
- All meetings for the period July to December 2017 to be held in the Council Chamber, Whitehorse Civic Centre, 379 Whitehorse Rd, Nunawading
- Council Meetings commence at 7.00pm unless otherwise advised.
- Special Committee of Council Meetings commence at 8.00pm unless otherwise advised.
- All meetings open to the public, unless Council resolves to close the meeting to the public to consider an item 'in camera'.
- All these meetings are subject to change as necessary, changes to the meeting cycle will be advised by public notice as appropriate.

¹ No Strategic Planning Session scheduled for November. Cup Day falls on Tuesday 7 November

9.4.4 Delegation Decisions November 2016

SUMMARY

The following activity was undertaken by officers under delegated authority during November 2016.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Carr

That the report of decisions made by officers under Instruments of Delegation for the month of November 2016 be noted.

CARRIED UNANIMOUSLY

DELEGATION	FUNCTION	Number for November 2015	Number for November 2016
Planning and Environment Act 1987	Delegated Decisions	172	115
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		22	17
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	56	80
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	1
Food Act 1984	Food Act Orders	Nil	6
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	1	1
Local Government Act 1989	Temporary Road Closures	2	16
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	4	4
	Property Sales and Leases	9	7
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	988	924
	Parking Amendments	2	2
	Parking Infringements written off (not able to be collected)	181	240

9.4.4

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS NOVEMBER 2016

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

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
424	09-11-16	Application Lapsed	7 Market St, Box Hill	Elgar	Erection of a Business Signage - Discount Chemist	Advertising Sign
451	09-11-16	Application Lapsed	415-417 Springvale Rd, Forest Hill	Morack	Business signage in a C1Z	Advertising Sign
734	22-11-16	Application Lapsed	18 Slater Ave, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
755	20-11-16	Application Lapsed	80 Dorking Rd, Box Hill North	Elgar	Use of the existing dwelling for a medical centre, buildings and works and associated signage	Residential (Other)
7	28-11-16	Delegate Approval - S72 Amendment	27 Manniche Ave, Mont Albert North	Elgar	Construction of two double storey dwellings and tree removal	Permit Amendment
10	08-11-16	Delegate Approval - S72 Amendment	43 Florence Rd, Surrey Hills	Riversdale	The development of the land for two dwellings comprising the construction of a double storey dwelling to the rear of the existing single storey dwelling and a two lot subdivision	Permit Amendment
25	15-11-16	Delegate Approval - S72 Amendment	96 Fulton Rd, Blackburn South	Riversdale	Development of the land for two double storey dwellings	Permit Amendment
171	24-11-16	Delegate Approval - S72 Amendment	38 Lorikeet St, Nunawading	Springfield	Construction of a single storey dwelling to the rear of the existing dwelling and two lot subdivision	Permit Amendment
184	28-11-16	Delegate Approval - S72 Amendment	73 Margaret St, Box Hill North	Elgar	Construction of four (4) double storey dwellings	Permit Amendment
317	29-11-16	Delegate Approval - S72 Amendment	1 Hampshire Rd, Forest Hill	Morack	Amendment to Planning Permit WH/2015/317 (Issued for the construction of two double storey dwellings) to raise the finished floor levels of both dwellings, modifications to the window and door placement, front porch height and landscaping plan for Dwelling 2	Permit Amendment

9.4.4
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
333	11-11-16	Delegate Approval - S72 Amendment	236-238 Whitehorse Rd, Nunawading	Central	Building and works to alter the existing showroom, reduction of the standard car parking requirement and display of business identification signage	Permit Amendment
369	28-11-16	Delegate Approval - S72 Amendment	1 Neil Crt, Blackburn South	Riversdale	Development of land for a three storey building plus basement comprising 32 dwellings) comprising the extension of the western boundary of the basement to allow for two (2) more car parking spaces and relocation of storage units	Permit Amendment
394	15-11-16	Delegate Approval - S72 Amendment	6-8 Wellington Rd, Box Hill	Elgar	82 lot subdivision	Permit Amendment
402	17-11-16	Delegate Approval - S72 Amendment	481 Middleborough Rd, Box Hill North	Elgar	Construction three double storey dwellings	Permit Amendment
650	17-11-16	Delegate Approval - S72 Amendment	1 La Frank St, Burwood	Riversdale	Construction of three double storey dwellings	Permit Amendment
671	28-11-16	Delegate Approval - S72 Amendment	89 Holland Rd, Blackburn South	Central	Amendment to permit WH/2015/671 to rearrange the upper floor of both dwellings	Permit Amendment
916	11-11-16	Delegate Approval - S72 Amendment	115 Burwood Hwy, Burwood East	Riversdale	Construction of a three storey building plus basement for 30 dwellings, alteration of access to a road in a Road Zone Category 1 and reduction in car parking	Permit Amendment
956	24-11-16	Delegate Approval - S72 Amendment	221 Highbury Rd, Burwood	Riversdale	Construction of six dwellings comprising two triple storey dwellings and four double storey dwellings and alteration of access to a road in a Road Zone Category 1	Permit Amendment

9.4.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1067	24-11-16	Delegate Approval - S72 Amendment	5 Surrey St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Permit Amendment
1084	24-11-16	Delegate Approval - S72 Amendment	3-5 Springfield Rd, Blackburn North	Central	Buildings and works associated with an existing place of worship	Permit Amendment
1159	22-11-16	Delegate Approval - S72 Amendment	334 Springvale Rd, Forest Hill	Springfield	Buildings and works to extend an existing building (for an extension to the dwelling at the rear of a take-away convenience restaurant)	Permit Amendment
559	28-11-16	Delegate NOD - S72 Amendment	99 Morack Rd, Vermont South	Morack	Development of the land for 16 dwellings and removal of native vegetation	Permit Amendment
194	22-11-16	Delegate NOD Issued	31 Neville St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
381	29-11-16	Delegate NOD Issued	1 Spencer St, Nunawading	Springfield	Part demolition and buildings and works to the existing dwelling and construction of a second double storey dwelling	Multiple Dwellings
439	17-11-16	Delegate NOD Issued	21 Sunshine Ave, Mitcham	Springfield	The construction of two double storey dwellings.	Multiple Dwellings
527	28-11-16	Delegate NOD Issued	26 Betula Ave, Nunawading	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
731	22-11-16	Delegate NOD Issued	65 Esdale St, Nunawading	Springfield	Development of the land with two double storey dwellings to the rear of the existing dwelling and the demolition of existing fencing	Multiple Dwellings
751	29-11-16	Delegate NOD Issued	7 Jocelyn Crt, Forest Hill	Springfield	Removal of 3 trees in an SLO 6	Special Landscape Area
982	28-11-16	Delegate NOD Issued	15 Edwards St, Burwood	Riversdale	Development of four double storey dwellings	Multiple Dwellings

9.4.4
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1116	30-11-16	Delegate NOD Issued	5 Wellington Rd, Box Hill	Elgar	Construction of a six (6) storey building and a part fourteen (14), part sixteen (16) storey building, comprising not more than 177 apartments with basement car park, a food and drink premises, reduction in the standard car parking requirement, waiver of loading and unloading requirement and the removal and variation of easements	Multiple Dwellings
62	24-11-16	Delegate Permit Issued	18 Main St, Blackburn	Central	Partial demolition and alterations to the existing dwelling and demolition of outbuildings for the purpose of buildings and works to construct a double storey extension and tree removal	Heritage
107	21-11-16	Delegate Permit Issued	24 Laurel Grv, NorthBlackburn	Central	Demolition of existing dwelling and construction of one new dwelling in a Significant Landscape Overlay and tree removal.	Special Landscape Area
202	28-11-16	Delegate Permit Issued	16 Wellington Rd, Box Hill	Elgar	Construction of a 14 storey building comprising not more than 133 dwellings with basement car parking	Multiple Dwellings
226	16-11-16	Delegate Permit Issued	34 Myrtle Grv, Blackburn	Central	Building and works associated with the construction of a dwelling	Special Landscape Area
228	14-11-16	Delegate Permit Issued	55 Witchwood Cres, Burwood East	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
236	29-11-16	Delegate Permit Issued	23 Cromwell St, Burwood	Riversdale	Construction of two double storey dwellings with garages and landscaping	Multiple Dwellings
242	15-11-16	Delegate Permit Issued	14 Horfield Ave, Box Hill North	Elgar	Proposed dual occupancy for construction of two double storey dwellings	Multiple Dwellings
243	22-11-16	Delegate Permit Issued	11 Deakin St, Mitcham	Springfield	Construction of a single dwelling	Single Dwelling < 300m2

9.4.4
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
247	08-11-16	Delegate Permit Issued	10 Boardman Close Box Hill South	Riversdale	Extension to the existing dwelling	Residential (Other)
328	22-11-16	Delegate Permit Issued	23 Orchard Cres, Mont AlbertNorth	Elgar	Construction of two new dwellings in an NRZ 2 with a VPO 2	Multiple Dwellings
350	15-11-16	Delegate Permit Issued	12 Linden St, Box Hill South	Riversdale	Construction of four (4) double storey dwellings	Multiple Dwellings
382	30-11-16	Delegate Permit Issued	402 Elgar Rd, Box Hill	Elgar	Display of a business identification sign	Advertising Sign
388	22-11-16	Delegate Permit Issued	142 Burwood Hwy, Burwood	Riversdale	Buildings and works associated with a supermarket ('Shop'), advertising signage, packaged liquor licence & alteration of access to a Road Zone Category 1	Business
390	29-11-16	Delegate Permit Issued	11 Norma Rd, Forest Hill	Morack	Alterations and extension to existing dwelling and construction of a two storey dwelling to the rear	Multiple Dwellings
426	15-11-16	Delegate Permit Issued	6 Second Ave, Box Hill North	Elgar	Development of two double storey dwellings	Multiple Dwellings
456	14-11-16	Delegate Permit Issued	31-39 Norcal Rd, Nunawading	Springfield	Buildings and works for a warehouse development, use of the land for a food and drink premises and offices, internally illuminated signage, reduction in the standard car parking requirement and native vegetation removal	Industrial
466	22-11-16	Delegate Permit Issued	13 Maple St, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
505	08-11-16	Delegate Permit Issued	19 Dickens St, Blackburn	Central	Buildings and works for an extension to the existing dwelling	Residential (Other)
507	30-11-16	Delegate Permit Issued	18 Will St, Forest Hill	Springfield	Dual occupancy and tree removal	Multiple Dwellings
511	07-11-16	Delegate Permit Issued	202 Burwood Hwy, Burwood	Riversdale	Construction of thirteen (13) double storey dwellings	Multiple Dwellings
529	10-11-16	Delegate Permit Issued	1 Waratah Cres, Blackburn	Central	Buildings and works for the construction of one dwelling and removal of trees	Special Landscape Area

9.4.4
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
540	17-11-16	Delegate Permit Issued	Factory 3/66-70 Railway Rd, Blackburn	Central	Use of land as an indoor recreation facility, display of advertising sign and reduction in standard car parking requirements	Business
547	22-11-16	Delegate Permit Issued	14 Denis St, Vermont	Springfield	Construction of two double storey dwellings and a new crossover	Multiple Dwellings
591	22-11-16	Delegate Permit Issued	29 Centre Rd, Vermont	Morack	Buildings and works to extend an existing building and a reduction in the statutory car parking requirement	Business
594	22-11-16	Delegate Permit Issued	7 Bundarra Crt, Vermont South	Morack	Construction of two double storey dwellings	Multiple Dwellings
598	29-11-16	Delegate Permit Issued	5/41-43 Lexton Rd, Box Hill North	Elgar	Change of use to Trade Supplies and Display of Advertising Signage	Industrial
613	07-11-16	Delegate Permit Issued	24 Albert St, Mitcham	Springfield	Construction of three double storey dwellings	Multiple Dwellings
616	22-11-16	Delegate Permit Issued	84 Railway Rd, Blackburn	Central	Building addition, signage and a reduction in the standard car parking requirements	Business
631	22-11-16	Delegate Permit Issued	18A Second Ave, Box Hill North	Elgar	Construction of an extension to an existing shop	Business
637	28-11-16	Delegate Permit Issued	5 Burnett St, Mitcham	Springfield	Extension to the existing dwelling	Residential (Other)
727	28-11-16	Delegate Permit Issued	1/241 Warrigal Rd, Burwood	Riversdale	3 lot subdivision	Subdivision
728	22-11-16	Delegate Permit Issued	42 Wellington Ave, Blackburn	Central	Buildings and works associated with the construction of a double storey dwelling	Residential (Other)
732	22-11-16	Delegate Permit Issued	7 Inverness Ave, Burwood	Riversdale	Construction of four double storey dwellings	Multiple Dwellings
736	28-11-16	Delegate Permit Issued	75 Railway Rd, Blackburn	Central	Change of use to restricted recreation facility and car parking to the satisfaction of the Responsible Authority	Business
741	16-11-16	Delegate Permit Issued	23 Laing St, Mont Albert	Elgar	2 lot subdivision	Subdivision

9.4.4
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
764	14-11-16	Delegate Permit Issued	38 Menin Rd, Forest Hill	Springfield	Buildings and works comprising the construction of one (1) double storey dwelling	Special Landscape Area
766	22-11-16	Delegate Permit Issued	19 Boronia Rd, Vermont	Morack	Removal of eight (8) trees	Special Landscape Area
774	21-11-16	Delegate Permit Issued	8 Park Rd, Surrey Hills	Riversdale	12 lot subdivision	Subdivision
780	28-11-16	Delegate Permit Issued	11/23 Cook Rd, Mitcham	Springfield	Change of use warehouse to industry	Industrial
792	29-11-16	Delegate Permit Issued	609-611 Station St, Box Hill	Elgar	Display of advertising signs.	Advertising Sign
799	03-11-16	Delegate Permit Issued	1 Barcelona St, Box Hill	Elgar	4 lot subdivision	Subdivision
824	30-11-16	Delegate Permit Issued	38 McComas Grv, Burwood	Riversdale	6 lot subdivision in 2 stages	Subdivision
827	24-11-16	Delegate Permit Issued	499 Whitehorse Rd, Mitcham	Springfield	Installation of an electric roller shutter to the front facade of an existing commercial premise.	Business
830	09-11-16	Delegate Permit Issued	2 Fortune St, Box Hill North	Elgar	4 lot subdivision	Subdivision
832	04-11-16	Delegate Permit Issued	19 Luckie St, Nunawading	Springfield	3 lot subdivision	Subdivision
839	30-11-16	Delegate Permit Issued	356 Whitehorse Rd, Nunawading	Springfield	Advertising board	Advertising Sign
842	10-11-16	Delegate Permit Issued	2/142 Heatherdale Rd, Mitcham	Springfield	Construction of a second storey addition to the existing dwelling	Special Building Overlay
847	24-11-16	Delegate Permit Issued	39/127 Highbury Rd, Burwood	Riversdale	Change use from warehouse to office	Industrial
848	16-11-16	Delegate Permit Issued	1/22 Bass St, Box Hill	Elgar	External alterations to the front façade	Single Dwelling < 300m2
852	08-11-16	Delegate Permit Issued	31 Ashley St, Box Hill North	Elgar	3 lot subdivision	Subdivision
856	23-11-16	Delegate Permit Issued	42 Gillard St, Burwood	Riversdale	3 lot subdivision	Subdivision
863	23-11-16	Delegate Permit Issued	36-38 Diosma Cres, Nunawading	Springfield	7 lot subdivision	Subdivision
879	28-11-16	Delegate Permit Issued	74 Mahoneys Rd, Forest Hill	Central	3 lot subdivision	Subdivision
885	30-11-16	Delegate Permit Issued	22 Balmoral Cres, Surrey Hills	Elgar	Construction of a pergola	Heritage
888	29-11-16	Delegate Permit Issued	91 Warrigal Rd, Surrey Hills	Riversdale	6 lot subdivision	Subdivision
890	28-11-16	Delegate Permit Issued	89 Nelson Rd, Box Hill North	Elgar	3 lot subdivision	Subdivision
899	16-11-16	Delegate Permit Issued	1/47 Dunlavin Rd, Mitcham	Springfield	Three (3) lot subdivision	Subdivision
900	30-11-16	Delegate Permit Issued	27 Greenwood St, Burwood	Riversdale	Four (4) lot subdivision	Subdivision

9.4.4
(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
915	30-11-16	Delegate Permit Issued	35 Koonung Rd, Blackburn North	Central	Three (3) lot subdivision	Subdivision
921	30-11-16	Delegate Permit Issued	35 Station St, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
922	30-11-16	Delegate Permit Issued	45 Gillard St, Burwood	Riversdale	Two (2) lot subdivision	Subdivision
942	29-11-16	Delegate Permit Issued	Shop 1/942-946 Whitehorse Rd, Box Hill	Elgar	Change shop front windows	Heritage
945	21-11-16	Delegate Permit Issued	2 Howard St, Mitcham	Springfield	Two (2) lot subdivision	Subdivision
947	30-11-16	Delegate Permit Issued	280 Middleborough Rd, Blackburn South	Central	Three (3) lot subdivision	Subdivision
950	08-11-16	Delegate Permit Issued	3-5 Starling St, Burwood	Riversdale	Use and development of a two storey child care centre and reduction of car parking requirements	Child Care Centre
960	04-11-16	Delegate Permit Issued	43 Salisbury Ave, Blackburn	Central	Building extension to existing dwelling	VicSmart - General Application
974	30-11-16	Delegate Permit Issued	5 Benares St, Mitcham	Springfield	Demolish an existing front fence and construct a new front fence in a Heritage Overlay	VicSmart - General Application
994	22-11-16	Delegate Permit Issued	470 Station St, Box Hill	Elgar	Build side fence 2.6m high to replace existing of same height in colourbond metal cladding	VicSmart - General Application
1007	24-11-16	Delegate Permit Issued	16 Rutland Rd, Box Hill	Elgar	Change room & disabled toilet to rear of existing administration and care facilities	VicSmart - General Application
1008	10-11-16	Delegate Permit Issued	654 Mitcham Rd, Vermont	Springfield	Installation of a freestanding canopy between two buildings to protect customers from adverse weather	VicSmart - General Application
1013	16-11-16	Delegate Permit Issued	19 Donald St, Blackburn South	Central	Two (2) lot subdivision	Subdivision
1022	08-11-16	Delegate Permit Issued	27 Newbigin St, Burwood	Riversdale	Construction of four (4) double storey dwellings	Multiple Dwellings
1032	21-11-16	Delegate Permit Issued	Shop 2/10 Main St, Blackburn	Central	Allied health clinic reduction in car parking	VicSmart - General Application
1033	21-11-16	Delegate Permit Issued	Shop 1/10 Main St, Blackburn	Central	Allied health clinic reduction in car parking	VicSmart - General Application
1034	22-11-16	Delegate Permit Issued	40 Lake Rd, Blackburn	Central	Removal of one protected tree in a Significant Landscape Overlay	VicSmart - General Application
Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or	Application Type

9.4.4
(cont)

					Development	
1037	23-11-16	Delegate Permit Issued	41 Fuller St, Mitcham	Springfield	To remove one tree	VicSmart - General Application
1048	30-11-16	Delegate Permit Issued	14 Morris Ave, Mont AlbertNorth	Elgar	Construction of a double storey dwelling	VicSmart - General Application
1062	29-11-16	Delegate Permit Issued	2 Endeavour St, Mitcham	Springfield	Two (2) lot subdivision	Subdivision
1071	29-11-16	Delegate Permit Issued	10A Rosslyn St, Blackburn South	Central	Removal of a protected tree	VicSmart - General Application
1143	24-11-16	Delegate Permit Issued	31 Denis St, Mitcham	Springfield	Proposed two - two storey dwellings	Multiple Dwellings
1144	07-11-16	Delegate Permit Issued	99 Shannon St, Box Hill North	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
154	29-11-16	Delegate Refusal - S72 Amendment	471 Middleborough Rd, Box Hill North	Elgar	Construction of three double storey dwellings and alteration of access to a road in a Road Zone, Category 1	Permit Amendment
772	24-11-16	No Permit Required	31-47 Joseph St, Blackburn North	Central	Use of the existing cafeteria as a food and drinks premises (cafe) and reduction in car parking	Permit Amendment
555	17-11-16	Withdrawn	22 Grange St, Mont Albert	Elgar	Construction of two new double storey dwellings	Multiple Dwellings
1054	24-11-16	Withdrawn	53A-53B Strabane Ave, Mont AlbertNorth	Elgar	Twenty-five (25) lot subdivision of existing apartments	Subdivision

9.4.4

(cont)

BUILDING DISPENSATIONS/APPLICATIONS NOVEMBER 2016

Address	Date	Ward	Result
15 Hillside Crescent, Blackburn	07-11-16	Central	Amendment Approved R409
14 Peter Avenue, Blackburn North	14-11-16	Central	Consent Granted R409, R415
16 Derby Street, BLACKBURN	23-11-16	Central	Consent Granted R417
61 Canora Street, BLACKBURN SOUTH	14-11-16	Central	Consent Granted R414
1/414 Elgar Road, BOX HILL	7-11-16	Elgar	Consent Granted R424
22 Kenmare Street, MONT ALBERT	22-11-16	Elgar	Consent Granted R424
25 Tyrrell Street, MONT ALBERT NORTH	29-11-16	Elgar	Consent Granted R424, R427
3 Patrick Street, BOX HILL NORTH	18-11-16	Elgar	Consent Granted R415
33 Heathfield Rise, BOX HILL NORTH	18-11-16	Elgar	Consent Granted R415, R420
4 Victoria Crescent, MONT ALBERT	08-11-16	Elgar	Consent Granted R415
470 Station Street, BOX HILL	24-11-16	Elgar	Consent Granted R426
545-563 Station Street, BOX HILL	09-11-16	Elgar	Consent Granted R604
6 St Johns Avenue, MONT ALBERT	21-11-16	Elgar	Consent Granted R414, R420
83 Tyne Street, BOX HILL NORTH	21-11-16	Elgar	Consent Granted R604
12 Milne Road, MONT ALBERT NORTH	14-11-16	Elgar	Consent Refused R424
33 Heathfield Rise, BOX HILL NORTH	18-11-16	Elgar	Consent Refused R412
2 Ferncroft Street, VERMONT	29-11-16	Morack	Amendment Approved R409
10 Rowan Street, VERMONT	14-11-16	Morack	Consent Granted R415
16 Sheraton Close, BURWOOD EAST	18-11-16	Morack	Consent Granted R409
19/125-129 Hawthorn Road, FOREST HILL	23-11-16	Morack	Consent Granted R415, R411
4/33 McClares Road, VERMONT	18-11-16	Morack	Consent Granted R411
6 Judy Court, VERMONT	22-11-16	Morack	Consent Granted R409
65 Boronia Road, VERMONT	18-11-16	Morack	Consent Granted R409
73 Vanbrook Street, FOREST HILL	02-11-16	Morack	Consent Granted R409
23A Terrara Road, VERMONT	25-11-16	Morack	Consent Refused R424
47 Husband Road, FOREST HILL	18-11-16	Morack	Consent Refused R424
5 Tanunda Street, VERMONT SOUTH	11-11-16	Morack	Consent Refused R409
57 Worthing Avenue, BURWOOD EAST	30-11-16	Morack	Consent Refused R424
6 Lucerne Street, VERMONT	22-11-16	Morack	Consent Refused R415
9 Fankhauser Drive, VERMONT SOUTH	18-11-16	Morack	Consent Refused R424
9 Leddy Street, FOREST HILL	23-11-16	Morack	Consent Refused R409
17 Hill Street, BOX HILL SOUTH	29-11-16	Riversdale	Amendment Approved R424
29 Crow Street, BURWOOD EAST	02-11-16	Riversdale	Amendment Approved R409
1147 Riversdale Road, BOX HILL SOUTH	30-11-16	Riversdale	Consent Granted R424
12 Penrose Street, BOX HILL SOUTH	18-11-16	Riversdale	Consent Granted R409
13/312-328 Blackburn Road, BURWOOD EAST	04-11-16	Riversdale	Consent Granted R411
16 Lindisfarne Drive, BURWOOD EAST	24-11-16	Riversdale	Consent Granted R409
327 Middleborough Road, BOX HILL SOUTH	30-11-16	Riversdale	Consent Granted R431

9.4.4

(cont)

Address	Date	Ward	Result
44 Samuel Road, BLACKBURN SOUTH	04-11-16	Riversdale	Consent Granted R409, R411, R414
45 Murray Drive, BURWOOD	15-11-16	Riversdale	Consent Granted R411, R417, R409
654 Canterbury Road, SURREY HILLS	11-11-16	Riversdale	Consent Granted R408, R414, R415
9 Monash Street, BOX HILL SOUTH	11-11-16	Riversdale	Consent Granted R417
1/15 Renown Street, BURWOOD	30-11-16	Riversdale	Consent Refused R424
44 Samuel Road, BLACKBURN SOUTH	04-11-16	Riversdale	Consent Refused R415, R412
13 Menin Road, NUNAWADING	18-11-16	Springfield	Consent Granted R411
142 Junction Road, NUNAWADING	21-11-16	Springfield	Consent Granted R424, R427
158 Springvale Road, NUNAWADING	30-11-16	Springfield	Consent Granted R604
2/15 Thomas Street, MITCHAM	28-11-16	Springfield	Consent Granted R414, R421, R411
2/15 Thomas Street, MITCHAM	28-11-16	Springfield	Consent Granted R414
2/15 Thomas Street, MITCHAM	28-11-16	Springfield	Consent Granted R414
20 Omega Court, MITCHAM	08-11-16	Springfield	Consent Granted R409
21 Owen Street, MITCHAM	22-11-16	Springfield	Consent Granted R411, R414, R409
22 Thomas Street, MITCHAM	22-11-16	Springfield	Consent Granted R414
25 Glen Road, MITCHAM	14-11-16	Springfield	Consent Granted R409
4 Browns Road, NUNAWADING	25-11-16	Springfield	Consent Granted R414
5 Andrew Street, FOREST HILL	18-11-16	Springfield	Consent Granted R409
545 Mitcham Road, VERMONT	18-11-16	Springfield	Consent Granted R411
589 Canterbury Road, VERMONT	08-11-16	Springfield	Consent Granted R411
12 Ferdinand Street, NUNAWADING	18-11-16	Springfield	Consent Refused R424
12 High Street, NUNAWADING	21-11-16	Springfield	Consent Refused R415
13 Menin Road, NUNAWADING	18-11-16	Springfield	Consent Refused R415, R414
21 Owen Street, MITCHAM	22-11-16	Springfield	Consent Refused R415
589 Canterbury Road, VERMONT	08-11-16	Springfield	Consent Refused R415
8 Nandina Street, FOREST HILL	18-11-16	Springfield	Consent Refused R415

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – NOVEMBER 2016

Under the Planning and Environment Act 1987

Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION NOVEMBER 2016

Contract	Service
15032	Provision of Pavement Crack Sealing Services
16009	Woodhouse Grove Shopping Centre Streetscape Improvements, Box Hill North
16010	Supply of Mercedes Sprinter Buses
16011	Supply of Walking Floor Trailer

9.4.4

(cont)

REGISTER OF PROPERTY DOCUMENTS EXECUTED NOVEMBER 2016

Property Address	Document Type	Document Detail
Leases		
Room 8, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 5-Oct-16)
Surrender of Lease		
835 Whitehorse Road, Box Hill - Box Hill RSL Sub-Branch Incorporated	Deed of Surrender	Landlord (surrender time 30-Sep-16)
Licences		
556-566 Canterbury Road, Vermont - Vermont Primary School Council	Licence	Licensor (expires 2-Oct-21)
Fire Services Property Levy (FSPL)		
121-123 Terrara Road, Vermont South		Changed from Commercial to Residential
22 Rutland Road Box Hill		Changed from Industrial to Vacant Land
Rateability Changes (Section 154 of the Local Government Act 1989)		
835 Whitehorse Road, Box Hill	Exempt-Public Purpose	Former Bowling Club now unoccupied Council land
18 Hone Avenue, Blackburn South	Exempt-Charitable	Owned by The Salvation Army and occupied as a Ministers residence.

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – NOVEMBER 2016

Instrument of Appointment of Authorised Officer under the Planning and Environment Act 1987 (Council Resolution 21-11-16)

PARKING RESTRICTIONS APPROVED BY DELEGATION NOVEMBER 2016

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

Address: **Mitcham Road, Vermont:** from 21m north of Orion Street to 26m north of Orion Street – east side
Previously: 1 'Unrestricted' parking space
Now: 1 'No Stopping' parking space

9.4.4

(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING NOVEMBER 2016

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
03/11/2016	\$5,321.82	9	EFC
03/11/2016	\$25,416.30	17	CHQ
03/11/2016	\$353,426.23	42	EFT
10/11/2016	\$53,208.42	2	EFT
10/11/2016	\$3,257.15	7	EFC
10/11/2016	\$93,156.84	36	CHQ
10/11/2016	\$2,074,535.73	286	EFT
17/11/2016	\$3,451.24	10	EFC
17/11/2016	\$41,149.20	31	CHQ
17/11/2016	\$370,293.98	48	EFT
24/11/2016	\$1,022.45	2	EFC
24/11/2016	\$95,463.03	32	CHQ
24/11/2016	\$1,200.00	2	CHQ
24/11/2016	\$3,489,025.88	397	EFT
26/11/2016	\$60.00	1	EFT
26/11/2016	\$30.00	1	EFC
26/11/2016	\$132.00	1	CHQ
Monthly Leases	\$73,000.00		DD
GROSS	\$6,683,150.27	924	
CANCELLED PAYMENTS	-\$8,741.68	-14	
NETT	\$6,674,408.59	910	

9.4.5 Adoption of Instrument of Appointment and Authorisation under the Planning and Environment Act 1987

SUMMARY

The purpose of this report is to recommend approval of an Instrument of Appointment and Authorisation under the Planning and Environment Act 1987, from the Council to a position in the organisation.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Carr

That Council approve the proposed appointment of authorised officer pursuant to the Planning and Environment Act 1987 as attached to this report.

CARRIED UNANIMOUSLY

BACKGROUND

The proposed Instrument of Appointment and Authorisation (pursuant to the *Planning and Environment Act 1987*) has been prepared following advice received from Council's solicitors Maddocks and is similar to that used by many Victorian municipalities.

The Instrument of Appointment and Authorisation allows Council officers to conduct their normal business in relation to enforcement of the *Planning and Environment Act 1987* and to act and commence proceedings in Council's name.

These appointments must be made by resolution of the Council; section 3(6) of the *Local Government Act 1989* defines 'resolution of the council' as including a power exercised under delegation (ie: by the Chief Executive Officer), however section 188 (2) (c) of the *Planning and Environment Act 1987* prohibits authorisations being made under delegation.

The Instrument of Appointment and Authorisation would come into force once the common seal is affixed to the Instrument.

CONSULTATION

Relevant staff including General Manager City Development and Manager Planning and Building were consulted during the preparation of the proposed Instrument of Appointment and Authorisation.

FINANCIAL IMPLICATIONS

There are no financial implications.

POLICY IMPLICATIONS

There are no policy implications.

Whitehorse City Council

Instrument of Appointment and Authorisation

under the Planning and Environment Act 1987

STAFF	
Surname	Given name
WALLIS	Henry

9.4.5

(cont)

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means:

- a) Henry Wallis

By this instrument of appointment and authorisation Whitehorse City Council:

- a) Under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer(s) to be an authorised officer(s) for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- b) Under section 232 of the *Local Government Act 1989* authorises the officer(s) generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- Comes into force immediately upon its execution; and
- Remains in force until varied or revoked.

This instrument is authorised by a resolution of the **Whitehorse City Council** on **30 January 2017**

THE COMMON SEAL OF THE)
WHITEHORSE CITY COUNCIL was hereunto)
affixed this)
30th day of January 2017 in the presence of:)

Councillor

Chief Executive Officer

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

10.1 Reports by Delegates

- 10.1.1 Cr Davenport reported on his attendance at Whitehorse Manningham Regional Library Corporation meeting held on 14 December 2016
- 10.1.2 Cr Ellis reported on her attendance at:
- Whitehorse Manningham Regional Library Corporation meeting held on 14 December 2016
 - Eastern Region Alliance for Green House Action (EAGA) held on the 15 December 2016

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Munroe

That the reports from delegates be received and noted.

CARRIED UNANIMOUSLY

10.2 Recommendations from the Special Committee of Council Meeting

No meeting held

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
12-12-16 6.30-7.00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> • Rescission Motion 97 / Notice of Motion 98 • 9.3.4 Councillor appointments to organisations and community bodies • 2.1 Community Consultation Update 	Cr Massoud (Mayor & Chair) Cr Bennett Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett Cr Tescher	N Duff J Green P Warner P Smith A De Fazio S Freud J Russell	Nil	Nil
23-01-17 6.30-8.15pm	Councillor Briefing Session <ul style="list-style-type: none"> • 3.1 Financial Report as at 30 November 2016 • Draft Council Agenda 30 January 2017 	Cr Massoud (Mayor & Chair) Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Tescher	N Duff J Green P Warner T Wilkinson A De Fazio (AGMCS) P Bennett K Marriott V McLean I Kostopoulos J Gorst		

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Ellis

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

CARRIED UNANIMOUSLY

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

Nil

Mayor Councillor Massoud acknowledged and congratulated staff and officers involved with the implementation and co-ordination of the Australia Day Citizenship Ceremony, Civic Awards Ceremony and Concert held on the 26 January 2017.

12 CLOSE MEETING

Meeting closed at 8.05pm

Confirmed this 20th day of February 2017

CHAIRPERSON