



City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 20 February 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 Bennett, Cr Carr, Cr Cutts, Cr Davenport,
Cr Ellis, Cr Liu, Cr Munroe, Cr Stennett, 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."

2 WELCOME AND APOLOGIES

The Mayor welcomed all

APOLOGIES: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

Cr Liu disclosed a conflicting personal interest in Item 9.1.1 Amendment C194 to the Whitehorse Planning Scheme - Combined Amendment and Planning Permit Application WH/2016/1196 for 517 & 519-521 Station Street and 2-8 Oxford Street, Box Hill, given that the applicant sponsors the Chinese New Year, organised by the Asian Business Association of Whitehorse of which she has recently been appointed an honorary title.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 30 January 2017.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Munroe.

That the minutes of the Ordinary Council Meeting 30 January 2017 having been circulated now be confirmed.

CARRIED

5 RESPONSES TO QUESTIONS

None Submitted.

6 NOTICES OF MOTION

6.1 Notice of Motion No 103 - Cr Tescher

COUNCIL RESOLUTION

Moved by Cr Tescher, Seconded by Cr Davenport.

That Council:

- 1. Undertakes a review of enforcement of Whitehorse City Council Community Local Law 2014 ("Law"), with particular attention to Part 4 of the Law;***
- 2. Recommend approaches to improve enforcement of the Law, including through the targeted use of compliance officers for proactive monitoring of the Law for areas which have a history of non-compliance;***
- 3. Suggest modifications to the Law or enforcement guidelines to encourage the community to comply with the Law, especially clauses 4.1.1, 4.7, 4.9, 4.10 and 4.26. Such suggestions to include evaluation of the effectiveness of the use of notices to comply, warnings, education pamphlets, working with CALD community groups and real estate agents, and compliance department resourcing; and***
- 4. Refer for 2017/2018 budget consideration any costs and effort associated with implementing recommended approaches and modifications.***

CARRIED

7 PETITIONS

Nil

8 URGENT BUSINESS

Nil

Attendance

Cr Liu having declared a Conflict of Interest in Item 9.1.1 left the chamber at 7.29pm prior to discussion taking place on the Item.

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Strategic Planning

9.1.1 Amendment C194 to the Whitehorse Planning Scheme - Combined Amendment and Planning Permit Application WH/2016/1196 for 517 & 519-521 Station Street and 2-8 Oxford Street, Box Hill.

ATTACHMENT

SUMMARY

A request was submitted on 21 December 2016 for Council to consider a combined planning scheme amendment and planning permit application under section 96A of the Planning and Environment Act 1987.

The proponent is requesting that Council consider an amendment to the Whitehorse Planning Scheme (the Scheme) to rezone land at 517 and 519-521 Station Street, Box Hill from the Public Use Zone – Schedule 6 (PUZ6) to the Mixed Use Zone (MUZ) and rezoning land at 2-8 Oxford Street, Box Hill from the Residential Growth Zone – Schedule 2 (RGZ2) to the MUZ. The amendment also proposes introducing an Incorporated Document into the Scheme applying to the land at 517 and 519-521 Station Street, Box Hill.

The proponent is requesting Council approve a planning permit application for buildings and works for the construction of a building of up to 18 storeys including rooftop plant plus up to 3 levels of basement car parking, comprising retail premises, office, restricted recreational facility (gymnasium), medical centre, accommodation, serviced apartments, child care facility, a reduction in the standard requirements for car parking facilities and alteration of access to a road in a Road Zone, Category 1.

This report recommends that Council seek authorisation from the Minister for Planning to prepare and exhibit the combined planning scheme amendment and planning permit application.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Davenport.

That Council:

- A** *Being the Planning Authority, having received a request to amend the Whitehorse Planning Scheme and an application for planning permit under section 96A of the Planning and Environment Act 1987, agrees to consider the application for planning permit concurrently with the preparation of the planning scheme amendment.*
- B** *Following receipt of a written agreement to pay all fees and costs, including any panel costs, associated with the proposal, seek ministerial authorisation to exhibit an amendment to rezone the land from the Public Use Zone – Schedule 6 to the Mixed Use Zone and introduce an Incorporated Document into the Whitehorse Planning Scheme, jointly with a draft planning permit WH/2016/1196.*
- C** *Prepare a draft permit for Planning Application WH/2016/1196 for buildings and works for the construction of buildings of up to 18 storeys including rooftop plant plus up to 3 levels of basement car parking, comprising retail premises, office, restricted recreational facility (gymnasium), medical centre, accommodation, serviced apartments, child care facility, a reduction in the standard requirements for car parking facilities and alteration of access to a road in a Road Zone, Category 1 and generally in accordance with the following conditions:*

9.1.1

(cont)

1. *Before the development starts, excluding demolition, bulk excavation and site preparation works, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans prepared by DKO Architects, Ref 11367, Dated 21 December 2016, submitted with the application but modified to show:*
 - a) *Provision of direct access, in the form of escalator and lift from Cambridge Street adjacent to the proposed pedestrian crossing, to the Lower Ground Level retail spaces.*
 - b) *The Finished Floor Level of the northeastern retail tenancy, as well as the tenancy to the west of the abovementioned tenancy, to be adjusted to provide DDA compliant access from Cambridge Street.*
 - c) *The Finished Floor Level of each retail tenancy, commercial and residential foyer areas of Building A ground level to be annotated.*
 - d) *Provision of waiting areas with seating and mail facilities within the ground level lobby of Buildings A and B.*
 - e) *Ground level lobby area of Building C to be redesigned for the provision of reception, luggage storage, laundry and waste management and toilet facilities.*
 - f) *Ground level residential and commercial lobby areas of Buildings A and B to be redesigned for the provision of mailroom and seating waiting areas.*
 - g) *The boundary fence or retaining wall along the southern boundary abutting 2-6 Oxford Street must not exceed 1 metre in height.*
 - h) *The built form must not protrude outside the title boundary onto the Station Street and Cambridge Road road reserves. This does not apply to canopy overhanging the footpath.*
 - i) *All residential balconies must have a minimum area of 8 square metres uninterrupted by any plant or equipment, such as air-conditioner external units.*
 - j) *Provision of play equipment or playable elements for children, such as sculpture or seating elements in communal areas.*
 - k) *Provision of overlooking screens up to 1.7 metres in height above the relevant finished floor level to the western elevation of the serviced apartments.*
 - l) *Provision of overlooking screens up to 1.7 metres in height above the relevant finished floor level to the three northernmost east facing serviced apartments on each level of Building C to avoid internal overlooking into Building B.*
 - m) *The requirements of the approved Parking Management Plan and Green Travel Plan, where relevant.*
 - n) *All car parking spaces with sideage to a wall must have a minimum width of 2.7 metres.*
 - o) *All columns in car parking areas must be setback at least 750mm from the edge of aisle to allow vehicle door opening.*
 - p) *Provision of a minimum of the (10) motorcycle parking spaces within the basement.*

9.1.1

(cont)

- q) A minimum 4.5 metre height clearance is to be provided at the entrance to the loading and unloading area at the street level and the building canopy abutting the entrance.*
- r) A minimum of 23 car parking spaces reserved for the child care centre during drop off and pick up hours in Basement Level 1 to be line-marked and signed appropriately with a parking time limit no less than 15 minutes.*
- s) A minimum of 14 car parking spaces reserved for practitioners and patients of the medical centre during its operating hours in Basement Level 1 to be line-marked and signed appropriately.*
- t) All other car parking spaces in Basement Level 1 to be line-marked and signed appropriately to reflect the relevant commercial uses.*
- u) The provision of 82 car parking space on Basement Level 2 to be made available for non-residential uses.*
- v) Residential visitor car parking spaces to be line-marked and signed appropriately.*
- w) The car park entry and exit ramp off Cambridge Street must be increased to 6.1 metres in width.*
- x) The accessway to the loading and unloading area must be at least 3.5 metres wide.*
- y) Provision of pedestrian sightline triangles to vehicle accesses along Cambridge Street in accordance with Clause 52.06 (Car Parking).*
- z) The 50 bicycle racks along Station Street frontage to be relocated away from the façade of buildings, to enhance pedestrian safety and remove potential tripping hazards especially to those who are visually impaired. The provision of bicycle parking must be located with the subject site.*
- aa) Details of shading devices for the childcare outdoor play area.*
- bb) Provision of access to toilet facilities for staff and visitors of all commercial tenancies, including the retail, indoor recreation facility, medical centre, office and child care centre.*
- cc) Provision of way finding signs throughout the pedestrian link, public realm and associated public open space.*
- dd) Provision of a metal capping or a different treatment along the Station Street and Cambridge Street frontage to delineate the title boundary. While the rest of the public open space should be designed to match Council's Box Hill Urban Design guidelines.*
- ee) The location of grease pits and exhaust flues serving all of the retail tenancies, to future proof the use as food and drink premises. Details are to include the connection points for the grease removal truck, from a loading area that will not block vehicular access to and from the site.*
- ff) All wind mitigation measures as recommended by the Wind Report in accordance with Condition 19.*
- gg) All of the relevant requirements of the Lighting Strategy in accordance with Condition 29.*

9.1.1
(cont)

- hh) All external cladding materials, colours and finishes, including fine grain details of façade treatments such as door and window openings at all levels. Consideration must be given to energy efficiency properties, durability and maintenance requirements of selected materials, colours and finishes.*
- ii) Specification of glazing materials to be used on all external walls, including details demonstrating that they will not reflect unreasonable glare when viewed from any nearby road network, to the satisfaction of the Responsible Authority.*
- jj) All sustainability features indicated in the updated Sustainability Management Plan required by Condition 26. Where features cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.)*
- kk) The following reports to be amended as required will form part of the endorsed documentation:*
 - i. Landscape Plan in accordance with Condition 11.*
 - ii. Landscaping Maintenance Plan in accordance with Condition 12.*
 - iii. Amended Wind Report in accordance with Condition 19.*
 - iv. Amended Sustainability Management Plan in accordance with Condition 26.*
 - v. Lighting Strategy in accordance with Condition 29.*
 - vi. Art Strategy in accordance with Condition 30.*
 - vii. Green Travel Plan in accordance with Condition 32.*
 - viii. Disability Access Report in accordance with Condition 33.*
 - ix. An amended Waste Management Plan in accordance with Condition 34.*
 - x. Parking Management Plan in accordance with Condition 39.*
 - xi. Detailed Engineering Design Drawings for treatment of land within surrounding road reserve in accordance with Condition 40.*
 - xii. Acoustic Treatment Report in accordance with Condition 50.*

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 plans and must not be altered or modified without the further written consent of the Responsible Authority.*
- 3. The uses as approved, must not commence until all of the buildings and works, landscaping hereby approved are completed to the satisfaction of the Responsible Authority.*
- 4. Notwithstanding signage that can be displayed as of right or as approved by a planning permit, any transparent glazing at facades of the lower ground and ground levels must be retained without visual obstruction, to the satisfaction of the Responsible Authority.*
- 5. The communal areas, including the gardens at Level 1 of Building B and the rooftop area, must be available for use by all residents of the particular building.*

9.1.1

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6. *The pedestrian link connecting Station Street and Cambridge Street must remain accessible to the public between 6am and 12 midnight daily.*
7. *This Planning Permit does not and should not be taken as authorising the occupation of or carrying out of works upon or over land or airspace not under the ownership or control of the permit holder. The permit holder must satisfy itself that it holds the permissions or interests necessary to carry out the use and/or development.*

Child Care Centre

8. *Unless with the prior written consent of the Responsible Authority, the child care centre must not have the provision for more than 107 children on the premises at any one time.*
9. *The outdoor play area must only be utilised between the hours of 7am to 7pm, unless with the prior written consent of the Responsible Authority.*
10. *The layout and design must be in compliance with the National Education and Care Act 2010 and Regulations 2011 and licenced accordingly with the appropriate authority.*

Landscaping

11. *No building or works are to be commenced until an amended Landscape Plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed will form part of this permit. This plan must show:*
 - a) *Details of all street frontage features and footpath areas from the building façade to the kerbs of Station Street and Cambridge Street. The design and materials must be consistent with the Box Hill Urban Landscape Design Guidelines Urban Core Treatment.*
 - b) *Details of all proposed landscaping within the communal area, road reserves, pedestrian link and public open spaces.*
 - c) *Nomination of all proposed services, e.g. street lights and all existing infrastructure services, street furniture, bins, etc.*
 - d) *Details of all containerised planting infrastructure.*
 - e) *Play equipment or playable elements such as sculptures for children residing in or visiting the building.*
 - f) *Cross-section of the planting area in the central courtyard on Lower Ground Level through to the Ground Level.*
 - g) *A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes: botanical names, common names, pot size, mature size and total quantities of each plant.*

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

Once approved this plan will become part of the endorsed plans of this permit.

12. *Prior to the occupation of the development, a Landscaping Maintenance Plan, prepared by a suitably qualified consultant, must be submitted to and approved by the Responsible Authority. The landscaping maintenance plan must include, but is not limited to:*
 - a) *Details in relation to the transportation of substrates and proposed species for all proposed garden or landscaping areas.*

9.1.1

(cont)

b) Details of the ongoing maintenance procedures to ensure that the vegetation planted in garden and landscaping areas remain healthy and well maintained to the satisfaction of the Responsible Authority. This must include:

- i. Irrigation frequency and delivery method.*
- ii. Drainage.*
- iii. Pruning and mulching.*

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

Once approved this plan will become part of the endorsed plans of this permit.

- 13. The garden and recreation areas shown on the endorsed plan and schedule must only be used as gardens and recreational areas and must be maintained in a proper, healthy and orderly condition at all times to the satisfaction of the Responsible Authority. Should any tree or plant be removed or destroyed it must be replaced by a similar tree or plant of similar size and variety. Landscaping in accordance with the approved plan and schedule shall be completed before the building is occupied.*
- 14. Prior to the occupation of the approved building, the road reserve between the subject site and the kerb along the Station Street and Cambridge Street frontages must be constructed and laid out in accordance with the endorsed plans to the satisfaction of the Responsible Authority. The design and materials must be consistent with the Box Hill Urban Landscape Design Guidelines Urban Core Treatment, to the satisfaction of the Responsible Authority.*
- 15. No street tree may be removed without the prior written consent of the Responsible Authority.*

Section 173 Agreement

- 16. Prior to the commencement of works on site, a legal agreement under Section 173 of the Planning and Environment Act 1987 must be entered into with the Council to ensure the use of the land for the purpose of serviced apartments is maintained.*
- 17. Prior to the commencement of works on the site, a legal agreement under Section 173 of the Planning and Environment Act 1987 must be entered into with the Council in respect of any structure built over the Cambridge Street road reserve. The permit holder must also seek authorisation from the Roads Corporation for construction of any canopy or structure over Station Street road reserve.*

Landscape and Public Realm Plan

- 18. Within 6 months of commencement of works on the site, excluding demolition, bulk excavation and site preparation works a Landscape and Public Realm Plan prepared by a suitably qualified and experienced person or firm to be submitted to and endorsed by the Responsible Authority. This plan should be generally in accordance with or complementary to the Box Hill Urban and Landscape Guidelines and shall show:*
 - a) A survey of all existing vegetation, abutting street trees, natural features and vegetation.*
 - b) The proposed design features such as paths, paving, lawn, mulch, garden beds and lighting.*
 - c) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.*

9.1.1

(cont)

- d) Location of any wayfinding signage, information or other wayfinding measures.*
- e) Detail of public realm upgrades including lighting.*
- f) Indicative detail of public art, including budget and timing of delivery.*

Landscaping and public realm works in accordance with this approved plan and schedule shall be completed prior to the occupation of the all tenancies and dwellings of this development. Once approved these plans become the endorsed plans of this permit.

Amended Wind Report

- 19. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, an amended Wind Report, carried out by a suitably qualified consultant, must be submitted to the Responsible Authority. The amended report must include wind amelioration measures that achieve the specified comfort level in the following areas in association with the proposed uses, unless otherwise agreed with the Responsible Authority:*

- a) Short term stationary criterion at the seating area to the west of the central courtyard of the pedestrian link.*
- b) Short term stationary criterion at the seating area of the public open space and communal area on Level 1 of Building B.*
- c) Short term stationary criterion at the seating areas of rooftop communal areas and walking criterion in other rooftop areas.*

The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees.

Glazing

- 20. Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.*

Services

- 21. All building plant and equipment on the roofs, balcony areas, common areas and public thoroughfares are to be concealed to the satisfaction of the Responsible Authority. 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.*

Street Trees

- 22. No street tree may be removed without the prior written consent of the Responsible Authority.*

Mechanical Exhaust Systems

- 23. 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.*

9.1.1

(cont)

Loading/unloading

24. *The loading and unloading of goods from vehicles shall only be carried out within the boundaries of the site or a dedicated loading bay and shall not unreasonably impede access along the laneway to the west of the site.*
25. *The deliveries to the commercial tenancies must occur between the following hours:*
 - a) *7am to 7pm Monday to Saturday.*
 - b) *9am to 7pm Sundays and Public Holidays*

Sustainability Management Plan

26. *Prior to the commencement of development on the site, excluding demolition, bulk excavation and site preparation works, an amended Sustainability Management Plan (SMP) must be prepared by a suitably qualified environmental engineer or equivalent, elaborating on the design initiatives and construction methods. This may include use of high performance glazing, low water use bathroom and kitchen fittings, energy efficient appliances, light fittings, gas boosted solar hot water and stormwater storage for garden irrigation. The report must also be amended to include the following:*
 - a) *Clarification on the type of glazing used in the BESS daylight calculations.*
 - b) *The Lower Ground Level in the BESS daylight calculations.*
 - c) *The internal partition wall impact on commercial tenancies in the BESS daylight calculations.*

The outcomes of the above SMP must be illustrated on the plans and elevations submitted for endorsement, and the requirements of this plan must be implemented by the owners and occupiers of the site when constructing and fitting out the residential building, and for the duration of the building's use in accordance with this permit.

Once submitted and approved to the satisfaction of the Responsible Authority, the SMP will form part of the endorsed plans of this permit.

27. *Prior to the occupation of the building approved under this permit, a report from the author of the SMP, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved plan.*
28. *All works must be undertaken in accordance with the endorsed SMP to the satisfaction of the Responsible Authority. No alterations to the SMP may occur without the written consent of the Responsible Authority.*

Lighting Strategy

29. *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 Station Street, Cambridge Street and throughout the pedestrian link, public realm and public open spaces, 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.*

9.1.1 (cont)

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.

Art Strategy

30. Prior to the occupation of all the tenancies and dwellings of this development, an Art Strategy must be prepared to the satisfaction of the Responsible Authority. The Art Strategy must provide details of a process to allow review of the conceptual design of artwork by Council representatives, prior to the installation of the artwork, in order to ensure that the artwork achieves the following objectives:

- a) To activate the façades of the building and facilitate pedestrian activity at the interfaces;**
- b) To be constructed in a safe and structurally sound manner and of durable and appropriate materials; and**
- c) To display appropriate content.**
- d) To be of high quality and demonstrate artistic excellence.**

The permit holder must convene a Review Committee comprising (but not limited to) an Arts Officer and a Planning Officer from Whitehorse City Council, a building surveyor/structural engineer, and representatives of the land owner, artist and architect. The Review Committee must review the artwork at concept stage to ensure it will comply with the objectives listed above. The final artwork must be consistent with the Review Committee's recommendations, and must also achieve structural certification by a suitably qualified structural engineer, as appropriate.

The artwork must be installed and maintained in accordance with the outcomes of the Artwork Strategy, to the satisfaction of the Responsible Authority.

Signage Strategy

31. Prior to occupation of the development a Signage Strategy shall be submitted to and approved by the Responsible Authority. The strategy shall include details on signage 'zones' and typology on the building facades including maximum dimensions for future signage planning applications. Details are to include wayfinding and business identification signage.

Green Travel Plan

32. Prior to occupation of the development, an amended Green Travel Plan must be prepared to the satisfaction of the Responsible Authority. The amended Green Travel Plan is to be updated and include details of the proposed design initiatives and sustainable management practices to reduce car usage and improve sustainable transport options (including walking, cycling, public transport and car pooling) available to residents and visitors. The Green Travel Plan must include, but not be limited to the following:

- a) End of trip facilities such as showers, change rooms, secure storage and bicycle storage.**
- b) Education and awareness initiatives and incentives for residents and visitors to encourage more sustainable modes of travel to/from the site.**

9.1.1

(cont)

- c) Management practices identifying sustainable transport alternatives.*
- d) The provision of a car share facility, if so, details of the car share facility including management and operational arrangements.*
- e) Consider the provision of electric vehicle charging facilities.*
- f) Lobby areas of building to include real time information of train, tram and bus services.*
- g) Details of bicycle spaces for visitors and residents.*
- h) Allocation of parking for food and drink premises and restaurant tenancies to be provided within the on-site car park.*
- i) Employee and resident packs (e.g. myki cards for new residents/workers);*
- j) Any other relevant matters.*

When approved to the satisfaction of the Responsible Authority, the plan will be part of the documents endorsed as part of this planning permit. The Green Travel Plan must be implemented to the satisfaction of the Responsible Authority.

Disability Access

- 33. Prior to the commencement of development, excluding demolition, bulk excavation and site preparation works, a detailed report on the compliance with disability access shall be undertaken to the satisfaction of the Responsible Authority.*

Waste Management Plan

- 34. The approved Waste Management Plan applying to all uses within the site must be implemented by the owners/occupiers of the site to the satisfaction of the Responsible Authority unless with the further written consent of the Responsible Authority.*

Construction Management Plan

- 35. Prior to the commencement of development, a Construction Management Plan must be prepared and submitted to Council for approval. This plan is to be to the satisfaction of the Responsible Authority and shall include but not limited to the following:*
 - a) Site contamination and disposal of contaminated matter.*
 - b) Containment of dust, dirt and mud within the site and the method and frequency of clean up procedures in the event of build up of matter outside of the site.*
 - c) On-site facilities for vehicle washing.*
 - d) Parking facilities for construction workers.*
 - e) Delivery and unloading points and expected frequency.*
 - f) A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced.*
 - g) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.*
 - h) A waste minimisation and recycling strategy.*

9.1.1

(cont)

- i) Truck access routes.*
- j) A traffic Management Plan shall be developed for the site and the surrounding road network to address the following:*
 - Offsite car parking.*
 - Vehicle movements, queuing, appropriate informational and directional signs.*
 - Management of the basement car park.*
 - Pedestrian Management.*
 - Road and footpath closure details.*

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

When approved the 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 Traffic Management Plan.

Car Parking

- 36. The car parking areas and accessways as shown on the endorsed plans shall be formed to such levels so that they may be used in accordance with the plan, and shall be properly constructed, surfaced, drained and line-marked (where applicable) to the satisfaction of the Responsible Authority*
- 37. The car park and driveways shall be maintained to the satisfaction of the Responsible Authority.*
- 38. The nature strip must be reinstated where any existing vehicle crossover is redundant, to the satisfaction of the Responsible Authority.*
- 39. Prior to the commencement of buildings or works on the land, a Parking Management Plan, detailing how car and bicycle parking areas, accessways and loading bays will be allocated and managed, must be submitted to and approved by Council.*

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 spaces generally in accordance with the Traffic Impact Assessment prepared by GTA dated 19 December 2016 (total of 651 spaces).*
- b) Details of ticketing system to be used and incentives to encourage customers visiting the commercial component of the development to utilise the onsite car park, including, but not limited to, free parking for patients of the medical centre, staff of the retail tenancies and medical centre.*
- c) Details on how visitors of the residential component access the residential car park without resulting in queueing.*
- d) Details of car share, accessible (disabled) or motorcycle parking spaces to be nominated within the basement car parking areas.*
- e) Allocation of staff parking and a short term visitor and child care centre drop off or pick up and taxi zone within the basement car park, and details as to how this space will be managed to allow access (including outside standard business hours) and advise residents and customers as to its location.*

9.1.1

(cont)

- f) Details of the management of the use of the car park for staff and users of the child care centre during special events.*
- g) Details of how the management plan will be distributed to staff and parents visiting the child care centre to ensure all are aware of the document and parking arrangements.*
- h) Amendment to the swept path diagrams of vehicles accessing the loading area, to ensure no on-street parking spaces will be required to be deleted except for the construction of vehicle crossovers.*
- i) 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, directions signs and/or physical barriers.*
- j) Allocation of bicycle spaces to tenancies and visitors.*
- k) Bicycle parking facilities are to be provided in accordance with the Australian Standard.*
- l) Locations and details of bicycle parking signs in accordance with Clause 52.34-5.*
- m) Signage for car and bicycle parking spaces.*
- n) Line marking of car parking spaces.*
- o) Details of how access to car spaces, disabled car spaces and bicycle spaces will be achieved by visitors (i.e. an intercom) and how parking will be secured.*
- p) Details of the car share scheme.*
- q) Details of how access to the loading bay and waste collection area will be achieved by delivery vehicles and waste collection vehicles (i.e. an intercom) and how these areas will be secured.*
- r) How the car park will be managed to ensure that all vehicles exit the site in a forwards direction.*
- s) Details of signage or alternate measures to ensure that delivery and waste vehicles reverse into the loading area and exit the site in a forwards direction.*
- t) Centre lines to be provided along curved sections of the access ramp to guide motorists and keep vehicles to the left of the ramp.*
- u) Accessibility and parking for the grease removal truck, from a parking space that will not block vehicular access to or from the site.*

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

Public Realm

- 40. Prior to any works, design plans and specifications of the civil works within the site associated with the development are to be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register), and submitted to the Responsible Authority. Certification by the consulting engineer that the civil works have been completed in accordance with the design plans and specifications must be provided to the Responsible Authority.**

9.1.1

(cont)

- 41. Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.**
- 42. Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.**
- 43. The Applicant/Owner must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**
- 44. No building or works shall be constructed over any easement without the written consent of the relevant Authorities.**
- 45. Prior to the commencement of any works the owner of the land shall enter into an agreement with the City of Whitehorse which will indemnify Council against any loss or damage it may incur as a result of any proposed buildings and works constructed on or over Council owned land.**

Amenity

- 46. The amenity of the area shall not be detrimentally affected by the commercial uses or development allowed by this Permit, through:**
 - a) Transportation of materials, goods or commodities to or from the land,**
 - b) Appearance of any building, works or materials,**
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,**
 - d) Presence of vermin, or**
 - e) In any other way,****to the satisfaction of the Responsible Authority.**
- 47. The commercial use and development of the site shall be so ordered and maintained so it will not prejudicially affect the amenity of the locality by reason of appearance to the satisfaction of the Responsible Authority.**
- 48. All external lights associated with the commercial use and development of the site allowed by this Permit must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site to the satisfaction of the Responsible Authority.**
- 49. The commercial premises allowed by this Permit shall be provided with a filter system to eliminate cooking odours, fumes and smoke to the satisfaction of the Responsible Authority.**

Acoustic Treatment

- 50. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works a report generally in accordance with that prepared by Acoustic Logic must be submitted to and be to the satisfaction of the Responsible Authority documenting acoustic mitigation measures to be implemented in the building to achieve compliance with the Australian Standards.**

9.1.1

(cont)

51. *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 is designed and constructed in accordance with the Acoustic Treatment Plan to ensure that noise measured in the proposed dwellings and existing residential dwellings surrounding the subject site does not exceed the levels set out under the Australian Standard.*

Melbourne Water

52. *No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.*

Drainage and assets

53. *Council's existing stormwater pipe and pits within the road reserves must be protected at all times. Any proposal to alter the Council drainage assets in any way must be submitted to Council for approval and if approved by Council be undertaken at the expense of the applicant.*
54. *All stormwater drains must be connected to a point of discharge to the satisfaction of the Responsible Authority.*
55. *Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the building.*
56. *Detailed civil plans and computations for stormwater drain must be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register) and submitted for approval for the Responsible Authority prior to the commencement of any works. Dual Certification by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register) for design of the on-site detention must be provided to Council prior to the approval of the civil plan.*
57. *As constructed civil drawings that are computer draft are to be provided to Council after the completion of civil works prior to the occupation of the building.*
58. *Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.*
59. *The Applicant/Owner must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.*

Environmental Assessment

60. *Prior to the commencement of any buildings and works on the subject site, the following documentation must be submitted to and endorsed by the Responsible Authority:*
- a) *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*

9.1.1

(cont)

- b) An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of that land are suitable for the sensitive uses.*

Expiry

61. 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 seven (7) years from the date of this permit.*

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

PERMIT NOTES

Engineering and Assets

- A. Soil erosion control measures must be adopted at all times to the satisfaction of the Relevant Authority during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with the EPA (Environment Protection Authority) Victoria "Environmental Guidelines for Major Construction Sites". The works during and after construction must comply with the above guidelines and in potentially high erosion areas a detailed plan may be required to indicate proposed measures and methodology.*
- B. The property owner/builder is to obtain the relevant permits and consents from Council in relation to asset protection, drainage works in easements and works in the road reserve prior to the commencement of any works.*
- C. No alteration to existing interface levels will be permitted other than to maintain or introduce adequate and consistent road reserve crossfall and longitudinal fall all to the satisfaction of the Responsible Authority. The developer is requested to provide existing levels on the surrounding road reserve and footpath areas to show how exiting and entering the development will be undertaken with the proposed floor levels shown on the plans.*
- D. Any alteration to existing interface levels in the road reserve along Station Street will require the prior approval of VicRoads, and is not supported by Council.*
- E. Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be financed by the developer.*
- F. Access to the development must be resolved within the development site. No provision for access and/or Disability Discrimination Act (DDA) compliance will be permitted external to the site being within any adjacent road reserve, right-of-way, reservation or other land owned or managed by Council as may be applicable.*
- G. Access doors to the development must not open out onto the road reserves and result in an obstruction.*

9.1.1

(cont)

- H. All stormwater drainage within the development site and associated with the buildings (except for connection to the nominated point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of any of the buildings, in accordance with the provisions of the Building Regulations (2006) section 610.*
- I. The surface treatment and design of all crossovers and driveways shall be of materials submitted to and approved by the Responsible Authority and must be constructed in accordance with the submitted details.*

Street Trees

- J. Please contact Parkside Department on 9262 6289 if the removal of the trees is required or if any works related to this development is going to impact on trees. A security deposit for tree protection may be requested.*

Property

- K. This is a town planning permit only. It does not and should not be taken as authorising the occupation of or carrying out of works upon or over land or airspace not under the ownership or control of the permit holder. The permit holder must satisfy that it holds the permissions or interests necessary to carry out the use and/or development. In respect to any intrusions into the adjacent Road Reserve, the owner of the property may be required to enter into a Section 173 Agreement with Council, acting as the Road Authority for Cambridge Street. In respect to any intrusions into the Station Street Reserve, permission must be obtained from the Roads Corporation.*

Residential Parking Permit

- L. Residents of this development and their visitors will not be eligible for Residential Parking Permits.*

CARRIED

A Division was called.

Division

For	Against
Cr Bennett	Cr Tescher
Cr Carr	
Cr Cutts	
Cr Davenport	
Cr Ellis	
Cr Massoud	
Cr Munroe	
Cr Stennett	

On the results of the Division the motion was declared CARRIED

9.1.1

(cont)

BACKGROUND

On behalf of Golden Age Development Pty Ltd, Urbis (the proponent) has submitted a combined planning scheme amendment and planning permit application under section 96A of the *Planning and Environment Act 1987* (the Act).

The proponent is requesting that Council consider an amendment to the Whitehorse Planning Scheme (the Scheme) to rezone land at 517 and 519-521 Station Street, Box Hill from the Public Use Zone – Schedule 6 (PUZ6) to the Mixed Use Zone (MUZ) and rezoning land at 2-8 Oxford Street, Box Hill from the Residential Growth Zone – Schedule 2 (RGZ2) to the MUZ. The amendment also proposes introducing an Incorporated Document into the Scheme applying to the land at 517 and 519-521 Station Street, Box Hill.

The proponent is requesting Council consider a planning permit application for buildings and works for the construction of a building of up to 18 storeys including rooftop plant plus up to 3 levels of basement car parking, comprising retail premises, office, restricted recreational facility (gymnasium), medical centre, accommodation, serviced apartments, child care facility, a reduction in the standard requirements for car parking facilities and alteration of access to a road in a Road Zone, Category 1.

History

The *Box Hill Activity Centre Transit City Structure Plan* (Structure Plan), adopted by Council in June 2007, sets out preferred land uses for activity precincts which are considered to meet the vision for the Box Hill Metropolitan Activity Centre (MAC) under *Plan Melbourne*.

The sites included in the combined amendment and planning permit request are included in the Southern and Eastern Activity Precinct in the Structure Plan, which envisages a mix of office and retail uses responding to prominent Whitehorse Road and Station Street frontages and mixed use (residential) as a transition to purely residential precincts.

The activities envisaged in the Precinct include offices, restricted retail, higher density residential especially at upper levels and gyms, fitness centres, swimming pools and other private communal or commercial recreation facilities that complement those available in public spaces.

Additionally, for the past two decades, and as far back as the 1954 Melbourne Metropolitan Planning Scheme Report, Box Hill has been designated as a place of metropolitan significance in state and local planning policy and known as a District Business Centre, Principal Activity Centre, Transit City, Central Activity District, Central Activities Area and MAC. The current metropolitan planning document *Plan Melbourne* identifies Box Hill as one of nine MACs across the Melbourne metropolitan region and it is therefore amongst Melbourne's highest order activity centres with a wide variety of functions and land uses, including commercial, retail, housing, education and government.

Sites and surrounds

The sites included in the combined amendment and planning permit request are:

- 2-8 Oxford Street, Box Hill
- 517 Station Street, Box Hill
- 519-521 Station Street, Box Hill

The land at 2-8 Oxford Street, Box Hill is currently occupied by the Uniting Church of Australia. The existing church building was formerly the Wesley Methodist Church. The land is L-shaped and 3254m² in size.

The land at 517 Station Street, Box Hill is currently occupied by the Central Box Hill Children's Services Centre, which is a Council-owned childcare facility. It is rectangular in shape and 982m² in size.

9.1.1

(cont)

The land at 519-521 Station Street, Box Hill is currently used as a Council-owned public car parking facility. It is rectangular in shape and 6362m² in size.

The land to the west at 19 Cambridge Street, Box Hill is currently occupied by a three storey apartment development.

Station Street is a main north-south thoroughfare running through Box Hill and connecting to neighbouring suburbs in the south at Box Hill South and Burwood and to the north at Box Hill North. Cambridge Street connects with Station Street and is currently restricted to one-way west-bound traffic only.

Current Planning Controls

The land at 517 and 519-521 Station Street, Box Hill is currently zoned Public Use Zone – Schedule 6 (PUZ6) and is included in the Parking Overlay – Precinct 1.

The land at 2-8 Oxford Street, Box Hill is currently zoned Residential Growth Zone – Schedule 2 (RGZ2) and is included in the Parking Overlay – Precinct 1. The Former Wesley Methodist Church fronting Station Street is included in the Schedule to the Heritage Overlay (HO77). The land is included in the Box Hill MAC. This land was previously zoned Residential 1 prior to the State Government zone reforms implemented via State-wide Amendment VC116 on 1 July 2014 and the subsequent Whitehorse Amendment C160 on 14 October 2014. The Willis Pipe Organ in the Church is included on the Victorian Heritage Register (Heritage Register number H2156).

The sites are not included in a Neighbourhood Character Precinct as they are included in the Structure Plan. However, the residential area to the south is included in a Substantial Change Area and Neighbourhood Character Precinct Garden Suburban Precinct 11. The preferred character of this precinct is a variety of well-articulated dwelling styles set within compact garden settings. Infill development will be common in this precinct.



Figure 1 – Aerial view of the subject sites

9.1.1 (cont)

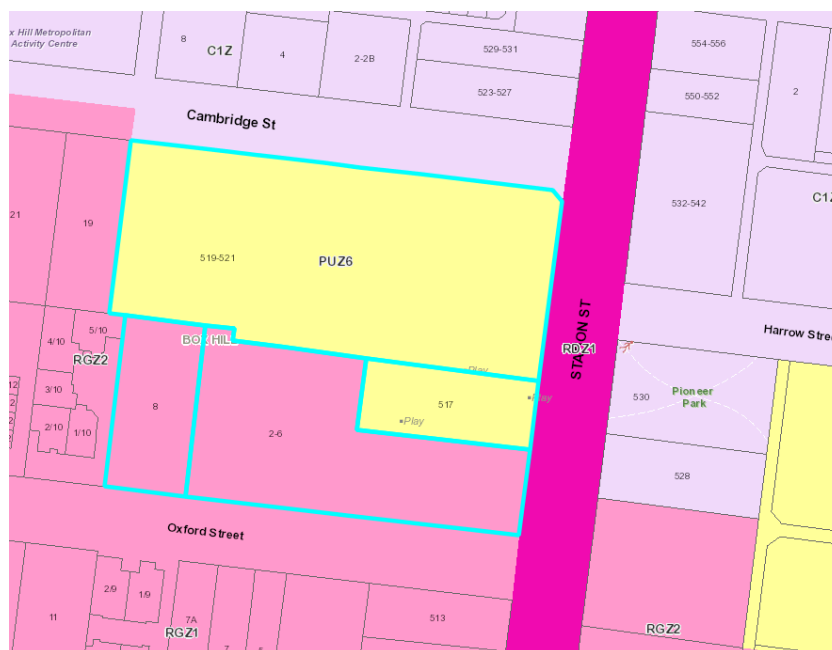


Figure 2 – Current zone of the subject sites

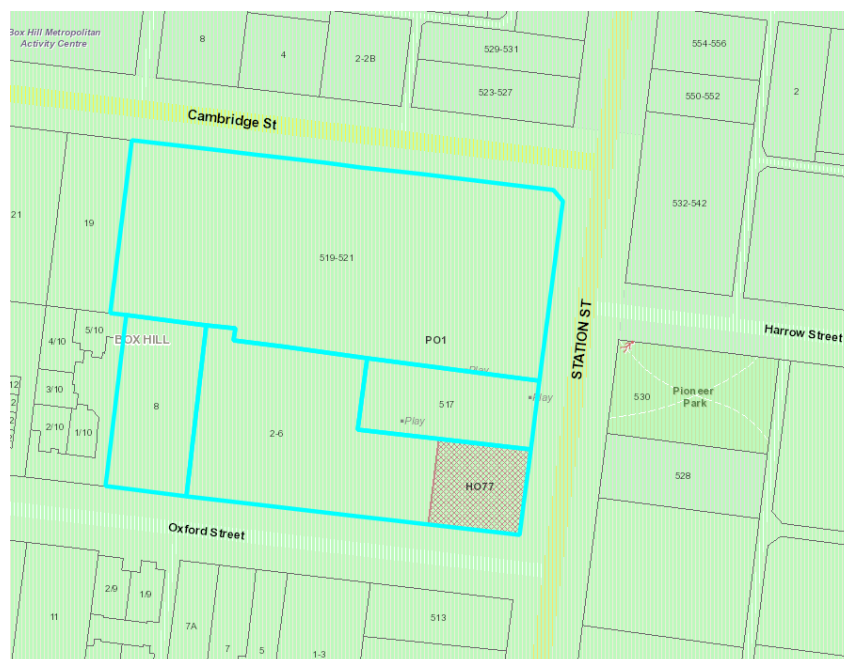


Figure 3 – Current overlay on the subject sites

PROPOSAL

The application seeks approval to exhibit a combined planning scheme amendment and planning permit process under section 96A of the Act. Section 96A of the Act provides for a planning authority to consider an application for a planning permit concurrently with an amendment to a planning scheme. Notice must be given of the preparation of the amendment, the permit application and the proposed permit. The Minister for Planning may grant a planning permit at the same time as the amendment is approved.

9.1.1

(cont)

Planning Scheme Amendment

The amendment request seeks:

- The rezoning of the land at 517 and 519-521 Station Street, Box Hill from the Public Use Zone – Schedule 6 (PUZ6) to the Mixed Use Zone (MUZ);
- The rezoning of the land at 2-8 Oxford Street, Box Hill from the Residential Growth Zone – Schedule 2 (RGZ2) to the Mixed Use Zone (MUZ);
- The introduction of an Incorporated Document titled “517 and 519-521 Station Street, Box Hill, December 2016” in Clause 52.03 Specific Sites and Exclusions (Refer Attachment 1);
- To insert the Incorporated Document mentioned above into the Schedule to Clause 81.01.

The request has been made on the following basis:

- The proposed rezoning and planning permit application is aligned with the intention of the Structure Plan for a mixed use development;
- The current zoning of the land does not encourage the development of the sites as envisaged by the Structure Plan;
- The current zoning of the land is inappropriate for intensive residential use; and
- The rezoning and Incorporated Document will facilitate redevelopment and use of a site within the established Box Hill MAC, in close proximity to a range of amenities, for residential development.

The purpose of the MUZ is:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality;
- To provide for housing at higher densities; and
- to encourage development that responds to the existing or preferred neighbourhood character of the area.

The Incorporated Document is proposed to apply to land at 517 and 519-521 Station Street, Box Hill. The document is proposed to be an incorporated document in the Scheme pursuant to section 6(2)(j) of the Act. The purpose of the Incorporated Document is to provide site specific design guidance for the development of the land for a major mixed use precinct. The controls in the Incorporated Document are proposed to prevail over any contrary or inconsistent provisions in the Whitehorse Planning Scheme if being developed in accordance with this document.

Planning Permit Application

The planning permit application seeks the approval for buildings and works for the construction of three (3) buildings of up to 18 storeys including rooftop plant plus up to 3 levels of basement car parking, comprising retail premises, office, restricted recreational facility (gymnasium), medical centre, accommodation, serviced apartments, child care facility, a reduction in the standard requirements for car parking facilities and alteration of access to a road in a Road Zone, Category 1 on the sites known as 517 and 519-521 Station Street, Box Hill.

The proposal includes the demolition of the existing child care facility and the construction of the development, including 429 residential apartments and 77 serviced apartments. The buildings are described as Buildings A, B and C respectively from east to west when viewed from Cambridge Street. The proposal is shown in the Figures below.

9.1.1 (cont)

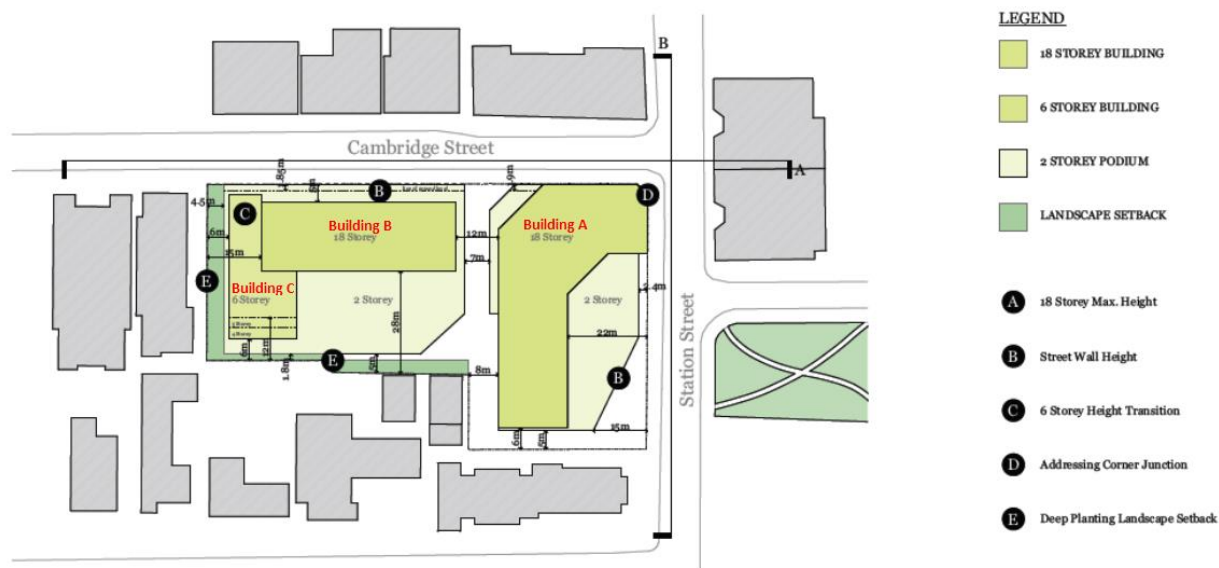


Figure 4 – Setbacks and Height Proposed

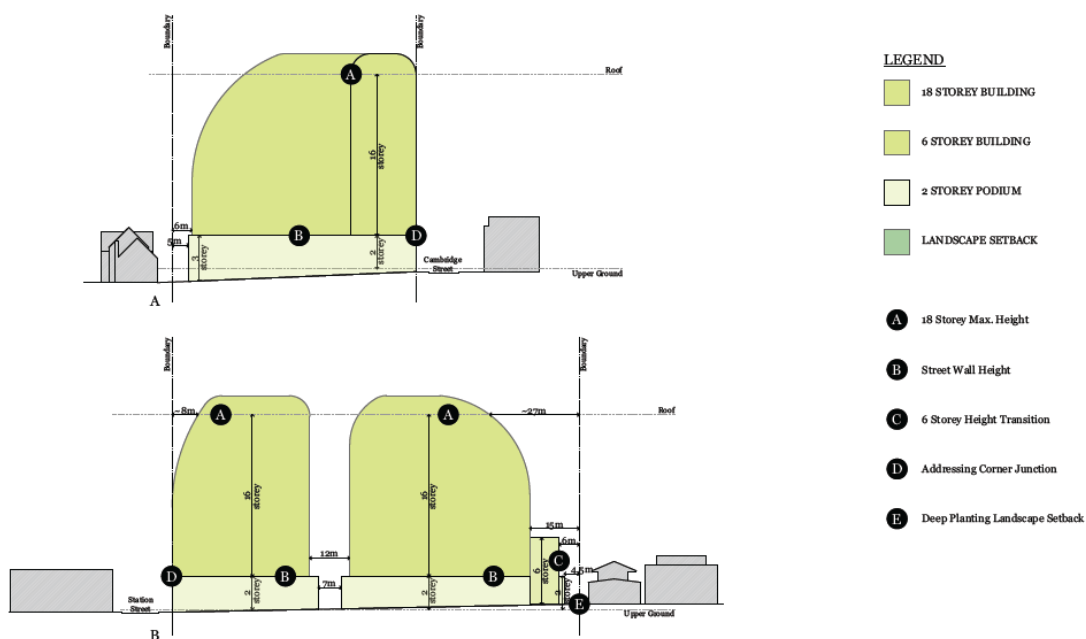


Figure 5 - Setbacks and Height Proposed

9.1.1 (cont)



Figure 6 – Artist impression

Retail

The proposal includes the provision of a total of 15 retail tenancies with a total leasable area of 6,638m² over both the lower-ground and ground level of Buildings A and B. These tenancies range between approximately 75 and 1400m² each. All lower-ground level tenancies are accessed via an entrance off Station Street near the southeast corner of the site, while the ground level tenancies are accessed directly off either Station Street, Cambridge Street or the pedestrian link between buildings A and B.

Other than one of the tenancies located in the lower-ground level, all remaining retail tenancies are equipped with clear glazing fronting either Station Street or Cambridge Street.

Office

The proposal includes an office with a total leasable area of approximately 1,950m² on Level 1 of Building A. This office can be accessed via the non-residential core of Building A via the pedestrian link.

Medical Centre

The proposed medical centre is located on Level 1 of Building A, adjacent to the office, with a leasable area of approximately 400m².

Child Care Centre

The proposed child care centre will have a total area of approximately 1,270m² providing a maximum of 107 places. It will be located on Level 2 of Building A with access to an outdoor play area that is at least 1,200m² on a terrace fronting Station Street.

Indoor Recreation Facility

An indoor recreation facility (gymnasium) is proposed on Level 1 of Building B, adjacent to a public open space accessible by the community. This facility is approximately 690m² and will service both residents and workers of the proposed development, but also the wider community.

9.1.1

(cont)

Vehicle Access and Car Parking

The proposed vehicle access is via a double width crossover at the northwest corner of the subject site off Cambridge Street, where a ramp with a width of 6.0 metres is provided leading to three (3) levels of basements providing a total of 651 car parking spaces, with 199 in Basement Level 1 for retail staff, retail customers and child care centre parking. The table below outlines the allocation of car parking spaces to the proposed uses:

Land Use	Area/ No.	Parking Rate	Provision
Retail	6,638 m ²	3 per 100 m ²	199
Office	1,943 m ²	2 per 100 m ²	38
Medical Centre	403 m ²	3.5 per 100 m ²	14
Child Care Centre	107 children	0.22 per child	23
Serviced Apartments	77 rooms	Not specified	39
Indoor Recreation	687 m ²	Not specified	21
Dwellings			
1 bedroom	148 dwellings	0.5 per dwelling	74
2 bedroom	268 dwellings	0.75 per dwelling	201
3 bedroom	13 dwellings	1 per dwelling	13
Visitors	429 dwellings	0.1 per dwelling	43
Total			651

To the east of the car park entrance ramp is access to the loading area.

To ensure that traffic accessing the site will not result in an unreasonable impact to the residential area to the west due to increased traffic flow, it is proposed that the section of Cambridge Street between Station Street and the western boundary of the subject site be altered to allow two way vehicle access.

Bicycle Facilities

The proposal includes the provision of a total of 196 bicycle spaces, including 125 spaces for employees and residents, while 71 spaces are provided for visitors and customers. An end of trip facility, including 5 change rooms with showers, is provided on the lower-ground level of Building A.

Pedestrian Access

The proposal includes a pedestrian link between Station Street from the southeast corner of the subject site to Cambridge Street. This link will be an extension of an existing laneway to the north of the site connecting through to Carrington Road. Pedestrian access to Buildings A and B will be via the abovementioned pedestrian link, while Building C (serviced apartments) fronts Cambridge Street to the east of the vehicular access.

The proposal also ensures that the buildings will be setback at least 3 metres from the Station Street and Cambridge Street boundary to widen the footpath for better pedestrian amenity.

Public Open Space

As mentioned above, the proposal includes a pedestrian link connecting Station and Cambridge Streets through the site. This link will remain as private property but accessible by the community. The public open space also extends to Level 1 of Building B which is accessible via a set of steps or elevator located to the west of the central atrium of the pedestrian link.

9.1.1

(cont)

A forecourt space has also been provided off Station Street, adjacent to the heritage listed church at 2-6 Oxford Street. This area will be well landscaped and allow the northern façade of the church to be visible.

Planning Permit Triggers

A planning permit is required for the following:

- To construct a building or to carry out works (Clause 32.04 Mixed Use Zone)
- To use the land for accommodation, medical centre, retail, office, indoor recreation facility and a child care centre (Clause 32.04-2 Mixed Use Zone).
- Pursuant to Clause 52-06 (Car Parking) a permit is required to reduce the minimum number of car parking spaces required under Clause 52.06-5 or in Schedule 1 to the Parking Overlay
- A permit is required to alter access to a Road Zone Category 1 (Station Street) pursuant to Clause 52.29 (Land Adjacent to a Road Zone Category 1).

REFERRALS

External referrals

VicRoads

The application has been referred to VicRoads as a Determining Referral Authority. At the time of this report being prepared, no formal response has been received by Council. VicRoads will continue to be consulted should this application proceed to public exhibition.

Public Transport Victoria

The application has been referred to Public Transport Victoria as a Determining Referral Authority. At the time of this report being prepared, no formal response has been received by Council. Public Transport Victoria will continue to be consulted should this application proceed to public exhibition.

Internal referrals

Engineering and Environmental Services

Transport Engineer

The application has been reviewed by Council's Transport Engineer, who is in support of the application, including the allocation of car parking spaces to the different uses proposed on the site. The comments require amendments to be made to the layout to improve vehicle access and egress.

Assets Engineer

The proposal has been reviewed by Council's Assets Engineer, who is in support of the application with standard conditions to be included in any permit issued.

Waste Engineer

Council's Waste Engineer offers in-principle support to the proposal.

Design and Construction

The proposal has been reviewed by Council's Design and Construction Engineer, who supports the proposal, provided that bicycle racks are removed from building facades to minimise hazards to pedestrians. This will be included as a condition of permit.

9.1.1

(cont)

ESD Advisor

Council's ESD advisor supports the proposal in-principle, provided that daylight calculation data is rectified in the final Sustainability Management Plan and the Built Environment Sustainability Scorecard (BESS). This will be included as a condition of permit.

Box Hill Activity Centre Manager

The Box Hill Activity Centre Manager is in support of the proposal, provided that a pedestrian link to the Lower Ground Level is provided off Cambridge Street. A series of comments in relation to the details of the mix of retail uses and further improvement to improve street interaction, as well as provision of direct access to the Lower Ground Level from Cambridge Street, will be provided to the applicant if Council authorises the application to be exhibited.

Landscape Architect

Council's Landscape Architect supports the proposal in its current form.

Urban Design

The proposal has been reviewed by Council's Urban Designer, who is supportive of the proposed development in-principal, but recommends that the following be included in any permit issued to develop the subject site:

- Provision of a direct pedestrian access from Cambridge Street to Lower Ground Level.
- Alterations to the ground level foyers to improve the functionality of the space to better suit the proposed use of the building.
- Provision of overlooking measures from the Serviced Apartment building (Building C).

Heritage Advisor

The proposal was reviewed by Council's Heritage Advisor, as the church buildings to the south of the subject site are protected by a Heritage Overlay.

It is considered that the proposal is well designed and respectful of the heritage building and can generally be supported from a heritage perspective.

Early Childhood Services

Council's Early Childhood Service team is supportive of the application, provided conditions are included in any permit to be issued, as well as information in relation to compliance with relevant acts and regulations being forwarded to the permit applicant.

Property and Rates

Council's Property Officer raised no objection to the proposal provided that conditions are included in any permit issued requiring legal agreement to be established between Council and the permit holder in relation to the building canopy overhanging the Council managed road reserve, i.e. Cambridge Street, and to ensure that no part of the building (other than canopies) protrudes outside the boundary of the subject site.

9.1.1

(cont)

DISCUSSION

Planning Scheme Amendment

In considering the proposed amendment, Council must have regard to the Strategic Assessment Guidelines as required by Ministerial Direction No. 11. This general Practice Note outlines issues which should be addressed to establish the need for an amendment and whether the proposed provisions are appropriate for the purpose for which they have been developed. These issues are each discussed below and the assessment that follows will form the basis of the Explanatory Report for the amendment (Refer Attachment 2).

Why is the Amendment required?

The Structure Plan sets out the preferred land uses for activity precincts which are considered to meet the vision for the Box Hill MAC. However, the current zone applying to some sites does not allow the consideration of uses envisaged by the Structure Plan. In particular the car park site at 519-521 Station Street, Box Hill is currently owned by Whitehorse City Council and zoned PUZ6 which precludes the development of residential and commercial land uses envisaged under the Structure Plan. Additionally, as the land will no longer be in public ownership, it cannot remain in the PUZ.

The amendment is therefore required to facilitate development that is envisaged in the Structure Plan, being a reference document to Clause 22.07 of the Planning Scheme. In particular, the amendment is required to facilitate the redevelopment of the land at 517 and 519-521 Station Street for the purposes of a mixed use development.

The rezoning of the land at 2-8 Oxford Street, Box Hill from the Residential Growth Zone – Schedule 2 (RGZ2) to the MUZ will facilitate land use and development in accordance with the Structure Plan. The proposed MUZ will provide an appropriate zone transition between the commercial core of the MAC, the subject land and the surrounding residential precinct to the south over Oxford Street within the RGZ2.

The application of the MUZ aligns with the proposed rezoning map of the Structure Plan (Figure 7 below) and better aligns the Activity Precincts map (Figure 8 below) and Built Form Precincts map (Figure 9 below) of the Structure Plan. The rezoning is consistent with Council's land use strategies for the area and the specific sites, being an area identified for accommodating substantial growth within the Box Hill MAC.

9.1.1 (cont)

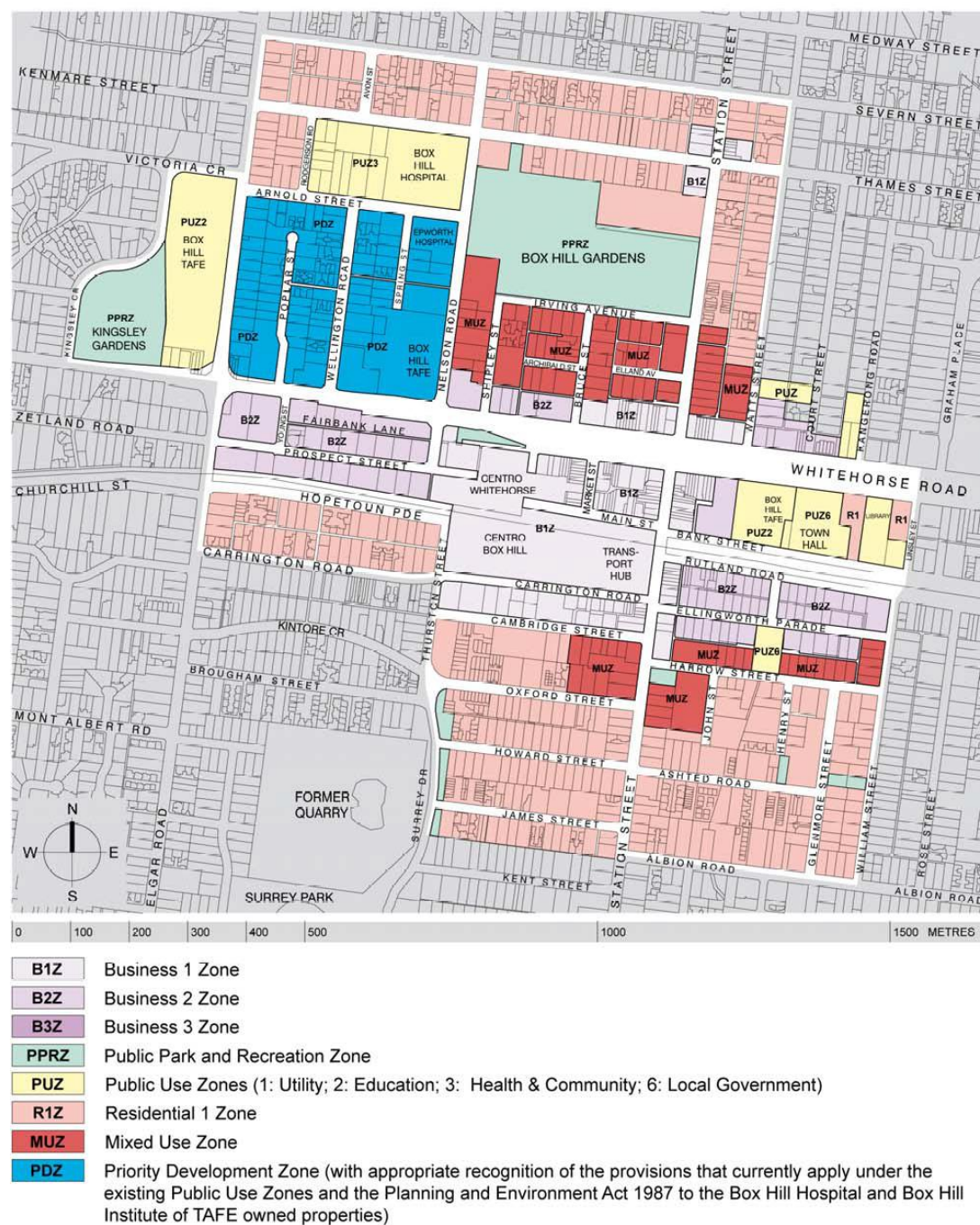


Figure 7 – Proposed zoning (Structure Plan)

9.1.1 (cont)

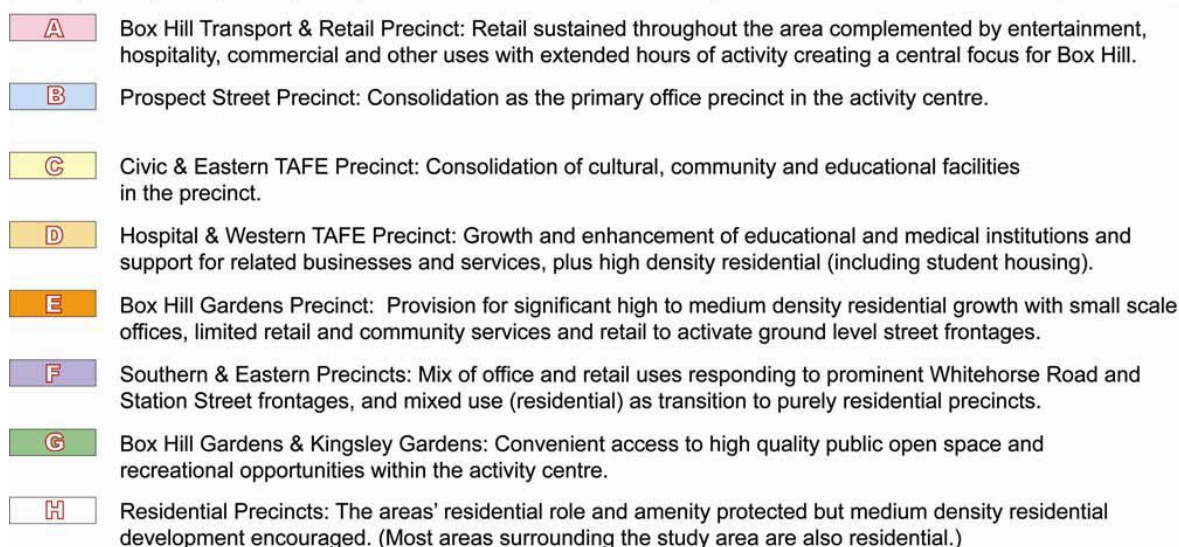


Figure 8 – Activity Precincts map (Structure Plan)

9.1.1 (cont)

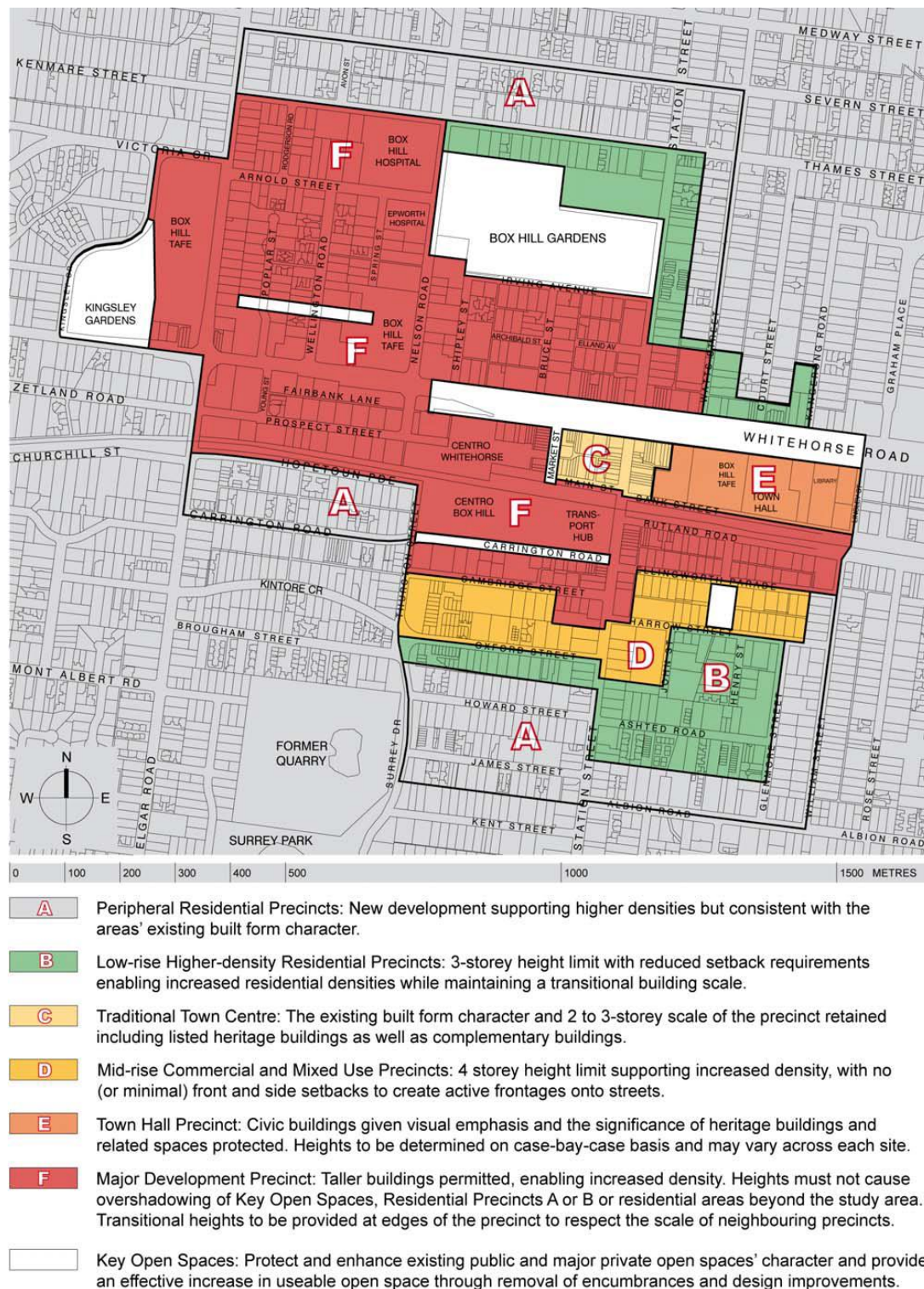


Figure 9 – Built Form Precincts map (Structure Plan)

9.1.1

(cont)

How does the Amendment implement the objectives of planning in Victoria?

The objectives of planning in Victoria are outlined within Section 4(1) of the *Planning and Environment Act 1987*. They include:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- To balance the present and future interests of all Victorians.

The amendment will facilitate future development of the land for commercial and residential uses in accordance with this site context. Additionally, the rezoning will allow for the fair and orderly development of the land that is close to existing facilities in the community such as public transport, shops, services, schools and parkland. The rezoning of the sites will contribute to the diversity of uses and in turn help to achieve the vision for the Box Hill MAC.

The introduction of the Incorporated Document will provide guidance and certainty for future built form outcomes, including heights, setbacks, building form, public realm, site layout, landscaping and access. This will also ensure a pleasant and safe living and recreational environment, as the setbacks will allow development to respect the low scale built form of surrounding residential areas and reduce or prevent overshadowing to adjoining properties. The design objectives in the Incorporated Document will assist in achieving a high quality design outcome.

The amendment will provide for the redevelopment of an existing at-grade car park site for housing close to jobs, transport and services in a location that is one of the least affordable locations in the municipality to rent or buy a place to live. Together this provides for the fair, orderly, economic and sustainable use and development of land as outlined within section 4(1) of the *Planning and Environment Act 1987*.

How does the Amendment address any environmental, social and economic effects?

Environmental

The amendment is unlikely to have any significant impacts on the environment due to the site's location in an established urban area. Rather, the development will provide additional housing in an area close to existing infrastructure, amenities and public transport and is an efficient use of an underutilised site. The capacity for environmentally sustainable design will also provide environmental benefits.

The development proposal incorporates a wide range of environmentally sustainable design (ESD) features to ensure the environmental impacts of intensifying the land uses on the site are minimised and appropriately managed.

Economic

The rezoning of the sites to MUZ will allow the sites to be developed for commercial and residential uses that serve and complement the immediate area. It will deliver increased employment opportunities through enabling office, commercial and retail uses, as well as investment and employment throughout the construction phase. It will provide an increase in higher density housing stock to meet demand and the proposed development may also act as a catalyst for increased investment in the MAC by other landowners.

The rezoning of the sites also supports Plan Melbourne's recognition of Box Hill as a MAC, which are the highest order centres outside the Melbourne CBD and are recognised as locations which can develop as commercial and employment hubs.

9.1.1

(cont)

Social

The MUZ facilitates a variety of uses for the site that will broaden the range of uses and increase employment opportunities, which will provide economic and social benefit to the surrounding area. The development is likely to result in social benefit for the local, regional and state economy through construction and long term job creation associated with the proposed commercial components.

The development will provide an improved community use through the re-development of the child care centre, will facilitate recreational and social interaction opportunities with the adjacent public open space at the corner on Station Street and Harrow Street and will provide a safer environment with activated street frontages and passive surveillance provided by the new built form and improved public realm that will replace the existing underutilised site.

Plan Melbourne includes an objective of supporting and developing the '20 minute neighbourhood'. The combined amendment and planning permit will assist in delivering this objective for Whitehorse as it will create a mixed use development that includes retail uses, housing, employment and community facilities within an existing MAC and within very close proximity of a public transport interchange.

Does the amendment address relevant bushfire risk?

There is no bushfire risk considered relevant to this amendment. The sites are located in a well-established urban area and abut two roads and existing residential development.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The proposed amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes and Strategic Assessment Guidelines. Other Ministerial Directions that are applicable include:

- Ministerial Direction No.9 – Metropolitan Strategy relates to Plan Melbourne which is in turn reflected in Clause 11 of the State Planning Policy Framework (SPPF). The Ministerial Direction requires planning scheme amendments to address the extent to which they are consistent with any of the directions or policies in Plan Melbourne. The amendment is consistent with the directions of Plan Melbourne as outlined below:
 - Jobs and Investment: The MUZ will support growth within the activity centre, providing for uses and job opportunities appropriate to the site context.
 - Housing Choice and Affordability: The Amendment will facilitate the rezoning of the land for housing uses which will assist in providing additional accommodation within an accessible urban location.
- Ministerial Direction No.11 – Strategic Assessment of Amendments - The amendment also complies with Ministerial Direction No. 11 Strategic assessment of amendments. The Strategic Assessment of the amendment is set out in this report.
- Ministerial Direction No.15 – Planning Scheme Amendment Process sets the timelines for each step in the planning scheme amendment process. The timeline for the proposed amendment, including the statutory exhibition period of 1 calendar month, has been arranged based on this Ministerial Direction.

9.1.1

(cont)

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

The SPPF supports land use and development that takes advantage of existing settlement patterns. This is to be achieved by consolidating established urban areas, particularly those around activity centres, as a result of the services they provide. Relevant policies include:

- Clause 11 – Settlement aims to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities. The proposed amendment includes rezoning land to provide for a diversity of land uses, including forms of higher density housing and increased commercial and retail investment. This will support and strengthen the role and function of the Box Hill MAC as a primary location for higher density housing, business, retail and entertainment and takes advantage of existing settlement patterns and urban infrastructure.
- Clause 11.01-2 Activity Centre Planning aims to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community. The amendment applies to land that is accessible by public transport, active transport and private vehicle. The amendment will concentrate land uses in an existing MAC and will allow for the future development of additional retail, residential or commercial land uses.
- Clause 11.02-1 Supply of urban land discusses the supply of urban land and notes the objective “to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”. The rezoning of the sites to MUZ will provide opportunity for residential and commercial development on the sites.
- Clause 15 – Built Environment and Heritage seeks to achieve high quality architectural outcomes that contribute positively to the local urban environment, enhance and activate the public realm, and ensures development equity. The proposed amendment includes inserting an Incorporated Document into the Planning Scheme to guide the development of the sites. The amendment will therefore seek to achieve a high quality public realm and streetscape and includes guidelines to contribute to the urban environment, including setbacks to adjoining residential properties.
- Clause 16.01-2 Location of residential development aims to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. The proposed rezoning will allow for residential uses to be developed close to existing shops, services and public transport. There are bus routes that travel along Station Street and Whitehorse Road and the sites are within 200m of the Box Hill Transit Interchange. There are pedestrian footpaths on Station Street and Cambridge Street.
- Clause 17.01-1 Business sets strategies to “provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres” and “provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations”. The amendment will allow for the use of the sites for shopping facilities adjacent to residential areas and to support an existing MAC. The amendment also provides for the development of additional commercial and retail shopping opportunities that will meet the needs for local residents at a location that is accessible by a variety of transport methods.
- Clause 18.01-1 Integrated Transport has the objective to “create a safe and sustainable transport system by integrating land-use and transport”. The sites are located along a major north-south thoroughfare and are adjacent, or in close proximity, to bus, rail and tram routes. This allows for access to the sites by private vehicle, public transport and active transport and integrates the land uses on the site with the surrounding uses and transport modes.

9.1.1

(cont)

- Clause 19 – Infrastructure promotes the efficient use of existing infrastructure provisions, promoting that where possible, new development capitalises on existing community, social, cultural and development infrastructure facilities. In particular the amendment will include a child care centre and social infrastructure in an identified MAC and provide improved public spaces and streetscape for the local community. Additionally, as mentioned above, the amendment includes sites that are located in close proximity to existing urban infrastructure including the railway line and station.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment builds on and implements relevant areas of the Local Planning Policy Framework. In particular:

- Clause 21.03 (A vision for the city of Whitehorse) outlines the objectives of Whitehorse's Council Plan. The amendment will assist with achieving the vision through maintaining and enhancing the built environment to ensure a liveable and sustainable city.
- Clause 21.06 Housing encourages higher density residential growth within 'substantial change' areas, such as activity centres, that are best able to sustain substantial change. The amendment proposes to rezone the sites to the MUZ, which will allow for the development of higher density housing in an existing MAC, close to existing services and facilities.
- Clause 21.07 Economic Development establishes that Box Hill is an identified MAC which provides significant opportunities for investment and medium and higher density residential development that will strengthen the role of the area as a major regional activity centre. Consistent with the objectives of Clause 21.07-3, the Amendment will enable the development of this site within the Box Hill MAC for a mixed use development including residential that will become a focus of activity and reflecting an area identified for the greatest level of change within the municipality.
- Clause 22.07-2 Box Hill Central Activities Area seeks to accommodate a more intensive and diverse range of activities that increase choices and opportunities, supporting synergies between different uses by facilitating a planning permit application for a higher density mixed use development incorporating an accommodation component.
- Clause 22.07-3 Box Hill Central Activities Area recognises the need to create more and diverse opportunities for housing that will contribute to the land use mix and economic and social activities within the Box Hill MAC. The amendment will allow for the development of a mixed use outcome that includes additional housing stock.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment is consistent with the intent and use of the Victorian Planning Provisions (VPPs) as it seeks to apply the MUZ to land within the Structure Plan area to facilitate the land use outcomes envisioned by the Structure Plan and *Plan Melbourne*. The MUZ aims to provide for a range of residential and commercial uses which complement the mixed-use function of the locality and to provide for housing at higher densities.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies and public authorities have not yet been sought in relation to the proposed amendment component. If the amendment is authorised by the Minister for Planning to be exhibited, the views of relevant agencies and public authorities will be sought during the exhibition stage of the combined amendment and planning permit application. Relevant agencies and public authorities include, but may not be limited to, VicRoads, EPA, Public Transport Victoria and Melbourne Water.

9.1.1

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Does the amendment address relevant requirements of the Transport Integration Act 2010?

This amendment proposes to rezone the sites and introduce a new Incorporated Document. Therefore the amendment request itself will not generate any traffic or car parking requirements. However, it is appreciated that future development on the site proposed by the planning permit application will generate pedestrian and vehicle traffic additional to the existing level of traffic.

The subject sites are located within 200m of the Box Hill Transport Interchange located in the Box Hill MAC, which includes frequent rail and bus services to/from the City and the outer eastern suburbs along the Belgrave and Lilydale train lines. The subject sites are located within 500m of the terminus of the 109 tram route along Whitehorse Road which operates services to/from the City. Bus routes run along Station Street and there is a footpath along both sides of Station Street. The proximity to these services will promote the use of public transport to access the site. Likewise, the proximity of the sites to these services will promote the use of public transport from the sites to land uses and locations in the local and wider metropolitan area.

The proposed development includes bicycle parking spaces and wide pedestrian footpaths. Pedestrian traffic will be accommodated on the existing external footpaths and internal pedestrian links are proposed to traverse the site.

The planning permit application has been assessed against the current car parking requirements. Additionally, vehicular access to the site has been assessed, including traffic generated by the development, service vehicle access and turning circles. This is discussed in the referrals section below.

VicRoads, Yarra Trams and Public Transport Victoria will be notified of the proposed rezoning of the site during the exhibition period of the combined amendment and planning permit application.

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

There will be limited additional impacts on resources or administration costs associated with this proposed amendment.

Planning Permit Application

Consistency with State Planning Policies

In addition to the above discussion in relation to the Planning Scheme amendment component, the proposed development is in compliance with the State Planning Policies in the following ways.

Plan Melbourne – The Metropolitan Planning Strategy identifies Box Hill as a major regional centre and amongst Melbourne's largest centres of activity with a wide variety of uses and functions including commercial, retail, housing, highly specialized personal services, education, government and tourism. State policies encourage the intensification of Box Hill as a commercial and employment hub, supported by one of Melbourne's biggest transport interchanges.

Clause 16 (Housing) of the State planning policy framework also strongly advocates the need to provide substantial new housing (in a diversity of housing types) ensuring developments are integrated with infrastructure and services. Higher density housing is to be located in or close to activity centres, employment corridors and public transport. Such new development is to match changing demand by widening housing choice, and improving affordability.

9.1.1

(cont)

Clause 17 (Economic development) further encourages development which meets community needs for office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities within existing or planned activity centres.

Clause 18 (Transport) has objectives to encourage higher land use densities and mixed use developments near railway stations, major bus terminals, transport interchanges and tramways. Clause 18.02-1 promotes the use of sustainable personal transport, including walking and cycling whilst Clause 18.02-5 requires that an adequate supply of car parking is provided, that is appropriately designed and located to protect the amenity of residential precincts.

Clause 19.01 (Renewable energy) promotes renewable energy use in development and Clause 19-03-05 seeks to minimise waste and encourage recycling within new development.

In terms of State planning policy, the subject site represents a significant strategic redevelopment opportunity to deliver higher density residential uses and complementary commercial activity given its location within the Box Hill Metropolitan Activity Centre, its frontages to Station and Cambridge Streets and its proximity to a broad range of urban infrastructure including public transport services, employment opportunities and commercial facilities.

Consistency with Local Planning Policy Framework

Clause 21.06 (Housing), notes that the City of Whitehorse is under increased pressure to accommodate more people who are attracted to the area due to its strategic location, high amenity residential areas and quality services and facilities. The Box Hill Metropolitan Activity Centre is identified to accommodate increased housing growth while providing high levels of amenity for residents. In this regard the proposal meets the policy objectives and will contribute to the overall diversity of housing in the area, including a mix of one, two and three bedroom tenures.

Council's *Housing Strategy 2014* identifies areas of substantial, natural and limited growth. The subject site is included within a Substantial Change area which will provide for housing growth with increased densities, in accordance with the Structure Plan.

Clause 21.07 (Economic Development), identifies Box Hill as a Metropolitan Activity Centre (MAC), which provides significant opportunities for investment in terms of retail, public transport, entertainment and higher density residential development. Although the overall use of the site is largely residential, the proposal has a significant area of commercial floor space. This includes an office floor area of 1,973m², a total retail area of 6,638m², a 403m² medical centre, a 107 place child care centre, and an indoor recreation facility (gymnasium) with 687m². These non-residential spaces will create new employment and commercial opportunities and increased child care places when compared to the current use of the sites.

Clause 22.06 (Activity Centres Policy) includes objectives to ensure that new development maintains and enhances the role of the activity centre as a community focus and to improve the appearance and amenity of the activity centre. The proposal includes a pedestrian link and public open spaces within the development and along the Station Street and Cambridge Street frontages. The setbacks of the building façade from the road reserve also provide a better pedestrian amenity to the community. These features of the development ensure that it acts as a community focus and improve the activity centre's appearance.

Clause 22.07 (Box Hill MAC), expands upon Clause 22.06 in providing policy direction relating to open spaces, pedestrian mobility and bicycle spaces, road traffic management, car parking, land use mix and built form. The policy further seeks to implement the Box Hill

9.1.1

(cont)

Structure Plan. The vision for the Centre is that *'Box Hill will be sustainable, safe and accessible to all. It will be a distinctive, vibrant, diverse, inclusive, participatory, caring and healthy community where you live, work and enjoy – day and night'*. The subject site is located within Activity Precinct F (Southern & Eastern Precinct) and Built Form Precincts D (Mid-rise Commercial and Mixed Use Precinct) and F (Major Development Precinct). See Pages 28-30 of this report for the maps from the Structure Plan.

Activity Precinct F (Southern & Eastern Precinct) is identified for:

- *Mix of office and retail uses responding to prominent Whitehorse Road and Station Street frontages, and mixed use (residential) as transition to purely residential precincts.*

Built Form Precinct D (Mid-rise Commercial and Mixed Use Precinct), applicable to 517 Station Street, seeks to achieve:

- *4 storey height limit supporting increased density, with no (or minimal) front and side setbacks to create active frontages onto streets.*

Built Form Precinct F (Major Development Precinct), applicable to 519-521 Station Street, seeks to achieve the following:

- *Major Development Precinct: Taller buildings permitted, enabling increased density. Heights must not cause overshadowing of Key Open Spaces, Residential Precincts A or B or residential areas beyond the study area. Transitional heights to be provided at edges of the precinct to respect the scale of neighbouring precincts.*

The subject site and its immediate environs are earmarked for major development with taller buildings and increased densities. Built Form Precinct F is the only precinct within the Box Hill MAC where no specific preferred or maximum height limit applies. This area therefore represents a significant opportunity to deliver the proposed mixed-use development without impacting on the amenity of any residential neighbourhood or identified key public open space.

It is noted that a preferred height of 4 storeys is mentioned in Built Form Precinct D, which is applicable to the site at 517 Station Street. The proposal includes built form of up to 13 storeys on this site. This is considered acceptable, as the entire built form will be setback a minimum of 6 metres from the southern side boundary which abuts an existing church building and the plaza area located at the southeast corner of the subject site. Furthermore, the increased setback as the building height increases will provide sufficient views to the side of the heritage listed church building from Station Street. The building height has been reviewed by Council's Heritage Advisor who accepts the height proposed.

Since the Structure Plan was adopted in 2008, the new residential zones have been gazetted. As a result of the new residential zones, properties to the south of the subject site up to James Street are zoned Residential Growth, where built forms up to 4 storeys in height are encouraged. It is therefore considered that the properties on the northern side of Oxford Street have the potential to exceed the preferred height in the Structure Plan of 4 storeys due to their proximity to the core of Box Hill MAC.

As such, it is considered that Building A provides a satisfactory transition in height from 9 to 18 storeys with a setback ranging from 6 to 22.6 metres to the southern boundary.

9.1.1 (cont)

Design and Built Form

The site forms a gateway into central Box Hill from the south and is large enough to accommodate a mix of commercial floor space and new residential towers. The design has sufficiently addressed each street frontage with activated uses including commercial tenancies with a public presence fronting Station Street, Cambridge Street and the internal pedestrian link. The height and scale of the proposal is responsive to the approved 37 storey development at 545 Station Street and provides a transition to the existing land uses to the south and west of the subject site. The proposed development will form part of the significant redevelopment in the area that are defining 'gateways' into the Box Hill Metropolitan Activity Centre.

The building form will include a podium that extends along the Station Street and Cambridge Street frontages for two to three storeys (varying in height between 8.5 and 14 metres), and generally adopting a zero setback to the streets as encouraged by the Precinct Guidelines. The podium has a distinctly different architectural treatment to the tower, which serves to break up the building bulk, provides for finer grain detailing of the streetscape, and provides for a clear sense of address.

As mentioned in the proposal section of this report, a total of three (3) tower forms are proposed, ranging from 6 to 18 storeys. Building A is located at the corner of Station and Cambridge Street. Due to the curved shape of the building the tower form is setback between 0 and 21.7 metres from Station Street and 0 to 18 metres from Cambridge Street. The zero setback is at the northeast corner of the subject site for a length of 16 metres and 19.5 metres along Station Street and Cambridge Street respectively. This is considered an acceptable approach to ensure that the building acts as a 'gateway' to Box Hill MAC by providing a bold and strong built form for a height of 9 storeys, but well articulated by materials and the placement of balconies which read as building recesses. This is also supported by Council's Urban Designer, as this ensures that the building will enhance visual and architectural interest when viewed from Station Street. In response to the residential precinct to the south, Building A has been designed to be setback 6 metres from the southern boundary. This setback then gradually increases to 22.6 metres from Level 9 upwards.

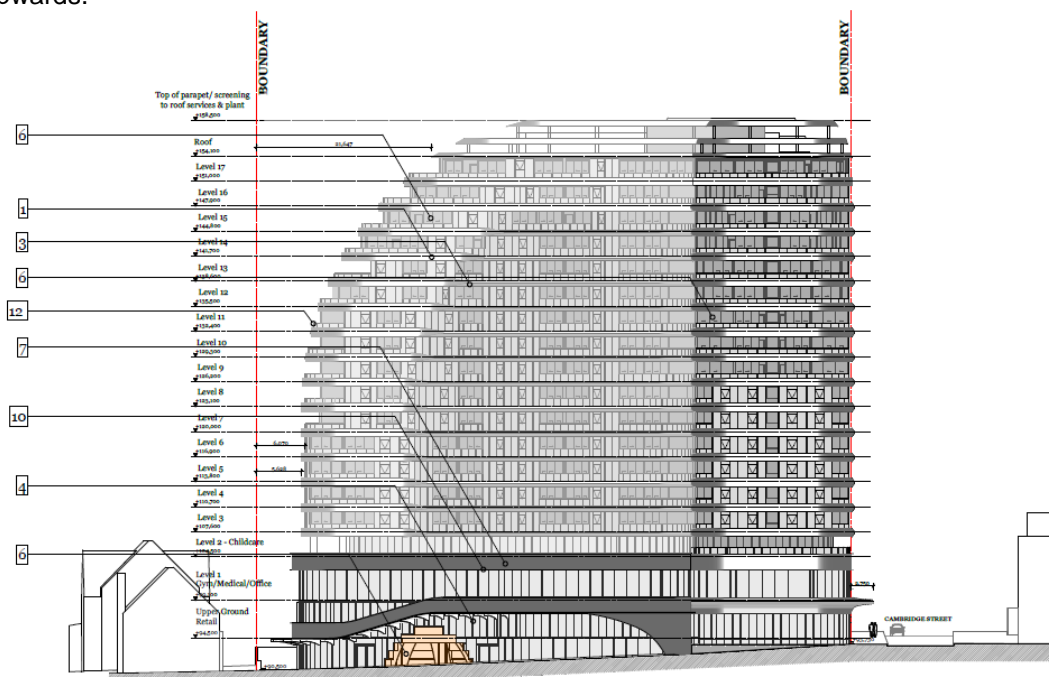


Figure 7 – Building A east elevation (Station Street) showing the transition to the southern boundary

Building B fronts onto Cambridge Street and has a setback of 5 metres above the 2 storey podium. This setback is sufficient to ensure that the building remains at a pedestrian scale. This building is setback between 14.6 and 26.4 metres from the western boundary, 14.6 metres from ground level up to Level 10, then gradually increases to 26.4 metres on Level 17 from Level 11. This treatment is considered to be an appropriate and respectful response to the residential uses to the west. The design of this building is akin to Building A to ensure that the development speaks the same architectural language which is supported by Council's Urban Designer.

Building C, which adjoins Building B, also fronts onto Cambridge Street and will be setback 3 metres from the street and 6 metres from the western boundary. The building is 6 storey in height and provides an appropriate transition to the existing three (3) storey development to the west. The architectural style of this building is different from Buildings A and B to differentiate its use as serviced apartments, however the same materials palette has been chosen to ensure that this building forms a cohesive part of the development architecturally.

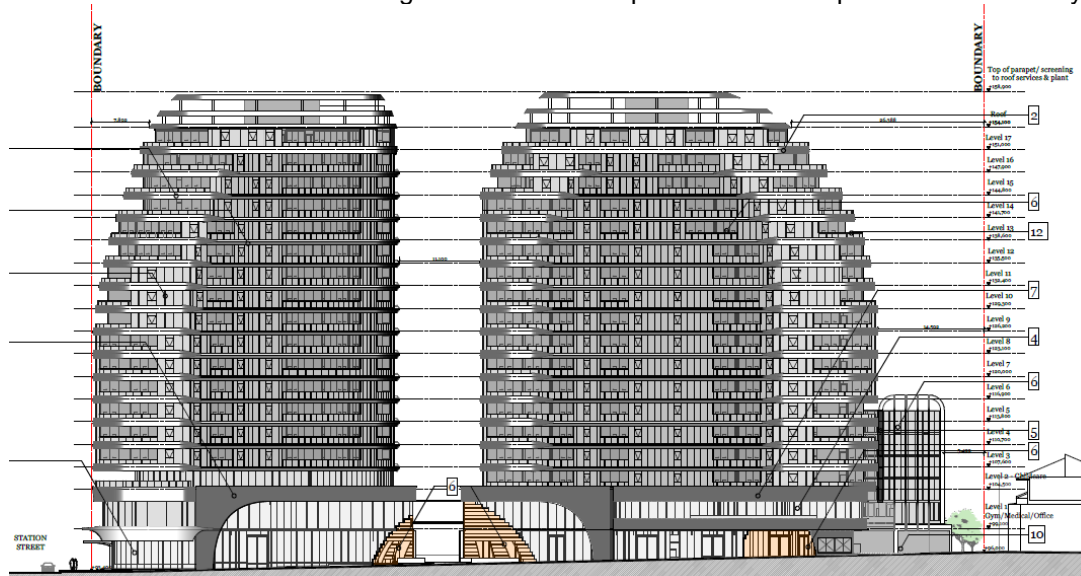


Figure 8 – North elevation (Cambridge Street) showing the transition to the western boundary and Station Street

The ground floor of the podium provides for commercial activities to activate the Station Street and Cambridge Street frontages, with extensive use of glazed elements at the lower ground and ground levels. The electricity substation, other services and vehicle access are located back of house under Buildings B and C away from the primary street frontages. This treatment enhances the pedestrian environment, in line with the identification of Station Street and Cambridge Streets as a Priority Pedestrian Corridor within the Structure Plan.

The proposed development is not considered to have any unacceptable adverse impact on any existing significant landmarks, views or vistas. As discussed above, the development incorporates a distinct podium and tower form with the massing and articulation of each component carefully considered to ensure that they present well resolved contemporary architectural detailing. The proposal will mark a key entrance point into the Box Hill Metropolitan Activity Centre, while respecting existing uses and developments surrounding the site.

Public Open Space and Pedestrian Link

The proposal includes the provision of a pedestrian link between Buildings A and B, as well as along the southern setback of Building A connecting Station Street and Cambridge Street.

9.1.1 (cont)

It will also be part of the proposal to provide a pedestrian crossing at the northern end of the pedestrian link connecting to an existing pedestrian link between Cambridge Street and Carrington Road.



Figure 9 – Lower Ground and Ground Level Pedestrian Link

In between the northern and south-eastern links, between Buildings A and B, is a central courtyard area, which is 15 metres in diameter. It will have an additional area to the west of this courtyard with seating. A plaza area is also proposed along Station Street providing access to the Lower Ground Level retail tenancies. This is also a weather protected area for community use and provides informal sitting areas.

9.1.1 (cont)

The entrances to Buildings A and B will also be via this pedestrian link along with a number of retail tenancies to ensure that this link and associated public open spaces will be an attractive element to those who live, work and shop in this development, but also the wider community.

On the first floor of Building B, an area of approximately 400m² will be provided as public open space, providing both rubber softfall and decking area. This area is accessed via the public open space to the west of the ground level central courtyard, and can be accessed via a set of stairs or elevator. This public open space on the first floor of Building B will also provide passive surveillance to the ground level pedestrian link and public open space. This ensures that the pedestrian link is safe to be used by the community at all times.



Figure 10 – Communal Area and Public Open Space (red) on Level 1 Buildings B & C

It is considered that the public open space will be an attractive element of this development, as these areas on the lower-ground, ground and first floor are well designed and multi-functional, which is regarded as a benefit to the community. As the application is not seeking an uplift in terms of floor area nor building height, it is considered that there is no justification requiring the provision of affordable housing within this development.

Access to Ground Level and Lower Ground Level Tenancies

Pedestrian access to retail tenancies is generally along Station Street and Cambridge Street. Three (3) tenancies each with a leasable floor area ranging between 536 and 1417m² are proposed on the Lower Ground Level accessed via an entrance off Station Street near the southeast corner of the subject site. Lift access to this level is via the residential and commercial core of Building A.

Both council's Urban Designer and Box Hill Activity Centre Manager have suggested that a direct pedestrian access, in the form of an escalator and ideally an elevator should be provided as well, connecting the Cambridge Street retail interface with the north end of the retail area in the Lower Ground Level. This suggestion will be included as a draft permit condition.

9.1.1 (cont)

Furthermore, the Building A ground level retail tenancies near the intersection of Station and Cambridge Streets have a finished floor level above the pedestrian level of Cambridge Street which is a poor outcome from DDA compliance and Urban Design perspectives. It will therefore be a permit condition to require these tenancies to be amended to meet DDA requirements.

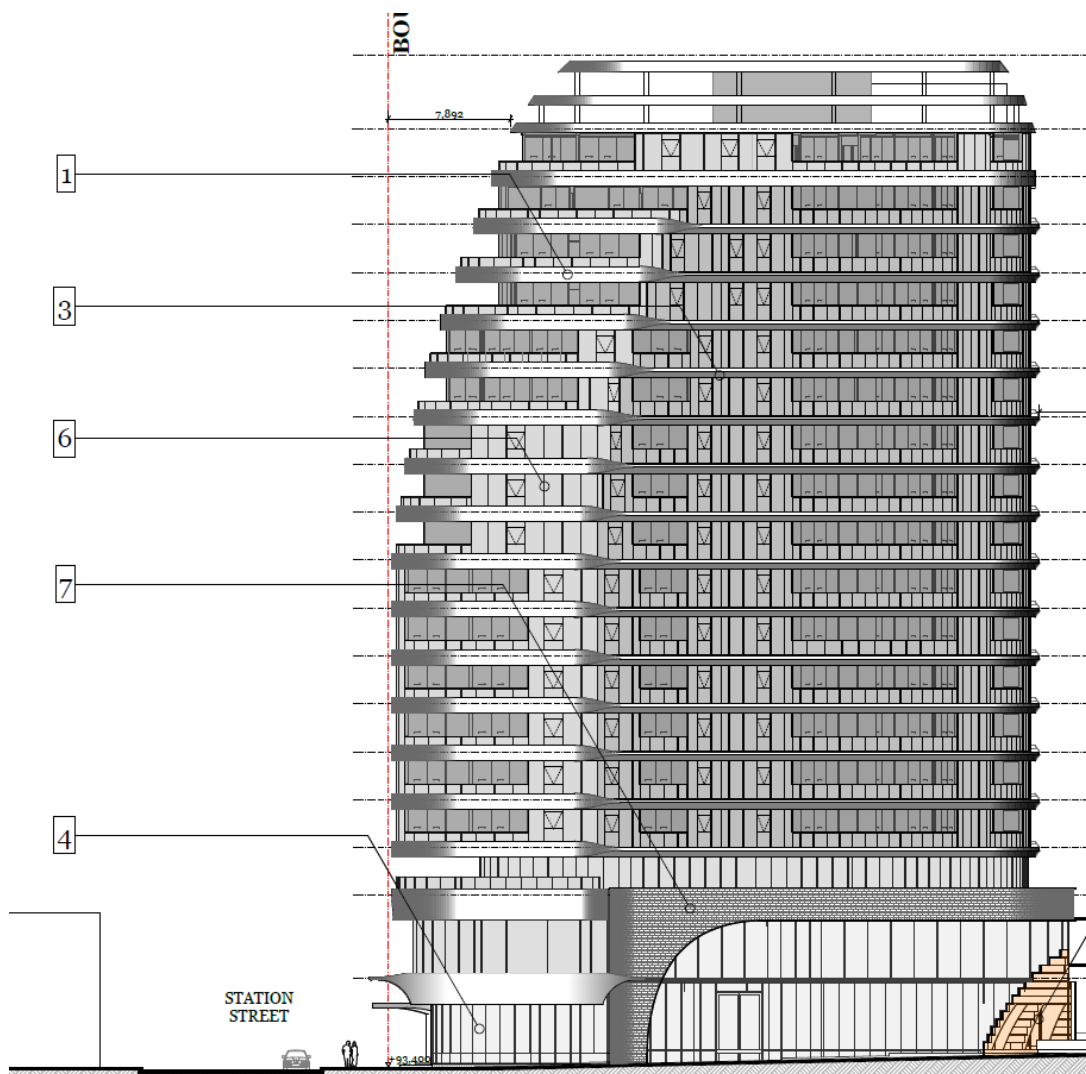


Figure 11 – Showing that the finished floor level of ground level tenancy is higher than the footpath level on Cambridge Street

Amenity

Overlooking and Access to Light

The site has two sensitive interfaces to the south and west, which are currently used as a place of worship and residential dwellings respectively. The proposal has ensured that both Buildings A and C will be setback a minimum of 6 metres from the southern and western boundaries respectively, which is considered sufficient to provide reasonable amenity to the adjoining properties. As the adjoining property at 19 Cambridge Street is only setback 2 metres from the common boundary, the proposed 6 metre setback of Building C to the western boundary is however insufficient separation to prevent overlooking. There will be a permit condition requiring screening measures to prevent overlooking to be incorporated into the western façade of Building C, which can also act as screening to reduce heat transmitting into the proposed serviced apartments from the western sun.

9.1.1

(cont)

Buildings A and B have a separation of 12 metres, which is sufficient to ensure that there will be no unreasonable overlooking between buildings.

There is however internal overlooking potential between Buildings B (residential) and C (serviced apartments), and as such there will be draft permit conditions requiring appropriate overlooking treatments to be employed to selected serviced apartment units.

In relation to access to daylight, the submitted daylight analysis based on the Sustainability Management Plan (SMP) assessment is deemed satisfactory for the residential component, however, it is unclear what type of glazing is used in the calculation. Furthermore, the SMP for the retail and office spaces does not meet Council's requirements, as the assessment has not included the impact of internal walls on daylight access. It will be a permit condition requiring the SMP to be amended to reflect the above matters.

Overshadowing

The proposed building will cast shadows across properties to the south, southeast and southwest at different times of the day. The shadow diagrams (9am to 3pm on September 22nd) demonstrate that the shadow implications are acceptable, having regard to the preferred built form character and streetscape vision for the site and the surrounding area. The proposed development does not result in any unreasonable shadow being cast onto any key public open space or other spaces identified in the Structure Plan.

The shadows have a very minor impact on the established residential areas to the south fronting Oxford Street, however this is not considered to result in any unreasonable detrimental impact.

There will be some shadow impact to the Church buildings to the south of the subject site from approximately 10am, however the shadows will be fast moving and at no time during the day will the Church buildings be completely under shadow. The Church, being located within an area of substantial change, would be expected to experience reduced amenity due to proximity to higher density developments. The shadow impact is considered acceptable by both Council's Heritage Advisor and Planning Officer.

Wind Impact

In order to ensure that the residents and visitors of the building, as well as the general public, enjoys reasonable wind amenity within and around the building, a permit condition will require the implementation of wind mitigation measures recommended in the submitted Wind Report. A draft permit condition will require an amended Wind Report that must demonstrate appropriate level of wind comfort in association with the proposed use of the public open spaces.

Energy Efficiency

The orientation of the building on the lot has maximised available solar access. The use of shared roofs, floors and walls also promotes energy and resource efficiency.

A Sustainability Management Plan was submitted with the application. Council's ESD Officer has advised that the development can achieve an acceptable level of energy efficiency, subject to some amendments to the submitted Sustainability Management Plan.

9.1.1

(cont)

Internal Amenity

The development will deliver a good level of internal amenity to future occupants of the residential apartments given:

- The separation achieved between the towers and the east and south boundaries will provide the apartments with a satisfactory outlook. The separation will allow appropriate levels of daylight and sunlight into all apartments.
- The internal layout of floors are designed to respond to the features of the site, including the interface with Station Street and Cambridge Street and the opportunity for a northern outlook. Wherever possible, apartments have been sited with a northern, eastern or western aspect; with those with a solely southerly orientation limited to a small number (79) of apartments (18.4%).
- Privacy between apartments, in particular balcony locations and separation have been satisfactorily addressed, other than partially between Buildings B and C as discussed above.
- Alternate lift and stair access is provided, with separate commercial, serviced apartment and residential core, linking all floor levels including the car parking
- Each apartment has generous storage areas including within the secured car parking areas in the form of 2.5 cubic metres of above bonnet storage and cages of 6 cubic metres on each level throughout the building. There are also reasonable amounts of storage provided within each apartment.
- All habitable rooms have direct access to daylight and ventilation. No habitable rooms rely on borrowed light.
- All common corridors within the residential component have access to natural light and potential for natural ventilation.
- The residential component of the proposal includes a mix of mostly one and two bedroom dwellings and 13 three bedroom dwellings. The indicative furniture layouts demonstrate that there are a range of layout options possible for the rooms.
- Each apartment has access to a private open space in the form of a balcony or terrace. It will be a permit condition to ensure that all private open space achieves an area of 8m² or greater. The areas of private open space are further supplemented by the rooftop communal open space at Level 18 of Buildings A and B or Level 1 for Building C. The rooftop space comprises a number of landscaped areas including communal furniture and sitting areas.

Landscaping/Urban Art

The application includes a concept landscape plan which shows the proposed landscape treatment and new landscaping within the Cambridge Street and Station Street road reserves which will provide some softening and visual interest to the facades. Some works on the road reserves will require additional Council approval, which will be dealt with as a condition. It is also recommended that play equipment or playable elements for children, such as sculpture or seating elements, be included within the public open space and communal areas.

It is considered that in order to be consistent with other approvals of this scale in this locality in terms of activation of the streetscape, community benefit, and high quality built finish outcomes that the proposal should include an element of integrated urban art at the ground level. As such, it is recommended that Council require an Integrated Art Strategy Plan by way of a permit condition.

9.1.1 (cont)

Uses

The proposal includes a total of 6,638m² of retail leasable floor area and 1,943m² of office floor space. The extent of commercial floor space will appropriately support the role of the Box Hill MAC. To further service the community and future occupancy of the proposed buildings, a 403m² medical centre, a 107 place child care centre, an indoor recreation facility and 77 serviced apartment are also included in the proposal. It is believed that these uses will act as a 'pull factor' contributing to the subject site as a destination, and also creating employment opportunities for the community, thereby supporting the role of the Box Hill MAC.

Due to the nature of the development and due to most of the non-residential uses fronting either Station or Cambridge Streets, it is considered that no limitation is required on operating hours, although a general amenity condition will be included on the permit. The provision of ground level lobby areas to the residential and serviced apartment buildings are acceptable, as it provides a sense of address and street presentation to the pedestrian link and will encourage the use of the public open space.

Car Parking, Traffic & Access

The proposed car parking provision is as follows:

Level	Car Parking Provision
Basement 1	199 spaces for commercial uses including child care drop off
Basement 2	225 spaces for residential use
Basement 3	227 spaces for residential use
Total	651 spaces

The proposal would generate the following parking requirements under Clause 45.09.

Land Use	Area/ No.	Car Parking Rate under Clause 45.09	Statutory	Empirical	Provided
Retail	6,638 m ²	3.5 per 100 m ²	232	--	199*
Medical Centre	403 m ²	3.5 per 100 m ²	14	--	14*
Child Care Centre	107 children	0.22 per child	23	--	23*
Indoor Recreation	687 m ²	Not specified	--	21	21* (3 per 100 m ²)
Serviced Apartments	77 rooms	Not specified	--	39	39 (0.5 per room)
Office	1,943 m ²	2 per 100 m ²	38	--	38
Dwellings					
1 bedroom	148 dwellings	0.5 per dwelling	74	--	74
2 bedroom	268 dwellings	0.75 per dwelling	201	--	201
3 bedroom	13 dwellings	1 per dwelling	13	--	13
Visitors	429 dwellings	0.2 for first 5 dwellings, then 0.1 per dwelling	43	--	43
		Dwelling subtotal	331		331
Total			638	60	651*

* These uses have different peak hours and the parking spaces can be shared among the uses at different time of the day.

9.1.1

(cont)

The provision of car parking has been reviewed by Council's Transport Engineer, who agrees with the proposed car parking rate and supports the application in-principle.

It is worth noting that the overall car parking provision of 651 car spaces meets the statutory car parking requirement of 638 car spaces for those uses specified in the Planning Scheme. The matter to be considered is whether the additional 13 car parking spaces provided by the applicant is sufficient to meet the parking demand generated by the indoor recreation facility and serviced apartment uses, neither of which has a parking rate stipulated by the planning scheme.

To evenly distribute the car parking space provided within the development, the proposal is seeking a variation to the retail car parking rate from 3.5 per 100m² of leasable floor area to 3 per 100m². Council's Transport Engineer agrees with the assessment of the applicant's Transport Engineer that 1 space per 100m² is appropriate to provide for long term staff car parking. This is consistent with industry standards in Activity Centres such as Box Hill and consistent with the approved car parking rates for retail at 545 Station Street (SkyOne).

Council's Transport Engineer is also of the opinion that short term parking demands are to be catered for within the development site. It is proposed that 2 spaces per 100m² to be provided for customer car parking within the site, which is sufficient in a Metropolitan Activity Centre context. Given the location of the site with excellent access to public transport and that retail customers travel to Box Hill for other purposes, these "walk trades" will be unlikely to contribute to additional car parking demand. In other words, visitors of the site may visit the site for more than one purpose (or be in the area for other purposes), and will not contribute to additional parking demand.

It is worth noting that the non-residential uses proposed will have different peak hours, which means that the provided car spaces can be shared between different uses within the subject site. For instance, the 23 car parking spaces on Basement Level 1 set aside for child care centre can be made available to retail and indoor recreation customers outside of the normal operating hours of the child care centre on Mondays to Fridays. Moreover, the 14 car spaces set aside for the medical centre can also be shared with retail customers after its operating hours. It is considered that a total of 257 car parking spaces shared among the retail, indoor recreation, medical centre and child care centre is sufficient to address the parking demand of the above-listed uses.

The plans show the provision of a total of 452 car parking spaces on Basement Levels 2 and 3 set aside for residential uses, when the total requirement is 370 spaces. It is therefore a daft permit condition requiring 82 car parking spaces on Basement Level 2 to be made available to the non-residential uses proposed, which will ensure a total of 281 car space is available for the non-residential uses, across both Basement Level 1 and 2.

It is also noted that the subject site is very well serviced by many different modes of transportation other than private motor vehicles, including train, tram, bus or by bike. Guests of the serviced apartments are also likely to travel to the site by taxi, uber or airport shuttle services. The applicant is seeking a slight reduction in the car parking requirement of 6.7% which equals 47 car spaces. This is reflected in the empirical rate of 698 minus the 651 provided. This is appropriate and positively responds to the Box Hill Structure Plan and the Box Hill Car Parking Study which discourage the use of private motor vehicles and encourage use of public transport or other modes of transport, as well as Council's Sustainability Policies.

The car parking layout has been reviewed by Council's Transport Engineer and is considered to be satisfactory, subject to the car spaces allocated for child care to be clearly annotated. Furthermore, the column location and end of aisle car space widths are required to be amended. It will also be a permit condition requiring a Car Parking Management Plan to be submitted to provide details in relation to location of control points, and car park access by visitors, employees, residents, etc.

9.1.1

(cont)

It will also be a permit condition to require the provision of 10 motorcycle parking spaces within the basement, which is in line with the ratio applied to other recent approvals within the Box Hill MAC.

Loading and Unloading of Vehicles

The swept path diagrams included in the Traffic Impact Assessment are for 8.8m and 12.5m long service vehicles. The path of the vehicle relies on the removal of at least 2 on-street parking spaces on the northern side of Cambridge Street and one space on the southern side near the loading area crossover. It will be a permit condition requiring impacts to on-street car parking to be minimised.

Bicycle Facilities

The proposal provides sufficient bicycle parking spaces and end of trip facilities throughout the development. The proposal therefore meets the statutory requirements under Clause 52.34 of the Whitehorse Planning Scheme.

However, the provision of bicycle racks against the building along Station Street pose a risk to pedestrians, especially those who are visually impaired and are trained to walk against a building façade. It will therefore be a permit condition requiring the bicycle parking spaces to be relocated away from the building façade.

CONSULTATION

Public Notice

The application has not been advertised, as Council must first determine whether to seek authorisation from the Minister for Planning to prepare and exhibit the combined amendment and planning permit application. Once the direction of the Minister is received, the combined amendment and planning permit application request will be placed on exhibition for a minimum period of one month.

The exhibition will include the advertising of the proposed rezoning, Incorporated Document and draft planning permit, to all surrounding land owners and occupiers, relevant public authorities and Prescribed Ministers. At the end of this period Council will have to consider any submissions received and possibly refer these to an independent panel appointed by the Minister for Planning. The Panel will report back to the Minister, following a public hearing, and Council will then have to consider the Panel's findings. Council will then determine whether to adopt the amendment and recommend to the Minister that the amendment be approved and the planning permit be issued.

The Minister may then decide to approve the amendment with or without changes. Should a permit be granted, Council becomes the Responsible Authority for enforcement of this permit.

FINANCIAL IMPLICATIONS

If the concurrent amendment and planning permit application request is exhibited the proponent will be asked to bear all fees associated with the exhibition, consideration of any submissions and Panel costs. The fees associated with planning scheme amendments were updated on 13 October 2016 and includes a sliding scale for the consideration of any submissions.

Planning panel costs are calculated by Planning Panels Victoria and are based on the number of panel members and length of the panel hearing.

9.1.1

(cont)

POLICY IMPLICATIONS

The proposed amendment and use and development will meet two strategic objectives in the Council Plan, including:

Strategic Direction 2: Maintain and enhance our built environment to ensure a liveable and sustainable city.

This direction is proposed to be achieved by improving the links and usage of transport modes with regard to efficiency, sustainability and safety. Rezoning the land to the MUZ supports this as the sites are located at the intersection of Station Street and Cambridge Street, near to the Box Hill Transit Interchange and with pedestrian access along both Station Street and Cambridge Street. This allows for sustainable access to and from the sites by using public transport and active transport and will maintain the built environment in this area. The amendment allows for the development of the sites which would utilise local transport modes to access the broader area.

The amendment and proposed planning permit application will also maintain and enhance the built environment by providing a safer environment with activated street frontages and passive surveillance provided by the new built form and improved public realm that will replace the existing underutilised site. Additionally, the development, guided by the Incorporated Document, will enhance the built environment through articulation, materials and a mix of uses.

Strategic Direction 5: Support a healthy local economy

This direction is proposed to be achieved by supporting the development of a sustainable, growing local economy and supporting the commercial and retail sectors. The proposed rezoning to MUZ will support this direction as it recognises the existing uses and allows for the development of commercial and residential uses. This will support the local and broader economy and provide complementary uses to the current services and shops in the surrounding area, including the existing MAC. The MUZ also allows for future commercial and residential uses, which will also support the local economy through construction and commercial jobs.

The proposed development is providing a significant area of commercial floor space. This includes an office floor area of 1,973m², a total retail area of 6,638m², a 403m² medical centre, a 107 place child care centre, and an indoor recreation facility with 687m². These non-residential spaces will create new employment opportunities and commercial floor space when compared to the current use as an open car park.

CONCLUSION

The proposed rezoning of the land from Public Use Zone – Schedule 6 and Residential Growth Zone – Schedule 2 to the Mixed Use Zone is considered appropriate as it aligns with the Structure Plan. The proposed zone will allow for the development of the sites in accordance with the Structure Plan and Plan Melbourne. In particular, the proposed rezoning recognises the intention of the Structure Plan for the sites, the designation of the MAC under Plan Melbourne and the creation of a '20 minute neighbourhood' with good public transport links to the local and wider area.

The introduction of the Incorporated Document will provide certainty and guidance for the built form of the development and the proposed mixed use development is in accordance with state and local planning policy.

The planning permit application seeks the approval for a building of up to 18 storeys comprising retail premises, office, a gymnasium, medical centre, accommodation, serviced apartments and child care facility. The planning permit application is also considered appropriate as it will provide for the development of land that is envisaged by the Structure Plan for the precinct. The development will create employment opportunities during

9.1.1





(cont)

construction and during occupation of the development and will provide additional services, public realm and facilities to the local community.

The proposed request has been made under Section 96A of the Act which provides for a combined permit and amendment process. This will allow for the concurrent exhibition of a draft planning permit with the proposed amendment to the Planning Scheme and provides opportunity for the amendment request and planning permit to be considered by an independent planning panel if required.

It is therefore recommended that Council support a combined application, and seek authorisation from the Minister for Planning to prepare and exhibit the combined amendment and planning permit application.

ATTACHMENT

- 1 Incorporated Document 
- 2 Explanatory Report 
- 3 Architectural Plans 
- 4 Landscape Plans 

Attendance

Cr Liu returned to the Chamber at 7.39pm following the vote on Item 9.1.1.

9.2 INFRASTRUCTURE

9.2.1 Tender Evaluation Report (Contract 20009) - Redevelopment of Elgar Park North Pavilion

SUMMARY

Council has, as part of the approval of the Elgar Park Master Plan, endorsed the allocation of funds for the implementation of the Master Plan. Funds have been allocated for the redevelopment and extension of the pavilion that services the northern sports fields.

To consider tenders received for the redevelopment of the northern sports pavilion facilities at Elgar Park, to recommend the acceptance of the tender received from Harris HMC Interiors (VIC) Pty Ltd as trustee for Harris HMC Interiors (VIC) Trust for the amount of \$2,935,892 including GST and to consider the overall project expenditure of \$3,290,233.

COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr Tescher.

That Council accept the Tender and sign the formal contract document for Contract 20009 for the redevelopment of the northern sports pavilion facilities at Elgar Park received by Harris HMC Interiors (VIC) Pty Ltd as trustee for Harris HMC Interiors (VIC) Trust (ABN 93 606 308 911) for the tendered amount of \$2,935,892 including GST; and consider the total expected project expenditure of \$3,290,233.

CARRIED UNANIMOUSLY

BACKGROUND

Elgar Park is a 12 hectare multiuse open space and contains 4 sporting ovals, a synthetic hockey pitch, 2 sporting pavilions, St Johns Ambulance Hall, playground, public toilets, Box Hill Miniature Steam Railway and densely vegetated native bush-land located at its peripheries along the Koonung Creek and Bushy Creek. Located at 653-661 Elgar Road, Mont Albert North, the Park forms a main gateway to the municipality and is unique due to the diverse range of activities it provides for.

In 2014 Council officers commenced consultation with the community to formulate a draft Master Plan for the Park. During the master planning process various building redevelopment options for the pavilions in the Park were investigated. It was determined that the optimal outcome would be to continue to provide two pavilions to serve the northern and southern sports fields in the Park which support the active use of the open spaces adjacent to each pavilion.

The existing northern pavilion does not meet requirements of the sporting clubs including Elgar Park Regional Hockey Association, Kew Box Hill Brumbies Hockey Club, Box Hill North Super Kings Cricket Club and Mont Albert Cricket Club.

The redeveloped facility is located within a Special Building Overlay that requires any new structure to be built above the Melbourne Water designated flood level. Melbourne Water approval was obtained and an application for Council Planning approval was submitted.

Funding was provided in the 2015/16 and 2016/17 Capital Works Program to undertake the design for the redevelopment and funding has been provided in 2016/17 and 2017/18 for its construction.

9.2.1

(cont)

Similar to other recently completed sports pavilion redevelopment projects, the multipurpose room and associated facilities will be made available for use by other sports clubs, schools and community groups. Requests for use will be managed in accordance with Council's Sporting Facilities Guide and Standard Conditions of hire.

The redeveloped facility will involve the conversion of the existing sports pavilion into change room and toilet facilities while the new building is planned to be constructed nearby to provide multipurpose and other standard necessary functions.

The new pavilion will include;

- Multipurpose space for club and community use
- Kitchen and kiosk for club and community functions
- Kitchenette for community groups
- Storage for clubs and community groups using the facility
- Two unisex umpire change spaces
- First-aid room
- Universal accessible toilet facilities
- Universal access to the facility
- Accessible parking space and bike racks
- Covered area for spectators
- Sustainable measures such as LED light fittings, sensor operated lighting, a solar generation system and rain water tanks for flushing toilets

The refurbished change rooms will include;

- Six unisex change rooms and amenities for home and away teams
- Storage for tenant clubs and other users
- Universal accessible toilet and shower facilities
- Compliant universal access to the facility
- Sustainable measures such as LED light fittings, sensor operated lighting, a solar generation system and rain water tanks for flushing toilets

It is planned to undertake the construction works over two financial years with works expected to commence in April 2017 with a planned completion and handover to the tenant clubs in January 2018.

The tenant sporting clubs will be able to continue to use the existing change rooms; toilet and shower facilities in the existing sports pavilion until refurbishment works commence in July 2017 after this the clubs will use temporary change, toilet and shower facilities until the project is completed.

DISCUSSION

Six prequalified builders considered to be best equipped to deliver the project were selected from the State Government's Construction Suppliers Register (CSR) to tender for this Contract.

Tenders were invited on 17 November 2016 and closed on 9 December 2016. Five contractors submitted conforming tenders and one contractor submitted a late tender.

The tenders were evaluated against the following criteria:

- Financial benefit to Council;
- Contractors quality of works;
- Contractors ability to meet Council's time frame for the project;
- Contractors specified resources for the project;
- Occupational Health & Safety and Equal Opportunity (Pass/Fail); and
- Business Viability (Pass/Fail)

9.2.1

(cont)

A detailed evaluation was conducted on the tenderers and Harris HMC Interiors (VIC) Pty Ltd have vast experience in delivering similar projects for other Councils as well as completing projects that have new build and extensive refurbishment elements.

Reference checks to determine past performance on completed projects and currently in progress projects were conducted and remarks about Harris HMC Interiors (VIC) Pty Ltd were all very positive particularly in relation to their ability to deliver projects on time.

Site visits by Council Officers were performed to view examples of work and interviews conducted to determine Harris HMC's ability to complete the building works within the provided time period and to review the indicative construction program.

Harris HMC Interiors (VIC) Pty Ltd has a certified Quality Assurance System in place for the delivery of projects and utilise hand held device defects management software during the execution of the building works.

The preferred tenderer's business viability has been checked and is considered financially viable.

The tender submitted by Harris HMC Interiors (VIC) Pty Ltd is considered to provide the best value for money and outcome for Council, particularly due to the time period required to execute the building works in this contract as the overall impact that a later completion date has on the users of the Park is significant.

CONSULTATION

Council officers consulted with the broader community during the master plan process. Tenant clubs including clubs using the venue as a satellite training venue were consulted extensively with during the building design phase. Council's Parks, Planning and Recreation Department, as well as various other internal departments were consulted regarding building functionality, compliance issues and other important design considerations.

FINANCIAL IMPLICATIONS

	Budget	Expenditure
Capital Works Funding Account No.(10 T593 6708)	\$745,000	
Draft Budget 2017/18	\$2,585,000	
Total Budget	\$3,330,000	
Preferred tenderer's lump sum offer (<i>including GST</i>)		\$2,935,892.30
Less GST		\$266,899.30
Net cost to Council		\$2,668,993.00
Consultancy Fees		\$140,000
Service Authority Fees		\$30,000
Landscaping and field rectification works		\$80,000
**Ancillary Costs		\$40,000
Temporary Accommodation		\$15,000
Contingency		\$130,000
Project Management Fee 6%		\$186,240
Total Expenditure		\$3,290,233

POLICY IMPLICATION

** Ancillary costs include, master keying, pavilion signage and bollards around the development as required.

The current 2016/17 and draft 2017/18 capital budget for the project provides sufficient funds to complete the project.

9.2.2 Tender Evaluation Report (Contract 16015) Provision of Architectural Services for Construction of Harrow Street Multi-Deck Car Park

FILE NUMBER: SF16/813
ATTACHMENT

SUMMARY

To consider tenders received for the provision of Architectural Services for the construction of the Harrow Street Multi-Deck Car Park and to recommend the acceptance of the tender received from MGS Architects Pty Ltd, for the amount of \$736,252, including GST, and to consider the overall cost for the provision of Architectural Services.

COUNCIL RESOLUTION

Moved by Cr Tescher, Seconded by Cr Liu

That Council accept the tender and sign the formal contract document for Contract 16015 for the provision of Architectural Services for the Construction of the Harrow Street Multi-Deck Car Park received from MGS Architects Pty Ltd, trading as MGS Architects, ABN 13 006 488 302 of 10-22 Manton Lane, Melbourne Vic 3000 for the amount of \$736,252 including GST, as part of the total expected project expenditure for Architectural Services of \$828,174.82 excluding GST.

CARRIED UNANIMOUSLY

BACKGROUND

The Harrow Street Car Park is located at the corner of John Street and Harrow Street Box Hill. It is currently an on grade car park owned by the City of Whitehorse. The site area is approximately 4,180 Sq. m. and is bordered by John Street to the east, Harrow Street to the north, a private property containing a multi storey apartment complex to the south and an access road boarded by Pioneer Park, a medical centre and another Council owned on grade car parking area to the west. The site slopes down approximately 3m from north-west to south-east. Some trees of significance exist on the site with most of them situated close to the site boundaries. The site is approximately 400m to the train and bus interchange and 750m to the tram terminus and is situated in a Public Use Zone 6.

A multi-deck car park is planned to be built on the site. A small community space is also planned in the building and located along the width of the car park building facing Harrow Street.

The decision to design and construct the Harrow Street Car Park was made at the same time as the decision to sell the land on which the car park at 519-521 Cambridge Street and 517 Station Street is located (Cambridge Street Car Park). The purchaser of the Cambridge Street Car Park intends to convert that land into a mixed use residential/commercial development. As a result, the Cambridge Street Car Park will no longer be available for public car parking in the near future. The Harrow Street Car Park must, at a minimum, provide for all the car parking spaces that will be lost due to the sale and future development of the Cambridge Street Car Park.

Modern car park buildings have moved away from facilitating purely utilitarian functions and incorporate many aspects that interact with the general community and feature a vibrant and pleasing aesthetic outlook. The proposed car park at Harrow Street will deliver an innovative development opportunity comprising car parking and community space, relate to the neighbourhood surrounds, interact physically and visually with the adjoining Pioneer Park and contribute to net positive economic, environmental and social benefit for existing and future residents of Box Hill.

9.2.2

(cont)

The development will maintain and enhance safe access to the public car parking facility within easy walking distance and close proximity to the retail and commercial hub of the Box Hill Activity Centre.

The resolution of issues such as integrating with the vision of the new and modern Box Hill, the application of ESD principles in the development, the long term durability and ease of maintenance of the venue will be key aspects to the success of the design. Council has provisionally allocated a budget of \$13 million to the project.

A Project Manager was appointed in February 2016.

Design and Construction Scenarios

The design and construction timing of the Harrow Street Multi-deck Car Park is firmly linked to and will closely follow the construction programme for the future mixed use/residential development on the current Cambridge Street Car Park. It is important that the new car park at Harrow Street commences operation before construction work commences on the Cambridge Street site which will discontinue the car parking facility on that site. The proposed development of the Cambridge Street car park still needs to obtain important statutory approvals that could add some complexity to the project and its timing.

The following scenarios are foreseeable with the development of the Cambridge Street Car Park site that may impact the design and construction contracts for the Harrow Street Car Park project.

Scenario 1 – Statutory approvals obtained within relevant normal timeframes

Considering the current developments taking place in Box Hill it could be reasonably expected that the necessary statutory approvals for the project could be achieved without any major 'roadblocks' and normal timeframes for obtaining such approvals will prevail. If approvals are obtained within normal timeframes, a significant importance will be placed on the timing of the completion of the new multi-deck car park before the present Cambridge Street car park closes its gates for development.

Scenario 2 – Delays in obtaining statutory approvals

If obtaining statutory approvals for the development of the Cambridge Street Car Park site are delayed, it would have an obvious impact on the timing for the delivery of the Harrow Street Car Park project. If there are obvious signs of approvals not being granted in time, the design and documentation would not follow the Project timelines schedule in full and a freeze of the project will be implemented at the end of the builder's tender phase. In this scenario the builder's contract would need to be conditional on the successful completion of the statutory approvals process for the development of the Cambridge Street Car Park. This would require the builder to hold its tendered price for the construction contract for a nominated period of time and commence construction works once the contract went unconditional.

Scenario 3 – Statutory approvals rejected

If obtaining statutory approvals for the development of the Cambridge Street Car Park site is unachievable or unsuccessful the builders contract to construct a multi-deck car park at Harrow Street will be terminated.

All Architectural Consultancies tendering for this project were informed and asked to take into consideration all three of the above scenarios when pricing their tenders.

9.2.2

(cont)

DISCUSSION

Selection of consultants for the provision of architectural and associated design services for the project has been structured as a two stage, competitively tested, open market process. The first stage, being a publicly advertised Expression of Interest (EOI) stage, has been completed with the decision to short list 3 consultants to progress to the Request for Tender (RFT) stage of the project.

Three RFTs were invited on Friday 4 November 2016 from GroupGSA, MGS Architects and Peddle Thorp Architects. All three consultants lodged tenders by the specified closing time of 3.00pm on Thursday 24 November 2016.

The Tender Evaluation Panel (TEP) included the following Whitehorse City Council officers:

- Jeff Green, General Manager City Development (Project Sponsor)
- Rohan Prathapasinghe, Project Manager
- Tony Peak, Manager Property and Rates
- Will Gerhard, Assistant Manager Investment and Economic Development

The tenders were evaluated in accordance with the approved Evaluation Plan by the TEP using the following scored and weighted criteria:

- Design Approach
- Project Approach
- Financial Benefit
- Compliance with Contract and Brief

The following risk based criteria were used to further evaluate the tenders.

- Business Viability
- Insurances
- Conflict of Interest
- OH&S Requirements

The first round of evaluation was based on an individual review of each tender by each (TEP) member. The TEP met on Wednesday 30 November 2016 to determine a consensus score weighted against each criteria for all 3 tenderers.

The TEP analysed all criteria, including the lump sum prices, to arrive at a pre-interview consensus score. The evaluation determined that two tenderers scored significantly higher than the third in all criteria. Based on this evaluation the top two tenderers were invited for interviewing. It was clear from the significant difference in scores in all categories relating to the tenderer with the lowest score, that their score would be unlikely to increase substantially enough, post interview, to be considered as a preferred supplier for this architectural services contract.

As a consequence the TEP determined to only interview the two higher scoring tenderers, MGS Architects and Peddle Thorp Architects, as the next stage of the evaluation process.

The same set of predetermined interview questions was sent to the selected two tenderers prior to them being interviewed on Monday 5 December 2016. The interviews were conducted by the TEP in the presence of the projects Probity Advisor, Anne Dalton & Associates. At the conclusion of the interviews the TEP met, reassessed and modified some of the consensus scores awarded to the two interviewed tenderers.

Business Viability checks had previously been undertaken on the two higher ranked consultancies. Both tenderers received a preferable risk rating. Additional clarification was also sought in regards to compliance with clauses in the contract for this project.

9.2.2

(cont)

Confirmation reference checks were conducted on all shortlisted EOI respondents prior to the commencement of the tender invitation process.

Subsequent to the tenderer interviews a number of tender clarifications were sent to both tenderers and a final score on all tender criteria was achieved. MGS Architects scored higher on the 'Design Approach', 'Project Approach' and 'Compliance with Contract and Brief' criteria.

At the conclusion of the evaluation process the preferred tenderer that offered the best value for money outcome, with an acceptable level of risk to Council for this contract, is MGS Architects.

CONSULTATION

The TEP included members from across Council's business areas, including City Development and Infrastructure Divisions.

Council's Probity Advisor was consulted on the development of the Probity Plan, Tender Evaluation Plan and provided input into each stage of the procurement and evaluation process. The Probity Advisor attended the EOI respondent briefing session, interviews with tenderers and the post interview discussions. Anne Dalton & Associates has been given access to all TEP documents in order to independently attest to the probity and equity of the overall procurement process.

Contractual matters have been negotiated with the recommended respondent in consultation with Maddocks Lawyers (Maddocks) and reviewed by the TEP. Maddocks has confirmed the negotiated outcome is consistent with Council's requirements and the achievement of project objectives.

FINANCIAL IMPLICATIONS

A total project budget of \$13 million has been allocated for the design and construction of the Harrow Street Multi-Deck Car Park project with funding to be progressively made available over the remaining 2 year period of the project in accordance with expenditure demand projections. Of the \$13 million total project budget \$10.5 million has been assigned for construction of the project.

Consultancy services for this project comprise a critical component of the project budget. Initial funding of \$120,000 (Capital Account T544 – 6708), has been allocated in 2016/17 to commence the consultation and architectural design services activity with the balance of the project budget being made progressively available over the 2017/18 and 2018/19 financial years.

9.2.2 (cont)

Financial Implications Table:

	Budget	Expenditure
2016/17 Capital Works Funding Account No (10 T544 6708)	\$120,000	
2017/18 Capital Works Funding Account No (10 U544 6708)	\$3,550,000	
2018/18 Capital Works Funding Account No (10 V544 6708)	\$9,330,000	
Total Project Budget	\$13,000,000	
Preferred Tenderer's lump sum price (including GST)		736,252.00
Plus necessary sub-consultant costs (not part of tender sum) incl. GST		45,045.00
Est total cost for Architectural Consultant Services		781,297.00
Less GST		71,027.00
Net cost to Council for Architectural Consultant Services		710,270.00
Plus contingencies (10%)		71,027.00
Project Management fees (est 6%)		46,877.82
Est Total Expenditure (excluding GST)		828,174.82

Other sub-consultancy costs estimated at \$45,045, inc GST, for a range of necessary sub-consultant services including Geotechnical surveys, Land Contamination reports, Services Tracing, ESD assessment and additional services needed for working out design options to achieve future flexibility in expansion of car parking will be required as an integral part of the expenditure for the successful completion of the architectural services contract for this project. Accordingly these costs have been included when determining the total estimated cost for architectural consultancy services.

A decision on the preferred parking ticketing equipment and associated electronics that determines car park remuneration has not been made as yet. This decision will be made after careful consideration has been given to the various remuneration collection models available in the market. Costs for ticketing equipment and associated electronics have not been included in the project budget of \$13M.

The estimated total expenditure of \$828,174.82, GST, for the provision of Architectural Consultancy Services is under the pretender cost estimate of \$850,000 excl. GST for these services.

ATTACHMENT

- 1 Probity Report WCC Harrow St RFT process 

9.3 CORPORATE REPORTS

9.3.1 Tender Evaluation Report (Contract 1806/0711) Supply of Information Technology Products and Services

FILE NUMBER: 17/16625

SUMMARY

MAPS Group Limited, trading as Procurement Australia (PA) has conducted a tender process for the supply of Information Technology Products and Services. This Contract 1806/0711 enables access to a panel of 13 Suppliers that are qualified to supply the related products & services. This PA Schedule of Rates contract commenced on 01 July 2016 and will expire on 30 June 2018 with an option to extend the contract for one additional period of twelve months.

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Ellis.

That Council:

- 1. Accept the recommendation from MAPS Group Limited (ABN 45 058 335 363), trading as Procurement Australia and appoint the following 13 Suppliers as Council's preferred suppliers of IT Products & Services, under Contract 1806/0711 on a Schedule of Rates basis for a period of 2 years commencing on 1 July 2016:**
 - **Blue Connections Unit Trust (ABN 20 126 838 943)**
 - **Computers Now P/L (ABN 48 592 886 118)**
 - **Dell Australia P/L (ABN 46 003 855 561)**
 - **Deloitte Touche Tohmatsu (ABN 74 490 121 060)**
 - **Data#3 (ABN 31 010 545 267)**
 - **iPlatinum P/L (ABN 36 002 322 910)**
 - **Invotec P/L (ABN 27 120 387 751)**
 - **Dimension Data Australia P/L (ABN 65 003 371 239)**
 - **Net Communications P/L (ABN 67 093 067 004)**
 - **Sims Recycling Solutions (ABN 74 114 176 493)**
 - **Staples Australia P/L (ABN 94 000 728 398)**
 - **Thomas Duryea (ABN 95 091 623 326)**
 - **Verser Technology Lifecycles P/L (ABN 88 009 641 196)**
- 2. Authorise the Chief Executive Officer to award up to one 12 month extension of this contract, subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial term.**

CARRIED UNANIMOUSLY

BACKGROUND

This report considers the provision of IT Products & Services through the recent Procurement Australia tender.

Council's Information Technology Unit have the responsibility of providing and supporting a range of IT services across the organisation. This includes the deployment of hardware and software across 28 sites. Procurement of the devices and applications is made more efficient and economical by leveraging industry procurement contracts provided by the likes of Procurement Australia. Timely provision of these products and services means we can maintain systems, replace defective hardware and service our customers according to business requirements and expected service levels.

9.3.1 (cont)

DISCUSSION

On Wednesday 2 March 2016 MAPS Group Limited, trading as Procurement Australia (PA), on behalf of its members sought public tenders for the provision of IT Products & Services (PA Contract No. 1806/0711, Council Contract 16005), for a period of 2 years, commencing on 1 July 2016. This contract can be extended for a further 1 year at Council's discretion.

This tender was conducted by PA on behalf of its members: Cemetery Trusts, Local Government, Local Government Libraries, Library Corporations, Statutory Authorities, Not for Profit Organisations, Private Organisations, Tertiary Educational Institutions and Water Authorities within Victoria, New South Wales, South Australia and Tasmania. The contract delivers an optimum outcome as a result of aggregated purchasing power that Council would not be able to match by tendering on its own.

PA advertised tenders in The Herald Sun newspaper on Wednesday 2 March 2016. Tenders were closed on 6 April 2016. 45 tenders were received.

The tenders were evaluated by PA against the following compliance criteria:

- Professional Competence;
- Commercial Viability
- Corporate Social Responsibility Profile; and
- Price

At the completion of the evaluation, non-conformities were noted and discussed. A number of tenders received were rejected as they were assessed as having significant non-conformities with the tender documents. The remaining tenders were evaluated in accordance with the published evaluation criteria. The National contract Manager together with the relevant procurement Executive met to determine the sub-criterion and respective weightings; refer to the Evaluation Criteria above. Raw scores were allocated to each sub-criterion and the final weighted aggregate score was then determined.

The tenders received from the selected tenderers are considered to provide the best value for money for this Contract.

Whilst this process has been a comprehensive and public process, **it does not at any stage restrict council from seeking better pricing from vendors outside of this contract.**

By way of example, WCC currently refreshes 25% of its PC and laptop fleet each year in line with depreciation rules as a matter of normal business operations. This equates to approximately \$130K/pa. Similarly, WCC ensures that application and desktop software licensing agreement are current and this typically equates to \$275K/pa for the in scope vendors of this contract. Network and server infrastructure costs run at around \$100K/pa. These necessary compliance and IT asset renewal activities will be enhanced by the group buying opportunities and streamlined procurement processes that this contract delivers.

FINANCIAL IMPLICATIONS

The contract for the provision of IT Products & Services is based on a Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

PA charges a commission of 1.5% for purchases made under this contract. The commission is included in the tendered prices.

The estimated expenditure under this contract includes budgeted amounts from several programs. These will include operational accounts for Contracts & Services, Maintenance and Communications and capital accounts for the purchase of PC Replacements, Network Infrastructure and Software licenses. The estimated annual spend is \$500,000 per annum, including GST.

The costs incurred under this contract will be charged to the relevant budgets.

9.3.2 Proposed Road Discontinuance and Sale of Land Adjacent 23 & 25 Bentley Street and the Rear of 32 Erasmus Street, Surrey Hills

FILE NUMBER: SF16/746

SUMMARY

To consider the discontinuance and sale of the unmade right of carriageway (road) adjoining 23 and 25 Bentley Street and the rear of 32 Erasmus Street, Surrey Hills. The report recommends that the road be discontinued and the land sold to abutting owners by private treaty. The section of road proposed to be discontinued is shown hatched on Plan A below.

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Munroe.

That Council:

being of the opinion that the road adjoining 23 and 25 Bentley Street and the rear of 32 Erasmus Street, Surrey Hills, shown hatched on Plan A below, is not reasonably required as a road for public use:

- 1. Discontinues the road in accordance with section 206 and clause 3 of schedule 10 of the Local Government Act 1989;***
- 2. Directs that a notice be published in the Victoria Government Gazette;***
- 3. Directs that the land from the road be sold by private treaty to the abutting property owners in accordance with Council's policy;***
- 4. Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water and Council in the road in connection with any sewers, drains or pipes under the control of those Authorities in or near the road; and***
- 5. Authorises the Chief Executive Officer to sign all documents relating to the sale of any land from the discontinued road to the owners of abutting properties.***

CARRIED UNANIMOUSLY

BACKGROUND

At its Ordinary Meeting of 21 November 2016, Council directed that the formal procedures be commenced for the discontinuance and sale of the unconstructed right of way (road) adjacent 23 and 25 Bentley Street and the rear of 32 Erasmus Street, Surrey Hills.

Public notice of the proposed discontinuance and sale was given in The Age newspaper on Friday 25 November, 2016 and published on Council's website. No submissions have been received.

As previously reported, the road appears to have been occupied by three abutting properties for numerous decades, predating the purchase of the properties by the current owners.

Aerial photography indicated that the road became occupied after 1945 but before 1956. Subsequent aerial photography and notes from land surveys confirm the ongoing occupation of the lane from the 1950s to present day.

A site inspection by a Council Officer has confirmed that the unconstructed road is enclosed within the fence line of three adjoining properties and appears to be no longer used for access.

9.3.2

(cont)

Plan A below shows the section of road proposed for discontinuance, as shown hatched.

Plan B below shows an aerial photo and photos of the section of road proposed for discontinuance and the abutting properties.

Plan C below shows the proposed allocation of the land to the abutting property owners.

DISCUSSION

The land from the road is proposed to be sold in accordance with the purchase price applicable under Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy.

All three adjoining property owners have confirmed their interest in purchasing the land they currently occupy if the road is discontinued by Council.

CONSULTATION

Public notice of the proposed discontinuance and sale was given in The Age newspaper on Friday 25 November, 2016 and published on Council's website. Adjoining owners and occupiers were also notified in writing with submissions under Section 223 of the Local Government Act 1989 to be received within 28 days of the date of the notice.

No submissions have been received.

Council and all relevant service authorities have been consulted in respect to the proposal and no objections have been received.

Yarra Valley Water has a sewer pipe and Council has a storm-water drain in the road and both authorities will require an easement to be 'saved' over these assets upon discontinuance of the road.

Given the above circumstances Council can form the opinion that the road is no longer reasonably required for use by the public and as such resolve to discontinue the road and sell the land to adjoining property owners in accordance with its policy.

FINANCIAL IMPLICATIONS

Gross proceeds from the proposed sale of the land will be \$47,250 inclusive of GST. After expenses, the net proceeds to Council will be approximately \$35,750 inclusive of GST.

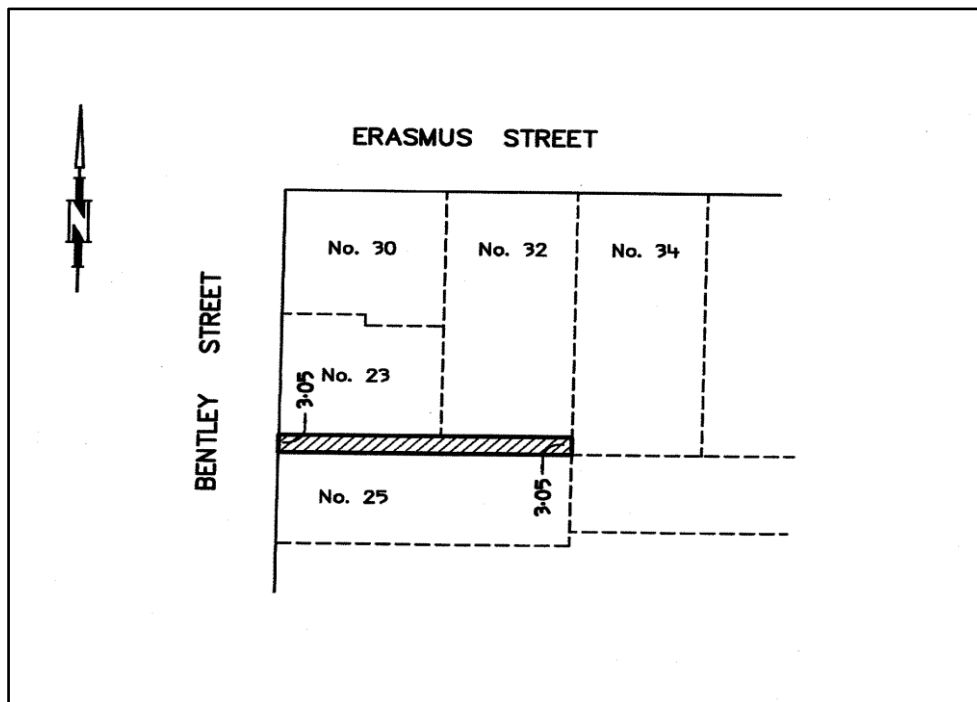
The gross proceeds will be included in the Open Space Fund in accordance with Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy.

POLICY IMPLICATIONS

The recommendations are made in accordance with Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy.

9.3.2
(cont)

PLAN A



PLAN B

Aerial photo overview of the road and abutting properties in occupation



9.3.2
(cont)

Photo of occupied laneway and adjoining frontage of properties 23 & 25 Bentley Street

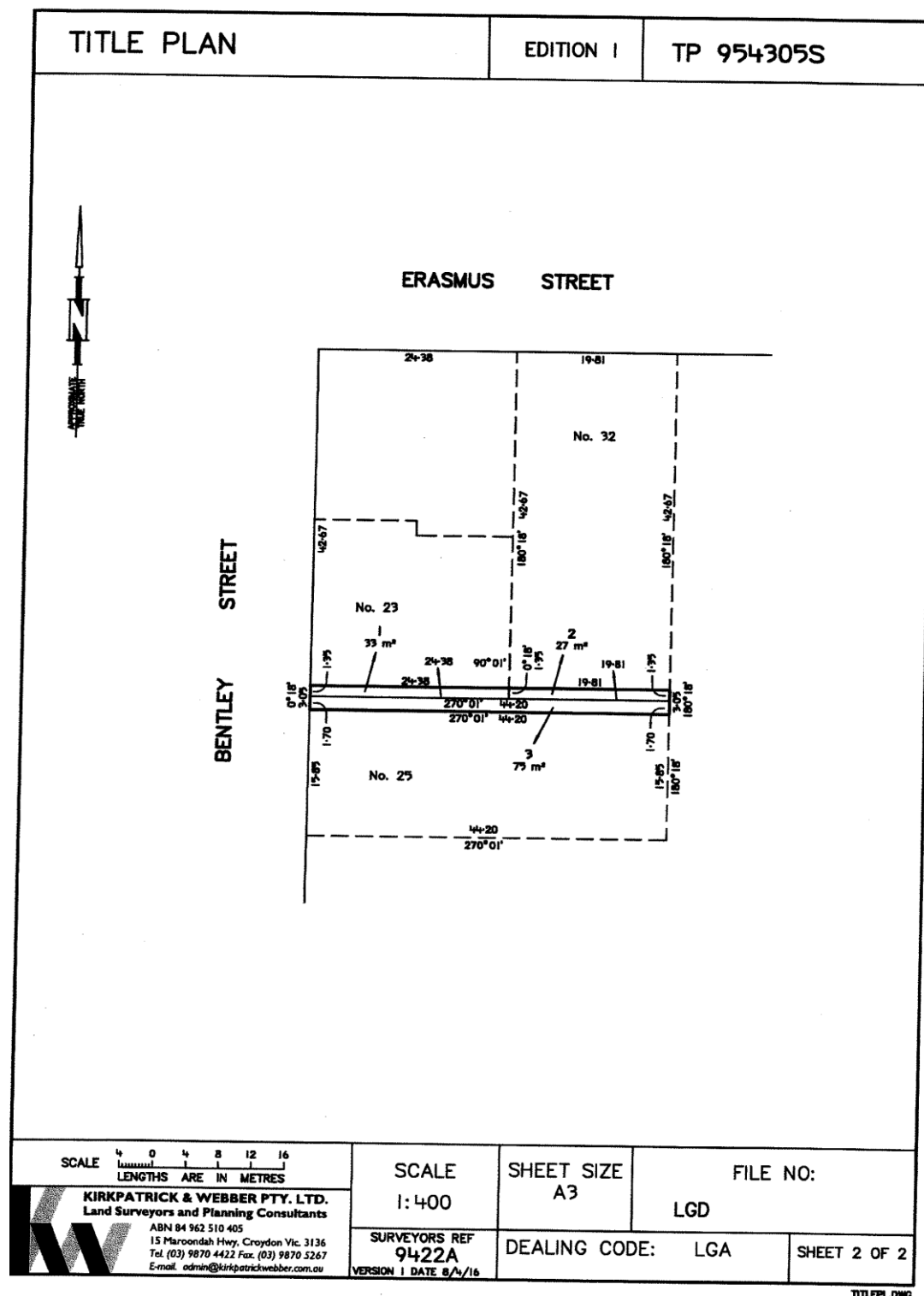


Photo of part of occupied laneway with dividing fence along middle of laneway taken from the rear of 23 Bentley Street



9.3.2
(cont)

PLAN C



9.3.3 Quarterly Performance Report - Period ending 31 December 2016

FILE NUMBER: 17/9564
ATTACHMENT

SUMMARY

The purpose of this report is to brief the Council on performance against the Council Plan 2013-2017 and the Annual Budget 2016-17 for the period ending 31 December 2016 and seek Council endorsement for the introduction of a new fee at Sportlink Vermont South.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Carr.

That Council

- 1. Notes the quarterly performance report ending 31 December 2016 as attached.***
- 2. Adopts a new fee of \$10.00 (including GST) per participant per night for a Social Basketball Program at Sportlink Vermont South.***

CARRIED UNANIMOUSLY

BACKGROUND

This Quarterly Performance Report for the period ending 31 December 2016 provides a detailed report on performance against the major initiatives and initiatives as identified in the Annual Budget 2016-17. These major initiatives and initiatives contribute to the achievement of the Council Plan 2013-17, and therefore this report reviews Council performance against the Council Plan and the Annual Budget, pursuant to sections 131(3)(a)(ii) and 138 of the *Local Government Act 1989*.

The financial section of this report has been prepared on an accrual basis to ensure accurate matching of income and expenditure, both operating and capital, for the year to date ending 31 December 2016. Furthermore, the report is prepared on the basis of year to date, year-end projection, cash and key balance sheet items and analysing trends against budget.

DISCUSSION

Performance against Council Plan

The Annual Plan, which is a part of the Annual Budget 2016-17, identified 29 major initiatives and initiatives which contribute to the achievement of the Strategic Objectives and Strategies identified in the Council Plan 2013-2017. Of the 29 major initiatives and initiatives in the Annual Budget 2016-17, 23 are on track, four of the 2016-17 initiatives have been completed during the quarter and two are slightly below their quarterly target of 50% completion.

Highlights for the quarter included:

- Development of the Council Plan and Municipal Public Health and Wellbeing Plan: Delivery of a successful community engagement program with over 1,200 community members participating,
- The Box Hill Affordable Housing Project: Housing Associations have submitted an Expression of Interest (EOI) and a Request for Proposal (RFP),
- Burwood Brickworks: Landowner has liaised with Council on a proposed planning permit application for the initial stages of development,
- Municipal Tree Study: Final Options Report was endorsed by Council,

9.3.3

(cont)

- Volunteer Management: Review underway to evaluate Council's performance against the National Standards, and
- The Box Hill Visitation Marketing: Box Hill website currently being redeveloped to house the revised theme, branding and promotional opportunities.

Performance against Annual Budget

The year to date financial result at 31 December 2016 reflects a favourable variance of \$9.38m.

The year-end result is forecast to be a surplus of \$31.35m, \$7.33m higher than originally budgeted.

The capital works report reflects expenditure to the end of December 2016 of \$12.69m, which is slightly below the year to date expenditure forecast of \$13.56m. The year to date capital expenditure represents 35.2% of the total available capital funding. The current year end capital works program forecast, including carry over projects, is currently \$36.01m.


New Fee at Sportlink Vermont South

Sportlink Vermont South has identified an opportunity for patrons (new and existing) to become involved at the Centre at a regular time slot, in a fun, friendly and competitive program – Social Basketball. The new program will utilise court booking space recently vacated by an external group which has allowed this opportunity. The proposed fee is \$10.00 per participant per night.

The operating costs for the program would be minimal with existing resources being utilised to manage the start-up and ongoing delivery of the program. Once established, it is anticipated that the program will cater for an average of 32 weekly participants. (Anticipated participant numbers are based on current averages of a similar program (Social Badminton) running at Sportlink).

It is expected that the program will generate approximately \$16,000 (incl GST) of revenue per annum.

ATTACHMENT

- 1 Quarterly Performance Report - Period ending 31 December 2016 

9.3.4 Delegation Decisions December 2016

SUMMARY

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

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Ellis.

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

CARRIED UNANIMOUSLY

DELEGATION	FUNCTION	Number for December 2015	Number for December 2016
Planning and Environment Act 1987	Delegated Decisions	155	135
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		22	19
Gaming Control Act 1991		Nil	0
Building Act 1993	Dispensations & Applications to Building Control Commission	61	59
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	2
Food Act 1984	Food Act Orders	Nil	4
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	Nil	4
Local Government Act 1989	Temporary Road Closures	3	8
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	1	2
	Property Sales and Leases	2	18
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	1252	1132
	Parking Amendments	2	2
	Parking Infringements written off (not able to be collected)	286	370

9.3.4

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS DECEMBER 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
706	21-12-16	Application Lapsed	69 Rostrevor Pde, Mont AlbertNorth	Elgar	2 unit development	Multiple Dwellings
718	14-12-16	Application Lapsed	40 Whitehorse Rd, Blackburn	Central	Construction of five storey building with basement, reduction in car parking and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
963	12-12-16	Application Lapsed	31 Inga St, Burwood East	Riversdale	Construction of 2 no two storey dwellings	Multiple Dwellings
15	16-12-16	CMP Approved	373 Burwood Hwy, Burwood	Riversdale	CMP for a development	CMP Process
21	01-12-16	CMP Approved	836-850 Whitehorse Rd, Box Hill	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	CMP Process
44	06-12-16	Delegate Approval - S72 Amendment	122 Jolimont Rd, Vermont	Morack	Construction of a double storey dwelling at the rear of the existing dwelling	Permit Amendment
110	06-12-16	Delegate Approval - S72 Amendment	224 Springfield Rd, Blackburn	Central	Development of land for two dwellings	Permit Amendment
311	16-12-16	Delegate Approval - S72 Amendment	23 Shady Grv, Nunawading	Springfield	Construction of two dwellings (comprising of a double storey dwelling to the rear of the existing dwelling, and a carport)	Permit Amendment
334	21-12-16	Delegate Approval - S72 Amendment	41 Blackburn Rd, Blackburn	Central	Part demolition of existing two storey dwelling and associated buildings and works for a ground floor addition	Permit Amendment

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
342	29-12-16	Delegate Approval - S72 Amendment	13 Plymouth Crt, Nunawading	Springfield	Construction of two semi-detached double storey dwellings	Permit Amendment
368	20-12-16	Delegate Approval - S72 Amendment	67 Strabane Ave, Mont AlbertNorth	Elgar	Construction of two attached three storey (including basement) dwellings	Permit Amendment
378	16-12-16	Delegate Approval - S72 Amendment	68 Joseph St, Blackburn North	Central	Construction of an additional single storey dwelling and subdivision of land into two lots	Permit Amendment
414	06-12-16	Delegate Approval - S72 Amendment	23 Milton St, Nunawading	Springfield	Construction of two double storey dwellings	Permit Amendment
459	05-12-16	Delegate Approval - S72 Amendment	1 Hopetoun Pde, Box Hill	Elgar	Use and development of the land for a community and cultural centre incorporating a child care centre, education centre, place of assembly (day centre for the elderly and senior citizens club), a reduction in car parking requirements and non-illuminated business identification signage	Permit Amendment
464	19-12-16	Delegate Approval - S72 Amendment	27 Holland Rd, Blackburn South	Central	Construction of three double storey dwellings	Permit Amendment
535	21-12-16	Delegate Approval - S72 Amendment	1 East India Ave, Nunawading	Springfield	Construction of a double storey dwelling to the rear of a two bedroom dwelling	Permit Amendment
559	28-12-16	Delegate Approval - S72 Amendment	99 Morack Rd, Vermont South	Morack	Development of the land for 16 dwellings and removal of native vegetation	Permit Amendment
629	02-12-16	Delegate Approval - S72 Amendment	11 High St, Mont Albert	Elgar	Part demolition and construction of buildings and works to a dwelling within a heritage overlay	Permit Amendment
724	29-12-16	Delegate Approval - S72 Amendment	28 Cypress Ave, Burwood	Riversdale	Construction of a new three storey dwelling (including basement garage) to the rear of the existing dwelling facing Malvina Street	Permit Amendment

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
761	19-12-16	Delegate Approval - S72 Amendment	647 Canterbury Rd, Vermont	Springfield	Construction of five dwellings comprising four double storey dwellings and one single storey dwelling	Permit Amendment
762	13-12-16	Delegate Approval - S72 Amendment	18 Black St, Mont Albert	Elgar	Buildings and works for the construction of a garage and front fence	Permit Amendment
794	15-12-16	Delegate Approval - S72 Amendment	8 Medway St, Box Hill North	Elgar	Construction of three double storey dwellings	Permit Amendment
812	20-12-16	Delegate Approval - S72 Amendment	332-334 Mont Albert Rd, Mont Albert	Elgar	Construction of two double storey dwellings	Permit Amendment
895	28-12-16	Delegate Approval - S72 Amendment	1 Elland Ave, Box Hill	Elgar	Development of a nine storey apartment building including ground floor retail (community market, convenience shop, food and drink premises or plant nursery) and a mix of serviced apartments and dwellings, waiver in loading and unloading and car parking requirements)	Permit Amendment
913	19-12-16	Delegate Approval - S72 Amendment	25 Dalmor Ave, Mitcham	Springfield	Buildings and works associated with an extension and alterations to the existing dwelling and removal of three (3) trees)	Permit Amendment
972	22-12-16	Delegate Approval - S72 Amendment	8 Wridgway Ave, Burwood	Riversdale	Amendment to Planning Permit WH/2014/972 (issued for the construction of three double storey dwellings) comprising increases to ground and first floor footprints, reduction in front and side setbacks, addition of a front fence, relocation of services, internal modifications, changes to windows and doors and removal of all trees on site	Permit Amendment
976	22-12-16	Delegate Approval - S72 Amendment	1250 Riversdale Rd, Box Hill South	Riversdale	Construction of three (3) double storey dwellings	Permit Amendment

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
13386	30-12-16	Delegate Approval - S72 Amendment	1/29-31 Gillies St, Mitcham	Springfield	Construction of three dwellings on one lot - two double storey and one single storey	Permit Amendment
196	28-12-16	Delegate NOD Issued	77 Middleborough Rd, Burwood	Riversdale	Construction of 8 attached dwellings and alteration of access to a Road Zone	Multiple Dwellings
224	02-12-16	Delegate NOD Issued	660 Whitehorse Rd, Mont Albert	Elgar	Construction of one double storey dwelling and extensions to an existing dwelling	Multiple Dwellings
242	21-12-16	Delegate NOD Issued	18 Grandview Rd, Box Hill South	Riversdale	Amendment to endorsed plans to WH/2014/242 for a redesign of all dwellings	Permit Amendment
280	20-12-16	Delegate NOD Issued	13 Graham Place Box Hill	Elgar	Removal of a covenant	Subdivision
302	21-12-16	Delegate NOD Issued	83 Percy St, Mitcham	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
307	22-12-16	Delegate NOD Issued	42 Roslyn St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
363	29-12-16	Delegate NOD Issued	1 Hillside Pde, Box Hill North	Elgar	Proposed 2 double storey dwellings	Multiple Dwellings
413	19-12-16	Delegate NOD Issued	1/10 Middlefield Drv, Blackburn North	Central	Amendment to WH/2015/413/A (issued for the construction of a dwelling extension (second storey) on a lot of less than 300 square metres) comprising alterations to the first floor footprint	Permit Amendment
416	23-12-16	Delegate NOD Issued	22 Glen Ebor Ave, Blackburn	Central	Buildings and works comprising the construction of one (1) double storey dwelling with basement level and domestic swimming pool	Special Landscape Area
438	16-12-16	Delegate NOD Issued	26 Birdwood St, Box Hill South	Riversdale	Construction of a double storey dwelling at the rear of an existing house	Multiple Dwellings
451	16-12-16	Delegate NOD Issued	11 Aspinall Rd, Box Hill North	Elgar	Construction of two double storey dwellings	Permit Amendment
479	15-12-16	Delegate NOD Issued	14-16 Edwards St, Burwood	Riversdale	Building and works associated with the construction of an aged care facility	Other
544	22-12-16	Delegate NOD Issued	20 Gillard St, Burwood	Riversdale	Construction of three dwellings	Multiple Dwellings

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
597	20-12-16	Delegate NOD Issued	57 Shady Grv, Forest Hill	Springfield	Removal of trees and buildings and works for construction of a new dwelling.	Special Landscape Area
665	30-12-16	Delegate NOD Issued	36 Packham St, Box Hill North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
717	19-12-16	Delegate NOD Issued	6 Richardson St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
767	20-12-16	Delegate NOD Issued	7 Skene St, Burwood East	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
778	14-12-16	Delegate NOD Issued	7 Savage Crt, Nunawading	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
782	15-12-16	Delegate NOD Issued	2 Marian Crt, Blackburn	Central	Construct two double storey dwellings	Multiple Dwellings
791	28-12-16	Delegate NOD Issued	42 Robinlee Ave, Burwood East	Morack	Construction of two double storey dwellings	Multiple Dwellings
794	20-12-16	Delegate NOD Issued	19 Peter Ave, Blackburn North	Central	Development of an additional double storey dwelling at the rear of the existing dwelling and alterations to the existing dwelling	Multiple Dwellings
810	19-12-16	Delegate NOD Issued	1/5-13 Sinnott St, Burwood	Riversdale	Change of use to a Leisure and Recreation Facility (Martial Arts)	Industrial
1081	29-12-16	Delegate NOD Issued	722 Station St, Box Hill	Elgar	Construction of a five storey building for use as backpackers accommodation and food and drink premises	Residential (Other)
1093	30-12-16	Delegate NOD Issued	362 Burwood Hwy, Burwood	Riversdale	Construction of a four storey apartment building comprising 14 dwellings with a reduction in the car parking requirement	Multiple Dwellings
1150	12-12-16	Delegate NOD Issued	757 Station St, Box Hill	Elgar	Use and development of a three to five storey (plus basement car park) child care centre and associated alteration of access to a road in a Road Zone Category 1	Child Care Centre
1261	21-12-16	Delegate NOD Issued	100 Whitehorse Rd, Blackburn	Central	Construction of a 4 storey apartment building with basement and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
66	19-12-16	Delegate Permit Issued	2/2 Gillard St, Burwood	Riversdale	Construction of one (1) double storey dwelling on a lot of less than 300 square metres	Single Dwelling < 300m2
134	16-12-16	Delegate Permit Issued	45 Cumming St, Burwood	Riversdale	Construction of 3 dwellings	Multiple Dwellings
178	06-12-16	Delegate Permit Issued	1/14 Victoria Cres, Mont Albert	Elgar	2 lot subdivision	Subdivision
194	28-12-16	Delegate Permit Issued	31 Neville St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
236	28-12-16	Delegate Permit Issued	23 Cromwell St, Burwood	Riversdale	Construction of two double storey dwellings with garages and landscaping	Multiple Dwellings
317	20-12-16	Delegate Permit Issued	161 Central Rd, Nunawading	Springfield	Nunawading Christian College upgrade to the existing Library	Education
381	28-12-16	Delegate Permit 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	19-12-16	Delegate Permit Issued	21 Sunshine Ave, Mitcham	Springfield	The construction of two double storey dwellings.	Multiple Dwellings
475	12-12-16	Delegate Permit Issued	182-186 Burwood Hwy, Burwood	Riversdale	Two (2) lot subdivision	Subdivision
515	28-12-16	Delegate Permit Issued	14 Milton St, Nunawading	Springfield	Buildings and works to extend the existing dwelling	Special Landscape Area
519	22-12-16	Delegate Permit Issued	19 Linden St, Blackburn	Central	Construction of two double storey side by side dwellings	Multiple Dwellings
545	07-12-16	Delegate Permit Issued	30-32 Prospect St, Box Hill	Elgar	Reduction in the car parking requirement for an education centre	Business
551	16-12-16	Delegate Permit Issued	10 Churinga Ave, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
553	14-12-16	Delegate Permit Issued	541 Elgar Rd, Mont AlbertNorth	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
560	19-12-16	Delegate Permit Issued	29 Bentley St, Surrey Hills	Riversdale	Development of land for two dwellings	Multiple Dwellings
567	15-12-16	Delegate Permit Issued	3A High St, Mont Albert	Elgar	Alteration and addition to and partial demolition of the existing single dwelling	Heritage
593	16-12-16	Delegate Permit Issued	14 Eram Rd, Box Hill North	Elgar	Construction of two dwellings on a lot	Multiple Dwellings
626	22-12-16	Delegate Permit Issued	9 Esta St, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
632	02-12-16	Delegate Permit Issued	25 Evans St, Burwood	Riversdale	Advertising Signage	Industrial
638	20-12-16	Delegate Permit Issued	45 Glenburnie Rd, Mitcham	Springfield	Buildings and works within 4 metres of trees and removal of two trees	Special Landscape Area
683	20-12-16	Delegate Permit Issued	934-940 Whitehorse Rd, Box Hill	Elgar	Reduction in car parking associated with the use of the land for a medical centre	Residential (Other)
719	07-12-16	Delegate Permit Issued	6A Main St, Blackburn	Central	Change of use to a place of assembly (meditation and mindfulness centre)	Business
731	28-12-16	Delegate Permit 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
748	20-12-16	Delegate Permit Issued	217 Whitehorse Rd, Blackburn	Central	Buildings and works to construct a shed	Residential (Other)
751	28-12-16	Delegate Permit Issued	7 Jocelyn Crt, Forest Hill	Springfield	Removal of 3 trees in an SLO 6	Special Landscape Area
804	06-12-16	Delegate Permit Issued	8/23A Cook Rd, Mitcham	Springfield	Increase floor area to first floor office of existing warehouse and reduction in car parking	Industrial
812	19-12-16	Delegate Permit Issued	42 Windsor Cres, Surrey Hills	Elgar	Alterations and additions to existing dwelling	Heritage
826	22-12-16	Delegate Permit Issued	5 Marian Crt, Blackburn	Central	Construction of three double storey dwellings	Permit Amendment
841	23-12-16	Delegate Permit Issued	2A Churchill St, Mont Albert	Elgar	Display of business identification signage	Advertising Sign
843	19-12-16	Delegate Permit Issued	26 Clydesdale St, Box Hill	Elgar	Buildings and works to an existing dwelling including an extension	Heritage
859	29-12-16	Delegate Permit Issued	9-21 Cook Rd, Mitcham	Springfield	21 lot subdivision	Subdivision
865	23-12-16	Delegate Permit Issued	1/716 Whitehorse Rd, Mitcham	Springfield	5 lot subdivision	Subdivision
873	14-12-16	Delegate Permit Issued	18 Foch St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
883	21-12-16	Delegate Permit Issued	116 Brunswick Rd, Mitcham	Springfield	3 lot subdivision	Subdivision
894	21-12-16	Delegate Permit Issued	4/15 Tyne St, Box Hill North	Elgar	Extension to existing dwelling on a lot less than 300m ²	Single Dwelling < 300m ²
895	19-12-16	Delegate Permit Issued	2/5-13 Sinnott St, Burwood	Riversdale	Change of use to a Leisure and Recreation Facility (Martial Arts)	Industrial
903	28-12-16	Delegate Permit Issued	7 Sussex St, Blackburn North	Central	Two (2) lot subdivision	Subdivision

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
939	29-12-16	Delegate Permit Issued	8 Black St, Mont Albert	Elgar	Construction of a front fence	Heritage
944	28-12-16	Delegate Permit Issued	66 Burwood Hwy, Burwood	Riversdale	To carry out works to an existing building within Commercial 1 zone	Business
951	02-12-16	Delegate Permit Issued	997-1003 Whitehorse Rd, Box Hill	Elgar	Temporary hoarding signage	Business
953	20-12-16	Delegate Permit Issued	4 Fletcher St, Forest Hill	Springfield	Two (2) lot subdivision	Subdivision
982	28-12-16	Delegate Permit Issued	15 Edwards St, Burwood	Riversdale	Development of four double storey dwellings	Multiple Dwellings
984	15-12-16	Delegate Permit Issued	5 The Ridge Blackburn	Central	Buildings and works associated with the construction of a deck and domestic swimming pool and the removal of vegetation within a Significant Landscape Overlay - Schedule 2	Special Landscape Area
996	29-12-16	Delegate Permit Issued	613 Whitehorse Rd, Mitcham	Springfield	Proposed Badminton Court & associates facilities	Industrial
999	23-12-16	Delegate Permit Issued	605 Canterbury Rd, Vermont	Springfield	Reduction in the standard carparking requirment for a restaurant to allow 24 seats to rear garden and associated buildings	Business
1017	30-12-16	Delegate Permit Issued	16 Apollo Crt, Blackburn	Central	Creation of sewerage easement in favour of Yarra Valley Water	Subdivision
1018	30-12-16	Delegate Permit Issued	1/10-12 Blackburn Rd, Blackburn	Central	Creation of sewerage easement in favour of Yarra Valley Water	Subdivision
1025	23-12-16	Delegate Permit Issued	371 Springfield Rd, Nunawading	Springfield	Removal of easement on east boundary	Subdivision
1027	21-12-16	Delegate Permit Issued	220 Middleborough Rd, Blackburn South	Central	Relocate the existing community centre on the site to a different building	Residential (Other)
1028	20-12-16	Delegate Permit Issued	30-32 Prospect St, Box Hill	Elgar	Display of Signage	Advertising Sign
1036	01-12-16	Delegate Permit Issued	5 Grenville Crt, Blackburn South	Central	Removal of one protected tree in Significant Landscape Overlay 2	VicSmart - General Application
1039	16-12-16	Delegate Permit Issued	Shop G 33/172-210 Burwood Hwy, Burwood East	Riversdale	Sale and consumption of liquor within an existing food and drink premises	Liquor Licence

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1046	05-12-16	Delegate Permit Issued	329 Springvale Rd, Forest Hill	Springfield	Buildings and works to construct six (6) double storey dwellings across three (3) allotments and alteration of access to a Road Zone, Category 1	Multiple Dwellings
1049	20-12-16	Delegate Permit Issued	458-460 Whitehorse Rd, Mitcham	Springfield	Construction of cantilever structure	Business
1060	22-12-16	Delegate Permit Issued	10 Williamson Rd, Mont AlbertNorth	Elgar	Two (2) lot subdivision	Subdivision
1061	21-12-16	Delegate Permit Issued	3 Dagola Ave, Nunawading	Springfield	Two (2) lot subdivision	Subdivision
1064	21-12-16	Delegate Permit Issued	28 Park Rd, Surrey Hills	Riversdale	Two (2) lot subdivision	Subdivision
1065	21-12-16	Delegate Permit Issued	27 Indra Rd, Blackburn South	Central	Two (2) lot subdivision	Subdivision
1066	28-12-16	Delegate Permit Issued	8 Judy Crt, Vermont	Morack	Three (3) lot subdivision	Subdivision
1070	14-12-16	Delegate Permit Issued	151 Highbury Rd, Burwood	Riversdale	Construction of two double storey dwellings and the alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
1073	28-12-16	Delegate Permit Issued	47 Cadorna St, Box Hill South	Riversdale	Two (2) lot subdivision	Subdivision
1077	07-12-16	Delegate Permit Issued	69 Blackburn Rd, Blackburn	Central	Construction of a front fence in a Significant Landscape Overlay	VicSmart - General Application
1079	05-12-16	Delegate Permit Issued	75 Jolimont Rd, Forest Hill	Morack	Reduction of standard car parking requirement under Clause 52.06	VicSmart - General Application
1080	01-12-16	Delegate Permit Issued	29 Christina St, Burwood	Riversdale	Remove one tree	VicSmart - General Application
1101	15-12-16	Delegate Permit Issued	148 Central Rd, Nunawading	Springfield	Removal of a tree affecting house foundations and in danger of dropping limbs	VicSmart - General Application
1103	05-12-16	Delegate Permit Issued	11 Wellesley St, Mont Albert	Elgar	Construction of two (2) double storey dwellings and associated front fence	Multiple Dwellings
1115	21-12-16	Delegate Permit Issued	1/48 Efron St, Nunawading	Springfield	Two (2) lot subdivision	Subdivision
1118	28-12-16	Delegate Permit Issued	11 Balmoral Crt, Burwood East	Morack	Two (2) Lot subdivision	Subdivision
1123	19-12-16	Delegate Permit Issued	3/53 Trawool St, Box Hill North	Elgar	To build a front fence 1.64	VicSmart - General Application
1124	16-12-16	Delegate Permit Issued	15 Alwyn St, Mitcham	Springfield	Removal of a tree	VicSmart - General Application

9.3.4

(cont)

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1140	05-12-16	Delegate Permit Issued	316 Middleborough Rd, Blackburn	Central	Construction of two (2) double storey dwellings and alteration of access to a Road Zone, Category 1	Multiple Dwellings
1144	21-12-16	Delegate Permit Issued	10 Knightsbridge Ave, Nunawading	Springfield	Construction of an 1800 high brick/metal in fill fence & gates to dwelling and auto gates to dwelling two	VicSmart - General Application
1148	22-12-16	Delegate Permit Issued	2 Wood St, Nunawading	Springfield	Reduction in car parking requirements for a retail premises (food and drink premises)	VicSmart - General Application
1153	22-12-16	Delegate Permit Issued	1 Wolseley Cres, Blackburn	Central	Remove one tree	VicSmart - General Application
1155	22-12-16	Delegate Permit Issued	2 Wood St, Nunawading	Springfield	Building and works to install a flue	Business
223	16-12-16	Delegate Refusal Issued	44 Kenmare St, Mont Albert	Elgar	Construction of six double storey dwellings	Multiple Dwellings
244	23-12-16	Delegate Refusal Issued	21 Laurel Grv, NorthBlackburn	Central	Buildings and works for two double storey dwellings, vegetation removal and construction of a front fence	Multiple Dwellings
391	23-12-16	Delegate Refusal Issued	18 Frances Ave, Vermont	Morack	Buildings and works for the construction of two double storey dwellings	Multiple Dwellings
690	29-12-16	Delegate Refusal Issued	2 Burcote St, Blackburn North	Central	Alterations/additions to a dwelling with two or more dwellings on the lot	Residential (Other)
708	22-12-16	Delegate Refusal Issued	46 Kenmare St, Mont Albert	Elgar	Construction of seven double storey dwellings	Multiple Dwellings
853	06-12-16	Withdrawn	371 Springfield Rd, Nunawading	Springfield	2 lot subdivision	Subdivision

9.3.4

(cont)

BUILDING DISPENSATIONS/APPLICATIONS DECEMBER 2016

Address	Date	Ward	Result
12 Eustace Street, BLACKBURN	20-12-16	Central	Consent Granted R419
18-18A Laburnum Street, BLACKBURN	12-12-16	Central	Consent Granted R604
2 Nestor Grove, BLACKBURN NORTH	23-12-16	Central	Consent Granted R424, R427
21 Elm Street, BLACKBURN	21-12-16	Central	Consent Granted R409
27 Amery Avenue, BLACKBURN	21-12-16	Central	Consent Granted R414
48-50 South Parade, BLACKBURN	06-12-16	Central	Consent Granted R409
7 Jackson Street, FOREST HILL	21-12-16	Central	Consent Granted R424
6 Belvedere Court, BLACKBURN NORTH	23-12-16	Central	Consent Refused R424
8 Harris Street, BLACKBURN NORTH	05-12-16	Central	Consent Refused R415
64 Goodwin Street, BLACKBURN	23-12-16	Central	Withdrawn R420, R409, R417, R415
10 Maude Street, BOX HILL NORTH	21-12-16	Elgar	Consent Granted R424
133 Windsor Crescent, MONT ALBERT	23-12-16	Elgar	Consent Granted R411, R415
16 Rostrevor Parade, MONT ALBERT NORTH	15-12-16	Elgar	Consent Granted R427
170 Dorking Road, BOX HILL NORTH	06-12-16	Elgar	Consent Granted R424
22 Woodhouse Grove, BOX HILL NORTH	13-12-16	Elgar	Consent Granted R409
25B Kenmare Street, MONT ALBERT NORTH	02-12-16	Elgar	Consent Granted R424
29 Merton Street, BOX HILL	21-12-16	Elgar	Consent Granted R426
354 Elgar Road, BOX HILL	19-12-16	Elgar	Consent Granted R431
419 Middleborough Road, BOX HILL	20-12-16	Elgar	Consent Granted R409
6 Tie Street, MONT ALBERT NORTH	23-12-16	Elgar	Consent Granted R414
7 Simmons Street, BOX HILL NORTH	23-12-16	Elgar	Consent Granted R424
923 Station Street, BOX HILL NORTH	02-12-16	Elgar	Consent Granted R414
16 Rostrevor Parade, MONT ALBERT NORTH	16-12-16	Elgar	Consent Refused R426, R424
47 Husband Road, FOREST HILL	12-12-16	Morack	Amendment Approved R424
9 Fankhauser Drive, VERMONT SOUTH	12-12-16	Morack	Amendment Approved R424
15 Delatite Court, VERMONT	05-12-16	Morack	Consent Granted R409
17 Manhattan Square, VERMONT	20-12-16	Morack	Consent Granted R409
18 Uralla Street, VERMONT	13-12-16	Morack	Consent Granted R416
31 Heathcote Drive, FOREST HILL	09-12-16	Morack	Consent Granted R414
33 Philip Street, VERMONT	12-12-16	Morack	Consent Granted R409
17 Manhattan Square, VERMONT	20-12-16	Morack	Consent Refused R414
1/15 Renown Street, BURWOOD	15-12-16	Riversdale	Amendment Approved R424
1/16 Linden Street, BOX HILL SOUTH	12-12-16	Riversdale	Consent Granted R424
1/39-41 Ireland Street, BURWOOD	23-12-16	Riversdale	Consent Granted R604
107 Warrigal Road, SURREY HILLS	15-12-16	Riversdale	Consent Granted R421
109 Warrigal Road, SURREY HILLS	06-12-16	Riversdale	Consent Granted R421, R414, R409
22 York Street, BLACKBURN SOUTH	21-12-16	Riversdale	Consent Granted R414, R411
23 Westminster Close, BLACKBURN SOUTH	08-12-16	Riversdale	Consent Granted R414
24 Haig Street, BOX HILL SOUTH	02-12-16	Riversdale	Consent Granted R414
44 Broughton Road, SURREY HILLS	21-12-16	Riversdale	Consent Granted R417
7 Chilcote Court, BOX HILL SOUTH	12-12-16	Riversdale	Consent Granted R409
107 Warrigal Road, SURREY HILLS	15-12-16	Riversdale	Consent Refused R409
26 Douglas Avenue, BOX HILL SOUTH	23-12-16	Riversdale	Consent Refused R409
15 Alwyn Street, MITCHAM	23-12-16	Springfield	Consent Granted R420
17 Boyle Street, FOREST HILL	14-12-16	Springfield	Consent Granted R427
22 Thomas Street, MITCHAM	14-12-16	Springfield	Consent Granted R409
433 Mitcham Road, MITCHAM	16-12-16	Springfield	Consent Granted R409
589 Canterbury Road, VERMONT	20-12-16	Springfield	Consent Granted R414
1/3 Joyce Street, NUNAWADING	05-12-16	Springfield	Consent Refused R424
3 Sunshine Avenue, MITCHAM	07-12-16	Springfield	Consent Refused R426

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – DECEMBER 2016

Under the Planning and Environment Act 1987

Nil

9.3.4

(cont)

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION DECEMBER 2016

Contract	Service
16002	Bushy Creek & Cootamundra Walk (South West) Play Spaces
16013	Supply of Prime Mover Truck

REGISTER OF PROPERTY DOCUMENTS EXECUTED DECEMBER 2016

Property Address	Document Type	Document Detail
Fire Services Property Levy (FSPL)		
465 Burwood Highway VERMONT SOUTH		Changed from Residential to Commercial
493 to 495 Canterbury Road VERMONT		Changed from Industrial to Residential
503 Canterbury Road VERMONT		Changed from Industrial to Residential
505 Canterbury Road VERMONT		Changed from Commercial to Residential
1 Graham Place BOX HILL		Changed from Residential to Commercial
402 Elgar Road BOX HILL		Changed from Commercial to Residential
497 to 501 Canterbury Road VERMONT		Changed from Industrial to Residential
35 Hay Street BOX HILL SOUTH		Changed from Vacant Land to Residential
721 Canterbury Road SURREY HILLS		Changed from Residential to Commercial
67 Morack Road VERMONT		Changed from Residential to Exempt
585 Middleborough Road BOX HILL NORTH		Changed from Exempt to Residential
48 Shannon Street BOX HILL NORTH		Changed from Exempt to Residential
10 Nurlendi Road VERMONT		Changed from Public Benefit to Exempt
Unit 2 11 Duband Street BURWOOD EAST		Changed from Exempt to Residential
Rateability Changes (Section 154 of the Local Government Act 1989)		
1 Graham Place BOX HILL	Exempt-Charitable	Former dwelling demolished and converted to carpark for private school "Our Lady Of Sion College"
67 Morack Road VERMONT	Exempt-Unoccupied Government Land	Former tenanted Vic Roads property now unoccupied government land
48 Shannon Street BOX HILL NORTH	Property Now Rateable	Property formerly used for disability housing now sold by Department of Health & Human Services to Aboriginal Housing for social housing.
Other Matter/Project/Property		
Claim for Compensation pursuant to s33 of the Land Acquisition and Compensation Act 1986. Morton Park Sewer Easement, Central Road, Blackburn.	Form 11 "Response to Offer"	Yarra Valley Water Corporation and Whitehorse City Council

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – DECEMBER 2016

Instrument of Appointment of Authorised Officers Planning & Environment Act 1987 (Council Resolution 12-12-16)

9.3.4

(cont)

PARKING RESTRICTIONS APPROVED BY DELEGATION DECEMBER 2016

Address: **Clota Avenue, Box Hill:** from 10m north of Whitehorse Road service road to 25m north of Whitehorse Road service road – west side
Previously: 2 'No Parking 8:30-9:30 & 3-4pm, School Days' parking spaces
Now: 2 'No Stopping 8:30-9:30 & 3-4pm, School Days' parking spaces
Address: **Surrey Road, Blackburn:** from 120m north of Whitehorse Road to 192m north of Whitehorse Road – east side
Previously: 8 'Unrestricted' parking spaces
Now: 8 'No Stopping, 8am to 9am, School Days' parking spaces

VENDOR PAYMENT SUMMARY – SUMS PAID DURING DECEMBER 2016

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
01/12/2016	\$1,900.00	2	CHQ
01/12/2016	\$295.00	1	EFT
01/12/2016	\$34,295.22	40	CHQ
01/12/2016	\$2,261.44	11	EFC
01/12/2016	\$735,181.19	39	EFT
01/12/2016	\$38.35	1	CHQ
07/12/2016	\$48,823.57	3	EFT
08/12/2016	\$1,529.08	11	EFC
08/12/2016	\$126,843.08	43	CHQ
08/12/2016	\$25,728.37	1	EFT
08/12/2016	\$2,482,718.39	345	EFT
08/12/2016	\$1,529.08	11	EFC
13/12/2016	\$24,355.93	2	EFT
15/12/2016	\$7,447.35	14	EFC
15/12/2016	\$381,261.57	49	EFT
15/12/2016	\$124,772.46	40	CHQ
16/12/2016	\$7,599.40	2	EFT
19/12/2016	\$3,883.00	1	EFT
21/12/2016	\$2,091,482.04	1	EFT
22/12/2016	\$26,703.44	12	EFC
22/12/2016	\$47,215.53	39	CHQ
22/12/2016	\$4,311,582.28	407	EFT
29/12/2016	\$1,213.10	5	EFT
29/12/2016	\$43,943.94	29	CHQ
29/12/2016	\$1,544,756.72	23	EFT
Monthly Leases	\$73,000.00		DD
GROSS	\$12,150,359.53	1132	
CANCELLED PAYMENTS	-\$52,888.11	-26	
NETT	\$12,097,471.42	1106	

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

10.1 Reports by Delegates

10.1.1 Cr Ellis reported on her attendance at the:

- Whitehorse Manningham Regional Library Corporation board meeting held on the 8 February 2017.
- Eastern Region Affordable Housing Alliance meeting held on the 9 February 2017.

Mayor Cr Massoud congratulated Cr Ellis on her appointment to the Victorian Local Governance Association (VLGA) Board.

PROCEDURAL MOTION

Moved by Cr Bennett, Seconded by Cr Ellis.

That the Ordinary Meeting of Council be adjourned.

CARRIED UNANIMOUSLY

The Ordinary Meeting of Council was adjourned at 8.00pm

PROCEDURAL MOTION

Moved by Cr Tescher, Seconded by Cr Munroe.

That the Ordinary Meeting of Council resume.

CARRIED UNANIMOUSLY

The Ordinary Meeting of Council resumed at 8.05pm.

10.1.2 Cr Davenport reported on his attendance at the Whitehorse Manningham Regional Library Corporation board meeting held on the 8 February 2017.

10.1.3 Cr Carr reported on her attendance at:

- Domestic Animal Management Plan Advisory Committee meeting held on the 8 February 2017.

10.1.4 Cr Munroe reported on his attendance at Metropolitan Transport Forum meeting held on the 1 February 2017.

10.1.5 Cr Liu reported on her attendance at the:

- Whitehorse Business Group meeting held on the 13 February 2017.
- Domestic Animal Management Plan Advisory Committee meeting held on the 1 February 2017.

10.2
(cont)

- 10.1.6 Cr Tescher reported on her attendance at the Audit Advisory Committee meeting held on 6 February 2017
- 10.1.7 Cr Cutts reported on her attendance at the:
- Eastern Alliance for Greenhouse Action (EAGA) meeting held on the 14 February 2017.
 - Whitehorse Reconciliation Policy & Action Plan Advisory Committee meeting held on the 14 February 2017.
- 10.1.8 Cr Massoud reported on her attendance at the Whitehorse Disability Advisory Committee meeting held on the 1 February 2017.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Munroe.

That the reports from delegates be received and noted.

CARRIED UNANIMOUSLY

10.2 Recommendation from the Special Committee of Council Meeting of 13 February 2017**10.2.1 Review of Heritage Assistance Fund****MOTION**

Moved by Cr Stennett, Seconded by Cr Cutts.

That Council:

1. *Refer to the 2017/18 budget process an increase in the Heritage Assistance Fund to \$40,000 per annum.*
2. *Increases the maximum assistance available to \$2,000 per heritage application.*
3. *Increases the maximum contribution up to 100% of the proposed project subject to Councils discretion.*
4. *Refers the funding conditions to the heritage Committee for review, and received a report back from the Heritage Committee by June 2017.*

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Carr.

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

CARRIED UNANIMOUSLY

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
30-01-17 6.30-7.00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> • Notice of Motion 101 	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 P Smith A De Fazio S Freud P Moore	Nil	Nil
06-02-17 6.30-10.00pm	Strategic Planning Session <ul style="list-style-type: none"> • Review of Councillor Code of Conduct • Council Plan and Municipal Public Health and Wellbeing Plan Engagement Findings Report and Councillor Workshop • Cambridge Street Development 	Cr Massoud (Mayor & Chair) Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Stennett Cr Tescher	N Duff J Green P Warner T Wilkinson P Smith A De Fazio J Gorst D Seddon A Ghastine M Tate V McLean N Man K Marriott J Hansen	Nil	Nil
13-02-17 6.30-10.40pm	Councillor Briefing Session <ul style="list-style-type: none"> • Local Government Inspectorate • Capital Works • Quarterly Performance Report – Period ending 31 December 2016 • Eastern Regional Contract for Organics processing • Special Committee Meeting Agenda 13 February 2017 • Other Business Motions • Draft Council Agenda 20 February 2017 • Special Council Meeting – Review of Councillor Code of Conduct • MAV Nominations 	Cr Massoud (Mayor & Chair) Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Munroe Cr Stennett Cr Tescher Note: Cr Stennett arrived at 7.00pm	N Duff J Green P Warner T Wilkinson P Smith A De Fazio M Laurie P Moore K Marriott J Hansen D Logan I Kostopoulos I Barnes J Gorst	Nil	Nil

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Bennett.

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

CARRIED UNANIMOUSLY

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Cr Cutts reported her attendance at the MAV Councillor Development Program - Understanding Council Finances held 17 February 2017.
- 11.2 Cr Tescher reported on her attendance at the MAV Councillor Development Program - Understanding Council Finances held 17 February 2017.
- 11.3 Cr Liu reported on her attendance at the MAV Councillor Development Program - Understanding Council Finances held 17 February 2017.
- 11.4 Cr Massoud reported on her attendance at the Victoria Local Government Association (VLGA) Working Group on Gambling on 15 February 2017.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts.

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

CARRIED UNANIMOUSLY

12 CONFIDENTIAL REPORTS

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Munroe.

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

CARRIED UNANIMOUSLY

The meeting was closed to the public at 8.26pm.

12.1 Eastern Regional Contract for Organics Processing

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Davenport.

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

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 8.31pm.

13 CLOSE MEETING

Meeting closed at 8.33pm

Confirmed this 20th day of March 2017

CHAIRPERSON