



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

Monday 16 July 2018

at 7:00pm

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

Ms Noelene Duff
Chief Executive Officer

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- *Formal Public Committee and Council meetings are audio recorded and the recordings (except for Confidential meetings) are uploaded and available on Council's website*
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AGENDA

1 PRAYER

1a Prayer for Council

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

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

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

Amen.

1b Aboriginal Reconciliation Statement

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

2 WELCOME AND APOLOGIES

Cr Carr has sought a leave of absence for the Ordinary Council Meeting to be held on 20 August 2018.

RECOMMENDATION

That the apology from Cr Carr be received and that leave of absence be granted for the Ordinary Council Meeting to be held on 20 August 2018.

3 DISCLOSURE OF CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 25 June 2018 and Confidential Ordinary Council Meeting 25 June 2018

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 25 June 2018 and Confidential Ordinary Council Meeting 25 June 2018 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 111 - Cr Massoud

That Council approve a change to the project details for the redevelopment of the Morton Park Pavilion from Option 1 (split level option) to the details proposed for Option 2 – the two storey option.

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 12 Milne Street, MITCHAM (LOT 16 LP 33530) – The construction of three double storey dwellings and tree removal

FILE NUMBER: WH/2017/820
ATTACHMENT

SUMMARY

This application was advertised, and a total of 14 objections were received. The objections raised issues with amenity, neighbourhood character, parking, traffic, landscaping, waste management and sustainability. A Consultation Forum was held on 17 April 2018, chaired by Councillor Cutts, at which the issues were explored, however no resolution was reached between the parties. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. It is recommended that the application be supported, subject to conditions.

RECOMMENDATION

That Council:

- A. Being the Responsible Authority, having caused Application WH/2017/820 for 12 Milne Street, MITCHAM (LOT 16 LP 33530) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the construction of three double storey dwellings and tree removal is acceptable and should not unreasonably impact the amenity of adjacent properties.**
- B. Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 12 Milne Street, MITCHAM (LOT 16 LP 33530) for the construction of three double storey dwellings and tree removal, subject to the following conditions:**
 - 1. Before the development starts, or vegetation removed, amended plans must be submitted to and approved by the Responsible Authority in a digital format. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn scale, and be generally in accordance with the plans submitted with the application but modified to show:**
 - a) The locations of Structural Root Zone and Tree Protection Zones described in condition 5, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of conditions 5 and 6 to be annotated on the development and landscape plans.**
 - b) Free standing trellis is to be erected opposite the ground floor bedroom and living room windows of Dwelling 3 to achieve compliance with Standard B22.**
 - c) The south facing Bedroom 1 window and roofed deck area to Dwelling 2 to provide screening measures that meet Standard B22 (Overlooking).**

9.1.1
(cont)

- d) Notation on site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.*
- e) Front porch rendered material for Dwelling 1 to be replaced with an alternative building material or finish (e.g stacked stone or rendered in an alternative colour) to increase variety of building finishes at the dwelling entry.*
- f) Development plans to reflect all sustainability features indicated in the Sustainable Design Assessment. 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.). The plans shall also show:
 - i. Water-sensitive urban design measures as required to achieve a STORM Rating of at least 100% or equivalent.*
 - ii. Design measures as identified in the BESS Report as required to achieve an overall score of at least 50% and meet the 'pass' marks in the categories of water, energy, stormwater and indoor environment quality.*
 - iii. All operable windows, doors, winter garden openings & vents in elevation plans.**

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

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.*
- 3. Unless with the prior written consent, all tree planting and landscaping works as shown on the endorsed plans must be completed prior to the occupation of the development to the satisfaction of the Responsible Authority.*
- 4. The garden areas shown on the endorsed plan must only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.*
- 5. Prior to commencement of any building or demolition works on the land, a Tree Protection Zones (TPZs) must be established on the subject site (and nature strip if required) and maintained during, and until completion of, all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:
 - a) Tree Protection Zone distances:
 - i. Tree 6 - 2.0 metre radius from centre base of tree.*
 - ii. Tree 8 – 6.0 metre radius from centre base of tree.*
 - iii. Tree 9 – 3.6 metre radius from centre base of tree.*
 - iv. Tree 10 – 2.0 metre radius from centre base of tree.***

9.1.1
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- b) Tree Protection Zone measures are to be established in accordance with Australian Standard 4970-2009 and are to include the following:*
 - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.*
 - ii. Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.*
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary provide watering/irrigation within the TPZ, prior and during any works performed.*
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.*
 - v. All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.*
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.*
 - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.*
 - viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorized person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.*
- 6. During construction of any buildings, or during other works, the following tree protection requirements are to be adhered to, to the satisfaction of the Responsible Authority:*
 - a) A project arborist must be appointed by the applicant or builder. Any Qualifications must read 'Arboriculture' for example 'Diploma in Horticulture (Arboriculture)'. The project arborist must have a minimum Diploma qualification in arboricultural to be appointed as the project arborist.*
 - b) The Project Arborist must supervise all approved works within the TPZs of Trees 6, 8, 9 and 10. The project Arborist must ensure that any buildings and works within a TPZ of a tree shown on the endorsed plan do not adversely impact the health and / or stability of the tree(s) now or into the future.*
 - c) For Tree 6, no roots are to be cut or damaged during any part of the construction process.*
 - d) The driveway where within the TPZs of Trees 8, 9 and 10 must be constructed above the existing soil grade using porous materials that allows water to penetrate through the surface and into the soil profile. There must be no grade change within the TPZs and no roots are to be cut or damaged during any part of the construction process.*

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- e) The project arborist and builder must ensure that TPZ Fencing Conditions are being adhered to throughout the entire building process, including site demolition, leveling and landscape works.*
- 7. The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site.*
- 8. All stormwater drains and on-site detention systems are to be connected to the legal point of discharge to the satisfaction of the Responsible Authority prior to the occupation of the building/s. The requirement for on- site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.*
- 9. Detailed stormwater drainage and/or civil design for the proposed development are to be prepared by a suitably qualified civil engineer and submitted to the Responsible Authority for approval prior to occupation of the development. Plans and calculations are to be submitted with the application with all levels to Australian Height Datum (AHD). All documentation is to be signed by the qualified civil engineer.*
- 10. Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.*
- 11. Prior to works commencing the Applicant/Owner is to submit design plans for all proposed engineering works external to the site. The plans are to be submitted as separate engineering drawings for assessment by the Responsible Authority.*
- 12. The Applicant/Owner is responsible to pay for all costs associated with reinstatement and/or alterations to Council or other Public Authority assets as a result of the development. The Applicant/Owner is responsible to obtain all relevant permits and consents from Council at least 7 days prior to the commencement of any works on the land and is to obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets. Adequate protection is to be provided to Council's infrastructure prior to works commencing and during the construction process.*
- 13. The qualified civil engineer when undertaking civil design must ensure that the landscape plan/s and drainage plan/s are compatible. The stormwater drainage and on site detention system must be located outside the tree protection zone (TPZ) of any trees to be retained.*
- 14. All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.*
- 15. All works must be undertaken in accordance with the endorsed SDA to the satisfaction of the Responsible Authority, and the approved dwellings must operate in accordance with this Plan, to the satisfaction of the Responsible Authority. No alterations to the Reports may occur without the written consent of the Responsible Authority.*

9.1.1
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16. *Prior to the commencement of any buildings or demolition works, a Sustainable Design Assessment (SDA) must be submitted and approved by the Responsible Authority. The SDA must include the following elements:*
 - a) *A STORM Rating Report with a score of at least 100% or equivalent.*
 - b) *A complete, published BESS Report, with an overall score that meets 50% and also which meets the 'pass' marks in the categories of Water, Energy Stormwater and IEQ (indoor environment quality).*
 - c) *Commit to diverting at least 80% of construction/demolition waste from landfill.*
17. *The existing street tree must not be removed or damaged except with the written consent of the Responsible Authority.*
18. *Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.*
19. *This permit will expire if one of the following circumstances applies:*
 - a) *the development is not commenced within two (2) years from the date of issue of this permit;*
 - b) *the development is not completed within four (4) years from the date of this permit.*

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

Permit Notes:

- A. *The design and construction of the stormwater drainage system up to the point of discharge from an allotment is to be approved by the appointed Building Surveyor. That includes the design and construction of any required stormwater on-site detention system. The Applicant/Owner is to submit certification of the design of any required on-site detention system from a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register or approved equivalent) to Council as part of the civil plans approval process.*
- B. *The requirement for on- site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.*
- C. *All proposed changes to the vehicle crossing are to be constructed in accordance with the submitted details, Whitehorse Council's – Vehicle Crossing General Specifications and standard drawings.*
- D. *Report and consent – Any proposed building over the easement is to be approved by the Responsible Authority prior to approval of the building permit. If Report and Consent contradicts with the Planning Permit, amendment of the Planning Permit might be required.*

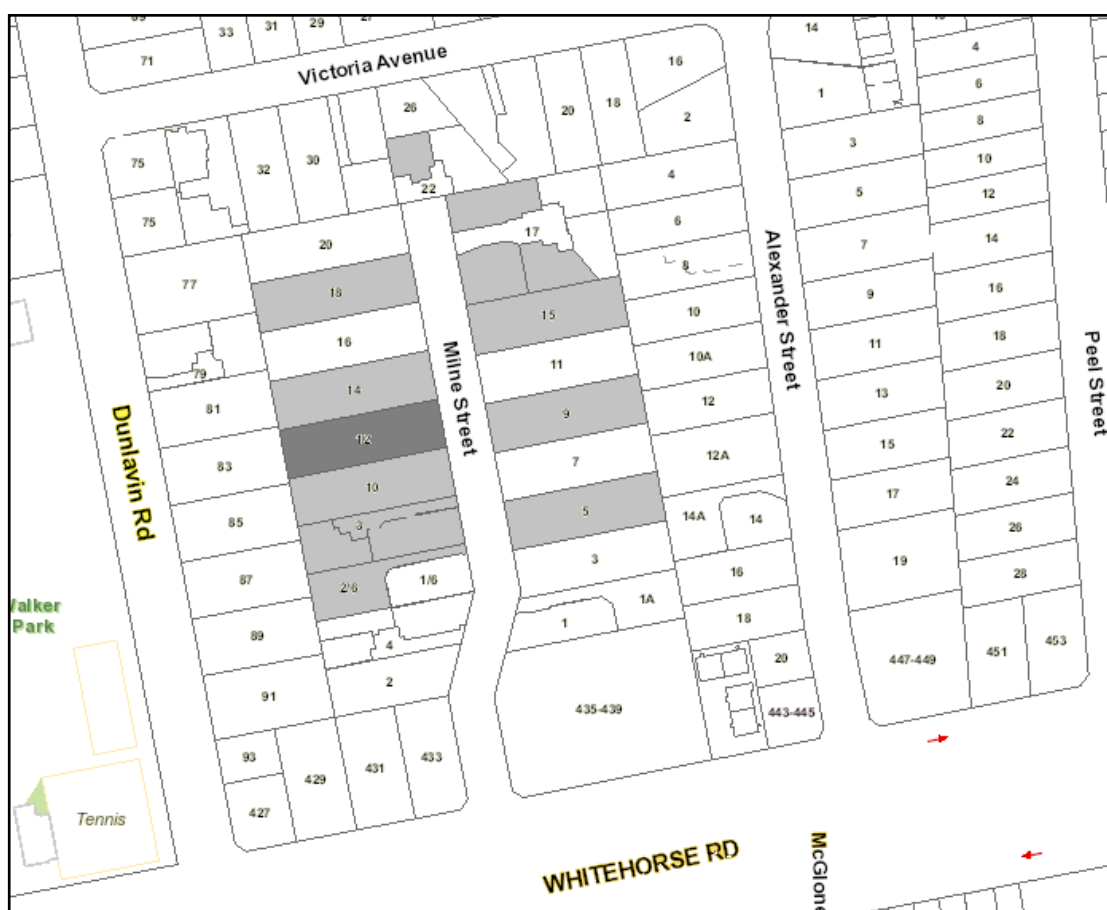
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- E. The Applicant/Owner is to accurately survey and identify on the design plans all assets in public land that may be impacted by the proposed development. The assets may include all public authority services (i.e. gas, water, sewer, electricity, telephone, traffic signals etc.) and the location of street trees or vegetation. If any changes are proposed to these assets then the evidence of the approval is to be submitted to Council and all works are to be funded by the Applicant/Owner. This includes any modifications to the road reserve, including footpath, naturestrip and kerb and channel.*
 - F. The Applicant/Owner must obtain a certificate of hydraulic compliance from a suitably qualified civil engineer to confirm that the on-site detention works have been constructed in accordance with the approved plans, prior to Statement of Compliance is issued.*
 - G. There is to be no change to the levels of the public land, including the road reserve or other Council property as a result of the development, without the prior approval of Council. All requirements for access for all-abilities (Disability Discrimination Access) are to be resolved within the site and not in public land.*
 - H. No trees are permitted within the easement.*
 - C. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.*
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9.1.1 (cont)

MELWAYS REFERENCE 48 H9

Applicant:	Archestral Design Pty Ltd
Zoning:	GRZ1
Overlays:	SLO9
Relevant Clauses:	
Clause 11	Settlement
Clause 15	Built Environment and Heritage
Clause 16	Housing
Clause 21.05	Environment
Clause 21.06	Housing
Clause 22.03	Residential Development
Clause 22.04	Tree Conservation
Clause 32.08	General Residential Zone – Schedule 1
Clause 42.03	Significant Landscape Overlay – Schedule 9
Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot or Residential Buildings
Clause 65	Decision Guidelines
Ward:	Springfield



	Subject site		13 Objector Properties (2 objections from the one property)		North
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9.1.1

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BACKGROUND

History

There is no history of previous planning applications for the site.

The Site and Surrounds

The subject site is located on the west side of Milne Street north of the intersection with Whitehorse Road. Milne Street is a cul de sac street with vehicle access from Whitehorse Road. The site is rectangular in shape with a frontage of 16.46 metres to Milne Street, a depth of 53.6 metres and comprises an overall area of 883 square metres. The site contains a single storey brick dwelling with three outbuildings located within the rear yard. Vehicle access is via an existing crossover located towards the north-east corner.

The site has a slope of approximately 2.1m diagonally across the site rising from the front north east corner to the rear south west corner.

The surrounding properties are residential, comprising a mix of single and double storey dwellings. Milne Street predominantly comprises single storey detached dwellings with a 3-4 storey apartment building located at the intersection with Whitehorse Road. There are also a number of medium density developments in the immediate area, including 5 dwellings at 17 Milne Street, 3 dwellings at 4 Milne Street and 2 dwellings at 1, 4 and 6 Milne Street.

There are seven small to medium scale canopy trees located within the subject site. There are three trees located on the adjoining property to the south, and one to the north, each with a Tree Protection Zone (TPZ) that extends into the subject site.

Planning Controls

In accordance with Clause 32.08-6 (General Residential Zone 2) of the Whitehorse Planning Scheme, a Planning Permit is required for the construction of two or more dwellings on a lot.

In accordance with Clause 42.03-2 of the Whitehorse Planning Scheme, a Planning Permit is required for tree removal and buildings and works within 4 metres of trees requiring a permit for removal under the Significant Landscape Overlay, Schedule 9 (SLO9).

PROPOSAL

The application proposes construction of three double storey dwellings on the subject site and tree removal.

The applicant submitted amended plans in response to officer concerns raised as part of the request for further information. The amended decision plans are described below:

Dwelling 1 will have an orientation towards Milne Street with separate vehicle access created through a new additional crossover. Dwellings 2 and 3 are oriented towards the common property driveway (adjacent to the south boundary). Dwelling 1 is provided with 5 metres ground level separation from Dwelling 2, with Dwellings 2 and 3 attached at ground floor.

The development is provided with a garden area of 35.1% or 309.9 sqm with no eaves provided to the dwellings.

The application proposes the removal of trees 1, 2, 3, 4, 5, 7 and 11 (at a height of 5m or more). The application proposes buildings and works within 4 metres of protected trees 8 and 9 which are located on the adjoining property adjacent to the southern side boundary of the subject site. Permeable paving is proposed within the TPZ of these trees. Replacement canopy trees are proposed to be planted with one within the front street setback and one in the secluded private open space area of each dwelling, and smaller trees located within landscaped areas along the vehicle accessway on the southern side boundary.

9.1.1

(cont)

Each Dwelling is provided with a double garage. Dwelling 1 proposes vehicle access via a new crossover towards the north-east boundary and Dwellings 2 and 3 are accessed via the common property boundary.

The dwellings contain living areas and guest bedroom at ground level and three bedrooms and bathroom at first floor level (with an additional sitting room for Dwelling 1).

The dwellings are constructed of rendered face brickwork at ground level, applied rendered finish at first floor level with feature timber cladding at first floor level. The roof forms are flat at ground level and hipped at first floor level with no eaves. Parapet rendered porch structures are proposed to each dwelling entry. Dwellings 1 and 2 are provided with first floor balconies from bedroom 1 on the eastern elevations.

Dwelling 1 is setback 7.6 metres from the street with a minimum of northern side setback of 1.0 metre at ground floor and 2.3 metres at first floor. The first floor of Dwelling 1 is recessed 400mm on the southern side elevation and a minimum of 600 mm along the front and rear western elevations.

Dwelling 1 is provided with ground level separation of 5 metres from Dwelling 2, and 6.9 metres separation at first floor. Secluded private open space area of 36.6 sqm is provided to the northern side of the Dwelling separated by a dividing fence from the adjacent secluded private open space of Dwelling 2. Dwelling 1 is setback 1.0 metre by a landscape buffer strip to the shared driveway and 4.5 metres from the southern side boundary at ground floor.

Dwelling 2 is provided with a secluded private open space area of 42.5 sqm located to the north and eastern side of the dwelling, which serves to separate Dwellings 1 and 2. The Dwelling is setback a minimum of 1.04 metre from the northern side setback at ground floor and 1.84 metres at first floor. The garage for Dwelling 2 is attached to Dwelling 3 at ground floor, and a first floor separation of 4 metres is provided between the dwellings.

Dwelling 3 is setback a minimum of 1.04 metres from the northern side boundary at ground floor and 1.9 metres at first floor. The Dwelling setback is a minimum of 4.2 metres from the rear western site boundary at ground floor and a minimum of 4.04 metres at first floor. The Dwelling garage wall is constructed on the southern side boundary with a 2.4 metre side setback at first floor. The Dwelling is provided with rear secluded private open space of 35.2 sqm located to the north western corner of the site, with a minimum dimension of 5.3 metres.

The dwellings will have a maximum overall building height of 7.7m for Dwelling 1 and 7.8m for Dwellings 2 and 3.

A 900mm high post and steel picket infill fence is proposed along a portion of the front site boundary.

9.1.1

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CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Milne Street frontage. Following the advertising period 14 objections were received from 13 objector properties.

The issues raised are summarised as follows:

- Amenity impacts:
 - Overlooking
 - Overshadowing
- Neighbourhood Character:
 - Two storey dwellings not in keeping with surrounding single storey development
 - Overdevelopment with additional dwellings to the existing 17-18 townhouses within cul de sac
- Car parking and traffic:
 - Insufficient carparking provided on site for visitor parking
 - Increased on-street parking. Additional driveways will reduce on-street parking available.
 - Increased traffic congestion
- Landscaping:
 - Tree removal
- Waste management
 - Lack of space on nature strip for additional bins and lack of access for waste truck bin collection on narrow street
- Sustainability
 - Proposed demolition of existing quality dwelling is contrary to good sustainability practices.

Consultation Forum

A Consultation Forum was held on 17 April 2018. Approximately 9 objectors attended the meeting with 2 additional attendees. The meeting was chaired by Councillor Cutts, the applicant's representative and the Planning Officer were also in attendance.

The objectors concerns were discussed in the meeting, resulting in the applicant agreeing to address south facing overlooking from Dwelling 2 bedroom 1 window by a condition requiring screening to a height of 1.7 metres above floor level.

In relation to other issues, no consensus was reached.

9.1.1

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Referrals

Internal

Engineering and Environmental Services Department

- Transport Engineer

The additional crossover does not result in an additional loss of on-street car parking due to the existing cross-over being moved further north. Therefore, there is no objection to the proposal

Clause 52.06 of the Whitehorse Planning Scheme requires the following parking provision for the proposed development:

Use	Number/Area	Rate	Required Spaces
Dwellings <ul style="list-style-type: none">• 3+ bedroom dwellings	3	2 spaces per dwelling	6

The proposal has a statutory car parking requirement for 6 resident car spaces. Accordingly, the proposal satisfies the minimum statutory parking requirements as per the Whitehorse Planning Scheme, with six spaces being provided. Additionally there is capacity for an additional car to park on site in tandem in front of the garage for Dwelling 1.

- Waste Engineer

The application was not required to be referred to Council Waste Engineer as the proposal provides for adequate clearance along the site frontage of 7.7 metres between the existing and proposed crossover for bin storage and collection for a total of 6 waste and recycling bins.

- Assets Engineer

There was no objection to the proposal subject to standard conditions however the street tree is in conflict with the proposed crossover and ParksWide approval is required.

Planning Arborist

No objection to the proposed tree removal and development, subject to the inclusion of tree protection measures.

ESD Advisor

No objection to the proposed development subject to conditions.

ParksWide Arborist

No objection to the location of the proposed crossover removal and replacement of the street tree is approved at cost to the applicant.

9.1.1

(cont)

DISCUSSION

Consistency with State and Local Planning Policies

The construction of three dwellings on site is consistent with State and Local Planning Policies, which encourages higher density development within walking distance of shops, recreation facilities and public transport. The proposal accords with State Planning Policies which seek to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed medium-density housing that makes better use of existing infrastructure; and that new development respects the neighbourhood character and appropriately responds to its landscape, valued built form and cultural context.

The proposed design and siting is consistent, subject to conditions, with the objectives and intent of Council's Residential Development Policy for developments within Natural Change and Garden Suburban Precinct 12 areas.

Design and Built form

The General Residential Zone Schedule 1 and the Garden Suburban 12 Precincts Guidelines provide direction for Council's discretion for assessing the proposed development.

In relation to Schedule 1 to the General Residential Zone, the proposal achieves the following:

- The front setback of Dwelling 1 to Milne Street meets the average of the adjoining dwellings to the north and south and maintains an established setback pattern.
The garage is setback 300mm further back from the front façade of Dwelling 1.
- The development achieves a site (building) coverage of 39.5% which is below the preferred maximum of 50 % (as varied by the Schedule).
- The development achieves permeability of 46.5%, which exceeds the preferred minimum of 30% (as varied by the Schedule).
- The landscape plan indicates two canopy trees per Dwelling capable of reaching 8 metres at maturity with at least one tree within the rear private open space of each Dwelling and additional screening canopy trees located along the vehicle accessway landscape strip.
- Side and rear setbacks are not varied under the Schedule and comply with Standard B17 at a minimum side setback of 1.0 metre at ground floor and a minimum of 1.84 metres at first floor to the northern side boundary and 2.4 metres at first floor to the southern side boundary.
- Walls are required to be constructed on one side boundary, which is achieved.
- The private open space areas of the proposed dwellings (36.6 sqm, 42.5m², 35.2m² respectively) comply with the preferred minimum 35m² with a minimum 5 metre dimension and provide space for landscaping and separation between built form allowing and significant views through the centre of the site.
- A 900mm high front open style front fence is proposed to a section of Milne Street frontage adjacent to the front private open space for Dwelling 1.

As such, the proposed development complies with and often exceeds the Schedule 1 variations to ResCode under the General Residential Zone.

The Garden Suburban Precinct 12 requires low set pitched roof dwellings with spacious garden settings and sufficient space for tree planting areas.

9.1.1

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Upper level footprints are large, however they achieve an appropriate level of recession with articulation assisted by variation in roof forms, materials and generously portioned windows. The upper levels are well setback from common boundaries, particularly to the south to avoid amenity impacts. Mitigation of visual bulk is also achieved by the internal separation at upper level of 6.9 metres between dwellings 1 and 2, and 4 metres between dwellings 2 and 3.

A sense of spaciousness is achieved by lack of boundary development. Throughout the site, appropriate setbacks are achieved, noting the one metre setback to the north boundary occurs adjacent to the outbuildings and driveway within the adjoining property. The only wall adjacent to the boundary is the garage to Dwelling 3. Its length and height complies with Standard B18 and its position does not cause any unreasonable amenity impacts.

The proposal includes two crossovers, which is a variation of the Garden Suburban Precinct 12 Guidelines which encourages only 'one crossover per typical frontage'. The two vehicle crossovers result in 36% site frontage and comply with Clause 55 Standard B14 which allows a maximum of 40% for frontages less than 20m. Furthermore only the garage of Dwelling 1 is visible from the streetscape, it is not proposed to be constructed to the side boundary, and landscaping beds will be provided between the accessways and each side boundary. The proposed car parking and access facilities will therefore 'minimise' the dominance of car parking structures to the streetscape as per the Objective of the Garden Suburban Precinct 12 Guidelines.

Amenity

Overlooking

Standard B22 (Clause 55) requires habitable room windows to be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres of the window, with views measured within a 45 degree angle.

The proposed development has utilised upper level highlight windows with sill heights over 1.7 metres above finished floor level to satisfactorily screen potential views from the sensitive northern elevation, in accordance with the requirements of ResCode.

Concerns were raised at the consultation forum regarding overlooking from the first floor bedroom window and balcony of Dwelling 2 from the south elevation. The applicant has agreed to address this issue by additional screening which can be required as a condition of permit. A condition will also be included to require free standing trellis opposite the ground floor bedroom and living room windows of Dwelling 3 to achieve compliance with Standard B22.

Overshadowing

At the Equinox between 9am and 3pm, the shadows cast by the proposed dwellings will fall generally over the subject site with no impact to the north, minimal impact to the west during the morning period and minimal impact to the south (noting shadows cast over carport and to the west of the shed in the afternoon). As such, the proposed dwellings will not cause unreasonable overshadowing of the adjacent dwellings. The extent of overshadowing is well within the acceptable limits under Standard B21 (Clause 55).

Landscaping

Clause 21.05 (Environment), Clause 22.04 (Tree Conservation) and Clause 42.03 (Significant Landscape Overlay, Schedule 9) identify trees as being an integral aspect of an existing and preferred character.

9.1.1

(cont)

A garden setting is assisted by the separation of Dwellings 1 and 2 by 5 metres at ground level providing opportunity for at least three canopy trees within this area to provide a 'backdrop' to Dwelling 1 and visual softening between the built forms. The landscape plan indicates opportunity is also provided within the front setback area, either side of the driveway and within the pockets of secluded private open space to Dwelling 3.

The application has been assessed by Council's arborist who has not identified any concerns with the removal of trees on site as they are not 'worthy of retention'. The referral has not identified any impacts to trees 6, 8, 9 and 10 (subject to tree protection measures, addressed through conditions of the permit).

Council's ParksWide team have assessed the street tree and have noted:

- The tree is small and could be easily transplanted and would therefore recommend that the tree be transplanted at a different location within the street to allow the crossover to be installed at cost to the applicant.

A condition of the permit will require consent of ParksWide team prior to the removal of any street tree.

Tree removal

The existing trees on site are a mix of *Ligustrum lucidum*, *Pittosporum*, *Prunus* and *Malus* species that are exotic or weed species that offer little to the overall landscape value or environmental values of the area. As discussed above, Council's arborist is not concerned with the loss of the trees, noting the landscape plan demonstrates replanting that will better contribute to the character of the area

Car Parking

The development has been reviewed by Councils Transport Engineers who have not identified any issues with the proposal. The required level of on-site parking is provided in accordance with Clause 52.06 and they have confirmed that the provision of an additional crossover will not result in the loss of on-street parking.

The application proposes two car spaces for each of the dwellings, in compliance with the parking provision requirements at Clause 52.06 Car Parking. It is noted no visitor carparking spaces are required to be provided under Clause 52.06 for the development of less than five dwellings. All three dwellings have double garages and all required carparking is provided on the site. The proposal is therefore not considered to result in any reduction in available on-street parking or increased traffic congestion along Milne Street.

Objectors Concerns not Previously Addressed

The outstanding concerns received by objectors that have not been addressed in the body of this report are as follows:

- Lack of street access for waste collection trucks and street sweeping

The loss of on-street carparking and traffic congestion has been addressed above. Whilst on-street carparking may presently be occurring within the street posing difficulties for waste collection vehicle access this is not considered to be sufficient planning grounds on which to recommend refusal of the application.

- Demolition of existing quality dwelling is contrary to good sustainable practices.

The demolition of the existing dwelling is not subject to planning approval with no heritage overlay controls affecting the site and unable to be considered under as part of this application.

9.1.1

(cont)

CONCLUSION


The proposal for construction of three double storey dwellings and tree removal is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the General Residential Zone Schedule 1, the Significant Landscape Overlay Schedule 9, and Clause 55, ResCode.

The construction of three dwellings on the site is consistent with State and Local Planning Policies, provides for increased dwelling density without causing unacceptable amenity impacts to the streetscape or adjacent dwellings. The subject site is located within walking distance of shops, recreation facilities and public transport. The proposal accords with State Planning Policies which seek to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed medium-density housing that makes better use of existing infrastructure; and that new development respects the neighbourhood character and appropriately responds to its landscape, valued built form and cultural context.

A total of 14 objections were received as a result of public notice and all of the issues raised have been discussed as required.

It is considered that the application should be approved.

ATTACHMENT

- 1 WH/2017/820 - Advertised Plans  

Strategic Planning

9.1.2 Whitehorse Planning Scheme Review 2018

FILE NUMBER: SF17/781
ATTACHMENT

SUMMARY

The current format of the Whitehorse Planning Scheme was initially approved on 5 August 1999 and has been reviewed on three occasions since (2002, 2010 and 2014). Section 12B(1) of the Planning and Environment Act 1987 requires the whole Planning Scheme to be reviewed by 30 June 2018.

The following report summarises the scope, findings and recommendations of the Review shown in Attachment 1, which has been prepared based on:

- *An assessment of the effectiveness of policies and controls of the Planning Scheme;*
- *An analysis of policy changes since the last Review in 2014, both at a State and local level; and*
- *Key issues raised through internal and external consultation.*

In addition, the report recommends that the findings of the Review be endorsed, and that approval be given to seek authorisation from the Minister for Planning for a Planning Scheme Amendment to give effect to the minor changes and updates recommended in the Review.

This report also recommends that any additional work be referred to the Strategic Planning work program and future budget process as needed.

RECOMMENDATION

That Council:

1. ***Endorse the findings of the Whitehorse Planning Scheme Review Report shown in Attachment 1.***
2. ***In accordance with the requirements of Section 12B (5) of the Planning and Environment Act 1987, forward the endorsed Whitehorse Planning Scheme Review Report to the Minister for Planning.***
3. ***Give approval to seek authorisation for a future Planning Scheme amendment to give effect to minor changes and updates recommended by the Review.***
4. ***Refer any additional work to the Strategic Planning work program and future budget process as needed.***

BACKGROUND

The Whitehorse Planning Scheme was initially approved on 5 August 1999 as part of the 'new format' planning schemes, which were introduced progressively across Victoria between 1997 and 2000.

The Municipal Strategic Statement (MSS) and Local Planning Policies, which establish the strategic framework for the consideration of planning permit applications and planning scheme amendments, was reviewed in 2001 and 2002 and has been reviewed on three occasions since.

Section 12B(1) of the *Planning and Environment Act 1987* now requires that the whole Planning Scheme be reviewed "no later than one year after each date by which it is required to approve a Council Plan under section 125 of the *Local Government Act 1989*; or within

9.1.2

(cont)

such longer period as is determined by the Minister.” Section 125 of the Local Government Act (1989) requires that a Council must prepare and approve a Council Plan “within the period of 6 months after each general election or by the next 30 June, whichever is later.”

The most recent Council elections were held in October 2016 and a new Council plan was approved in June 2017. Consequently the review of the Planning Scheme is to be completed for Council consideration by 30 June 2018 at the latest. The period of review for this report is January 2014 – December 2017.

In April 2018 the Deputy Secretary, Planning, at the Department of Environment, Land, Water and Planning (DELWP) wrote to all Councils to advise that:

“As part of the Smart Planning program, the department is proposing changes to the form and content of planning schemes which may be implemented by the Minister for Planning as an amendment to the Victoria Planning Provisions in mid-2018.

Recognising that this work coincides with the 30 June 2018 requirement for the review of planning schemes under section 12B(1) of the Planning and Environment Act 1987, it would be prudent to extend the required date to 31 December 2018 for those councils that wish to complete their review informed by details of the Smart Planning amendment...

If council wishes to finalise the review process by the original 30 June 2018 timeline, department officers will continue to provide advice on the amendment as it becomes available”.

The scope of the Planning Scheme Review (‘the Review’) has been to;

- Undertake the revision and update of the Planning Scheme’s Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF);
- Assess the performance of the various zones and overlays in the Planning Scheme across the Review period (January 2014 – December 2017) and ensure that the schedules to these controls are updated and aligned with current policies;
- Identify any possible gaps in the policy and planning control framework that will potentially need to be addressed through further work on formal amendment processes; and,
- Evaluate the effectiveness of the operation of the Planning Scheme based on the review and monitoring measure set out in the MSS.

Council officers will respond as needed when the outcomes of the changes proposed by Smart Planning are introduced by the Minister. At this stage, the amendment to the Victoria Planning Provisions to bring the proposed changes into effect has not been introduced and therefore the full extent of the State government changes and when the proposed changes will be introduced is unclear. The proposed changes to the planning scheme (in particular, the full restructure of the Planning Policy Framework) may have significant financial and resourcing implications for Council and these will be fully understood when the changes are introduced.

Officers believe it is appropriate to complete this review at the present time to support the commencement of recommendations that are funded in the current financial year. Many aspects of the review process can be progressed separate from any proposed changes to the form and content of planning schemes.

The full Review report is included in Attachment 1.

9.1.2

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DISCUSSION

Effectiveness of Current Planning Policy

As part of the Review process, an analysis of the effectiveness of current planning policy was undertaken. This involved:

- Assessment of the achievements over the review period against the Key Elements, Indicators and Targets of Clause 21.09 of the MSS – Monitoring and Review. The Key Elements include:
 - *Encourage an ecologically sustainable [City of] Whitehorse.*
 - *Maintain, develop and enhance our built environment.*
 - *Increase in the amount of quality open space and improvement in the sustainability of our natural environment.*
 - *Dynamic local economic environment that is regionally connected.*
- A review of the operational effectiveness of the Scheme in relation to how permits have been assessed and processed.
- A review of a cross-section of decisions that were challenged at the Victorian Civil and Administrative Tribunal (VCAT).

In general it was found that the policies and controls of the Planning Scheme were performing well. Relating to the above:

- Council has been successful in meeting most of the targets included under Clause 21.09 Monitoring and Review of the MSS.
- Over the review period, 462 Council decisions (approximately 8% of all applications) were lodged for review at the Victorian Civil and Administrative Tribunal (VCAT).
- A review of VCAT decisions revealed a moderate success rate, with Council's decisions or stipulated conditions upheld on average 40% of the time. This is very similar rate of decisions upheld compared to the last review period and compares to the metropolitan average of 52%, to the year ending June 2017.

Policy changes since the last Review

The Review summarises changes in planning policy and strategy that have occurred since the previous planning scheme review in 2014, in order to identify further work to be completed by Council to implement these changes, as well as investigate any implications that may have arisen or may arise from the introduction of new planning policies.

In terms of planning reform at the State level, there have been a number of changes to policy that have either been recently introduced, or will be implemented in the coming months. This has created a challenging context within which to undertake a planning scheme review, given that the full impact of new policies and initiatives is not yet known.

The Review has therefore summarised the implications of the various aspects of State planning reform, while noting that certain issues raised through internal consultation may be resolved through recent or imminent changes, and others may need to be deferred to a later date or future review process.

9.1.2

(cont)

Policy changes since the last Review can be summarised as follows:

State Policy:

- Plan Melbourne, updated version released March 2017;
- Introduction of VicSmart, a streamlined permit assessment process;
- Introduction of SMART Planning, a two year reform of Victoria's planning system;
- Introduction of Better Apartment Design Standards;
- Further updates to the Victoria Planning Provisions following earlier zone reforms.
- A total of thirty-nine (39) State-initiated amendments to introduce new State-wide policies or planning controls.

Local Policy:

- Fifteen (15) Council-initiated amendments to introduce new policies, strategies, controls or schedules, or amend existing provisions.
- Fifteen (15) Council-initiated site specific amendments to facilitate new development outcomes, including seven (7) proponent requested amendments;
- Council Plan 2017 – 2021 and Council Vision 2013 – 2023;
- Municipal Public Health and Wellbeing Plan 2017 – 2021.

Key Issues Emerging from the Review

A number of key issues emerged through internal discussions and a community survey, as well as through a review of consultation processes recently undertaken by Council. Matters that are able to be dealt with through the Planning Scheme are discussed in detail in the Review, and are summarised below.

Neighbourhood character and land use

One of the key issues identified was the continuing pressure for non-residential uses in residential zones. It was reported that an increasing number of applications were being submitted for childcare centres. The question was raised as to whether Council should be safeguarding residential precincts or whether some areas called for more flexibility than others based on their locational characteristics, such as access to public transport, main roads and commercial areas.

An additional key issue identified was the continuing pressure for non-industrial uses in industrial zones. It was reported that an increasing number of applications were being submitted for uses such as restricted retail, places of worship, recreation and retail. The question was raised as to whether Council should be safeguarding all industrial precincts or whether some areas called for more flexibility than others based on their locational characteristics. The *Whitehorse Industrial Strategy 2011* is relatively non-committal on this matter, noting that there are some threats to existing industrial precincts in terms of non-industrial uses, but providing little guidance for decision making.

Feedback received also highlighted a potential issue regarding car parking rates for industrial areas where there is now increased flexibility for non-industrial uses. In particular it was suggested that additional guidance around car parking rates be provided for multi-use applications that include complementary uses such as offices.

9.1.2

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Environment

It was identified by Council's VCAT consultants that Clause 21.05 (Environment) of the Planning Scheme does not fully explore the nexus between landscaping and built form.

The key issues identified in Clause 21.05-2 is the promotion of vegetation protection, promotion of design excellence and visual amenity, however the objectives in Clause 21.05-3 make no reference to built form. Additionally, some of the strategies identified in Clause 21.05-4 do not have a connection to the objectives.

The protection of valued landscapes and vegetation was considered to be a key theme for the municipality. Instances were highlighted where the Significant Landscape Overlays (SLOs) failed to provide a desired outcome when decisions were reviewed at VCAT. Commentary from internal consultation identified deficiencies in the requirement for replacement planting of trees in the SLO when they are removed and the lack of protection for smaller trees and understorey.

Activity Centres

There was some feedback regarding the effectiveness of planning policies for activity centres, particularly in the context of their use and interpretation at VCAT. Discussion included whether Council can control the appearance of buildings within activity centres, the mitigation or elimination of glare and reflection of sunlight from taller buildings.

The Box Hill MAC was consistently raised as an area of concern during internal and external consultation. It was suggested that the *Box Hill Structure Plan 2007* and Clause 22.07 Box Hill Central Activities Area could be strengthened, or even reviewed, to provide additional guidance around the built form of the Box Hill MAC.

Any review of the Structure Plan, or any further strategic work for the MAC should ensure permeability and accessibility for pedestrians and cyclists both North/South and East/West to key destinations including transport nodes, government buildings, retail and residential land uses. It is noted that further strategic work relating to the Box Hill MAC has been referred to the 2018/2019 budget process.

The *Smart Cities and Suburbs Program*, which is a Federal Government initiative, was raised during internal consultation as a possible funding mechanism for future strategic work in activity centres across the municipality.

In terms of planning for activity centres more generally, the point was raised that structure plans carry limited weight at VCAT unless they are adequately implemented through the planning scheme. It is however acknowledged that Council's structure plans require periodical review to ensure they retain relevance and influence.

The need to update the Nunawading/MegaMile Major Activity Centre and Mitcham Neighbourhood Activity Centre Structure Plan has been acknowledged by Council through a new budget initiative in the 2017/2018 budget process to analyse background information on the activity centre; with further funding to update the Structure Plan proposed in the 2018/2019 budget.

Additional feedback related to parking and traffic congestion as significant, and growing, issues. It was suggested that no dispensations should be given to developments seeking a reduction in car parking in activity centres.

Feedback indicates that adequate setbacks should be provided in the activity centres to allow for planting of canopy trees.

An ongoing issue for Whitehorse is the location and form of higher density residential and mixed use development. There is continuing pressure for higher densities of residential development in areas adjoining activity centres. There is also an ongoing theme related to landscaping and the provision and protection of trees in areas facing substantial change.

9.1.2

(cont)

Transport

There were a number of considerations raised, particularly about car parking rates and the provision, or otherwise, of on-site car parking. In some instances, the number of usable lanes on roads is being reduced due to kerb side parking of vehicles that cannot park on the relevant property. It was noted that some believe that there has been an increase in car ownership that contributes to additional vehicles. Concern was also raised about safe ingress and egress from properties.

Many respondents submitted that there are inadequate levels of car parking being provided, particularly at railway stations and in the Box Hill MAC.

Discussion was also held about the introduction of developer and/or infrastructure contributions to subsidise additional transport infrastructure within the municipality, and in particular within activity centres.

Respondents suggested a variety of methods for prioritising sustainable transport outcomes. Many suggested better public transport infrastructure, particularly in the Box Hill MAC. Some also suggested that walking and cycling to train stations should be encouraged. Short trips via bicycle or walking should also be promoted.

Key Recommendations

As a result of the analysis, the Review makes a number of detailed recommendations regarding policies and strategies introduced since the last Review in 2014 and areas of future work. The key recommendations are that Council:

- Implement built form guidelines for land included in the RGZ along key residential corridors where the land in the RGZ interfaces with land in the NRZ or GRZ.
- Review Clause 22.05 Non-residential uses in a residential zone
- Monitor, and review where required, the ongoing impact of the reformed residential zones.
- Finalise the Residential Corridor Built Form Study.
- Review the Whitehorse Planning Scheme for compliance with the Ministerial Direction on the Form and Content of Planning Schemes.
- Advocate to the State Government to include a state-wide policy, objectives and strategies that address healthy and universal design principles.
- Advocate to the State Government for the appropriate tools/mechanisms to include affordable housing in future development, and potentially establishing relationships with registered housing associations to undertake developments and manage low cost rental accommodation.
- Continue to advocate for a permanent Environmentally Sustainable Development policy.
- Investigate policy and control measures to provide increased flexibility for signage associated with sporting clubs on Council-owned land.
- Review controls relating to hoarding of construction sites and how this is managed across the municipality.
- Review the Box Hill Transit City Activity Centre Structure Plan and the merits of undertaking additional strategic work to guide the development of the Box Hill MAC.
- Progress the development of an infrastructure contributions scheme for the Box Hill MAC.
- Continue to advocate for the upgrading of the Box Hill transport interchange.

9.1.2

(cont)

CONSULTATION

The Review has involved internal consultation with Councillors, Council officers, and consultants who regularly represent Council at the Victorian Civil and Administrative Tribunal (VCAT), to assess how the planning scheme is achieving the current strategic objectives set out in the MSS and to determine what future refinements may be necessary to improve the overall operation of the Scheme.

The review also included a community survey, which sought views on the themes contained within the MSS. This was promoted through the Council column in the Whitehorse Leader, in the Whitehorse News, the Council website and via the Sustainable Living in Whitehorse Facebook page. There were 86 visits to the online survey (with varying degrees of survey completion) and seven (7) hard copies of the survey submitted.

The consultation outcomes of other recent projects have also been integrated into the recommendations of this report. The high volume of strategic work undertaken over the past year has provided this process with valuable community and stakeholder input.

FINANCIAL IMPLICATIONS

The review of the Whitehorse Planning Scheme does not in itself have any direct budget implications, however, any consequential amendments that are required to be undertaken to give effect to recommended changes will have associated financial considerations. These will generally be in the form of statutory/panel fees, staff costs and costs associated with community consultation, as well as any costs associated with external consultants. A program of work each year will be developed and funding sought through the Council budget process as required.

The proposed changes to the Planning Scheme to be introduced as part of the Smart Planning reforms may have significant financial and resource implications for Council. These will be known when the proposed changes are introduced by the Minister for Planning at a future time.

Additional funding to deliver projects and future strategic work in the municipality could also be sought from external sources, including Resilient Melbourne, the Victoria Planning Authority and the Federal Government's Smart Cities program.

POLICY IMPLICATIONS

The Whitehorse Planning Scheme is the principal mechanism for guiding the future development of the City of Whitehorse. It provides direction to the assessment of development applications and the consideration of potential amendments to the Planning Scheme.

As the Planning Scheme is a "living document" it is vital that it be reviewed regularly, strengthened and updated. This review recommends a number of changes to the Scheme, some of which may be considered minor updates and corrections, others which may represent more comprehensive policy changes. In all cases the purpose is to ensure a more robust and rigorous policy framework for the management of development in the Municipality.

9.1.2 (cont)

CONCLUSION


The *Planning and Environment Act 1987* requires Council to review the planning scheme “no later than one year after each date by which it is required to approve a Council Plan” or unless otherwise extended by the Minister.

Council has completed its statutory obligation by undertaking a review of the planning scheme for the period January 2014 to December 2017. The review sought to identify any updates required to the MSS and local planning policies, any gaps in the planning policy that need to be addressed through further work and to evaluate the effectiveness of existing planning policy.

The review has included data collection and analysis of planning scheme amendments, updates to State and local policy and key VCAT decisions. The review also included internal workshops with key users of the Planning Scheme, discussions with Council’s VCAT representatives, a Councillor workshop and a community survey.

The review has identified a number of updates that are required to the Planning Scheme to ensure local policy is current and consistent with state policy. It is therefore recommended that Council endorse the findings of the Whitehorse Planning Scheme Review and in accordance with the requirements of Section 12B (5) of the *Act*, forward the endorsed Whitehorse Planning Scheme Review Report to the Minister for Planning.

ATTACHMENT

- 1 Whitehorse Planning Scheme Review 2018 

Engineering and Environmental

9.1.3 Whitehorse Cycling Strategy - Annual Implementation Report for 2017/18

ATTACHMENT

SUMMARY

The purpose of this report is to provide a progress update on actions in the Whitehorse Cycling Strategy for the period 1 July 2017 to 30 June 2018.

RECOMMENDATION

That Council note the progress of implementing the Whitehorse Cycling Strategy 2016.

BACKGROUND

The “Whitehorse Cycling Strategy 2016” was adopted by Council on 27 June 2016 following extensive community engagement activities, literature reviews and analysis of statistics.

The Strategy has a vision of increasing cycling through a connected network of attractive, safe and inviting low-stress streets and paths which are accessible to all and respects the needs of all users.

This report provides an update on the progress of actions completed in the second year of the Strategy’s implementation from 1 July 2017 to 30 June 2018.

DISCUSSION

During the second year of the Whitehorse Cycling Strategy, Council continued to implement a wide range of programs that provide education and encouragement for community members to start cycling or to cycle more often. Council also commenced the extensive planning required to implement some of the major infrastructure actions within the Strategy.

Some of the highlights completed for the period 1 July 2017 to 30 June 2018 are listed below and a comprehensive list of the status of all actions is contained in Attachment 1.

- Six 'Easy Ride' routes have been drafted and community engagement activities held.
- Hosted a large number of education and behavioural programs, including:
 - Bike It
 - Transit
 - Ride to School Day
 - Ride to Work Day
 - School holiday bike skills
 - Bike Ed
 - CycleWise
 - Mums on Bikes
 - Whitehorse Active and Safe Schools
 - Bike maintenance courses
 - 'We Care For Cyclists' campaign

9.1.3

(cont)

- Strong advocacy to the State Government for projects such as:
 - Improvements to allow safe crossing of arterial roads
 - Construction of a shared use path along the former Healesville Freeway Reservation
 - Appropriate design of the Laburnum section of the Box Hill to Ringwood shared use path
 - Construction of a shared use path adjacent to Burwood Highway from Morack Road, Vermont South to the Eastlink bridge
 - Limiting the detrimental impacts and maximising the improvements to the Koonung Creek Trail as part of the North East Link project
- Modified 5 existing traffic management devices along Hanover Road, Vermont South and 6 devices along Dorking Road, Box Hill to improve cyclist safety.
- Council officers have undertaken extensive planning and community engagement activities with the State Government to design the remaining sections of the shared use path along the Melbourne Water pipe track. Unfortunately maintenance and renewal issues of the underground Melbourne Water pipes are required which is preventing the shared use path project from proceeding at this time. Council will continue to advocate for the path to be constructed as soon as the maintenance and renewal works are completed by Melbourne Water.

CONSULTATION

Extensive consultation activities were undertaken during the development of the Whitehorse Cycling Strategy 2016. The results enabled a detailed understanding of the perspectives of cyclists and non-cyclists as well as community and professional stakeholders. Appropriate community engagement activities have continued during the development, implementation and evaluation of cycling programs and projects.

FINANCIAL IMPLICATIONS

Funding expended during the 2017/18 financial year for the delivery of cycling programs is shown below.

<i>Council funding</i>	<i>Ex GST</i>
Operational funding for education programs, strategic planning and advocacy	\$64,567
Capital Works projects	\$168,412
Subtotal	\$232,979
<i>Grants and subsidies</i>	
Transport Accident Commission	\$50,000
RoadSafe Eastern Metro	\$2,500
VicHealth	\$3,000
VicRoads*	\$460,210
Subtotal	\$515,710
Total	\$748,689

* VicRoads has reimbursed Council for the design costs incurred as part of planning the Whitehorse section of the 'Chirnside Park to Mordialloc Strategic Cycling Corridor' (via the Melbourne Water pipe track).

9.1.3

(cont)

POLICY IMPLICATIONS

Council's cycling activities are linked to a number of corporate Strategies, including:

- Council Plan 2017-2021
- Whitehorse Health and Wellbeing Plan 2017-2021
- Whitehorse Integrated Transport Strategy 2011
- Whitehorse Community Road Safety Strategy 2013
- Municipal Early Years Plan (Whitehorse: A City for all Children 2014-2018)
- Domestic Animal Management Plan 2017-2020
- Whitehorse Open Space Strategy 2007
- City of Whitehorse Recreation Strategy 2015-2024
- Whitehorse Sustainability Strategy 2016-2022
- Whitehorse Road Management Plan 2015

ATTACHMENT

- 1 Progress of actions within Whitehorse Cycling Strategy ➡ 

9.2 HUMAN SERVICES

9.2.1 Community Grants 2018-2019

SUMMARY

This report presents to Council, the Whitehorse Community Grant recommendations for the 2018/2019 financial year, as determined by the Councillor Assessment Panel, comprising of: Cr Andrew Davenport (Mayor), Cr Raylene Carr, Cr Blair Barker and Cr Denise Massoud.

RECOMMENDATION

That Council allocates the 2018/2019 Whitehorse Community Grants in accordance with Appendix A Cash Grants (Annual Grants), Appendix B (Partnership Grants), Appendix C (Discount Support Hall Hire) and Appendix D (Discount Support Free Tipping).

BACKGROUND

Whitehorse City Council supports not-for-profit community groups and organisations to provide a wide range of services, programs and initiatives to benefit the Whitehorse community, through its Community Grants Program.

For the 2018/2019 financial year, the Whitehorse Community Grants Program received applications from 198 community groups, for both cash and discount support grants totalling \$1,101,773.

The Councillor Assessment Panel met on Thursday 21 June 2018 to consider the community grants applications and subsequently to determine the annual cash grant recommendations which are included as Appendix A to this report (Annual Grants).

DISCUSSION

The Community Grants program is divided into five separate components:

1. Cash Grants - Annual
2. Partnership Funding – Non Tendered
3. Partnership Funding – Tendered
4. Discount Support - Hall Hire
5. Discount Support - Free Tipping

Cash Grants - Annual Grants

Annual Cash Grants (Minor Grants Up to \$5,000 & Major Grants \$5001 to \$20,000) were considered by the Councillor Panel on Thursday 21 June 2018. The Panel recommendations are detailed in *Appendix A*.

The Councillor Panel recommendations amount to a total of \$146,006, which is \$18,799 under the budget allocation of \$164,805 for the 2018/2019 financial year. The Panel chose not to allocate \$18,799 with this funding to be made available for grant requests received by Council to the end of the 2018/2019 financial year.

Any additional cash grant applications that are received outside of the grants process will be subject to the required application and review process and which requires final approval by the Mayor.

9.2.1

(cont)

Discount Support Hall Hire

Discount Support relates to discounted hall hire charges at Council owned and operated venues. If community groups meet the criteria, Discount Support Hall Hire is automatically granted. Groups applying for a discount on hall hire charges have already been notified in writing of their success or otherwise and this information is included in *Appendix C*. Discount Support Hall Hire recommendations currently total \$295,101.

Further applications for Discount Support Hall Hire will be received by Council as the year progresses and are approved if the groups meet the criteria. There are three levels of discount support based on group type: 90% for seniors groups, 75% for service clubs and 50% for all other organisations. Discount Support Hall Hire also includes the option of one free hall hire fundraising event annually, per organisation.

Discount Support Free Tipping

Council offers discount support to not for profit community groups for free tipping at Council's Recycling and Waste Centre. A nominal amount of \$130 has been allocated to each free tipping pass. Each trailer load of waste is weighed and the actual cost based on the tonnage rate applied, is recorded against the Community Grants Program. A total of 250 tipping passes are recommended for the 2018/2019 financial year and the groups are listed in *Appendix D*, with an estimated cost to Council of \$32,500.

Partnership Grants

Council previously resolved to extend Partnership Grants with community organisations, while a review of the Community Grants was being undertaken. The review will be presented to Council when finalised.

These include:

- 10 Neighbourhood & Community Houses.
- Asian Business Association of Whitehorse Inc.
- Whitehorse Community Chest Inc.
- Whitehorse Pre School Association Inc.
- Mitcham Community House - Family Violence Program for Women
- Family Access Network-Life Skills Program for Young Men & Women.
- Uniting Care - East Burwood Centre - Emergency Relief Provision

The Provision of Family Youth and Children's Support and Counselling Services, was approved by Council to be retendered for four years commencing 1st November 2016. EACH Ltd who was the previous provider of this service, was again the successful tenderer.

The Partnerships grants have been budgeted for in the 2018/2019 financial year, which gives Council time to consider changes to the Community Grants program and for these changes to be implemented.

9.2.1

(cont)

FINANCIAL IMPLICATIONS

The Overall Community Grant Budget for the 2018/2019 financial year is shown below:

2018/2019 Financial Year – Cash and Discount Support	TOTAL GRANTS BUDGET (CASH AND DISCOUNT SUPPORT)
Cash Grants (Annual, Partnership Non-Tendered & Partnership Tendered)	\$873,230
Discount Support Hall Hire	\$295,101
Discount Support Free Tipping	\$32,500
TOTAL OVERALL GRANTS BUDGET	\$1,200,831

The Cash Grant Budget for the 2018/2019 financial year is shown below:

2018/2019 Financial Year – Cash Grants	CASH GRANT BUDGET
Partnership - Non Tendered	\$467,515
Partnership - Tendered – EACH Ltd	\$240,910
Non-Partnership Grants (Annual Grants considered by Councillor Panel)	\$164,805
TOTAL CASH GRANTS BUDGET	\$873,230

As detailed previously, the Cash Grant recommendations by the Councillor Panel totalled \$146,006 which is under the budget allocation of \$164,805, leaving \$18,799 to be allocated should any requests be received during the remainder of the 2018/2019 financial year.

The community grant amounts in this report do not include GST.

CONSULTATION

The 2018/2019 Community Grants program was advertised extensively within the municipality via the Whitehorse News, on Council's web site, in Councillor Ward Columns and through press releases.

Officers from various service areas across Council were consulted in regard to their initial assessment of each grant application.

POLICY IMPLICATIONS

The Community Grants have been advertised, assessed and recommended in line with the Whitehorse Council Plan and Council's long term vision and goals.

9.2.1

(cont)

APPENDIX A – ANNUAL CASH GRANTS

Organisation	Cash Grant Recommended 2018/2019
Alannah and Madeline Foundation	\$2,500
Anglicare Victoria Sudanese Saturday School	\$800
Australian Quilters Association Inc	\$640
Blackburn Pre-School Centre	\$1,500
Box Hill City Band	\$1,000
Box Hill Community Information & Support formerly known as Box Hill Citizen's Advice Bureau	\$7,500
Box Hill Historical Society	\$1,500
Box Hill Little Athletics Centre	\$1,500
Buckanbe Park Advisory Committee	\$2,500
Carrington Health	\$6,657
Centre for Holistic Health	\$3,000
Chinese Health Foundation	\$1,500
Chinese Parents Special Support Network	\$4,000
Chinese Stroke Support Group	\$1,395
City of Whitehorse Band	\$1,000
Communities Council on Ethnic Issues (Migrant Settlement Committee)	\$1,500
Cootamundra Walk Advisory Committee	\$1,275
Crossway LifeCare Pty Ltd	\$15,000
Dream Stitches Migrant and Refugee Women's Sewing Program (St Aidans Anglican Church)	\$1,500
Eastern Climate Action Melbourne (Whitehorse)	\$1,000
Eastmont Pre-School Association	\$1,367
Family Access Network	\$20,000
Joiningthedots International	\$2,000
Kara House	\$4,394
Link Health and Community	\$8,000
Lions Club of South Vermont	\$1,000
Mullum Mullum Festival	\$3,000
Nunawading Tennis Club	\$1,000
Nunawading Toy Library	\$800
Peranakan Association Australia Inc	\$750
Probus Club - Combined Probus Club of Blackburn Bellbird	\$181
Probus Club - Combined Probus Club of Burwood East	\$500
Probus Club - Ladies Probus Club of Blackburn Lake	\$500
Probus Club - Ladies Probus Club of Blackburn South	\$750
Probus Club - Probus Club of Blackburn Central Inc.	\$750
Probus Club - Combined Probus Club of Burwood Inc	\$600
Probus Club - Ladies Probus Club of Box Hill South	\$500
Rangeview Preschool	\$1,441
Rotary Club of Mitcham and Mitcham Rotary Opportunity Shop	\$600
Royal Institute for Deaf and Blind Children - Taralye PreSchool	\$1,459

9.2.1

(cont)

Organisation	Cash Grant Recommended 2018/2019
Scouts Australia - Scout Association of Australia - Whitehorse District	\$173
Scouts Australia - Vic Branch - 1st Mont Albert Scout Group	\$1,500
Scouts Australia - Vic Branch - 1st/8th Blackburn Scout Group	\$650
Scouts Australia Vic Branch - 1st Mitcham Scout Group	\$1,000
Scouts Australia Vic Branch - 1st Tally Ho Scout Group	\$360
Scouts Australia Vic Branch - 9th Box Hill Scout Group	\$1,000
Seniors Group - Greek Orthodox Community of Box Hill and Districts Elderly Citizens Club	\$1,500
Seniors Group - Box Hill Italian Senior Citizen's Club	\$500
Seniors Group - Box Hill Senior Citizen's Club	\$500
Seniors Group - Circolo Pensionati Italiani-Nunawading	\$750
Seniors Group - Community of Cypriots of the Eastern Suburbs Elderly Citizens Club	\$1,000
Seniors Group - Greek Elderly Citizens Club of Nunawading	\$750
Seniors Group - Jasmine Seniors Dance Group	\$500
Seniors Group - Forest Hill Uniting Church Monday Companions	\$750
Seniors Group - Jing Song Senior Chinese Men's Inc	\$1,500
Seniors Group - Life Activities Club of Whitehorse	\$2,500
Seniors Group - Melbourne Korean Senior Citizens Community	\$500
Seniors Group - Nieuw Holland Social Club Inc.	\$500
Seniors Group - Nunawading Hungarian Senior Citizen's Club Inc.	\$500
Seniors Group - Senior Citizen's Club of Nunawading (Greek Club)	\$750
Seniors Group - Senior Citizens of the Greek Community of Forest Hill	\$1,000
Seniors Group - St Francis Xavier Box Hill Autumn Friendship Club (St Francis Xavier Church)	\$500
Seniors Group - U3A Nunawading	\$750
Seniors Group - Whitehorse Chinese Senior YouYi Friendship Association	\$1,500
Seniors Group - Whitehorse Day Club	\$275
Taiwanese Business Association of Melbourne Inc	\$10,000
Timorese Taiwan Alumni Association Inc	\$750
Whitehorse District Girl Guides	\$750
Whitehorse Friends for Reconciliation	\$2,500
Whitehorse Historical Society Inc.	\$2,250
Whitehorse Orchestra	\$1,000
Yarran Dheran Advisory Committee	\$689
ANNUAL CASH GRANT RECOMMENDATION TOTAL	\$146,006

9.2.1

(cont)

APPENDIX B – PARTNERSHIP CASH GRANTS NON TENDERED & TENDERED

	ORGANISATION	Partnership Grants 2018/2019
	PARTNERSHIP NON TENDERED (BY INVITATION)	
1	Asian Business Association of Whitehorse Inc	\$23,889
2	Avenue @ Eley Neighbourhood House	\$37,145
3	Bennettswood Neighbourhood House	\$29,980
4	Box Hill South Neighbourhood House	\$29,980
5	Burwood Neighbourhood House	\$29,980
6	Clota Cottage Neighbourhood House Inc	\$29,980
7	Kerrimuir Neighbourhood House	\$29,980
8	Koonung Cottage Community House	\$29,980
9	Louise Multicultural Centre	\$26,993
10	Mitcham Community House	\$37,145
11	Vermont South Community House	\$37,145
12	Whitehorse Community Chest Inc.	\$14,216
13	Whitehorse Pre School Association	\$30,935
14	Mitcham Community House Family Violence Program	\$17,319
15	Family Access Network - Life Skills Program	\$36,668
16	UnitingCare East Burwood Centre Emergency Relief	\$26,180
	TOTAL PARTNERSHIP NON TENDERED	\$467,515
	PARTNERSHIP TENDERED -	
17	EACH Ltd Provision of Family Support and Counselling Services	\$240,910
	TOTAL PARTNERSHIP – NON TENDERED & TENDERED	\$708,425

APPENDIX C – DISCOUNT SUPPORT HALL GRANTS - HIRE

Organisation Name	Discount Support Hall Hire 2018
Alcoholics Anonymous (Box Hill Branch)	\$1,625
Arts Nunawading	\$142
Australian Orchid Foundation	\$151
Australian Red Cross - Blackburn Unit	\$1,991
Babirra Music Theatre Inc	\$20,000
Bipolar Life Victoria	\$233
Blackburn Calisthenics	\$3,030
Blackburn Primary School	\$3,340
Box Hill Art Group Inc	\$9,588
Box Hill Ballet Association Incorp.	\$9,571
Box Hill Chorale Society	\$6,471
Box Hill Clayworkers	\$4,689
Box Hill Community Gardens Inc	\$132
Box Hill Hand Spinners and Weavers	\$6,548

9.2.1

(cont)

Organisation Name	Discount Support Hall Hire 2018
Box Hill Life Drawing Group	\$375
Caribbean Association of Victoria	\$110
City of Whitehorse Band	\$1,825
Contemporary Women Painters	\$2,273
Designer Art Shop Association (known as Alcove Art Shop)	\$487
Eastern & Mountain District Radio Club Inc	\$1,659
Eastern Districts Aquarium Society	\$1,700
Eastern Suburbs Scale Modelling Club	\$513
Family Access Network	\$201
Florence Road PreSchool	\$1,419
Folk Dance Australia & Box Hill Ballet	\$192
Grainger Wind Symphony	\$1,257
Hand Tool Preservation Association Inc	\$678
Heritage Roses in Australia Inc. (Greater Melbourne Group)	\$259
Hispanic Society of Victoria Inc	\$1,632
Hong Kong Club	\$1,188
Jobsupport	\$315
Knitting for the Needy	\$664
Marquetry Society of Victoria	\$850
Melbourne Ai-Yue Choir	\$1,549
Melbourne Audio Club	\$1,991
Melbourne Chinese Choir	\$1,150
Melbourne Numismatic Society Inc.	\$275
Melbourne Taiwan Ladies Association	\$1,919
Morris Register of Victoria	\$546
Neami National	\$231
Needlework and Tapestry Guild of Victoria	\$5,480
Nova Music Theatre Inc	\$20,000
Nunawading Community Gardens Inc	\$624
Orchid Species Society of Victoria	\$1,104
Papermakers of Victoria	\$452
Perwira Indonesian Society of Victoria	\$2,816
Pope Road Kindergarten	\$2,937
Probus Club - Combined Probus Club of Blackburn South	\$2,160
Probus Club - Combined Probus Club of Whitehorse	\$1,663
Probus Club - Ladies Probus Club of Nunawading	\$195
Probus Club - Ladies Probus Club of Vermont South	\$1,663
Probus Club - Probus Club of Forest Hill Inc	\$1,579
Probus Club - Probus Club of Mitcham Nunawading Inc	\$3,584
Probus Club - Probus Club of Mitcham Orchards	\$3,584
Roberts McCubbin Primary School	\$1,142
Rotaract Club of Whitehorse	\$1,166

9.2.1

(cont)

Organisation Name	Discount Support Hall Hire 2018
Rotary Club of Box Hill Central	\$1,860
Rotary Club of Mont Albert & Surrey Hills	\$2,710
Rotary Club of Nunawading	\$648
Sathya Sai	\$3,600
Seniors Group - Box Hill Chinese Senior Citizen's Club	\$2,816
Seniors Group - Box Hill Russian Senior Citizen's Club	\$3,386
Seniors Group - Brotherhood Karyas Olympou (Greek Seniors Group)	\$754
Seniors Group - Circolo Pensionati Italiani-Nunawading	\$9,936
Seniors Group - Community of Cypriots of the Eastern Suburbs Elderly Citizens Club	\$7,603
Seniors Group - Greek and Cypriot Elderly Citizen's Club of Whitehorse and Districts	\$8,294
Seniors Group - Greek Elderly Citizens Club of Nunawading	\$5,573
Seniors Group - Jasmine Seniors Dance Group	\$2,164
Seniors Group - Jing Song Senior Chinese Men's Inc	\$2,164
Seniors Group - Nunawading Hungarian Senior Citizen's Club Inc.	\$4,666
Seniors Group - Polish Senior Citizen's Club of Doncaster	\$7,258
Seniors Group - Senior Citizen's Club of Nunawading (Greek Club)	\$6,221
Seniors Group - Senior Citizens of the Greek Community of Forest Hill	\$15,206
Seniors Group - St Andrew's Greek Elderly Citizens Club	\$5,962
Seniors Group - U3A Nunawading	\$20,000
Seniors Group - Whitehorse Chinese Senior YouYi Friendship Association	\$1,663
Surrey Hills Baptist Children's Centre	\$2,453
Swiss Yodel Choir Matterhorn Inc	\$288
Taiwanese Women's Dancing Group	\$2,125
The Boite Vic Inc. (Surrey Music Café)	\$968
Vermont Cancer Research Fundraising Group	\$2,655
Vermont Floral Art Group	\$1,200
Vermont Garden Club	\$1,167
Vermont Primary School	\$1,045
Victoria Hua Xin Chinese Women's Association	\$1,727
Victorian Bulb Society Inc	\$713
Whitehorse Arts Association	\$410
Whitehorse Cyclists	\$752
Whitehorse Film Society	\$3,318
Whitehorse Orchestra	\$3,806
Whitehorse Pioneers Football and Netball Club	\$2,574
Whitehorse Showtime	\$10,350
Whitehorse Toastmasters Club Inc	\$4,148
TOTAL DISCOUNT SUPPORT HALL HIRE	\$295,101

9.2.1

(cont)

APPENDIX D – DISCOUNT SUPPORT GRANTS - FREE TIPPING

Organisation Name	Free Tipping 2018/2019 (Individual Pass valued at \$130)
Alkira Centre - Box Hill	\$1,560
Box Hill Community Gardens Inc	\$780
Burwood Community Gardens	\$390
Doncare (Whitehorse Opportunity Shops)	\$3,120
Eastern Emergency Relief Network (& Warehouse)	\$5,460
Eastmont Pre-School Association	\$520
LINC Whitehorse	\$2,600
Lions Club of Forest Hill	\$390
Lions Club of Mitcham Inc	\$1,040
Lions Club of South Vermont	\$1,300
Rangeview Preschool	\$520
Rotary Club of Mitcham and Mitcham Rotary Opportunity Shop	\$1,560
Rotary Recycle Opportunity Shop	\$1,560
Royal Society for the Prevention of Cruelty to Animals	\$6,760
Scouts Australia - Scout Association of Australia - Whitehorse District	\$520
Scouts Australia - Vic Branch - 1st Mont Albert Scout Group	\$520
Scouts Australia - Vic Branch - 1st/8th Blackburn Scout Group	\$520
Scouts Australia Vic Branch - 1st Bennettswood Scout Group	\$260
Scouts Australia Vic Branch - 1st Tally Ho Scout Group	\$260
Scouts Australia Vic Branch - 9th Box Hill Scout Group	\$520
Surrey Hills Baptist Children's Centre	\$520
Vermont Uniting Community Centre and Men's Shed	\$1,300
Whitehorse Showtime	\$520
TOTAL FREE TIPPING	\$32,500

9.3 CORPORATE

9.3.1 Delegations from Council to Chief Executive Officer and Positions within the Organisation

ATTACHMENT

SUMMARY

The purpose of this report is to recommend approval of Instruments of Delegation from Council to the Chief Executive Officer (CEO); and Council to various positions within the organisation under the Planning and Environment Act 1987, the Planning and Environment Regulations 2015 and the Planning and Environment (Fees) Regulations 2016. The Delegations are attached as Attachments 1 and 2.

RECOMMENDATION

That Council:

- 1. Adopt and seal the attached Instrument of Delegation to the CEO as per Attachment 1.***
- 2. Adopt and seal the attached Instrument of Delegation to various positions within the organisation under the Planning and Environment Act 1987, the Planning and Environment Regulations 2015 and the Planning and Environment (Fees) Regulations 2016 as per Attachment 2.***
- 3. Revoke the Instrument of Delegation from Council to the CEO authorised by Resolution of Council on 21 August 2017.***
- 4. Revoke the Instrument of Delegation from Council to various members of Council staff under the Planning and Environment Act 1987, the Planning and Environment Regulations 2015 and the Planning and Environment (Fees) Regulations 2016) authorised by resolution of Council on 21 August 2017.***

BACKGROUND

Section 98(1) of the Act provides that a Council may by Delegation, delegate to a member of its staff any power, duty or function of the Council under the Act, or any other Act, other than some powers which are reserved for a Council decision.

A prime objective of the Act is to give councils greater flexibility in exercising their powers and carrying out their functions and duties. The guiding principle in relation to Delegations is that they should be seen as a tool to enable decisions to be made at the most appropriate level of the organisation.

A Delegation is a form which sets out who the delegate is and what power is conferred upon that delegate. Delegations are essential to enable Council staff to carry out operational duties particularly in areas which involve enforcement, such as town planning, local laws, environmental health, animal management and parking control. Delegations must, by law, also be available for public inspection, so it is essential they are updated regularly. Activity undertaken by officers under delegated authority will continue to be reported to Council on a regular basis.

9.3.1

(cont)

Instrument of Delegation Council to CEO

- The current Instrument of Delegation Council to CEO, authorised by resolution of Council 21 August 2017 provides that the CEO may approve purchase orders and award contracts having a value of up to \$500,000 (GST inclusive).
- Council at its Meeting 25 June 2018 adopted the Procurement Policy June 2018 (Policy); the Policy provides that the CEO may approve purchase orders and award contracts up to the amount of \$750,000.
- The Instrument of Delegation Council to CEO requires updating to bring it into line with the Policy as adopted by Council on 25 June 2018.

Delegation to Various Positions within the Organisation

Council at its meeting held 21 August 2017, adopted a revised Instrument of Delegation to various positions in the organisation, under the *Planning and Environment Act 1987*, the *Planning and Environment Regulations 2015* and the *Planning and Environment (Fees) Regulations 2016*.

The current Instrument of Delegation Council to various positions within the organisation requires review to delegate to staff within the Strategic Planning unit under the *Planning and Environment Act 1987*, in relation to the Whitehorse Planning Scheme.



CONSULTATION

Relevant Managers and General Managers were consulted in the updating of the proposed delegations.

FINANCIAL IMPLICATIONS

There are no financial implications.

ATTACHMENT

- 1 Instrument of Delegation Council to Chief Executive Officer 
- 2 Instrument of Delegation Council to staff under the Planning and Environment Act 1987 & Regulations 

9.3.2 Delegated Decisions May 2018

SUMMARY

The following activity was undertaken by officers under delegated authority during May 2018.

RECOMMENDATION

That the report of decisions made by officers under Instruments of Delegation for the month of May 2018 be noted.

DELEGATION	FUNCTION	Number for May 2017	Number for May 2018
Planning and Environment Act 1987	Delegated Decisions	144	151
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		18	27
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	120	61
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	1
Food Act 1984	Food Act Orders	10	5
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	3	0
Local Government Act 1989	Temporary Road Closures	3	7
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	Nil	4
	Property Sales and Leases	8	3
	Documents to which Council seal affixed	1	1
	Vendor Payments	1161	1773
	Parking Amendments	18	4
	Parking Infringements written off (not able to be collected)	307	248

9.3.2 (cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS MAY 2018

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.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2015/1091	08-05-18	Application Lapsed	72-74 Winfield Road BALWYN NORTH VIC 3104	Elgar	2 lot subdivision	Subdivision
WH/2017/703	08-05-18	Application Lapsed	42 Vanbrook Street FOREST HILL VIC 3131	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings
WH/2010/812/C	17-05-18	Delegate Approval - S72 Amendment	2A Mathilde Road SURREY HILLS VIC 3127	Riversdale	Amendment to endorsed plans including new and altered windows, modified landscaping, the relocation the clothesline and new water tank and bin storage area.	Permit Amendment
WH/2011/483/A	08-05-18	Delegate Approval - S72 Amendment	192 Elgar Road BOX HILL SOUTH VIC 3128	Riversdale	Amendment to Planning Permit WH/2011/483 (issued for buildings and works to construct a three storey building, use of the land as a dental laboratory and a reduction in car parking requirements) to include use of land for the sale and consumption of liquor in association with a food and drink premises (cafe) (at the ground level), an increase in the reduction of car parking requirements in association with a medical centre (first floor), and associated alterations to conditions	Permit Amendment
WH/2013/450/A	28-05-18	Delegate Approval - S72 Amendment	8 Kipling Court BURWOOD EAST VIC 3151	Morack	Construction of two (2) double storey dwellings	Permit Amendment

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2013/601/A	16-05-18	Delegate Approval - S72 Amendment	19 Nurlendi Road VERMONT VIC 3133	Morack	Amendment to permit for construction of a double storey dwelling at the rear of the existing dwelling, including provision of a front fence higher than 1 metre	Permit Amendment
WH/2014/740/A	11-05-18	Delegate Approval - S72 Amendment	10 Bundoran Parade MONT ALBERT NORTH VIC 3129	Elgar	Construction of three double storey dwellings	Permit Amendment
WH/2015/1018/B	30-05-18	Delegate Approval - S72 Amendment	30 Melrose Street MONT ALBERT NORTH VIC 3129	Elgar	Additional basement level under unit 1	Permit Amendment
WH/2015/1107/A	18-05-18	Delegate Approval - S72 Amendment	10 Medhurst Street BURWOOD EAST VIC 3151	Riversdale	Construction of five double storey dwellings and reduction in car parking	Permit Amendment
WH/2015/582/A	08-05-18	Delegate Approval - S72 Amendment	12 Francesca Street MONT ALBERT NORTH VIC 3129	Elgar	Construction of four double storey dwellings and building and works in a Special Building Overlay	Permit Amendment
WH/2015/765/A	18-05-18	Delegate Approval - S72 Amendment	886 Station Street BOX HILL NORTH VIC 3129	Elgar	Buildings and works for medical centre use and alteration of access to a Road Zone Category 1	Permit Amendment
WH/2016/795/A	31-05-18	Delegate Approval - S72 Amendment	22 Sandy Street NUNAWADING VIC 3131	Springfield	Construction of two double storey dwellings with an existing dwelling	Permit Amendment
WH/2016/9/A	31-05-18	Delegate Approval - S72 Amendment	1 Gilbert Street MONT ALBERT VIC 3127	Elgar	The construction of two or more dwellings in a General Residential Zone in accordance with the endorsed plans	Permit Amendment
WH/2017/60/A	24-05-18	Delegate Approval - S72 Amendment	Bus Shelter opposite the address 1-19 Burwood Highway, Burwood (plan PC356027)	Riversdale	One (1) single sided illuminated electronic promotion sign on an existing bus shelter (stop id 31101)	Permit Amendment
WH/2017/1031	24-05-18	Delegate NOD Issued	1/51 Mitta Street BOX HILL NORTH VIC 3129	Elgar	Development for two dwellings comprising of replacement of front single storey dwelling with double storey dwelling	Multiple Dwellings

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/1036	28-05-18	Delegate NOD Issued	1 Gracefield Drive BOX HILL NORTH VIC 3129	Elgar	Buildings and works in a Heritage Overlay and Vegetation Protection Overlay (VPO3)	Heritage
WH/2017/155	17-05-18	Delegate NOD Issued	5 Minna Street BLACKBURN VIC 3130	Central	Building and works to construct five (5) x three storey dwellings and a reduction in the car parking requirements	Multiple Dwellings
WH/2017/203	11-05-18	Delegate NOD Issued	32 Clyde Street BOX HILL NORTH VIC 3129	Elgar	Construction of three double storey dwellings, tree removal and subdivision	Multiple Dwellings
WH/2017/285	16-05-18	Delegate NOD Issued	37 Fulton Crescent BURWOOD VIC 3125	Riversdale	Construction of 3 double storey dwellings	Multiple Dwellings
WH/2017/287	18-05-18	Delegate NOD Issued	17 Elmhurst Road BLACKBURN VIC 3130	Central	Construction of six double storey dwellings and tree removal	Multiple Dwellings
WH/2017/333	01-05-18	Delegate NOD Issued	1A Evelina Street MONT ALBERT NORTH VIC 3129	Elgar	Buildings and works to construct three triple storey dwellings and associated front fence	Multiple Dwellings
WH/2017/61/A	21-05-18	Delegate NOD Issued	31 Glen Road MITCHAM VIC 3132	Springfield	Construction of two (2) dwellings on a lot.	Permit Amendment
WH/2017/613	01-05-18	Delegate NOD Issued	20 Broughton Road SURREY HILLS VIC 3127	Riversdale	Construction of new double storey dwelling with garage to the rear of existing dwelling	Multiple Dwellings
WH/2017/724	10-05-18	Delegate NOD Issued	66 Harrison Street BOX HILL NORTH VIC 3129	Elgar	Construction of two, two storey dwellings and removal of vegetation protected under SLO9	Multiple Dwellings
WH/2017/734	28-05-18	Delegate NOD Issued	2 Glenice Avenue BLACKBURN SOUTH VIC 3130	Riversdale	Construction of a double storey dwelling and tree removal	Single Dwelling < 300m2
WH/2017/761	28-05-18	Delegate NOD Issued	29 Victor Crescent FOREST HILL VIC 3131	Morack	Construction of two dwellings and tree removal	Multiple Dwellings
WH/2017/766	29-05-18	Delegate NOD Issued	43 Raleigh Street FOREST HILL VIC 3131	Central	Construction of 2 double storey dwellings and tree removal	Multiple Dwellings
WH/2017/774	28-05-18	Delegate NOD Issued	16 Peter Street BOX HILL NORTH VIC 3129	Elgar	Construction of 2 double storey dwellings with garage	Multiple Dwellings

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/814	07-05-18	Delegate NOD Issued	46 Victoria Crescent MONT ALBERT VIC 3127	Elgar	The construction of two new dwellings	Multiple Dwellings
WH/2017/853	24-05-18	Delegate NOD Issued	3 Loddon Street BOX HILL NORTH VIC 3129	Elgar	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/862	18-05-18	Delegate NOD Issued	13 Victor Crescent FOREST HILL VIC 3131	Morack	Construction of two (2) double storey dwellings, buildings and works within 4 metres of vegetation and vegetation removal.	Multiple Dwellings
WH/2017/919	11-05-18	Delegate NOD Issued	303 Springvale Road FOREST HILL VIC 3131	Springfield	Use and development of land Child Care Centre and display of advertising signage	Child Care Centre
WH/2017/974	21-05-18	Delegate NOD Issued	677 Whitehorse Road MONT ALBERT VIC 3127	Elgar	Buildings and works to existing building, use of land for food and drink premises, display of business identification signage and reduction of car parking	Business
WH/2018/114	01-05-18	Delegate NOD Issued	10 Delhi Street MITCHAM VIC 3132	Springfield	Buildings and works on a lot less than 300sqm	Single Dwelling < 300m2
WH/2016/1206	23-05-18	Delegate Permit Issued	78 Middleborough Road BURWOOD EAST VIC 3151	Riversdale	Buildings and works to construct a retail centre, use of a childcare centre and restricted recreation facility (gymnasium), and alteration of access to a road in a Road Zone Category 1.	Business
WH/2017/472/A	14-05-18	Delegate Permit Issued	14/127 Highbury Road BURWOOD VIC 3125	Riversdale	The construction of buildings and works (retrospective mezzanine) and a reduction of the car parking rate	Permit Amendment
WH/2017/667	17-05-18	Delegate Permit Issued	Shop 1/942-946 Whitehorse Road BOX HILL VIC 3128	Elgar	Sale and Consumption of Liquor in association with use of land for the purpose of a Restaurant , Reduction In Statutory Car Parking Requirements and display of Advertising Signage	Liquor Licence
WH/2017/706	24-05-18	Delegate Permit Issued	834 Canterbury Road BOX HILL SOUTH VIC 3128	Riversdale	Construction & Display of One (1) Internally Illuminated Advertising	Advertising Sign

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/772	28-05-18	Delegate Permit Issued	20 Sussex Street BLACKBURN NORTH VIC 3130	Central	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/850	22-05-18	Delegate Permit Issued	1/926 Canterbury Road BOX HILL SOUTH VIC 3128	Riversdale	Replacing front fence and new pergola	Single Dwelling < 300m2
WH/2017/860	16-05-18	Delegate Permit Issued	44 Victoria Street BOX HILL VIC 3128	Elgar	3 lot subdivision	Subdivision
WH/2017/929	11-05-18	Delegate Permit Issued	19 Baratta Street BLACKBURN SOUTH VIC 3130	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/936	28-05-18	Delegate Permit Issued	36 Quentin Street FOREST HILL VIC 3131	Morack	The construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/939	07-05-18	Delegate Permit Issued	6 Padua Court VERMONT VIC 3133	Morack	Removal of three (3) Trees in Significant Landscape Overlay	Special Landscape Area
WH/2017/969	01-05-18	Delegate Permit Issued	588-590 Whitehorse Road MITCHAM VIC 3132	Springfield	Building and works and alteration of access to a Road Zone Category 1 for drive thru take away food (coffee) business	Business
WH/2017/979	31-05-18	Delegate Permit Issued	42 Luckie Street NUNAWADING VIC 3131	Springfield	Construction of three (3) double storey dwellings and tree removal	Multiple Dwellings
WH/2018/107	22-05-18	Delegate Permit Issued	Bus Stop 8687 Burwood Highway/Blackburn Road, BURWOOD EAST	Riversdale	Display of two internally illuminated promotion signs and two internally illuminated electronic promotion signs at bus stop No 8687 - Burwood Highway	Advertising Sign
WH/2018/118	14-05-18	Delegate Permit Issued	11 Peacock Street BURWOOD VIC 3125	Riversdale	Three lot subdivision	Subdivision
WH/2018/132	16-05-18	Delegate Permit Issued	51 Elgar Road BURWOOD VIC 3125	Riversdale	Six lot subdivision based on development permit	Subdivision
WH/2018/146	10-05-18	Delegate Permit Issued	29 Albion Road BOX HILL VIC 3128	Elgar	10 lot staged subdivision (Stage 1- Lot 10, Stage 2- Lots 1-9)	Subdivision
WH/2018/157	24-05-18	Delegate Permit Issued	72 Somers Street BURWOOD VIC 3125	Riversdale	Two lot subdivision	Subdivision
WH/2018/184	31-05-18	Delegate Permit Issued	13 Evandale Avenue NUNAWADING VIC 3131	Springfield	Two Lot Subdivision	Subdivision
WH/2018/196	24-05-18	Delegate Permit Issued	41 McDowall Street MITCHAM VIC 3132	Springfield	5 lot subdivision	Subdivision
WH/2018/197	22-05-18	Delegate Permit Issued	1/626 Whitehorse Road MITCHAM VIC 3132	Springfield	Section 32 Plan- Creation of a second owners corporation	Subdivision
WH/2018/224	28-05-18	Delegate Permit Issued	1 Iris Street BURWOOD VIC 3125	Riversdale	2 lot subdivision	Subdivision
WH/2018/226	11-05-18	Delegate Permit Issued	28 Kett Street NUNAWADING VIC 3131	Springfield	Buildings and works to construct a verandah on a lot less than 500sqm	Single Dwelling < 300m2

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/229	22-05-18	Delegate Permit Issued	4 Fuller Street MITCHAM VIC 3132	Springfield	Removal of Four (4) Trees within a Significant Landscape Overlay	Special Landscape Area
WH/2018/23	24-05-18	Delegate Permit Issued	2A Laughlin Avenue NUNAWADING VIC 3131	Springfield	Use and development of two additional independent living units as part of the existing retirement village and buildings and works within 4 metres of protected SLO9 trees	Special Building Overlay
WH/2018/233	28-05-18	Delegate Permit Issued	248-254 Whitehorse Road NUNAWADING VIC 3131	Springfield	Installation of a roof mounted air conditioning system at the existing Bunnings warehouse	Business
WH/2018/234	24-05-18	Delegate Permit Issued	568 Station Street BOX HILL VIC 3128	Elgar	Sale and Consumption of Liquor in association with Use of Land for the purpose of a Restaurant	Liquor Licence
WH/2018/240	28-05-18	Delegate Permit Issued	18 South Parade BLACKBURN VIC 3130	Central	Subdivision into 3 lots and common property	Subdivision
WH/2018/242	15-05-18	Delegate Permit Issued	369 Springvale Road FOREST HILL VIC 3131	Morack	To subdivide the land into two lots	VicSmart - Subdivision
WH/2018/245	11-05-18	Delegate Permit Issued	1/42 Stanley Grove BLACKBURN VIC 3130	Central	2 lot subdivision	VicSmart - Subdivision
WH/2018/246	16-05-18	Delegate Permit Issued	7 Savage Court NUNAWADING VIC 3131	Springfield	2 lot subdivision	VicSmart - Subdivision
WH/2018/256	04-05-18	Delegate Permit Issued	2 Duncan Street BOX HILL SOUTH VIC 3128	Riversdale	Buildings and works within 4m of vegetation	VicSmart - General Application
WH/2018/26	03-05-18	Delegate Permit Issued	G01/ 850 Whitehorse Road BOX HILL VIC 3128	Elgar	Sale and consumption of liquor in association with use of land for the purpose of a food and drink premises (cafe)	Liquor Licence
WH/2018/267	11-05-18	Delegate Permit Issued	12 Serpentine Street MONT ALBERT VIC 3127	Elgar	Removal of One Tree (Box Elder Maple) within Significant Landscape Overlay Schedule 9	VicSmart - General Application
WH/2018/268	14-05-18	Delegate Permit Issued	12 Serpentine Street MONT ALBERT VIC 3127	Elgar	Removal of One Tree (Brittle Gum) within Significant Landscape Overlay Schedule 9	VicSmart - General Application
WH/2018/274	31-05-18	Delegate Permit Issued	6 Douglas Avenue BOX HILL SOUTH VIC 3128	Riversdale	two lot subdivision	Subdivision

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/278	07-05-18	Delegate Permit Issued	10 Hedge End Road NUNAWADING VIC 3131	Springfield	Tree Removal	VicSmart - General Application
WH/2018/288	22-05-18	Delegate Permit Issued	87 Whitehorse Road BLACKBURN VIC 3130	Central	Alterations to the shop front (upper floor) and display of a business identification signage	VicSmart - General Application
WH/2018/289	14-05-18	Delegate Permit Issued	6/5-7 Nicoll Street NUNAWADING VIC 3131	Springfield	Buildings and works for the construction of a carport to an existing dwelling on a lot less than 500 square metres	Special Landscape Area
WH/2018/292	01-05-18	Delegate Permit Issued	4/33 Forest Road FOREST HILL VIC 3131	Springfield	Removal of a Tree within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/294	08-05-18	Delegate Permit Issued	28 Junction Road BLACKBURN NORTH VIC 3130	Central	Two lot subdivision	VicSmart - Subdivision
WH/2018/300	04-05-18	Delegate Permit Issued	75 Springfield Road BLACKBURN NORTH VIC 3130	Central	Removal of one tree in a Significant Landscape Overlay	VicSmart - General Application
WH/2018/301	03-05-18	Delegate Permit Issued	75 Springfield Road BLACKBURN NORTH VIC 3130	Central	Removal of one tree in a Significant Landscape Overlay	VicSmart - General Application
WH/2018/302	03-05-18	Delegate Permit Issued	75 Springfield Road BLACKBURN NORTH VIC 3130	Central	Removal of one tree in a Significant Landscape Overlay	VicSmart - General Application
WH/2018/303	04-05-18	Delegate Permit Issued	75 Springfield Road BLACKBURN NORTH VIC 3130	Central	Removal of one tree in a Significant Landscape Overlay	VicSmart - General Application
WH/2018/305	31-05-18	Delegate Permit Issued	2 Monica Street BURWOOD VIC 3125	Riversdale	2 lot subdivision	Subdivision
WH/2018/306	07-05-18	Delegate Permit Issued	12 Kingsley Avenue VERMONT VIC 3133	Morack	Removal of one (1) tree	VicSmart - General Application
WH/2018/307	02-05-18	Delegate Permit Issued	17 Venice Street BOX HILL SOUTH VIC 3128	Riversdale	Tree removal	VicSmart - General Application
WH/2018/309	07-05-18	Delegate Permit Issued	2A Hamilton Avenue BLACKBURN VIC 3130	Central	Vegetation removal	VicSmart - General Application
WH/2018/31	22-05-18	Delegate Permit Issued	Bus Shelter opposite 556-572 Whitehorse Road Mitcham	Springfield	To display advertising on one single sided electronic & one single sided internally illuminated signs on an existing bus shelter	Advertising Sign
WH/2018/310	17-05-18	Delegate Permit Issued	6 Hamilton Street MONT ALBERT VIC 3127	Elgar	reduction of carparking requirements for physiotherapist (Medical Centre)	VicSmart - General Application
WH/2018/319	31-05-18	Delegate Permit Issued	27 Carrington Road BOX HILL VIC 3128	Elgar	proposed internally illuminated advertising signage	Advertising Sign

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/32	21-05-18	Delegate Permit Issued	Bus Shelter Opposite 507 Whitehorse Road Mitcham	Springfield	Display of advertising signs (including one single sided electronic & one single sided internally illuminated sign) on bust stop no 22448 in a RDZ1	Advertising Sign
WH/2018/323	04-05-18	Delegate Permit Issued	81 Barter Crescent FOREST HILL VIC 3131	Morack	To lay a concrete slab measuring 10.5 x 3.5m at rear of the house	VicSmart - General Application
WH/2018/326	15-05-18	Delegate Permit Issued	36 High Street NUNAWADING VIC 3131	Springfield	Vegetation removal, one tree.	VicSmart - General Application
WH/2018/329	08-05-18	Delegate Permit Issued	28 Laurel Grove North BLACKBURN VIC 3130	Central	Removal of a Tree within the Significant Landscape Overlay - Schedule 1	VicSmart - General Application
WH/2018/330	11-05-18	Delegate Permit Issued	25 Byron Street BOX HILL SOUTH VIC 3128	Riversdale	Removal of one tree in Significant Landscape Overlay	VicSmart - General Application
WH/2018/331	15-05-18	Delegate Permit Issued	62 Watts Street BOX HILL NORTH VIC 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2018/332	11-05-18	Delegate Permit Issued	21 Caldwell Road VERMONT VIC 3133	Morack	Tree removal	VicSmart - General Application
WH/2018/335	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 1 - Ligustrum lucidum - Privet)	VicSmart - General Application
WH/2018/336	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 2 - Cotoneaster glaucophyllus - Cotoneaster)	VicSmart - General Application
WH/2018/337	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 3 - Photinia robusta - Photinia)	VicSmart - General Application
WH/2018/338	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 4 - Eriobotrya japonica - Loquat)	VicSmart - General Application
WH/2018/339	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 5 - Quercus robur - English Oak)	VicSmart - General Application
WH/2018/340	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 6 - Quercus robur - English Oak)	VicSmart - General Application
WH/2018/341	11-05-18	Delegate Permit Issued	298 Springvale Road FOREST HILL VIC 3131	Springfield	Remove One Tree (Tree 7 - Ficus sp.)	VicSmart - General Application
WH/2018/353	23-05-18	Delegate Permit Issued	73 Koonung Road BLACKBURN NORTH VIC 3130	Central	Remove a tree (Robinia pseudoacacia - Black Locust) protected under SLO9	VicSmart - General Application
WH/2018/358	11-05-18	Delegate Permit Issued	4 Williamson Road MONT ALBERT NORTH VIC 3129	Elgar	Removal of tree	VicSmart - General Application

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/36	01-05-18	Delegate Permit Issued	303-313 Burwood Highway BURWOOD EAST VIC 3151	Morack	2 lot Subdivision generally in accordance with the accompanying plan	Subdivision
WH/2018/361	15-05-18	Delegate Permit Issued	11 Wellesley Street MONT ALBERT VIC 3127	Elgar	2 lot subdivison	VicSmart - Subdivision
WH/2018/364	14-05-18	Delegate Permit Issued	68 Wellman Street BOX HILL SOUTH VIC 3128	Riversdale	Removal of One Tree (Lilly Pilly) within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/365	14-05-18	Delegate Permit Issued	68 Wellman Street BOX HILL SOUTH VIC 3128	Riversdale	Removal of One Tree (Box Elder Maple) within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/371	22-05-18	Delegate Permit Issued	10 Aldinga Street BLACKBURN SOUTH VIC 3130	Central	Removal of one tree (tree 3)	VicSmart - General Application
WH/2018/375	22-05-18	Delegate Permit Issued	2/25-29 Brougham Street BOX HILL VIC 3128	Elgar	Buildings and works (replace window with glazed bi-folds) associated with a dwelling	VicSmart - General Application
WH/2018/383	16-05-18	Delegate Permit Issued	7 Wattle Street BOX HILL NORTH VIC 3129	Elgar	Remove one tree (tree 1)	VicSmart - General Application
WH/2018/385	23-05-18	Delegate Permit Issued	1/106 Broughton Road SURREY HILLS VIC 3127	Riversdale	Removal of a tree (Corymbia citriodora Lemon Scented Gum) protected under SLO9	VicSmart - General Application
WH/2018/386	31-05-18	Delegate Permit Issued	Shop 8/1 Main Street BOX HILL VIC 3128	Elgar	Application for advertising signs and new internally-illuminated sign.	Advertising Sign
WH/2018/389	16-05-18	Delegate Permit Issued	12 Nymph Street MITCHAM VIC 3132	Springfield	Removal of one tree	VicSmart - General Application
WH/2018/390	22-05-18	Delegate Permit Issued	2/30 Central Road BLACKBURN VIC 3130	Central	Removal of One (1) Tree within a Significant Landscape Overlay - Schedule 4	VicSmart - General Application
WH/2018/391	21-05-18	Delegate Permit Issued	21 Barry Road BURWOOD EAST VIC 3151	Morack	Remove one tree	VicSmart - General Application
WH/2018/392	16-05-18	Delegate Permit Issued	8 Linden Street BOX HILL SOUTH VIC 3128	Riversdale	Tree removal	VicSmart - General Application
WH/2018/399	24-05-18	Delegate Permit Issued	9 Hayward Court VERMONT VIC 3133	Morack	two lot subdivision	VicSmart - Subdivision
WH/2018/400	28-05-18	Delegate Permit Issued	29 Bentley Street SURREY HILLS VIC 3127	Riversdale	2 lot subdivision	VicSmart - Subdivision
WH/2018/402	23-05-18	Delegate Permit Issued	17 Boronia Road VERMONT VIC 3133	Morack	Construction of a front fence	VicSmart - General Application

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/406	22-05-18	Delegate Permit Issued	358 Mitcham Road MITCHAM VIC 3132	Springfield	Removal of one protected tree in the SLO9	VicSmart - General Application
WH/2018/410	28-05-18	Delegate Permit Issued	13 Charles Street NUNAWADING VIC 3131	Springfield	Removal of one tree	VicSmart - General Application
WH/2018/420	25-05-18	Delegate Permit Issued	9 Goodwin Street BLACKBURN VIC 3130	Central	Remove tree 1 on north boundary of site	VicSmart - General Application
WH/2018/421	28-05-18	Delegate Permit Issued	9 Goodwin Street BLACKBURN VIC 3130	Central	Remove tree 2 on south boundary of site	VicSmart - General Application
WH/2018/423	23-05-18	Delegate Permit Issued	28 Slater Avenue BLACKBURN NORTH VIC 3130	Central	Removal of one tree.	VicSmart - General Application
WH/2018/424	23-05-18	Delegate Permit Issued	28 Slater Avenue BLACKBURN NORTH VIC 3130	Central	Removal of one tree.	VicSmart - General Application
WH/2018/425	23-05-18	Delegate Permit Issued	28 Slater Avenue BLACKBURN NORTH VIC 3130	Central	Removal of one tree.	VicSmart - General Application
WH/2018/429	28-05-18	Delegate Permit Issued	40 Garden Street BOX HILL NORTH VIC 3129	Elgar	tree removal	VicSmart - General Application
WH/2018/43	10-05-18	Delegate Permit Issued	321-345 Burwood Highway FOREST HILL VIC 3131	Morack	Buildings and works to Peter James Centre and associated tree removal	Residential (Other)
WH/2018/430	28-05-18	Delegate Permit Issued	1B Ray Road BURWOOD EAST VIC 3151	Morack	construction of 2m paling timber fence to replace existing 1.65m street facing fence	VicSmart - General Application
WH/2018/432	28-05-18	Delegate Permit Issued	85 Harrison Street BOX HILL NORTH VIC 3129	Elgar	tree removal	VicSmart - General Application
WH/2018/433	28-05-18	Delegate Permit Issued	18 Linum Street BLACKBURN VIC 3130	Central	Remove tree 1	VicSmart - General Application
WH/2018/434	28-05-18	Delegate Permit Issued	18 Linum Street BLACKBURN VIC 3130	Central	Remove tree 2	VicSmart - General Application
WH/2018/439	28-05-18	Delegate Permit Issued	97-123 Hawthorn Road FOREST HILL VIC 3131	Morack	Removal of tree	VicSmart - General Application
WH/2018/454	31-05-18	Delegate Permit Issued	16 Hastings Avenue BLACKBURN SOUTH VIC 3130	Riversdale	remove 1 tree	VicSmart - General Application
WH/2018/65	22-05-18	Delegate Permit Issued	2 Hamilton Street MONT ALBERT VIC 3127	Elgar	Restaurant and cafe licence associated with an existing cafe	Liquor Licence
WH/2018/67	22-05-18	Delegate Permit Issued	12 Market Street NUNAWADING VIC 3131	Springfield	Sale of liquor in association with a restaurant	Liquor Licence
WH/2018/69	11-05-18	Delegate Permit Issued	4 Laidlaw Court VERMONT VIC 3133	Springfield	Buildings and works for the construction of a verandah in a special building overlay	Special Building Overlay

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/70	17-05-18	Delegate Permit Issued	61 Scott Street VERMONT VIC 3133	Springfield	Removal of one (1) tree and pruning of one (1) tree in SLO7	Special Landscape Area
WH/2016/1146	25-05-18	Delegate Refusal Issued	853 Highbury Road VERMONT SOUTH VIC 3133	Morack	Use and development of the land for the purpose of a childcare centre and reduction of car parking spaces	Child Care Centre
WH/2017/156	01-05-18	Delegate Refusal Issued	9 Eley Road BLACKBURN SOUTH VIC 3130	Riversdale	Construction of five (5) double storey dwellings	Multiple Dwellings
WH/2017/529	22-05-18	Delegate Refusal Issued	2 Elgar Road BURWOOD VIC 3125	Riversdale	Use of the land for a medical centre, development of a three (3) storey building, reduction in car parking requirement, business identification signage, tree removal and access to a road in a Road Zone, Category 1	Residential (Other)
WH/2017/677	21-05-18	Delegate Refusal Issued	5 Centre Court BURWOOD VIC 3125	Riversdale	Construction of Four (4) Dwellings on a Lot & Removal of Vegetation	Multiple Dwellings
WH/2017/701	08-05-18	Delegate Refusal Issued	Coles 172-210 Burwood Highway BURWOOD EAST VIC 3151	Riversdale	Installation of an acoustic wall	Business
WH/2018/122	14-05-18	Delegate Refusal Issued	57 Parer Street BURWOOD VIC 3125	Riversdale	Removal of two English Oak trees on the significant tree register	Vegetation Protection Overlay
WH/2018/269	14-05-18	Delegate Refusal Issued	12 Serpentine Street MONT ALBERT VIC 3127	Elgar	Removal of One Tree (Smooth Barked Apple) within Significant Landscape Overlay Schedule 9	VicSmart - General Application
WH/2018/343	11-05-18	Delegate Refusal Issued	19 Heathfield Rise BOX HILL NORTH VIC 3129	Elgar	remove 1 tree	VicSmart - General Application
WH/2018/366	16-05-18	Delegate Refusal Issued	19 Simmons Street BOX HILL NORTH VIC 3129	Elgar	Remove one tree	VicSmart - General Application
WH/2018/404	23-05-18	Delegate Refusal Issued	8 Wildwood Avenue VERMONT SOUTH VIC 3133	Morack	Removal of one protected tree	VicSmart - General Application
WH/2018/93	17-05-18	Delegate Refusal Issued	30 Ashlar Crescent BLACKBURN VIC 3130	Central	Single storey extension to existing property and buildings and works within 4 metres of trees	Special Landscape Area

9.3.2
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2014/763/E	25-05-18	No Permit Required	850 Whitehorse Road BOX HILL VIC 3128	Elgar	Buildings and works to construct a building comprising two towers of 36 storeys and 26 storeys plus rooftop plant and four levels of basement car parking (including a residential hotel, dwellings and commercial uses), use of land for accommodation and a restricted recreation facility (gym), and associated reduction of car parking requirements	Permit Amendment
WH/2018/384	16-05-18	No Permit Required	7 Wattle Street BOX HILL NORTH VIC 3129	Elgar	Remove tree 2	VicSmart - General Application
WH/2004/15007/A	08-05-18	Withdrawn	19 Barkly Terrace MITCHAM VIC 3132	Springfield	Development of a new single storey dwelling to the rear of the existing dwelling with a frontage to The Esplanade, and alterations to the existing dwelling	Permit Amendment
WH/2018/284	23-05-18	Withdrawn	18 Second Avenue BOX HILL NORTH VIC 3129	Elgar	Buildings and works (alterations to existing building and first floor rear addition)	Business

BUILDING DISPENSATIONS/APPLICATIONS MAY 2018

Address	Date	Ward	Result
1 Wilton Street, BLACKBURN NORTH	21-May-2018	Central	Consent Granted 79
135 Springfield Road, BLACKBURN NORTH	11-May-2018	Central	Consent Granted 92
15 Hartigan Street, BLACKBURN	02-May-2018	Central	Consent Granted 80
21 Greenglade Court, BLACKBURN NORTH	24-May-2018	Central	Consent Granted 80
28 Indra Road, BLACKBURN SOUTH	30-May-2018	Central	Consent Granted 79
3 Paulette Court, BLACKBURN SOUTH	29-May-2018	Central	Consent Granted 79
30 Slater Avenue, BLACKBURN NORTH	29-May-2018	Central	Consent Granted 76, 79
31 Elder Street, BLACKBURN	01-May-2018	Central	Consent Granted 82
48 Malcolm Street, BLACKBURN	24-May-2018	Central	Consent Granted 79
49 Maple Street, BLACKBURN	25-May-2018	Central	Consent Granted 74, 79
55 Holland Road, BLACKBURN SOUTH	02-May-2018	Central	Consent Granted 89
6 Handley Court, BLACKBURN NORTH	21-May-2018	Central	Consent Granted 74
7 Eustace Street, BLACKBURN	25-May-2018	Central	Consent Granted 74, 79
2 Stewart Avenue, BLACKBURN SOUTH	28-May-2018	Central	Consent Refused 80
26 Baratta Street, BLACKBURN SOUTH	22-May-2018	Central	Consent Refused 89

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(cont)

Address	Date	Ward	Result
28 Indra Road, BLACKBURN SOUTH	30-May-2018	Central	Consent Refused 74
31 Lawrence Street, BLACKBURN SOUTH	25-May-2018	Central	Consent Refused 74
5 Morrie Crescent, BLACKBURN NORTH	22-May-2018	Central	Consent Refused 89, 92
500 Middleborough Road, BLACKBURN	29-May-2018	Central	Consent Refused 78
7 Eustace Street, BLACKBURN	25-May-2018	Central	Consent Refused 80
96 Surrey Road, BLACKBURN NORTH	25-May-2018	Central	Consent Refused 81
22 Rutland Road, BOX HILL	04-May-2018	Elgar	Completed 116
1/69 Strabane Avenue, MONT ALBERT NORTH	25-May-2018	Elgar	Consent Granted 79
58 Valda Avenue, MONT ALBERT NORTH	15-May-2018	Elgar	Consent Granted 79
6 Kneale Drive, BOX HILL NORTH	22-May-2018	Elgar	Consent Granted 74
693 Station Street, BOX HILL	03-May-2018	Elgar	Consent Granted 116
11 Lucerne Street, VERMONT	01-May-2018	Morack	Consent Granted 89
24 Cosgrove Street, VERMONT	15-May-2018	Morack	Consent Granted 80
3 Tulkara Grove, VERMONT	11-May-2018	Morack	Consent Granted 85
61 Woodcrest Road, VERMONT	07-May-2018	Morack	Consent Granted 74
14 East Road, VERMONT SOUTH	01-May-2018	Morack	Consent Refused 89
23 Wingrove Street, FOREST HILL	03-May-2018	Morack	Consent Refused 74
5 The Mews, VERMONT	31-May-2018	Morack	Consent Refused 74
1 Ailsa Street, BOX HILL SOUTH	25-May-2018	Riversdale	Consent Granted 97
1228A Riversdale Road, BOX HILL SOUTH	31-May-2018	Riversdale	Consent Granted 97
13 Clifton Street, BOX HILL SOUTH	24-May-2018	Riversdale	Consent Granted 79
20 Begonia Street, BOX HILL SOUTH	31-May-2018	Riversdale	Consent Granted 79
26 O'Brien Crescent, BLACKBURN SOUTH	29-May-2018	Riversdale	Consent Granted 79
35 Pembroke Street, SURREY HILLS	03-May-2018	Riversdale	Consent Granted 74
68 Somers Street, BURWOOD	24-May-2018	Riversdale	Consent Granted 89
7 Cornfield Grove, BOX HILL SOUTH	30-May-2018	Riversdale	Consent Granted 89
10 Chestnut Street, SURREY HILLS	11-May-2018	Riversdale	Consent Refused 79, 80
45 Eley Road, BLACKBURN SOUTH	03-May-2018	Riversdale	Consent Refused 89
6 Gurrnoong Court, BOX HILL SOUTH	09-May-2018	Riversdale	Consent Refused 89
12 Haslemere Road, MITCHAM	15-May-2018	Springfield	Consent Granted 79
14 Oleanda Crescent, NUNAWADING	29-May-2018	Springfield	Consent Granted 80
2/210 Central Road, NUNAWADING	25-May-2018	Springfield	Consent Granted 76
35 Thomas Street, MITCHAM	28-May-2018	Springfield	Consent Granted 89
47 Doncaster East Road, MITCHAM	15-May-2018	Springfield	Consent Granted 74, 76, 79
48 Rosstrevor Crescent, MITCHAM	30-May-2018	Springfield	Consent Granted 79
5 Alern Court, NUNAWADING	17-May-2018	Springfield	Consent Granted 116
9 Davison Street, MITCHAM	04-May-2018	Springfield	Consent Granted 79
9 Davison Street, MITCHAM	04-May-2018	Springfield	Consent Refused 79

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – MAY 2018

Under the Planning and Environment Act 1987 - Nil

9.3.2

(cont)

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION MAY 2018

Contract Number	Service
Contract 30044	Livingstone Pavilion Change Room Refurbishment
Contract 30052	Surrey Park West Pavilion Wet Areas Refurbishment
Contract 30065	Glen Ebor Avenue, Blackburn Road Construction
Contract 30073	Mitcham Scout Hall Refurbishment Works

REGISTER OF PROPERTY DOCUMENTS EXECUTED MAY 2018

Property Address	Document Type	Document Detail
Leases		
17 Brunswick Road, Mitcham	Lease	City of Whitehorse as Lessor - expiring 30 April 2027
Licences		
Bore Construction Licence to Southern Rural Water	Licence	Geotechnical and groundwater investigations for the North East Link Authority
Agreements		
1160 Whitehorse Road, Box Hill (Whitehorse Reserve)	Agreement	Safety fence at Whitehorse Reserve

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – MAY 2018

Instrument of Sub Delegation Chief Executive Officer to Staff

PARKING RESTRICTIONS APPROVED BY DELEGATION MAY 2018

Address: **Queen Street, Blackburn:** from northern boundary of 1 Queen Street to southern boundary of 5A Queen Street – east side

Previously: 4 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces

Now: 4 '3-Hour, 8am to 6pm, Monday to Friday' parking spaces

Address: **Highbury Road, Burwood East:** from 87m east of Blackburn Road to 138m east of Blackburn Road – north side

Previously: 6 'Unrestricted' parking spaces

Now: 6 'No Parking 8:00am to 9:15am & 3pm to 4pm, School Days' parking spaces

Address: **Heath Street, Blackburn:** from 10m east of Main Street to 36m east of Main Street – north side

Previously: 4 'Unrestricted' parking spaces

Now: 4 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

Address: **Charlesworth Park Off-Street Car Park (off Livingstone Road), Vermont South**

Previously: 73 'Unrestricted' parking spaces

Now: 73 '2-Hour, 8am to 4pm, Monday to Friday' parking spaces

9.3.2

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VENDOR PAYMENT SUMMARY – SUMS PAID DURING MAY 2018

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
02/05/2018	\$180.00	1	EFT
03/05/2018	\$74,881.28	13	EFC
03/05/2018	\$163,301.91	25	CHQ
03/05/2018	\$195,420.21	38	EFT
10/05/2018	\$13,400.35	20	EFC
10/05/2018	\$149,499.48	51	CHQ
10/05/2018	\$2,861,428.06	361	EFT
10/05/2018	\$2,862,627.01	362	EFT
17/05/2018	\$24,292.40	10	EFC
17/05/2018	\$19,248.62	34	CHQ
17/05/2018	\$624,685.58	41	EFT
17/05/2018	\$50,468.00	1	EFT
17/05/2018	\$624,685.58	41	EFT
17/05/2018	\$624,685.58	41	EFT
18/05/2018	\$11,352.69	1	EFT
18/05/2018	\$400.00	1	EFT
18/05/2018	\$612,992.84	39	EFT
23/05/2018	\$139.55	1	EFC
23/05/2018	\$1,431.00	1	EFT
24/05/2018	\$8,562.40	11	EFC
24/05/2018	\$47,226.57	44	CHQ
24/05/2018	\$744,462.14	54	EFT
30/05/2018	\$2,000.00	1	CHQ
31/05/2018	\$11,995.16	18	EFC
31/05/2018	\$173,549.44	67	CHQ
31/05/2018	\$5,206,510.64	495	EFT
31/05/2018	\$3,748.65	1	EFT
GROSS	\$15,113,175.14	1773	
Monthly Lease Payments	\$38,479.38		
Direct Debit Payments	\$155,444.44		
CANCELLED PAYMENTS	\$4,761,918.12	-502	
NETT	\$20,069,017.08	1271	

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

10.1 Reports by Delegates

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

RECOMMENDATION

That the reports from delegates be received and noted.

**10.2 Recommendation from the Special Committee of Council
Meeting of 9 July 2018**

Nil

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
21-06-18 4.30 – 6.00pm	Community Grants Panel Meeting 2018-2019	Cr Davenport (Mayor & Chair) Cr Barker Cr Carr Cr Massoud	D Seddon J Lyons	Nil	Nil
25-06-18 6.20 – 7.00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> Contractual Matter Discontinuing Council's 'Fair Trade Community' Certification Adoption of the Proposed Budget 2018/19 Review of Councils Procurement Policy 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	N Duff J Green P Smith P Warner T Wilkinson A De Fazio S Freud J Russell S Cann S Hewett	Nil	Nil
02-07-18 5.30-6.30pm	Major Projects Councillor Reference Group	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud	N Duff J Green (AGMCS) M Ackland P Warner T Wilkinson A De Fazio S Belmore	Nil	Nil
02-07-18 7.00 -10.00pm	Strategic Planning Session <ul style="list-style-type: none"> Capital Works Update Box Hill Narrative Report Nunawading Megamile Mitcham Activity Centres Background Review Update of Amendment C191 Interim Tree Controls Urban Forestry Strategy May 2018 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Stennett	N Duff J Green (AGMCS) M Ackland P Warner T Wilkinson A De Fazio K Marriott A Egan W Gerhard D Vincent Smith D Shambrook S Hewett N Brown S Tierney	Nil	Nil
09-07-18 5.30-6.05pm	Whitehorse Business Group Annual Presentation	Cr Davenport (Mayor & Chair) Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Stennett	N Duff J Green (AGMCS) M Ackland P Warner A De Fazio S Freud W Gerhard	Nil	Nil

10.3
(cont)

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
09-07-18 6.30-7.58pm	Councillor Briefing Session	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Stennett	N Duff J Green P Warner T Wilkinson (AGMCS) M Ackland A De Fazio S Freud J Russell K Marriott J Hansen A Egan V McLean J Nikas L McGuinness D Seddon	<ul style="list-style-type: none"> Cr Stennett declared an indirect conflict of interest on residential amenity relating to Item 9.1.1 12 Milne Street, Mitcham (Lot 16 LP 33530) Cr Liu & Cr Ellis declared an indirect conflict of interest in Item 9.2.1 Community Grants 2018-2019 Cr Liu, declared a conflict of interest given her connection with the Asian Business Association Cr Ellis declared a conflict of interest given her connection with the Alkira Centre 	<ul style="list-style-type: none"> Cr Stennett having declared an indirect conflict of interest on residential amenity relating to Item 9.1.1 12 Milne Street, Mitcham (Lot 16 LP 33530) left the meeting at 7.40pm, returning at 7.50pm. Cr Liu & Cr Ellis having declared an indirect conflict of interest in Item 9.2.1 Community Grants 2018-2019 left the meeting at 7.55pm, returning at 7.56pm

RECOMMENDATION

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

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

RECOMMENDATION

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

12 CONFIDENTIAL REPORTS

13 CLOSE MEETING