



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading
on

Monday 20 August 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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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 previously sought and been granted leave of absence for tonight's Ordinary Council Meeting 20 August 2018.

Cr Ellis has sought a leave of absence for the Ordinary Council Meeting held on 17 September 2018.

RECOMMENDATION

That the apology for Cr Ellis be received and leave of absence be granted for the Ordinary Meeting held on 17 September 2018.

3 DISCLOSURE OF CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 16 July 2018

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 16 July 2018 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 112 - Cr Barker

Refer to Confidential Item 6.1

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 203 Canterbury Road, BLACKBURN (Lot 1 TP 872902D) – Construction of Four (4) Double Storey Dwellings, Removal of Vegetation and Alteration of Access to a Road Zone, Category 1

FILE NUMBER: WH/2017/789
ATTACHMENT

SUMMARY

This application was advertised on 16th March 2018, following which a total of twenty-four (24) objections were received. The objections raised issues with regard to neighbourhood character, landscape character, parking and traffic, amenity impacts and vegetation removal. A Consultation Forum was held on Tuesday 5th June 2018 and chaired by Councillor Massoud, at which the issues were explored, however no resolution was reached between the parties.

A section 57A amendment to the application was lodged on 6th July 2018, seeking to address outstanding concerns of Council and issues raised by objecting parties. These amended plans have not been re-advertised as the changes do not result in additional material detriment to adjoining owners and occupiers.

The amended plans introduce a number of positive changes to the proposal, namely reduced floor area/site coverage, increased side setbacks, increased retention of existing vegetation, increased canopy tree planting and generally reduced building bulk. There remain some outstanding matters with regard to tree planting and landscaping outcomes/design which can be addressed through permit conditions.

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/2017/789 for 203 Canterbury Road, BLACKBURN (Lot 1 TP 872902) 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 Four (4) Double Storey Dwellings, Removal of Vegetation and Alteration of Access to a Road Zone, Category 1 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 203 Canterbury Road, BLACKBURN (Lot 1 TP 872902) for the Construction of Four (4) Double Storey Dwellings, Removal of Vegetation and Alteration of Access to a Road Zone, Category 1, subject to the following conditions:***
 - 1. *Before the development starts, or vegetation is removed, amended plans (two full size copies) must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:***
 - a) *The locations of 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.***

9.1.1

(cont)

- b) Increase in Dwelling 1 setback from side (eastern) boundary to be 6.4 metres and removal of landscaping strip, and replacement to allow for increased area for vehicular ingress and egress manoeuvring and appropriate vehicular access.*
- c) Relocation of Dwelling 1 clothesline and removal of paved pathway to provide for continuation of landscape planting/vegetation buffer along sites western boundary.*
- d) Increase in Dwelling 2 and 3 setback from side (western) boundary to 5.0 metres without alteration to any other setbacks.*
- e) Removal of retaining wall and paved area adjoining Dwelling 3 Garage and relocation of clothes line to provide for additional landscaping and canopy tree planting opportunity.*
- f) Removal of paved area to Dwelling 3 adjoining western side dwelling (adjoining ground floor laundry and living area) to provide for additional landscaping and canopy tree planting opportunity.*
- g) Removal of lawn area located along Dwelling 3 western boundary (adjoining ground floor laundry and living area) to provide for continuation of landscape planting/vegetation buffer along site's western boundary.*
- h) Removal of paved area adjoining Dwelling 4 Garage (adjoining eastern boundary) to provide for continuation of landscape planting/vegetation buffer along sites eastern boundary.*
- i) Increase in Dwelling 4 setback from rear (northern) boundary to 6.5 metres to provide for additional landscaping and canopy tree planting opportunity.*
- j) Increase in Dwelling 4 setback from side (eastern) boundary to 5.0 metres to provide for additional landscaping and canopy tree planting opportunity.*
- k) Paving within secluded private open space areas of Dwellings 1 and 2 to have a maximum width of 2.5 metres to provide for additional landscaping and canopy tree planting opportunity.*
- l) Paving within secluded private open space areas of Dwellings 3 and 4 to have a maximum width of 3.0 metres to provide for additional landscaping and canopy tree planting opportunity.*
- m) No soil level changes within 4.9 metres of Tree 7 (Eucalyptus cladocalyx – Sugar Gum).*
- n) No soil level changes within 2.7 metres of Tree 8 (Eucalyptus sideroxylon – Ironbark).*
- o) Sight line triangles in accordance with Design standard 1 – Access ways of Clause 52.06 of the Whitehorse Planning Scheme.*
- p) Water tanks to be located outside of Tree Protection Zones and proposed Tree Planting Envelopes to the satisfaction of the Responsible Authority.*
- q) Notation on site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.*
- r) An amended materials schedule showing metal clad finishes (MC01) external to dwellings to be more muted in colour and of an 'earthy tone'.*
- s) An amended landscape plan in accordance with Condition 3 of Permit.*
- t) A Waste Management Plan in accordance with Condition 9 of Permit*

9.1.1
(cont)

- u) A Sustainable Design Assessment in accordance with Condition 10 of Permit.*

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

Once approved these plans and documents 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. No building or works shall be commenced (and no trees or vegetation shall be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed shall form part of this permit. This plan shall show -*
 - a) A survey of all existing vegetation, abutting street trees, natural features and vegetation.*
 - b) Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.*
 - c) Planting within and around the perimeter of the site comprising trees and shrubs capable of:*
 - i. Providing a complete garden scheme,*
 - ii. Softening the building bulk,*
 - iii. Providing some upper canopy for landscape perspective,*
 - d) A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of condition No. 1.*
 - e) The proposed design features such as paths, paving, lawn and mulch.*
 - f) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.*
 - g) Provision of a minimum of six (6) canopy trees of indigenous species capable of reaching a maximum height of 15 metres at maturity, situated in minimum areas of 50sqm of open ground with a minimum dimension of 5 metres that is free of buildings and impervious surfaces and of other tree canopies to minimise competition and facilitate normal growth.*

Landscaping in accordance with this approved plan and schedule shall be completed before the building is occupied.

Once approved these plans become the endorsed plans of this permit.

- 4. The garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall 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.*

9.1.1 (cont)

5. *Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established on the subject site 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 7 (Eucalyptus cladocalyx – Sugar Gum) – 7.1 metre radius from the centre of the tree base.*
 - ii. *Tree 8 (Eucalyptus sideroxylon – Ironbark) – 3.9 metre radius from the centre of the tree base.*
 - iii. *Tree 10 (Eucalyptus camaldulensis – Red Gum) – 6.3 metre radius from the centre of the tree base.*
 - iv. *Tree 11 (Eucalyptus ovata – Swamp Gum) – 5.9 metre radius from the centre of the tree base.*
 - v. *Tree 12 (Eucalyptus cladocalyx – Mahogany Gum) – 4.4 metre radius from the centre of the tree base.*
 - vi. *Tree 14 (Eucalyptus sideroxylon – Ironbark) – 7.4 metre radius from the centre of the tree base.*
 - b) *Tree Protection Zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:*
 - i. *Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.*
 - ii. *Signage placed around the outer edge of perimeter 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 watering in summer months as required.*
 - 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 authorised person only during approved construction within the TPZ and must be restored in accordance with the above requirements at all other times.*
6. *During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the Responsible Authority:*
 - a) *The driveway where within the TPZ's of Trees 7 and 8 must be constructed above the existing soil grade using porous materials that allow water to penetrate through the surface and into the soil profile. There must be no grade change within greater than 10% the TPZ's and no roots greater than 40mm in diameter are to be cut or damaged during any part of the construction process.*

9.1.1

(cont)

- b) Dwelling 3 where within the TPZ or Tree 10 must be constructed on tree sensitive footing or screw piles, with no grade change within the TPZ. The post holes are to be hand dug and no roots greater than 40mm in diameter are to be cut or damaged.*
 - c) The paved areas where within the TPZ's of Trees 2, 4 and 10 must be 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 greater than 10% of the TPZ's and no roots greater than 40mm in diameter are to be cut or damaged during any part of the construction process.*
 - d) All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing ground level or topography of the land within greater than 10% of the TPZ's of Trees 3, 11 and 12.*
- 7. Prior to the commencement of the development permitted, the owner shall enter into an agreement with the Responsible Authority to its satisfaction pursuant to the provisions of Section 173 of the Planning and Environment Act 1987 in which it shall be covenanted that:*
 - a) On-going maintenance to occur on the paving of the driveway where within the Tree Protection zone of Tree 7 (Eucalyptus cladocalyx – Sugar Gum) and Tree 8 (Eucalyptus sideroxylon – Ironbark) to ensure the surface retains its permeability.*
 - b) The owner under this permit shall pay the reasonable legal costs incurred by the Responsible Authority in respect of the preparation drafting, finalisation, engrossment, execution, registration and enforcement of the agreement.*
 - c) This Agreement runs with the land and any subsequent Title that is created.*
- 8. Council's Compliance Officer must be advised of the completion of all tree planting required by this permit so that a site inspection can be carried out. A further inspection will be carried out 6 months after the completion of the landscaping to ensure that the planting has been adequately maintained.*
- 9. Prior to the commencement of buildings and works, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority.*
- 10. Prior to the commencement of any buildings or works, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. In particular, this should address the need to protect the internal amenity of the upper levels from the thermal impacts of the west facing windows.*

Once submitted and approved to the satisfaction of the Responsible Authority, the Sustainable Design Assessment will form part of the endorsed plans under this permit.

The requirements of the Sustainable Design Assessment must be demonstrated on the plans and elevations submitted for endorsement, and the requirements of this plan must be implemented by the building manager, owners and occupiers of the site when constructing and fitting out the residential building, and for the duration of the building's operation in accordance with this permit, to the satisfaction of the Responsible Authority.

Prior to the occupation of the development, the development must be constructed in accordance with the approved Sustainable Design Assessment to the satisfaction of the Responsible Authority.

9.1.1

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- 11. The amenity of the area must not be detrimentally affected by the use or development, through:**
 - a) Transportation of materials, goods or commodities to or from the land,**
 - b) Appearance of any building, works or materials,**
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil,**
 - d) Presence of vermin**
 - e) In any other way.**
- 12. A Tree Management Plan in relation to the on-going maintenance of Trees 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14 and 15 must be submitted to the Responsible Authority prior to the commencement of development. The Plan must address the following matters:**

Pre-construction site preparation, including:

 - **Dead wooding and weight reduction of the tree's canopy;**
 - **How existing buildings and works on the site are to be removed;**
 - **Trunk, branch and ground protection;**
 - **Tree protection fencing; and**
 - **The location of servicing;**

Tree sensitive methods for construction within the TPZ of the subject tree.

 - **The construction stage, including:**
 - **Site induction meetings;**
 - **Tree root pruning;**
 - **Protection of exposed roots;**
 - **Watering.**

Post construction clean up, including:

 - **Landscape works;**
 - **Removal of TPZ fencing and other protection materials;**
 - **Final tree inspections.**
- 13. All external lights must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.**
- 14. 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.**
- 15. 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.**
- 16. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.**
- 17. 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.**

9.1.1

(cont)

- 18. 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.**
- 19. 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.**

VicRoads Conditions

- 20. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.**
- 21. Prior to the commencement of use or occupation, a sealed access crossover as at least 5.5m metres wide at the property boundary with the crossover angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road must be constructed to the satisfaction the Responsible Authority (RA) and at no cost to VicRoads or the RA.**
- 22. Prior to the occupation of the buildings hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:**
 - i. Formed to such levels and drained so that they can be used in accordance with the plan.**
 - ii. Treated with an all-weather seal or some other durable surface.**
- 23. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).**
- 24. Vehicles must enter and exit the land in a forward direction at all times.**

Permit Expiry

- 25. This permit will expire if one of the following circumstances applies:**
 - a) The development and removal of vegetation is not commenced within two (2) years from the date of issue of this permit;**
 - b) The development and removal of vegetation 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 provision of Section 69 of the Planning and Environment Act 1987.

9.1.1

(cont)

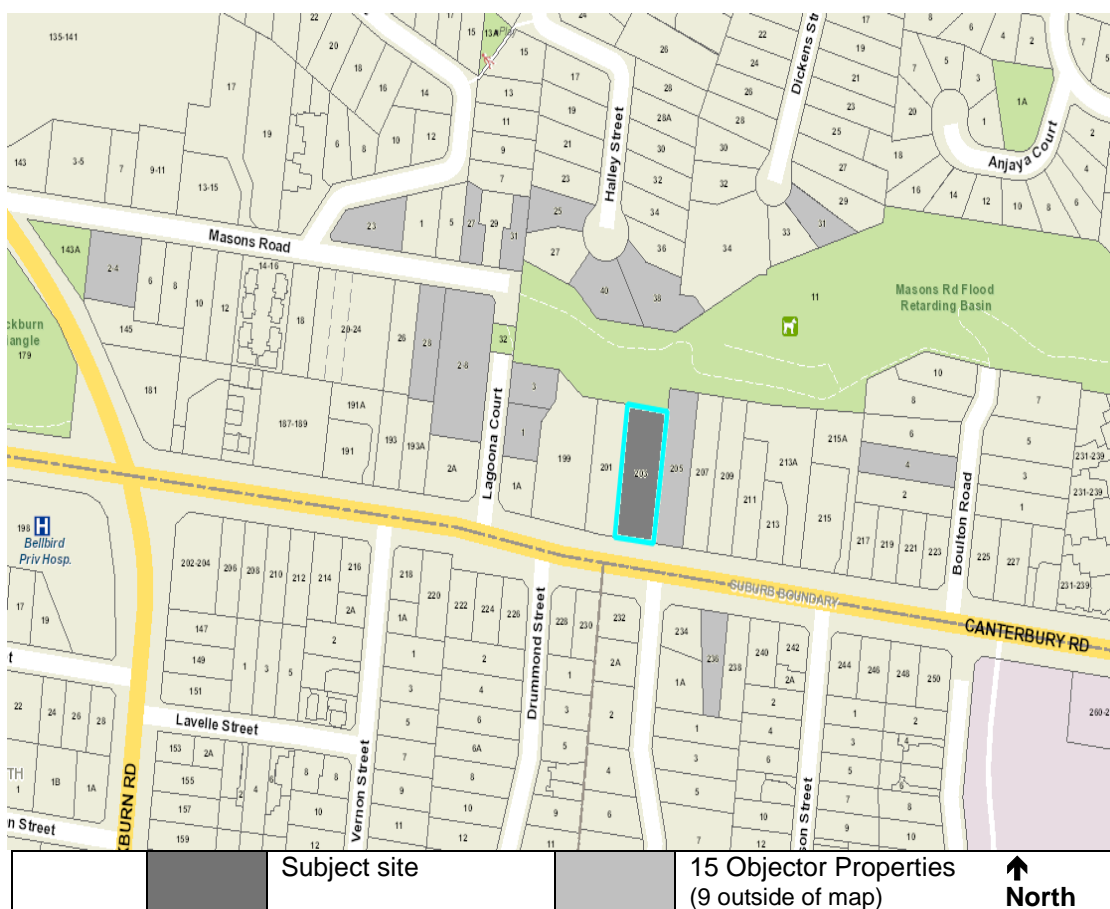
Permit Notes

- 1. 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.**
 - 2. 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.**
 - 3. 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**
 - 4. 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, nature strip and kerb and channel.**
 - 5. 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.**
 - 6. 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.**
 - 7. The proposed development requires the construction of a crossover. Separate approval under the Road Management Act for this activity may be required from VicRoads. Please contact VicRoads prior to commencing any works.**
- 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 62 B1

Applicant:	SJB Planning Pty Ltd
Zoning:	Neighbourhood Residential Zone, Schedule 1 (NRZ1)
Overlays:	Significant Landscape Overlay, Schedule 2 (SLO2)
Relevant Clauses:	
Clause 11	Settlement
Clause 12	Environmental and Landscape Values
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 32.09	Neighbourhood Residential Zone, Schedule 1
Clause 42.03	Significant Landscape Overlay, Schedule 2
Clause 52.06	Car Parking
Clause 52.29	Alterations of access to a Road Zone, Category 1
Clause 55	Two or More Dwellings on a Lot
Clause 65	Decision Guidelines
Ward:	Central



9.1.1

(cont)

BACKGROUND

History

Two (2) previous planning permit applications have been lodged and subsequently approved by Council in relation to the subject site (the site) and are summarised below:

- *WH/2008/212 proposed the removal of eight (8) protected trees and lopping of three (3) protected trees on the site and was approved subject to conditions in August 2008.*
- *WH/2009/470 proposed the erection of advertising signage on the site in association with use of land for the purpose of home occupation and was approved subject to conditions in October 2009.*

The Site and Surrounds

The subject site is located on the north side of Canterbury Road in Blackburn, approximately 320 metres east of the intersection with Blackburn Road and 1.1 kilometres west of intersection with Springvale Road. The Forest Hill Chase Shopping Centre is located on Canterbury Road, approximately 250 metres to the east of the site.

The site has a total site area of 1845 square metres with a frontage of 25.91 metres to Canterbury Road and a maximum depth of 71.27 metres. It contains a slope of over four (4) metres from the south to north and is not encumbered by any easements on site.

The site currently contains a detached single storey brick dwelling with tile pitched roofing, located centrally within the site. There are also a number of well-established canopy trees located on the site; with the majority of these located within the front setback.

The Masons Road Flood Retarding Basin adjoins the site to the immediate north (rear) comprising a significant open space area running from Lagoon Court in the west to Forest Road in the east. The Masons Road Flood Retarding Basin contains a number of indigenous plant species and canopy trees.

The surrounding properties are residential containing a mix of single and double storey dwellings set on large lots with the majority of these containing relatively substantive canopy trees/canopy coverage. A number of canopy trees are located on adjoining residential properties. Most notably there is a well-established *Eucalyptus cladocalyx* – Sugar Gum located within the south-western quadrant of No. 205 Canterbury Road, Blackburn adjoining common boundary fencing with the site, and a well-established *Eucalyptus sideroxylon* – Ironbark located within the south-eastern quadrant of No. 201 Canterbury Road, Blackburn adjoining common boundary fencing with the site.

Planning Controls

The proposal triggers the need for a planning permit under the following clauses contained within the Whitehorse Planning Scheme:

Neighbourhood Residential Zone, Schedule 1 (Clause 32.09)

Pursuant to Clause 32.09-6 of the Whitehorse Planning Scheme; a permit is required to construct two or more dwellings on a lot.

Pursuant to Clause 32.09-9 of the Whitehorse Planning Scheme, a building must not exceed 9 metres maximum building height unless the slope of natural ground level measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The site contains a slope of over 4% and thus the building may exceed the maximum building height by up to 1 metre.

9.1.1

(cont)

Significant Landscape Overlay (Clause 42.03)

Pursuant to Clause 42.03-2 of the Whitehorse Planning Scheme; a permit is required to remove, destroy or lop a tree and to construct a building or construct or carry out works.

Access to a Road Zone, Category 1 (Clause 52.29)

Pursuant to Clause 52.29 of the Whitehorse Planning Scheme; a permit is required to create or alter access to a road in a Road Zone, Category1.

State Planning Policy

Clause 11

Clause 11 (Settlement) states than planning is to *'anticipate and respond to the needs of existing and future communities'*, recognise the need for *'diversity of choice, economic viability, a high standard of urban design and amenity and protection of environmentally sensitive areas and natural resources'* and to promote the *'sustainable growth and development of Victoria (whilst) deliver(ing) choice and opportunity for all Victorians through a network of settlements'*.

Clause 12

Clause 12 (Environmental and Landscape Values) identifies that *'planning should help protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values'* and that it should seek to *'avoid the removal, destruction or lopping of native vegetation or minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided'*.

Clause 15

Clause 15 (Built Environment and Heritage) notes that *'planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context'* and planning should achieve high quality urban design and architecture that:

- *Contributes positively to local urban character and sense of place.*
- *Reflects the particular characteristics, and cultural identity of the community.*
- *Enhances the function, amenity and safety of the public realm.*

Clause 16

Clause 16 (Housing) identifies that *'planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure'* by encouraging *'increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land'* to be achieved through *'locat(ing) new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport'*.

9.1.1

(cont)

Local Planning Policy

Clause 21.05

Clause 21.05 (Environment) identifies that there are *'issues of natural environment, visual environment and the built environment which are important to the City of Whitehorse'* and that *'several areas in the City have special natural, environmental or historic significance'*, noting that *'these areas are not merely places for recreation, but conservation'*. Relevant key objectives and strategies to achieve this include:

- *Ensuring that the replanting of tall trees and indigenous vegetation is appropriate to the type of vegetation in the area and enhances and retains biodiversity.*
- *Encouraging appropriate development that responds to environmental characteristics and infrastructure constraints.*
- *Ensuring development is of a high quality design that is compatible with the character and appearance of the area.*
- *Providing adequate open space and landscaping for new development.*

Clause 21.06

Clause 21.06 (Housing) identifies and acknowledges that The City of Whitehorse is a *'middle ring municipality providing housing for a wide range of household types, ages and cultural groups'* and that it is *'under increased pressure to accommodate more people who are attracted to the area due to its strategic location, high amenity residential areas and quality services and facilities'*. The Council seeks to accommodate and facilitate this change through its *Housing Strategy 2014* and *Neighbourhood Character Study 2014*; which identify various neighbourhood character areas (Bush Environment, Bush Suburban and Garden Suburban) and areas appropriate for substantial, natural and limited change.

Clause 22.03

Clause 22.03 (Residential Development) seeks to ensure that residential development within the City of Whitehorse is consistent with the built form envisaged for the three categories of housing change and that it contributes to the preferred neighbourhood character of the area, whilst not detracting from the natural environment and ecological systems.

Clause 22.04

Clause 22.04 (Tree Conservation) identifies and acknowledges the importance of tree conservation within the City of Whitehorse and sets out a number of policy and performance standards relating to the retention and tree regeneration when undertaking development.

Clause 55 Two or Dwellings on a Lot

Clause 55, generally referred to as ResCode is a series of standards and performance objectives designed to guide the development of land for two or more dwellings.

9.1.1

(cont)

PROPOSAL

The proposal seeks approval for the Construction of Four (4) Double Storey Dwellings, Removal of Vegetation and Alteration of Access to a Road Zone, Category 1.

In summary, the proposal includes the following:

- Development of four (4) double storey dwellings in a 'tandem' layout and attached in two groupings of two, with Dwellings 1 and 2 to be attached and Dwellings 3 and 4 to be attached and accessible via a single driveway located along the sites eastern boundary.
- Dwellings 1 and 2 are mirrored in nature with both containing a double width garage, bedroom with ensuite and living/dining/kitchen area at ground floor level and three bedrooms and living area at first floor level.
- Dwellings 2 and 3 are also designed so as to contain a double width garage, bedroom with ensuite and living/dining/kitchen area at ground floor level and three bedrooms and living area at first floor level.
- A new double width crossover accessing onto Canterbury Road, located in the sites south-eastern boundary.
- Removal of three trees protected under SLO2 (trees numbered 1, 5 and 6) and removal of twenty-one (21) trees/shrubs not protected under SLO2. A summary table of protected trees under SLO2 is provided below:

	Botanical Name	Common Name	Height (m)	Age (year)	Health/ Structure
Tree 1	<i>Eucalyptus botriodes</i>	Mahogany Gum	14m	30-45	Poor Health/Poor Structure
Tree 5	<i>Eucalyptus calophylla</i>	Marri	7m	15-25	Good Health/Poor Structure
Tree 6	<i>Eucalyptus botriodes</i>	Mahogany Gum	8m	8-12	Poor Health/Poor Structure

- Retention of seven (7) trees currently located on site and protected under SL02 (trees 2, 3, 4, 8, 9, 10 and 15). A summary table of is provided below:

	Botanical Name	Common Name	Height (m)	Age (year)	Health/ Structure
Tree 2	<i>Grevillea robusta</i>	Silky Oak	10m	15-25	Good Health/Poor Structure
Tree 3	<i>Eucalyptus calophylla</i>	Marri	5m	8-12	Good Health/Good Structure
Tree 4	<i>Allocasuarina torulosa</i>	Forest Oak	7m	10-20	Good Health/Poor Structure
Tree 8	<i>Eucalyptus sideroxylon</i>	Ironbark	9m	15-25	Good Health/Structure
Tree 9	<i>Lophostemon confertus</i>	Queensland Brush Box	9m	15-25	Good Health/Structure
Tree 10	<i>Eucalyptus camaldulensis</i>	Red Gum	14m	25-40	Good Health/Poor Structure
Tree 15	<i>Eucalyptus melliodora</i>	Yellow Box	6m	8-12	Good Health/Structure

- Replacement planting of twenty-seven (27) trees with a height at maturity of 6 metres, thirteen (13) trees with a height at maturity of 10 metres and four (4) trees with a height at maturity of 15 metres.

9.1.1

(cont)

In addition to the summary above, the proposal also provides:

- A minimum street front setback to Canterbury Road of 8.9 metres.
- Minimum side setbacks from the sites eastern boundary of 4.275 metres (exception being Dwelling 4 Garage wall which is setback 1.36 metres from boundary).
- Minimum side setbacks from the sites western boundary of 4.9 metres.
- Minimum rear setbacks from the sites rear (northern) boundary of 5.510 metres.
- Maximum total site coverage of 37%.
- Site permeability of 58%.
- Garden Area percentage of 47%
- A maximum build height for Dwellings 1 and 2 of 9.96 metres above natural ground level.
- A maximum building height for Dwellings 3 and 4 of 9.95 metres above natural ground level.

CONSULTATION

Public Notice

The original application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Canterbury Road frontage. Following the advertising period twenty-four (24) objections were received.

The issues raised are summarised as follows:

Neighbourhood Character

- Appropriateness of development of four double storey dwellings in the area
- Overdevelopment of site
- Bulk and Massing

Traffic and Car Parking

- Traffic Impacts along Canterbury Road
- Concerns regarding Visitor Parking
- Pedestrian and Driver Safety

Vegetation Removal

- Fauna Impacts
- Neighbourhood Character Impacts
- Non-compliance with the relevant Significant Landscape Overlay and Bush Environment Precinct Guidelines.
- Amenity Impacts

Amenity impacts

- Visual Bulk
- Vegetation Removal
- Overlooking
- Overshadowing
- Noise
- Traffic

9.1.1

(cont)

Consultation Forum

A Consultation Forum was held on 5th June 2018. Approximately sixteen (16) objectors attended the meeting, in addition to Cr Massoud, planning officers and the applicant.

The Consultation Forum was chaired by Councillor Massoud and concerns/objections with the proposal were grouped under broad categories with all parties afforded the opportunity to provide commentary on each concern. The permit applicant was also given an opportunity to respond to objector concerns. A number of potential resolutions were discussed between parties however no resolution was reached between the parties.

Section 57A amendment

Subsequent to the advertising period and Consultation Forum amended plans were submitted via section 57A of the *Planning and Environment Act 1987* seeking to address issues raised by referrals and objections raised where possible. The key changes include:

- Removal of east and west facing balconies above garages of Dwellings 3 and 4.
- Relocation of Dwelling 4 Garage wall from boundary; to be setback 1.36 metres from eastern boundary
- Relocation of Dwelling 3 Garage to allow for increased areas of landscaping and tree planting envelopes
- Revised landscape plan, providing for reduction in hard surfacing, increased provision of canopy trees, increased areas of landscaping and expansion of tree planting envelopes.

These plans were not readvertised as they are not considered to result in additional detriment to adjoining owners and/or occupiers.

Referrals

External

VicRoads

Pursuant to section 55 of the *Planning and Environment Act 1987*, the proposal was referred to VicRoads who did not object to the proposal subject to conditions relating to the proposed crossover and vehicular access to and from the site.

Internal

Engineering and Environmental Services Department

- Transport Engineer

The application was referred to Council's Transport Engineering team who have reviewed the proposal and do not object to the proposal, subject to recommended conditions relating to vehicular access both to and throughout the site.

- Waste Engineer

The application was referred to Council's Waste Engineering team who have reviewed the proposal and do not object to the proposal, subject to recommended waste management conditions.

- Assets Engineer

The application was referred to Council's Asset Engineering team who have reviewed the proposal and do not object to the proposal, subject to standard conditions.

9.1.1

(cont)

Planning Arborist

The application was referred to Council's Planning Arborist who has reviewed the proposal and does not object to the proposal subject to standard conditions relating to protection and retention of canopy trees both on site and within adjoining properties.

DISCUSSION

Planning Scheme

State Planning Policy

The construction of four dwellings on site is consistent with State Planning Policies, which encourage 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.

Local Planning Policy

Local planning policy at Clause 21.05 (Environment) identifies issues of natural, visual and built environment. Clause 21.06 acknowledges that The City of Whitehorse is a '*middle ring municipality providing housing for a wide range of household types, ages and cultural groups*' and that it is '*under increased pressure to accommodate more people who are attracted to the area due to its strategic location, high amenity residential areas and quality services and facilities*'.

The Council seeks to accommodate and facilitate this change through its *Housing Strategy 2014* and *Neighbourhood Character Study 2014*; which identify various neighbourhood character areas (Bush Environment, Bush Suburban and Garden Suburban) and areas appropriate for substantial, natural and limited change.

The subject site is located within a Bush Environment/Limited Change Area. This requires any design response to respond to the surrounding low scale and detached or semi-detached dwelling form, whilst recognising key environmental and heritage attributes evident.

The proposal responds to these policy objectives in that it provides for four semi-detached dwellings, arranged in two lots of two attached buildings, designed to reflect the scale and size of dwellings that otherwise define the neighbourhood character. This design provides effective use of the site and conserves and enhances landscaping opportunities, retention of significant trees and vegetation, whilst providing space for planting of new canopy trees, a key character and landscape element of the area.

Specifically, the importance of the landscape setting and important environmental context is achieved through retention of seven (7) well-established canopy trees on-site and provision of an additional forty-four (44) trees throughout the site (via new landscaping), thirteen of which have a minimum height at maturity of 10 metres and four (4) of which have a minimum height at maturity of 15 metres.

It is additionally noted that the proposal provides for new development on the site which reflects an appropriate response to both the preferred and existing neighbourhood character as it seeks to provide for substantive setbacks from all side and rear boundaries, concentrates the building footprint centrally within the site allowing for the provision of generous landscaping and retention of view lines between buildings/built form.

9.1.1

(cont)

Neighbourhood Residential Zone – Schedule 1 (Bush Environment Areas)

The purpose of the Neighbourhood Residential Zone is to:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The proposal is considered to be consistent with the intent and purpose of the Neighbourhood Residential Zone. It achieves this by consolidating development on an underutilised and strategically located site in a semi-attached double storey built form. It achieves compliance with all varied ResCode (Clause 55) Standards of NRZ1 and does not exceed the maximum height limit of 10 metres which is mandatory under the NRZ.

Significant Landscape Overlay – Schedule 2 (SLO2)

The Significant Landscape Overlay is recognised as an important part of the Whitehorse Planning Scheme, and as such considerable weight is placed upon an application's ability to meet the objectives and decision guidelines. The presence of the SLO does not negate the ability of a site to be developed for residential purposes, however the hierarchy of the SLO control does require a more sensitive approach and places higher levels of expectation on how a site is to respond to built-form, landscape and environmental values.

SLO2 identifies the site as being located within 'Blackburn Area 2' whereby the following statement of significance is outlined below:

'The significance of the area is attributed to the quality of the environment, which includes vegetation notable for its height, density, maturity and high proportion of Australian native trees.

This in turn contributes to the significance of the area as a valuable bird and wildlife habitat'.

A number of key decision guidelines must be considered and are summarised below:

- *The proposed developments ability to provide for appropriate landscaping opportunity.*
- *The proposed developments siting and design, so as to provide for a subservient profile within the context of the site.*
- *The proposed developments impact on existing vegetation on site and surrounding properties.*

In review of the above, it is considered that the proposed development is setback a reasonable distance from property boundaries to provide for a well-conceived landscape design throughout the site, which both ensures adequate retention of existing vegetation and enhances existing landscaping throughout the site.

The total site area is 1845sqm, of which 37% is proposed to be taken up by buildings and works and 58% is to be permeable. This 58% of permeable land is largely provided in the form of private open space and secluded private open space throughout the development. All areas of secluded private open space, are to be located along the site's side and rear boundaries and exceed 50sqm.

The proposal seeks to retain seven (7) of ten (10) trees identified as protected under the SLO2, a retention rate of 70%. The three (3) trees which are sought to be removed under the application are of poor health or structure.

9.1.1

(cont)

Trees 1, 5 and 6 which are proposed for removal, whilst identified as native species and of substantial age and stature, are in poor health and structure and thus removal, coupled with appropriate replacement planting is considered the best outcome for the site, particularly having a medium to long term view of planting of the site over time.

Council's Arborist has undertaken an inspection of the site and reviewed the proposed development and accompanying Arborist Report and does not dispute the proposed removal of these trees.

The application seeks to provide for replacement planting of a total of four (4) canopy trees capable of reaching a height at maturity of over 15 metres plus the retention of an additional seven (7) trees (Trees 2, 3, 4, 8, 9, 10 and 15) which are capable of reaching a height of over 15 metres; resulting in a total of ten (10) capable of reaching a height of over 15 metres on site.

The decision guidelines for SLO2 aim to provide for twelve (12) trees on site, capable of reaching a height of over 15 metres. As the proposal is only able to provide for a total of ten (10) trees capable of reaching a height of over 15 metres, a condition will be placed on any permit issued requiring an additional two (2) canopy trees capable of reaching a height of over 15 metres be provided on site. This will be achieved in conjunction with a permit condition requiring reduction in extent of paving within secluded private open space areas of Dwellings 3 and 4 so as to allow for additional areas for landscaping and canopy tree growth.

Regarding trees on adjoining sites, Council's Arborist notes that retention and protection of all trees on adjoining properties is viable, subject to conditions requiring vehicular access to be constructed at grade and that no soil level changes are to occur within relative proximity of trees 7 and 8. These tree protection requirements have been discussed with all other departments of Council who have acknowledged the requirements and identified them as viable.

Additionally it is noted the proposal has also been reviewed by Council's Assets team who have required conditions be placed on any permit issued to appropriately manage stormwater on site and runoff to surrounding properties.

Landscaping

The proposed development seeks to provide for an additional forty-four (44) trees throughout the site, detailed below:

- Twenty-seven (27) trees with a height at maturity of 6 metres;
- Thirteen (13) trees with a height at maturity of 10 metres; and
- Four (4) trees with a height at maturity of 15 metres.

The proposed replanting and overall provision of landscaping throughout the site, coupled with proposed retention of existing canopy trees, is considered to provide for an optimal landscaping outcome, one which enhances vegetation and landscaping on site whilst allowing for an appropriate transition between existing and new canopy tree growth throughout site and will ensure an appropriately landscaped outcome on site throughout the life of the development.

It is noted however the proposal does not meet decision guidelines of SLO2 which seeks the provision of one (1) canopy tree capable of reaching a maximum height of 15 metres at maturity per 150sqm of site as discussed above. The subject site however, has the opportunity to comply with this guideline and as such a condition will be placed on any issued permit to achieve this.

9.1.1

(cont)

Additionally, whilst it is noted that the proposal does not strictly comply with performance standards of Clause 22.04 which seek to provide for a minimum area of 50sqm of open ground within minimum dimensions of five metres that is free of buildings for new plantings, it is submitted that a condition on permit requires these areas be provided for replacement plantings and where not achieved for the remainder of proposed landscaping adequate areas for future growth and development have been provided.

Neighbourhood Character and Built Form

Neighbourhood Character

The site is located in a Bush Environment Neighbourhood Character area pursuant to the *City of Whitehorse Neighbourhood Character Study 2014*, and is designated as 'limited change'. Specifically, the policy states:

This precinct is identified for the lowest scale of intended residential growth in Whitehorse (Limited Change area) and the preservation of its significant landscape character and environmental integrity is the highest priority.

It is submitted that the proposed development adequately responds to both the existing and preferred character statement as it seeks to provide for semi-detached residential dwellings which do not exceed two storeys in height.

The use of predominantly brick and timber materials, coupled with generous setbacks from all boundaries, ensures that the proposed design response does not dominate the streetscape and provides for retention of existing vegetation on site and substantial landscaping opportunities throughout. It is noted however that whilst the use of predominantly brick and timber is supported and considered to appropriately respond to the both existing and preferred neighbourhood character, that the use of metal cladding in a dark matt finish is considered inconsistent with this character. As such a condition is to be placed on permit requiring that the proposed metal cladding be amended in colour so as to provide for a more muted colour of 'earthy tone' consistent with the bush environment character of the area.

The retention of trees 2, 3 and 4 along with provision of additional three (3) trees within the site's frontage is considered to adequately ensure the proposed development will not appear dominant to and be well screened from the street frontage throughout its lifetime, with this to be further enhanced with landscape planting along both side boundaries of the site.

The provision of a 1.8 metre high timber batten privacy screen fence along the site's Canterbury Road frontage, whilst acknowledged as generally inconsistent with both existing and preferred neighbourhood character of the Bush Environment Character Precinct, is submitted to be relatively unobtrusive in nature given its materiality (timber batten) and design (containing of 250mm spacing between battens).

Built Form

The tandem and attached nature of the proposed design will present as two double storey dwellings when viewed from street frontage and adjoining properties.

The development has been designed in accordance with all varied ResCode (Clause 55) Standards of NRZ1 allowing for substantial landscaping opportunities within the front, side and rear setbacks of site, with minimum setbacks of 8.9 metres (front), 4.9 metres (side) and 5.5 metres (rear) respectively. Additionally the proposal complies with maximum building height of 10 metres within the NRZ and provides for large private open space areas for all dwellings, with all dwellings exceeding 50sqm with a minimum width of 5 metres and to be located along side and rear boundaries.

9.1.1

(cont)

Primary concerns associated with the proposal largely related to the location of the Dwelling 4 garage wall on the boundary and provision/location of balconies at upper levels, particularly those of Dwelling 3 and 4. It is noted that these concerns were resolved following receipt of the amended plans which sought to relocate the Dwelling 4 garage wall off the eastern (side) boundary and remove east and west facing balconies of Dwellings 3 and 4. Whilst the proposal continues to seek to provide for balconies at upper levels to all dwellings, it is submitted that these balconies (particularly those of Dwellings 1 and 2) are part of the architectural design and provide for an appropriate level of articulation to the proposed development.

Car Parking

The proposal meets the requirements of Clause 52.06 (Car parking) and, as noted above, the Council Transport Engineering Department supports the proposal subject to conditions relating to vehicular access both to and throughout the site.

Additionally it is noted, that Council have received objections against the non-provision of a visitor car-parking space and concerns regarding pedestrian/driver safety. It is noted that pursuant to Clause 52.06 the provision of a visitor parking space is not required and that the provision of a double width crossover and passing bay couple with site line triangles as required by Clause 52.06 is consistent with planning policy regarding these matters.

Objectors Concerns not Previously Addressed

At the Consultation Forum objector concerns were able to be further explored and elaborated upon. The following seeks to address those concerns which may not have been adequately addressed or discussed above.

Amenity Impacts

Concerns have been raised by objecting parties regarding potential amenity impact, particularly those of overlooking, overshadowing and noise.

The proposal has been assessed against relevant ResCode Standards B21 (Overshadowing), Standard B22 (Overlooking) and Standard B24 (Noise Impacts) and is compliant with these requirements.

Proposed Crossover/Driveway

Concerns have been raised by objecting parties regarding the proposed crossover and driveway, particularly regarding its impact on tree 7 located on adjoining property to the east and the ongoing viability of the proposed permeable surfacing. It is noted that the proposal has been reviewed by Council's Arborist who has raised no objection to the proposed surfacing and that a condition ensuring ongoing protection and maintenance of the proposed permeable surface is to be placed on any permit issued.

Masons Road Retarding Basin

Concerns have been raised regarding the Masons Road Retarding Basin, particularly regarding the proposal's impact on vegetation and its visual impact within the reserve.

Council's Arborist has raised no concern with respect to the proposal's impact upon canopy trees located within the reserve and that the proposal provides for appropriate setbacks, from and landscaping opportunities along the rear boundary so as to ensure the proposal does not dominate the landscape.

Additionally it is noted concerns regarding vistas to the site were raised along with a request for cyclone fencing to be provided along the site's northern boundary. As noted above, the proposal is considered to be set back adequate distance from the rear boundary and provided with adequate landscaping opportunities for screen planting whilst the provision of fencing on the rear boundary does not require planning permission.

9.1.1 (cont)

Viability/Appropriateness of Landscaping

Concerns have been raised regarding the viability and appropriateness of proposed landscaping throughout the site, particularly regarding provision of underground water tanks and replacement planting species.

It is noted a condition will be placed on any permit requiring all water tanks to be provided to respective Dwellings must be above ground tanks in a location acceptable to the responsible authority to ensure there is appropriate deep soil planting opportunities available throughout the site. In respect to replacement planting of canopy trees, it is noted a condition is to be placed on any permit requiring all species to be indigenous varietal.




CONCLUSION

The proposed development is consistent with the relevant planning controls and policies, including the State and Local Planning Policies and provisions of the NRZ1 and the SLO2. The proposed development form, siting and overall design is considered to be acceptable and will integrate well with the existing built form and character whilst providing for an acceptable landscaping outcome which retains a number of well-established canopy trees and provide for adequate replacement planting opportunities throughout the site.

A total of twenty-four (24) objections were received as a result of public notice and all of the issues raised in these objections have been discussed in this report.

It is considered that the application should be approved subject to conditions.

ATTACHMENT

- 1 Development Plans  
- 2 Landscape Package  

Strategic Planning

9.1.2 Student Accommodation Policy Review

FILE NUMBER: SF17/824
ATTACHMENT

SUMMARY

This report provides Council with the findings of the Student Accommodation Review 2018 and presents a Student Accommodation Strategy for the City of Whitehorse. The Strategy recommends broad actions to ensure that students in Whitehorse have access to safe and legal accommodation and to minimise off-site amenity impacts to the surrounding area.

The Strategy addresses the findings of the consultation process which included a survey of tertiary students and other residents with an interest in student accommodation in Whitehorse, engagement with key stakeholders as well as transport and traffic surveys and analysis. The Strategy is supported by a Background Report which provides an exploration of many issues related to the provision of student accommodation. The issues addressed in the Review are diverse and sometimes reach beyond the control of the Planning Scheme.

This report recommends that the Student Accommodation Strategy be adopted by Council and that Council seeks authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment. This amendment would seek to introduce a revised Student Accommodation Policy at Clause 22.14 and include the Student Accommodation Strategy and Background Paper as reference documents in the Whitehorse Planning Scheme.

RECOMMENDATION

That Council:

- 1. Note the City of Whitehorse Student Accommodation Strategy - Background Paper, July 2018.***
- 2. Adopt the City of Whitehorse Student Accommodation Strategy, July 2018.***
- 3. Seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whitehorse Planning Scheme to introduce a revised Student Accommodation Policy at Clause 22.14 of the Whitehorse Planning Scheme.***

BACKGROUND

The first Whitehorse Student Accommodation Study was done in 2006. The study explored a range of issues including:

- Current and future housing needs and provision;
- Design and amenity;
- Traffic and car parking;
- Access; and
- Private and communal open space.

Documents produced as part of this project informed the development of a Local Planning Policy and in June 2009 Amendment C87 was gazetted to introduce a *Student Accommodation Policy* at Clause 22.14 of the Whitehorse Planning Scheme. This policy applies to all planning permit applications for purpose built student accommodation in the municipality.

Over time, problems including parking congestion, dumped rubbish and unsightly residential premises have been reported to Council and are alleged to be attributed to the student population. Under its various legislative responsibilities, Council has also responded to instances of illegal and substandard accommodation used to house students. This has raised concerns about the welfare of our student population and triggered the need to explore opportunities for Council to influence improved student housing outcomes.

9.1.2

(cont)

After using the existing policy for nearly 10 years and in light of the growth in the municipality's student population, it is now considered necessary to review the current local policy in the planning scheme and undertake a wider investigation of issues perceived to be associated with accommodation of students in Whitehorse.

Overview of student demographics

A review of student accommodation in Whitehorse has been undertaken and a Background Paper and Strategy have been produced. These documents include and address issues identified throughout the research, analysis and consultation process. The Background Paper and Student Accommodation Strategy are available in **Attachments 1 and 2** and are discussed further in the 'Discussion' section of this report.

The Victorian student population is growing overall and is a major export driver in the Victorian economy. In 2016, the sector generated \$7.1 billion in export revenue for the State and supported over 30,000 Victorian jobs¹. The municipality captures a proportion of this due to the presence of two key tertiary institutions;

- Box Hill Institute (approximately 37,000 students in 2018); and
- Deakin University (approximately 28,000 students in 2018).

The student population has grown from 17,159 tertiary students living in the municipality in 2011, to 18,284 students in 2016. This represents a total of 1.3% growth per annum. Student growth is slightly stronger than population growth in Whitehorse, although the difference is marginal. Students accounted for 10.9% of the Whitehorse population in 2016, and are projected to be 12% by 2051.

The economic contribution of students in the municipality is as follows:

- Domestic students (who would otherwise live somewhere in Melbourne regardless) contribute approximately \$173m per annum based on student consumer spending; and
- International students (new expenditure) contribute approximately \$77m per annum based on student consumer spending

This comprises retail spending, hospitality, retail services and non-retail spending.

At the same time the City of Whitehorse is growing; Box Hill in particular is a hub for higher density residential development. Housing in Whitehorse is becoming less affordable, which has implications for a range of groups, including students. While many local students continue to live in the family home, there are still a number of local and international students residing in Whitehorse who have a range of housing needs.

DISCUSSION

Current student accommodation types

Students live in a range of accommodation types which can be categorised according to typology based on the extent of their management. This ranges from on-campus residential colleges which are strictly managed, to informal and unmanaged housing on the open market. These different types of accommodation also include variations in location, design, quality, provision of facilities and built-form outcomes.

¹ Department of Economic Development, Jobs, Transport and Resources

9.1.2 (cont)

TABLE 1: CURRENT DISTRIBUTION OF STUDENT ACCOMMODATION

	Accommodation Type	Accommodation Features	Capacity/Count
1	On campus	Larger buildings located on university campus.	1,175 beds
2	Purpose built	Apartment style, usually smaller than on-campus. Typically between 2 and 4 storeys.	663 beds
3	Rooming houses	Often adapted from older houses. Residents have shared access to communal facilities – lounge, kitchen and bathroom.	Up to 1,800 persons
4	Open market housing	Standalone houses, apartments, townhouses. Available to students and non-students.	14,038 resident students
5	Informal housing	Garages or other structures converted to living quarters. May share facilities with the main dwelling on the lot.	Unable to estimate (illegal housing)

An estimation of the distribution of students across these accommodation types is provided in Table 1, with the vast majority of students living in open market housing. It is noted that potential informal/illegal housing is difficult to quantify, as once identified, enforcement action is pursued. In addition, students may also occupy hotels, motels and serviced apartments for a period of time, however estimates of students occupying these forms of accommodation are unable to be determined and therefore have not been included in Table 1.

Perceived issues with student accommodation are generally associated with open market housing, rather than the more 'managed' student accommodation. Although amenity and parking issues cannot be attributed only to students, 'unmanaged' student housing typologies face problems when they are overcrowded or poorly regulated, including:

- Car parking demand which cannot be accommodated on site, which is not only a problem at rental accommodation but also at the family home as students stay at home longer.
- Dumped furniture and household items at the end of tenancy.
- Poor internal amenity for students – limited facilities, shared lounge, kitchen and bathroom.
- Open market housing affordability – supply issues where students (short term) and non-students (long term) compete for housing in the same market.

9.1.2

(cont)

The legislative and governance environment for these issues is complex, and Council has a number of roles to play. The current governance and regulatory framework within the City of Whitehorse (and that applies to most other municipalities) means that student accommodation is not assessed consistently. The issues are:

- Most importantly, accommodation used by students does not require a planning permit for use as 'student accommodation'.
- Student accommodation is an innominate (unlisted) term in the planning scheme. This means that the local planning policy 'Student Accommodation' (Clause 22.14) only applies where the developer has identified they are providing student accommodation. All other accommodation which may be used by students does not need to be assessed against the policy.
- Most accommodation providing less than eleven bedrooms does not require a planning permit for the use as it is defined as 'shared housing' under the state section of the planning scheme.
- The planning scheme definition for shared housing (ten or less habitable rooms) differs subtly from the Building Regulations definition (twelve or less residents) and the Health Regulations definition for prescribed accommodation (six or more residents).

These factors mean that it is difficult for Council to manage student housing consistently across the municipality. Rather than being assessed based on accommodation type (student accommodation), development is assessed based on the size of the facility and according to how the applicant has chosen to define the development. This means that policies relating to the following aspects cannot be consistently applied:

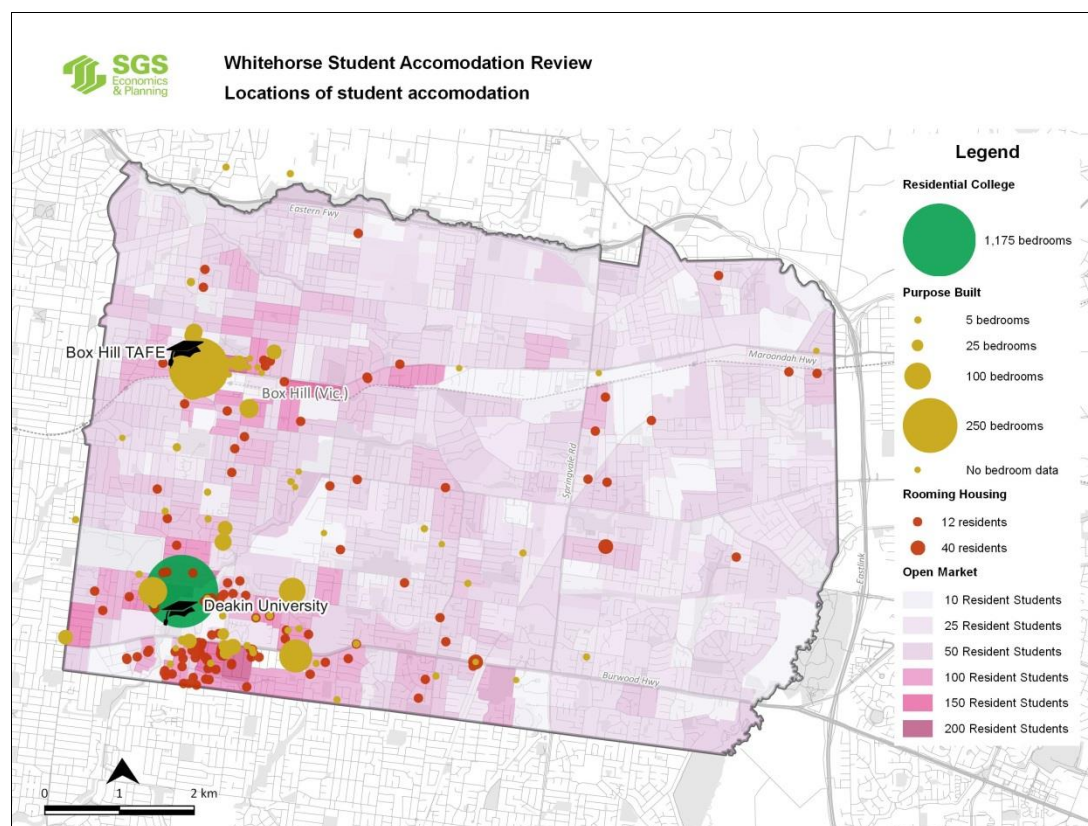
- Location;
- Provision for adequacy of communal facilities;
- Requirements for a site management plan;
- Support for student welfare; and
- Dispensations for car parking, storage and open space.

This governance environment also means that Council has no way of fully identifying accommodation that is being used for student housing across the municipality.

Map 1 below shows the distribution of different student accommodation types across the municipality. As expected there is a conglomeration of residential colleges around Deakin University. Purpose built student accommodation facilities are generally located close to Box Hill Institute and Deakin University with some more dispersed purpose built facilities. Open market housing is dispersed across the municipality with more students tending to occupy those residences closer to tertiary institutions.

9.1.2 (cont)

MAP 1: CURRENT DISTRIBUTION OF STUDENT ACCOMMODATION BY TYPE



Building design

Student accommodation is typified by relatively high turnover of residents (due to the short term studies) many of whom may have limited connection to the local community due to their international status. The design of student accommodation needs to take into account these issues by providing spaces that deliver internal amenity and a sense of community for students.

The key differences between student housing and other forms of housing is the acceptance of a reduction in the size of individual private spaces (compared to ordinary housing) to aid affordability and the short term nature of the occupancy. Student housing is designed with the expectation that students will only stay for the duration of their course and will spend a large proportion of their day outside of the accommodation, using the facilities of the educational institution, working or using external entertainment or recreation opportunities.

9.1.2

(cont)

The size of individual bedroom units will potentially differ depending on the type of accommodation on offer. In all cases the space should be large enough for a bed, a desk and an area for dressing and storage of clothing and personal belongings. It is possible to deliver smaller floor areas (potentially 11-12sqm) where all furniture is built in. Where the room is partially furnished or unfurnished it will be necessary to increase the room size (greater 16sqm) to allow for more generic furniture sizes. Limited internal amenity within smaller dwelling units can be offset by increased opportunities for shared communal facilities that meet the needs of students.

Rooming houses and ordinary residential dwellings adapted for student accommodation often deliver poorer quality shared facilities, particularly where large numbers of residents share the same facilities. This reduces the useability, functionality and amenity of this housing type for students. There is limited opportunity to influence the outcomes of these adaptations as a planning permit is not always required.

Revisions to the Student Accommodation Policy at Clause 22.14 of the Whitehorse Planning Scheme could encourage and incentivise the delivery of higher quality managed student accommodation types in preferred locations and may help reduce the risk of poor quality housing causing issues for the wider community.

Building Design Recommendations:

- Revise the Student Accommodation Policy at Clause 22.14 of the Whitehorse Planning Scheme to further promote high quality design of student accommodation located in close proximity to the tertiary institutions and public transport and to respond to issues identified in the Review. The draft updated policy is shown in Attachment 3.

Surveys and stakeholder engagement

Primary research through questionnaires (face-to-face and online), traffic data collection and contact with key stakeholders has been a vital component of the Review.

Workshops with Council staff were held on 19 March and 24 April 2018 and were attended by representatives from Strategic Planning, Statutory Planning, Environmental Health, Transport, Building, Community Laws, Investment and Economic Development and Community Development. These workshops helped to develop an understanding of the legislative framework surrounding Student Accommodation and some of the potential responses and management options regarding specific situations.

Telephone interviews and face to face meetings with a number of external stakeholders provided a greater understanding of the nature and scale of issues associated with student accommodation, including welfare officers from Deakin University and Box Hill Institute, Deakin University Legal Service, Eastern Community Legal Centre and student housing providers such as Student Housing Australia. Posts were added to the tertiary institution's Facebook pages to draw student's attention to the Review. Meetings with these stakeholders also provided the opportunity to build relationships with those involved in the provision of student accommodation.

9.1.2

(cont)

Advertising of the Review in the Whitehorse Leader invited students or other people with an interest in student accommodation to complete an on-line survey. The on-line survey, which was open from 30 April to 20 May 2018, was also promoted through:

- Council's webpage
- Deakin University Students Association Facebook page
- Box Hill Institute Facebook page
- Whitehorse Youth ConneXions Facebook page

This survey was linked to a 'Crowd-spot' map that allowed respondents to 'pin' a spot on a map to identify issues by location. Although the on-line survey attracted 82 respondents, the associated 'Crowd-spot' map only had 5 respondents identify issues spatially. It is considered that the low number of respondents using the mapping tool was due to the nature of the project eliciting a quantifiable and qualitative response rather than spatial information.

A briefing of Councillors was held on 9 April 2018 to discuss experiences and concerns with student accommodation in the City of Whitehorse. At this briefing car parking issues were identified relating to student accommodation facilities and it was suggested that car parking demand exceeds the provision of spaces at student accommodation facilities. Concern was also raised that parking demand is being accommodated in the streets, which causes issues for others also relying on on-street parking. In response to this, a car parking review and analysis was undertaken, including travel pattern interviews, tube count surveys, and parking demand assessments.

While the study considered student accommodation facilities throughout Whitehorse, ten existing student accommodation facilities were surveyed to understand their travel and parking characteristics. Five sites were chosen near Box Hill Institute and five sites were chosen near Deakin University in Burwood. A series of face to face questionnaire surveys were undertaken at each of the survey sites over a typical day. The face to face questionnaires then informed the (fewer) sites for the tube count/street parking observations (refer below).

While it was considered that the face to face questionnaires would provide the most valuable information, parking occupancy surveys were also undertaken at three student accommodation sites and the areas surrounding the facilities on Thursday 31 May 2018 between the hours of 8.00am and 12.00 noon and 4.00pm and 8.00pm. The three sites below were selected based on having a reasonably high level of on-street demand as indicated in the questionnaire or anecdotally by Council. These sites were:

- 6 John Street, Box Hill;
- 6 Bruce Street, Box Hill; and
- 386 Burwood Highway, Burwood.

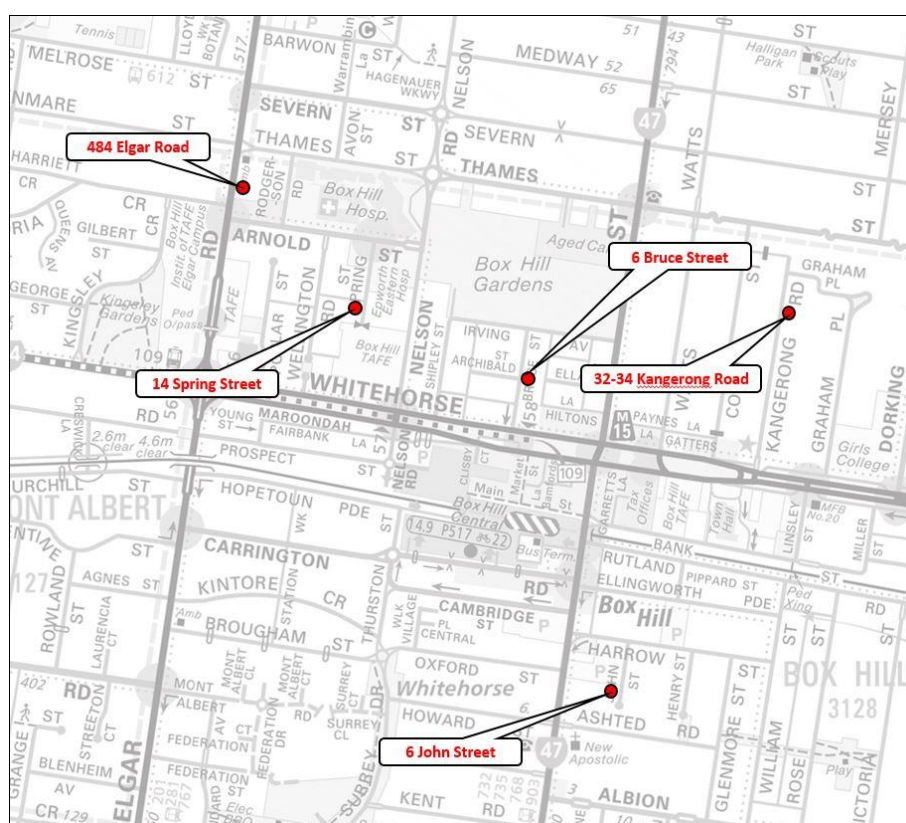
The tube count surveys were undertaken at the three sites identified for the on-street parking surveys to understand the level of traffic activity associated with the parking provided in connection with student accommodation facilities.

9.1.2 (cont)

The traffic study acknowledges that Deakin University had their exam period at the time of the parking occupancy surveys which may have resulted in atypical results for the surveys undertaken at 386 Burwood Highway, Burwood. Regardless of whether undertaken in term time or an exam period, the on-street observations cannot necessarily be relied on, as on-street parking cannot necessarily be attributed to students as it is not just students that park on the street.

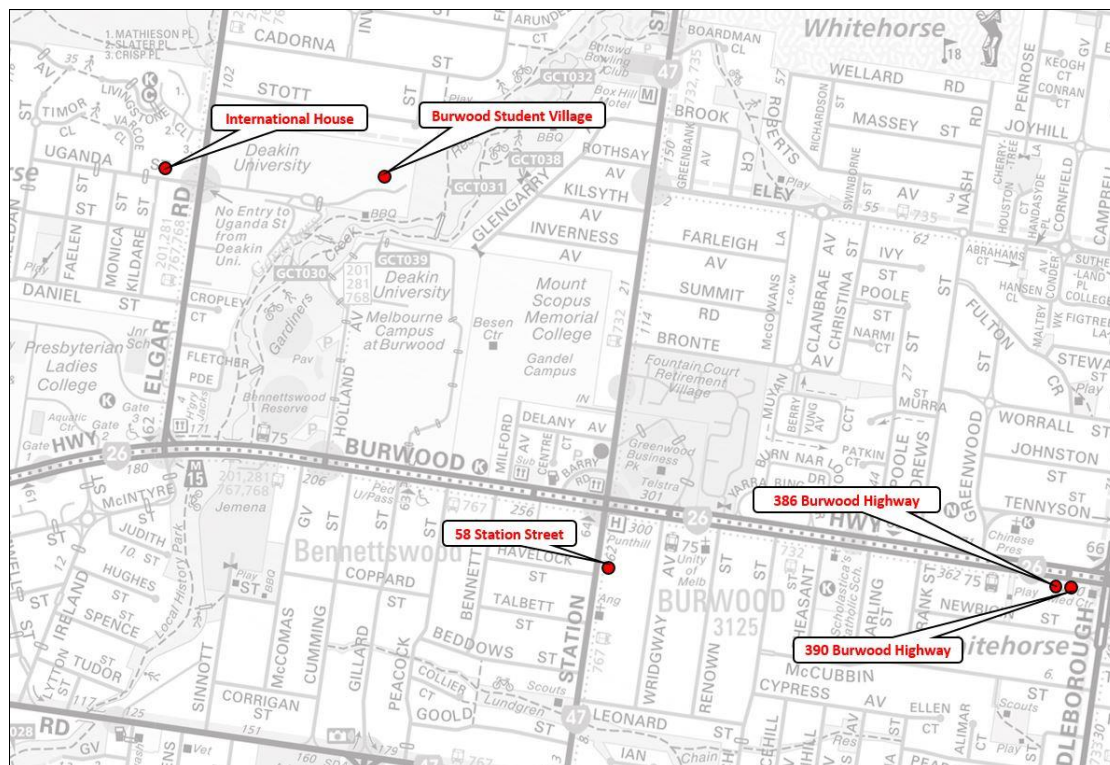
It is considered that the information obtained through face to face interviews is more useful due to the number of respondents and the increased number/range of sites. Further, that the questionnaires provided far more representative and valuable data on car ownership and on-street parking than would be obtainable through tube count/parking observations.

FIGURE 2 STUDENT ACCOMMODATION QUESTIONNAIRE SURVEY SITES NEAR BOX HILL INSTITUTE



9.1.2 (cont)

FIGURE 3 STUDENT ACCOMMODATION QUESTIONNAIRE SURVEY SITES NEAR DEAKIN UNIVERSITY



Consultation results and analysis

Snapshot of respondents

The student accommodation on-line survey was conducted between 30 April and 20 May 2018. A total of 82 respondents completed the on-line survey. Of these:

- 91% or 75 respondents indicated that they were a student.
- 72% of student respondents were Australian citizens.
- 41% or 31 respondents indicated that they lived in Whitehorse.
- 79% of all survey respondents were aged between 15-24 years.
- 82% of respondents were undergraduate students and the two most commonly represented campuses from survey respondents were Deakin Burwood and Box Hill Institute.

Cost of accommodation and location (43% and 48% of respondents respectively) were the two predominant reasons why students chose to live in their current accommodation. When students were asked about ways that their accommodation could be improved 34% of respondents left the question blank or stated there was nothing they would change. The most common responses to how student accommodation could be improved were associated with 'making it more affordable (17%), having 'more space' (5%), 'improved cleanliness' (5% of respondents).

9.1.2

(cont)

Dwelling types

The survey found that the most common type of housing that respondents lived in was 'Share house – renting' accounting for 36% of respondents. This was followed closely by students who 'live with parents or other family' at 35% and 'On-campus housing' with 19% of respondents.

There are a diverse range of factors which influence the supply of these different accommodation types, including investor inclination, land availability, perceived future demand and planning controls. At present the more 'managed' student accommodation facilities face more constraints in terms of planning controls through the Local Policy.

Student welfare

Consultation with external stakeholders such as the student unions and student legal services revealed that share house landlords and rooming house operators repeatedly breach the Residential Tenancy Act which has major implications for students, particularly international students.

The Eastern Community Legal Centre (ECLC) reported that in some cases international students are specifically targeted by unscrupulous landlords and rooming house operators. Restrictive leasing arrangements causes stress to students and these conditions often go unreported, as international students often believe (or are told) that any complaint may have ramifications for their visa status. Cleanliness and maintenance issues are also of significance for students, as raised in the Student Accommodation Survey. This is compounded by affordability issues and the limited capacity for international students to change this situation by finding employment due to their visa status.

The issue of accommodation affordability was raised through the Student Accommodation Survey by all respondents. It is a key driver of housing choice and restricts students from living in preferred housing types. Websites that advertise share houses and rooming houses often provide misleading information to students, particularly international students who rely on these mediums to find housing in the first instance. College run accommodation provides more positive learning environments for students however often is cost prohibitive for both international and domestic students.

It was found that domestic students do not seem to have as many issues with their tenancy arrangements. This is perhaps due to local students having more social networks to rely on to find accommodation and have a greater understanding of rental rights. However, there is a small proportion of the whole student population who couch surf and are homeless.

While Council cannot have a direct influence over affordability of student accommodation, the regulatory framework around student accommodation allows Council to ensure that certain types of student accommodation meets the various legislative requirements. Many students may not be aware of their rights to safe and legal accommodation or that they can report unsafe accommodation to Council.

The review has identified that there is an opportunity to inform the student population of Whitehorse of Council's role and responsibility in relation to student accommodation. This could be achieved through the development of a 'welcome pack' for students and suitable contacts within Council to navigate the complex regulatory environment.

9.1.2

(cont)

Student Welfare Recommendations:

- Building on Council's current Waste Education Program for International Students (refer below), develop a 'Welcome to Whitehorse' resource for students that provides information on the standards expected of student accommodation, how to book a hard waste collection at the end of tenancy, how to report unsafe/illegal accommodation etc.
- The allocation of a 'student contact' within Council to coordinate Council's response to student issues in Whitehorse and to build relationships with external agencies such as the tertiary institutions, student housing providers, Consumer Affairs Victoria (CAV) etc.
- Continue regular communications with stakeholders with an interest in students including representatives from the tertiary institutions, student housing providers and Eastern Community Legal Centre.

Traffic and transport issues

Questionnaire (face to face) traffic and parking surveys at student accommodation facilities were done between 2 May and 9 May 2018. There were 681 respondents in total. The questionnaire found that public transport (36% of respondents), car (32%) and walking (29%) were the main transport modes amongst student respondents. Carpooling or bike riding as a transport mode represented 1% of respondents. The survey looked at typical transport mode by place of study and found that travel to the Box Hill Institute was made via public transport by the majority of respondents (58%). This was followed by car travel (32%), walking (5%) and car-pooling (5%).

Results were quite different for students travelling to Deakin University Burwood where walking (39% of respondents) was represented as being the most significant transport mode. This is likely due to the proximity of on campus housing to specific places of study. Car travel (33%) and public transport (28%) were all well represented as transport modes used by students to Deakin University.

9.1.2 (cont)

TABLE 2: TRAFFIC QUESTIONNAIRE RESULTS

Survey Finding	Box Hill Sites (purpose-built student accommodation)	Burwood Sites (purpose-built accommodation)	On-Campus site at Burwood	Average Overall
Car Ownership	0.48 cars per student	0.45 cars per student	0.47 cars per student	0.47 cars per student
On-street parking demand	0.2 cars per student	0.24 cars per student	0.06 cars per student	0.2 cars per student
Car Purpose				
Work	27%	49%	26%	36%
Study	23%	31%	-	25%
Daily Travel	18%	14%	74%	19%
Other	32%	6%	-	19%
Students Working	61%	67%	42%	62%
Students who work – driving	60%	48%	70%	55%
Average number of days at tertiary institute	2-3	2-3	3-4	2-3
Car Share Consideration	38%	56%	45%	46%
Public Transport Use	93%	96%	91%	94%
Taxi/Uber usage	87%	78%	72%	82%
Bicycle Ownership	30%	19%	23%	24%
Bike Share Consideration	41%	43%	64%	44%

Of the survey respondents who travel by car:

- 100% own the car that they travel in
- 38% park their car on the street when parking at their residence, and
- 88% park on-site/off-street when parking at their place of study

The survey revealed that for students who drive to their place of study, the biggest barrier to using other transport modes is that they cannot compete on time (45%). The other major barrier to other transport modes is distance (33%), where presumably students feel that their housing is too far to walk or cycle to their place of travel.

The key findings of the traffic and transportation study were as follows:

- Student car ownership was generally found to exceed the level of parking provided on-site in connection with the accommodation facility.
- Across the ten student accommodation facilities surveyed, the average on-street demand generated was 0.2 spaces per student living at the facility.
- Overall, the car ownership rate amongst students living at sites surveyed was 0.47 vehicles per student.
- Timed parking restrictions were in place on streets surrounding most of the survey sites. These typically ceased to apply in the evening.
- Unrestricted parking is available to varying degrees for those students prepared to park some distance from their accommodation facility. The distances to the nearest unrestricted parking ranged from 200m up to 1.2km.
- The main purpose for owning a vehicle was for work (35% of respondents) followed by study (25%) followed by daily travel (19%) and other (19%).

9.1.2

(cont)

Traffic Recommendations:

- The current parking provision rates for student accommodation in the existing policy should be maintained.
- Regular parking enforcement services should be continued through the municipality, particularly in areas with high student populations where there are reported issues for parking demand.
- Remove the eligibility for student accommodation facilities to access parking permits.
- The provision of on-site car share should be considered as a supporting measure in student accommodation developments that seek reduced parking rates.
- Provide on-site bike share as a supporting measure in student accommodation developments that seek reduced parking rates and include in a management plan.
- Expand the central register of Section 173 Agreements for purpose built accommodation to include a copy of the Management Plan for each property and establish a regular review of management plans and inspection of student accommodation.

General amenity issues

Although waste management was not an issue raised by respondents through the survey there are anecdotal reports of rubbish and furniture left on roadsides that are claimed to belong to students living in Whitehorse. In part, this problem may be attributed to students due to the relatively short term nature of their stay in open market rental accommodation and their need to dispose of old furniture, electronic items and other household waste when they leave their place of residence. However, this problem may also be attributed to population growth in general.

Claims of unsightly or neglected premises have also been linked to the student population in Whitehorse. Property owners are encouraged to implement a regular maintenance program on their property to ensure grass is cut and maintained and that footpaths and lanes are kept free of overhanging vegetation however a lack of communication between absentee landlords, real estate agents and tenants may contribute to the problem.

There are penalties for dumping rubbish and failing to clear overhanging vegetation but due to the often transient nature of students the offenders may have already moved on before Council is made aware of the issue. The ability to purchase cheap furniture and household goods brand new is also fueling a disposable society regardless of being a student.

Council has a number of initiatives in relation to waste education, some that are specifically aimed at tertiary students. Council's Waste Education Officer proactively recruits student accommodation providers and known highly transient multi-unit blocks to a scheduled monthly collection of hard waste coordinated by property managers and/or body corporates. It is considered that a specific tool is needed to inform students residing in Whitehorse of the availability of Council services such as hard waste collections and advice regarding overhanging vegetation.

General Amenity Recommendations

- The development of a 'Welcome to Whitehorse' resource for students that provides:
 - Information on how to book a hard waste collection.
 - Information in relation to Council's current waste education programs.
 - Information on responsibilities of tenants in relation to overhanging vegetation.
 - Contact telephone numbers for relevant Council Departments such as Local Laws.
- Advocate for the tertiary institutions and student housing providers to promote a buy, swap, and sell for disused furniture and household items.

9.1.2

(cont)

CONSULTATION

Consultation on the Student Accommodation Review took place from 30 April until mid-June 2018. External consultation included:

- Updates on Council's Student Accommodation webpage
- An on-line survey from 30 April until 20 May 2018
- Promotions on tertiary institution's Facebook pages
- Promotions on the Whitehorse Youth ConneXions Facebook page
- Notices in the Leader Newspaper on Monday 30 April, 7 May and 14 May 2018
- Parking and traffic analysis was done through:
 - Parking surveys conducted on Thursday 31 May 2018
 - Tube count surveys were conducted over a seven day period from 31 May to 6th June 2018
 - Questionnaire (face to face surveys) for Burwood Student Village site 9 May 2018 and between 2nd May and 4 May for the other sites
- Meetings with:
 - Welfare officers from Deakin University and Box Hill Institute
 - Deakin University Legal Service,
 - Eastern Community Legal Centre and
 - Student Housing Australia.

The results of the consultation are included in "Discussion" above.

A planning scheme amendment will be required to introduce a revised Student Accommodation Policy at Clause 22.14 (refer **Attachment 3**, and with the policy updates shown tracked in **Attachment 4**). The planning scheme amendment process will involve a period of public exhibition which will give the community the opportunity to view the revised policy and make a submission to Council.

FINANCIAL IMPLICATIONS

The review of the Student Accommodation Policy was a budget initiative in the 2017/18 financial year.

The subsequent planning scheme amendment that would be required to introduce a revised Student Accommodation Policy at Clause 22.14 will have associated financial considerations. These will generally be in the form of statutory and panel hearing fees, staff costs and costs associated with exhibition of the amendment for community comment, as well as any costs associated with external consultants such as an expert witness. Following is a breakdown of approximate costs:

Type of Fee	Amount
Requesting the Minister to prepare an amendment to a planning scheme exempted from the requirements referred to in Section 20(4) of the Act.	\$3,901.50
Preparation of amendment documents by Council Officers	Planning officer time
Expert Witness at Panel Hearing	\$5,000 (approx.)
Planning Panel Approximately (\$7,000 per day)	\$7,000 (approx.)
Consideration by the Minister of a request to approve the amendment in accordance with Section 35 of the Act.	\$469.60
Publishing Gazettal of the Amendment in the Victorian Government Gazette and Leader Newspapers	\$1,000 (approx.)

9.1.2

(cont)

The remainder of the recommendations primarily involve use of existing staff resources, for advocacy, relationship development with tertiary institutions and in some instances additional budget may be needed. A program of work can be developed and funding sought through the Council budget process as required.

POLICY IMPLICATIONS

The Council Plan 2017 – 2021 and relevant Council strategies have all informed Council's approach to this review.

The review is consistent with Strategic Direction 1 in the Council Plan which seeks to support a healthy, vibrant, inclusive and diverse community. In particular Strategy 1.1.1 which encourages partnership to plan and deliver high quality responsive services and to advocate for our diverse community based on current and future needs.

Key policies in the Whitehorse Planning Scheme that relate to student accommodation include:

Clause 16.01 Residential Development

Clause 21.01 Municipal Profile

Clause 21.06 Housing

Clause 21.07 Economic Development

Clause 22.14 Student Accommodation

While the draft revised Student Accommodation policy at Clause 22.14 is shown in **Attachment 3**, there may be minor consequential changes to the other clauses listed above to give effect to the outcomes of the Review.





CONCLUSION

There is currently a perception that students living in Whitehorse contribute to a range of challenges such as dumped rubbish, traffic and parking issues and unsightly properties. The review recommends an educative approach to many of these issues through the development of a 'Welcome' brochure for students living in Whitehorse that provides advice on the services provided by Council. While some forms of student accommodation may contribute to these problems, they are not necessarily student specific, but rather a consequence of the growing population in Whitehorse and different forms of housing.

Students are an important part of the Whitehorse community that contribute to its diversity and economic wellbeing. This review has highlighted the needs of students within the Whitehorse community and how far reaching the associated issues are.

A revised Student Accommodation Policy has been produced for Clause 22.14 of the Whitehorse Planning Scheme. The revised policy addresses many of the planning issues in relation to student accommodation in Whitehorse. Responsibilities for issues associated with student accommodation lie across many departments within Council and other external agencies. Building connections with these external agencies will be important in the achieving a better outcome for students living in Whitehorse and the wider community.

ATTACHMENT

- 1 Background Paper 
- 2 Student Accommodation Strategy 
- 3 Draft Revised Policy 
- 4 Draft Revised Policy w/ tracked changes 

Engineering and Environmental

9.1.3 Tender Evaluation Report (Contract 30030) Road Improvements in Linum Street, Laurel Grove North & Boongarry Avenue, Blackburn

SUMMARY

To consider tenders received for Road Improvements in Linum Street, Laurel Grove North and Boongarry Avenue, Blackburn and to recommend the acceptance of the tender received from Parkinson Group (Vic) P/L, for the amount of \$843,990.40 including GST.

RECOMMENDATION

That Council:

- 1. Accepts the tender and signs the formal contract document for Contract 30030 for the Road Improvements in Linum Street, Laurel Grove North and Boongarry Avenue, Blackburn received from Parkinson Group (Vic) Pty Ltd (ABN 58 168 742 925), of 30 Alfred Street, Blackburn Victoria 3130 for the tendered amount of \$843,990.40, including GST.***
- 2. Resolves that property owners pay the Declaration amount adopted by Council at its Council meeting dated 18 July 2016 and as shown in the "Apportionment of Costs Per Property Owner" attachment.***
- 3. Pays all additional costs above the amount to be contributed by property owners as stated in recommendation 2 above.***

BACKGROUND

Linum Street, Laurel Grove North and Boongarry Avenue are a series of inter-connected local roads in Blackburn. The roads are sealed with asphalt, with no formal underground drainage or kerb and channel. They are located in a quiet suburban setting with an informal 'leafy' character. There is significant roadside vegetation in the area. While not having any statutory standing, the roads are in an area classified by the National Trust as being of Regional Landscape Significance.

The status of the roads is that they are classified by Council as 'unconstructed' and therefore are not currently listed on Council's register of public roads, under the Road Management Act 2004. They have never been constructed to Council's standards. Council's policy is that it does not maintain unconstructed roads throughout the municipality.

The Road Association comprising residents from Linum Street, Laurel Grove North and Boongarry Avenue, were finding it increasingly difficult to obtain contributions from adjacent property owners towards the ongoing maintenance of the roads. The Road Association had accordingly requested that Council investigate a Special Charge Scheme to upgrade the roads to a standard acceptable by Council. Subsequently, the investigation was carried out and the Special Charge Scheme was declared by Council on 18 July 2016.

The Council standard for a typical road construction is for constructed kerb and channel, underground drainage and footpaths. However, implementing standard road construction in this area would result in the significant loss of trees and vegetation and would change the appearance of the roads. From the initial consultation conducted by Council, property owners have indicated that they want to retain the informal 'leafy' character of the road. They are also concerned that any formal road construction changes and vegetation removal may result in an increase in traffic speeds and volumes.

9.1.3

(cont)

In order to undertake any improvement works to the roads (being a proper function of Council), it was open to Council to declare a special charge scheme under section 163 of the *Local Government Act 1989* ('the LGA'). A special charge scheme declaration is a statutory process where the cost of the improvement works are levied on, and shared by, those property owners who will derive a 'special benefit' from the works to be provided under the scheme.

Council at its ordinary meeting on 18 April 2016, in accordance with the provisions of section 163 of the LGA, resolved to give notice of its intention to declare a Special Charge Scheme. On 18 July 2016 Council at its ordinary meeting resolved to declare the Special Charge Scheme.

Following declaration of the Scheme, Council's engineers undertook a detailed design of the proposed road improvements and extensive consultation with affected property owners.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 2 December 2017 and were closed on Wednesday 17 January 2018. One tender submission was received from Parkinson Group (Vic) Pty Ltd.

The tender was evaluated against the following criteria:

- The Tender Offer;
- Construction Plan and Methodology;
- Demonstrated Knowledge;
- Quality of Work
- Availability of resources
- Availability of Tenderer; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

Parkinson Group (Vic) Pty Ltd has undertaken a number of projects for Council including the reconstruction of McKean Street, Box Hill North and Laurel Grove North, Blackburn between The Avenue and Fuchsia Street. These projects have been completed to a high quality with minimal disruption to affected residents. The tender received from Parkinson Group (Vic) Pty Ltd is considered to provide good value for money for this Contract.

The tender submission received from Parkinson Group (Vic) Pty Ltd indicated that their earliest start time could be, if appropriate to Council, May 2018. Taking into account weather considerations it was decided that an August start time was more appropriate for this type of project.

CONSULTATION

Extensive consultation has been undertaken over a number of years with the property owners within the Special Charge Scheme. Following completion of the design, property owners were offered an opportunity over several months to view the plans either at Council's Offices or at individual meetings on site with Council's Project Engineer and to provide comment on the design. A number of design changes were incorporated as a result of property owner's review and feedback.

Internal consultation has also been undertaken with Council's City Works and ParksWide Departments throughout the design process.

The preferred tenderer's business viability has been considered.

Should the tender be approved and prior to any construction works commencing, Council will notify all affected residents of the Scheme outcome.

9.1.3

(cont)

FINANCIAL IMPLICATIONS

The construction of Linum Street, Laurel Grove North and Boongarry Avenue is a complicated road construction project which is not typical of the road projects undertaken by Whitehorse City Council. There was very low interest from contractors in undertaking this complex project. This was evident by the non-attendance of contractors at the compulsory information session that was organised by Council officers to provide contractors with an understanding of works involved and the project scope. Council officers decided to organise a second information session in order to entice contractors to attend. Parkinson Group (Vic) Pty Ltd was the only contractor that attended the information session.

The total value of the Special Charge Scheme declared by Council on 18 July 2016 was \$800,000. This amount comprised of a resident contribution of \$670,000 and a Council contribution towards the Scheme of \$130,000. Council's contribution of \$130,000 comprised of a \$55,000 contribution towards the Scheme for drainage improvement works and a \$75,000 contribution as an ex-gratia payment made for project management fees by Council towards the Scheme.

Due to the complexities of this project and a lack of interest from contractors to tender, the tendered amount for this project is higher than the Declared Scheme cost. It is recommended that all additional costs above those declared by Council on 18 July 2016 in the scheme, be borne by Council. It is recommended that the balance of the project shortfall, determined to be \$43,990 be funded by Council, bringing Council's total project contribution to \$173,990.

If there are any savings in the project, upon its completion the total resident contribution will be reduced to reflect the final project cost and individual property apportionments will be reduced accordingly.

	Budget	Expenditure
Capital Works Funding Account No. V250 Linum, Laurel and Boongarry Rd SCS – (Declared)	\$ 670,000	
Initial Council Contribution - (Declared)	\$ 130,000	
Additional Council Contribution*	\$ 43,990	
Total Budget (excl. GST)	\$ 843,990	
Preferred tenderer's revised lump sum offer (including GST)		\$ 843,990
Less GST		-\$ 76,726
Net cost to Council		\$ 767,264
PM Fees		\$ 76,726
Total Project Expenditure (excl. GST)		\$ 843,990
	Budget	Expenditure

* The additional project shortfall in funding of \$43,990 and any other contingencies costs will be borne by Council.

9.1.3
(cont)

**APPORTIONMENT OF COSTS PER PROPERTY OWNER
PROPOSED ROAD IMPROVEMENT SPECIAL CHARGE SCHEME
LINUM, LAUREL AND BOONGARRY ROADS**

TOTAL PROPERTY OWNER CONTRIBUTION	\$670,000
BENEFIT COST (75%)	\$502,500
AREA COST (25%)	\$167,500

Property Address	Lot Description	Benefit Unit	Benefit Cost	Area (m2)	Area Cost	Total Cost
19 Acacia Avenue	Lot 2 LP33321	0.5	\$3,102	612	\$1,275	\$4,377
1 Boongarry Avenue	Lot 1 TP95606	1	\$6,204	872	\$1,817	\$8,021
2 Boongarry Avenue	Lot 18 LP13456	1	\$6,204	936	\$1,951	\$8,154
2A Boongarry Avenue	Lot 3 LP52938	1	\$6,204	696	\$1,450	\$7,654
3 Boongarry Avenue	Lot 2 LP13456	0.5	\$3,102	793	\$1,653	\$4,754
4 Boongarry Avenue	Lot 17 LP13456	1	\$6,204	679	\$1,415	\$7,619
5 Boongarry Avenue	Lot 3 LP13456	0.5	\$3,102	882	\$1,838	\$4,940
6 Boongarry Avenue	Lot 16 LP13456	1	\$6,204	776	\$1,617	\$7,821
7 Boongarry Avenue	Lot 4 LP13456	1	\$6,204	787	\$1,640	\$7,844
8 Boongarry Avenue	Lot 15 LP13456	1	\$6,204	651	\$1,357	\$7,560
9 Boongarry Avenue	Lot 5 LP13456	1	\$6,204	785	\$1,636	\$7,840
10 Boongarry Avenue	Lot 14 LP13456	1	\$6,204	776	\$1,617	\$7,821
11 Boongarry Avenue	Lot 1 PS419595	1	\$6,204	1,175	\$2,449	\$8,652
12 Boongarry Avenue	Lot 13 LP13456	1	\$6,204	658	\$1,371	\$7,575
13 Boongarry Avenue	Lot 2 PS419595	1	\$6,204	1,031	\$2,149	\$8,352
14-16 Boongarry Avenue	Lot 11 & Lot 12 LP13456	1	\$6,204	1,438	\$2,997	\$9,200
18 Boongarry Avenue	Lot 10 LP13456	1	\$6,204	635	\$1,323	\$7,527
1/20 Boongarry Avenue (includes half area of common property)	Lot 1 PS422236	1	\$6,204	980	\$2,041	\$8,245
2/20 Boongarry Avenue (includes half area of common property)	Lot 2 PS422236	1	\$6,204	726	\$1,512	\$7,716
24A Fuchsia Street	Lot 1 LP127810	0.5	\$3,102	686	\$1,430	\$4,531
18 Laurel Grove North	Lot 4 LP6550	0.5	\$3,102	1,083	\$2,257	\$5,359
20 Laurel Grove North	Lot 1 LP52054	1	\$6,204	599	\$1,248	\$7,452
21 Laurel Grove North	Lot 2 LP60331	1	\$6,204	1,484	\$3,093	\$9,296
22 Laurel Grove North	Lot 2 LP52054	1	\$6,204	978	\$2,038	\$8,242
23-25 Laurel Grove North	Lot 1 & Lot 2 TP620068	1	\$6,204	1,870	\$3,897	\$10,101
24 Laurel Grove North	Lot 3 LP52054	1	\$6,204	597	\$1,244	\$7,448
26 Laurel Grove North	Lot 7 LP6550	1	\$6,204	1,072	\$2,234	\$8,438
27 Laurel Grove North	Lot 1 TP539410	1	\$6,204	790	\$1,646	\$7,850
28 Laurel Grove North	Lot 8 LP6550	1	\$6,204	1,097	\$2,286	\$8,490
29 Laurel Grove North	Lot 18 LP6550	1	\$6,204	1,160	\$2,417	\$8,621
30 Laurel Grove North	Lot 4 LP551651	1	\$6,204	649	\$1,353	\$7,556
31 Laurel Grove North	Lot 1 TP601541	1	\$6,204	1,135	\$2,365	\$8,569
32 Laurel Grove North	Lot 1 LP41783	1	\$6,204	847	\$1,765	\$7,969
33 Laurel Grove North	Lot 19 LP13456	1	\$6,204	794	\$1,655	\$7,858
34 Laurel Grove North	Lot 1 LP33321	0.5	\$3,102	564	\$1,175	\$4,277
35 Laurel Grove North	Lot 20 LP13456	1	\$6,204	692	\$1,442	\$7,646
36 Laurel Grove North	Lot 2 LP33321	1	\$6,204	584	\$1,217	\$7,421
37 Laurel Grove North	Lot 21 LP13456	1	\$6,204	788	\$1,642	\$7,846
38 Laurel Grove North	Lot 7 LP33321	1	\$6,204	695	\$1,448	\$7,652
39 Laurel Grove North	Lot 22 LP13456	1	\$6,204	659	\$1,373	\$7,577
40 Laurel Grove North	Lot 8 LP33321	1	\$6,204	695	\$1,448	\$7,652
41 Laurel Grove North	Lot 23 LP13456	1	\$6,204	781	\$1,628	\$7,831
42 Laurel Grove North	Lot 9 LP33321	1	\$6,204	1,148	\$2,392	\$8,596
43 Laurel Grove North	Lot 24 LP13456	1	\$6,204	664	\$1,384	\$7,587
45 Laurel Grove North	Lot 25 LP13456	1	\$6,204	782	\$1,630	\$7,833
47 Laurel Grove North	Lot 26 LP13456	1	\$6,204	658	\$1,371	\$7,575
49 Laurel Grove North	Lot 12 LP9844	1	\$6,204	1,179	\$2,457	\$8,661
51 Laurel Grove North	Lot 1 TP609013	1	\$6,204	1,413	\$2,945	\$9,148
1 Linum Street	Lot 2 LP31826	1	\$6,204	911	\$1,899	\$8,102
2 Linum Street	Lot 2 LP61294	1	\$6,204	594	\$1,238	\$7,442
2A Linum Street	Lot 1 LP66771	1	\$6,204	834	\$1,738	\$7,942
3 Linum Street	Lot 1 LP31826	1	\$6,204	922	\$1,921	\$8,125
4 Linum Street	Lot 2 LP78500	1	\$6,204	1,355	\$2,824	\$9,027
5 Linum Street	Lot 1 LP85597	1	\$6,204	800	\$1,667	\$7,871
6 Linum Street	Lot 1 LP 78500	1	\$6,204	873	\$1,819	\$8,023
7 Linum Street	Lot 2 LP85597	1	\$6,204	1,303	\$2,715	\$8,919
8 Linum Street	Lot 1 LP42010	1	\$6,204	792	\$1,651	\$7,854

9.1.3
(cont)

**APPORTIONMENT OF COSTS PER PROPERTY OWNER
PROPOSED ROAD IMPROVEMENT SPECIAL CHARGE SCHEME
LINUM, LAUREL AND BOONGARRY ROADS**

TOTAL PROPERTY OWNER CONTRIBUTION	\$670,000
BENEFIT COST (75%)	\$502,500
AREA COST (25%)	\$167,500

Property Address	Lot Description	Benefit Unit	Benefit Cost	Area (m2)	Area Cost	Total Cost
9 Linum Street	Lot 72 LP6632	1	\$6,204	1,051	\$2,190	\$8,394
10 Linum Street	Lot 2 LP42010	1	\$6,204	1,291	\$2,690	\$8,894
11 Linum Street	Lot 71 LP6632	1	\$6,204	1,056	\$2,201	\$8,404
12 Linum Street	Lot 3 LP42010	1	\$6,204	1,146	\$2,388	\$8,592
13 Linum Street	Lot 11 LP6550	1	\$6,204	1,046	\$2,180	\$8,384
14 Linum Street	Lot 1 TP183459	1	\$6,204	1,251	\$2,607	\$8,811
15 Linum Street	Lot 10 LP6550	1	\$6,204	1,059	\$2,207	\$8,411
16 Linum Street	Lot 1 TP582290	1	\$6,204	2,195	\$4,574	\$10,778
16A Linum Street	Lot 3 LP55651	1	\$6,204	727	\$1,515	\$7,719
17 Linum Street	Lot 1 TP93095	1	\$6,204	1,049	\$2,186	\$8,390
18 Linum Street	Lot 1 LP52938	1	\$6,204	1,044	\$2,176	\$8,379
19 Linum Street	Lot 1 TP112648 & Lot 1 TP93442 & Lot 1 TP112647	1	\$6,204	2,306	\$4,806	\$11,009
20 Linum Street	Lot 2 LP52938	1	\$6,204	685	\$1,428	\$7,631
23 Linum Street 1/2 Area of Lot 42 Block G LP3212	Lot 42 Block G LP3212	1	\$6,204	460	\$959	\$7,162
23A Linum Street 1/2 Area of Lot 42 Block G LP3212	Lot 42 Block G LP3212	1	\$6,204	460	\$959	\$7,162
24 Linum Street	Lot 47 LP 3212 & Lot 1 TP632713	1	\$6,204	1,126	\$2,347	\$8,550
25 Linum Street	Lot 1 TP145757	1	\$6,204	908	\$1,892	\$8,096
26 Linum Street	Lot 1 LP60168	1	\$6,204	1,046	\$2,180	\$8,384
27 Linum Street	Lot 40 Block G LP3212	1	\$6,204	910	\$1,896	\$8,100
28 Linum Street	Lot 2 LP60168	1	\$6,204	912	\$1,901	\$8,104
29 Linum Street	CP150634	1	\$6,204	1,055	\$2,199	\$8,402
30 Linum Street	Lot 51 Block G LP3212	1	\$6,204	972	\$2,026	\$8,229
31 Linum Street	Lot 1 & Lot 2 TP297397	1	\$6,204	850	\$1,771	\$7,975
32 Linum Street	Lot 1 TP429465	1	\$6,204	984	\$2,051	\$8,254
33 Linum Street	Lot 1 TP572422	1	\$6,204	842	\$1,755	\$7,958
46 Main Street	Lot 36 Block G LP3212	0.5	\$3,102	1,062	\$2,213	\$5,315
48 Main Street	Lot 53 Block G LP3212	0.5	\$3,102	1,013	\$2,111	\$5,213
27 Myrtle Grove	Lot 1 TP157516	0.5	\$3,102	746	\$1,555	\$4,657
29 Myrtle Grove	Lot 1 LP61294	0.5	\$3,102	709	\$1,478	\$4,579
TOTALS		81	\$502,500	80,375	\$167,500	\$670,000

9.1.4 Laneway 302 (Between 134 & 136 Canterbury Road, Blackburn South) Declaration of Road Required for Public Use & to be Open to Public Traffic

SUMMARY

The purpose of this report is for Council to consider the written submissions received under sections 207A(c) and 223 of the Local Government Act 1989, the Committee report and the summary of hearings relevant to the committee of Council which heard submitters who wished to speak in support of their written submissions on Monday, 11 December 2017 prior to Council determining whether to declare, by resolution, that the laneway known by Council as Laneway 302 (located between 134 and 136 Canterbury Road, Blackburn South) is a road that is reasonably required for public use and is to be open to public traffic. The suggested reasons for Council's decision are set out in the body of the recommendation below.

It is recommended that Council declare Laneway 302 as being reasonably required for public use and is to be open to public traffic.

RECOMMENDATION

That Council, having considered all submissions received under sections 207A(c) and 223 of the Local Government Act 1989 (LGA) (including, by a Committee of Council, having heard persons who in their written submissions requested to be heard in support of their submissions) and otherwise according to law hereby;

- 1. In accordance with section 204(2) of the LGA and with Council being of the opinion that the road known by Council as Laneway 302 is 'reasonably required for public use and is to be open to public traffic' (road), hereby declares that the road is 'reasonably required for public use and is to be open to public traffic'. (The road is located between 134 and 136 Canterbury Road, Blackburn South and is shown set aside or appropriated as a road on plan of subdivision LP31183 lodged at the Land Titles Office on 9 August 1955).***
 - 2. In making the declaration, Council has considered the report from the Committee of Council that in accordance with section 223(1)(c) of the LGA had heard persons who in their written submissions had requested to be heard. A copy of the Committee report, being a report on the proceedings of the Committee, including a summary of the hearings.***
 - 3. Directs that written notice be given to all property owners and occupiers adjoining the road, in and around the local area and to all persons who have lodged a submission in writing of the decision of Council.***
 - 4. For the purposes of recommendation 3, the reasons of Council for making the declaration are that;***
 - a) Council considers that it is acting in accordance with the functions and powers conferred on it under the LGA, having regard to its role, purposes and objectives under the LGA, particularly in relation to providing and maintaining community infrastructure in the municipal district and otherwise performing functions in connection with the peace, order and good government of the municipal district;***
 - b) Council considers that the road, based on the locality and the environment in which the road is situated and its present and future use by the local community (including relevant planning and development considerations), is reasonably required for public use and should be open to public traffic;***
 - c) Council considers that the opening of the road will enhance or maintain land values as well as the use, occupation and enjoyment of adjoining and other nearby properties, and is otherwise in the public interest; and***
 - d) Council considers that there is minimal objection to the proposal and that there is otherwise a sufficient level of local community support for the road to be open to public traffic.***
-

9.1.4

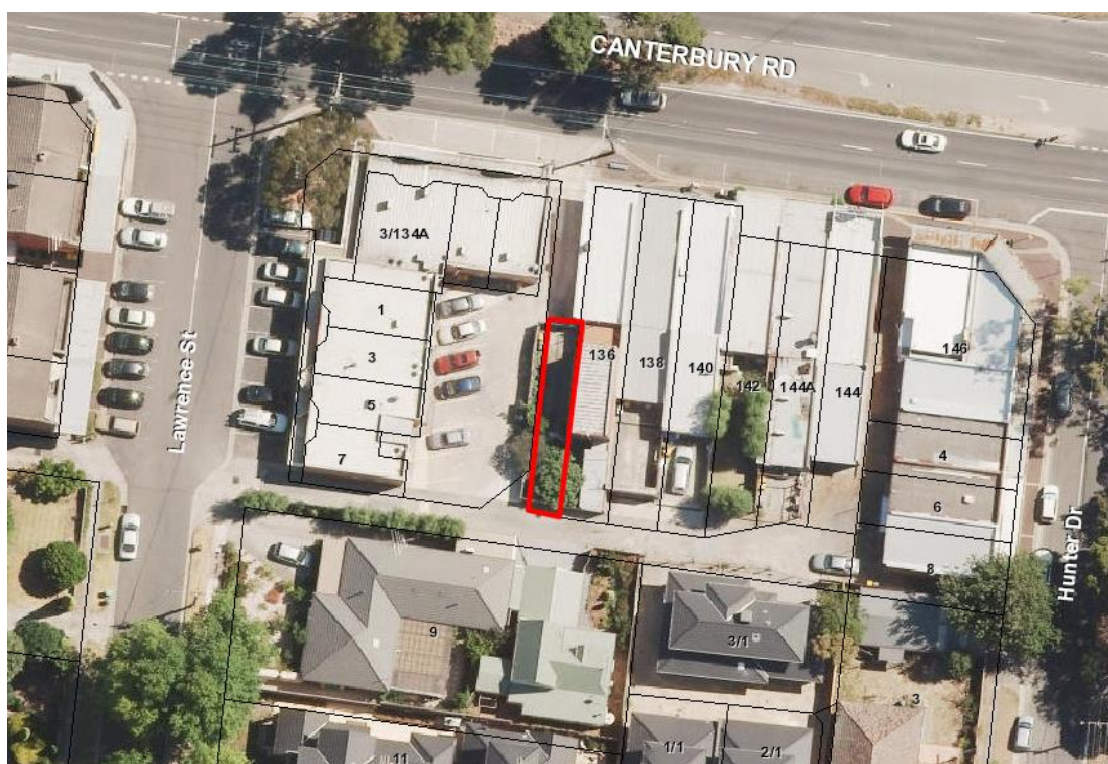
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BACKGROUND

This report relates to the unconstructed laneway that is referred to and known by Council as Laneway 302 (the **laneway** or the **road**). The relevant section of laneway is located between 134 Canterbury Road and 136 Canterbury Road, Blackburn South and is shown set aside or appropriated as a road on plan of subdivision LP31183 lodged at the Land Titles Office on 9 August 1955.

The property owner and occupier of 136 Canterbury Road have, without permission from Council, constructed a fence that encloses a section of the laneway. The fence is for the full width of the laneway which is 3 metres and approximately 18 metres long from the rear boundary of 136 Canterbury Road. The fence is a paling timber fence with steel access gates at each end. The fence blocks vehicular access through and along the laneway.

The section of laneway that is enclosed is shown in red on the image below.



Currently, vehicles and pedestrians wanting to have access between 134 and 136 Canterbury Road are traversing across the car park at the rear of 134 Canterbury Road, which is private property. The occupation of the laneway also restricts the car parking that can be provided at the rear of 134 Canterbury Road. The fact that the laneway is blocked means that vehicles that turn into the laneway may have to reverse out into Canterbury Road if they cannot access through the private car park at the rear of 134 Canterbury Road.

9.1.4

(cont)

At its Ordinary Council meeting on 26 June 2017, Council resolved to give public notice of its intention to declare the laneway known by Council as Laneway 302 as a road that is reasonably required for public use and to be open to public traffic (under section 204(2) of the Local Government Act 1989).

DISCUSSION

The status of the laneway is that it is classified by Council as an 'unconstructed' road. It has not been constructed to Council's standards and therefore it is not registered as a public road on Council's register of public roads under the Road Management Act 2004, although it nonetheless may be (and is presently considered by Council to be) a public highway within the meaning of the Local Government Act 1989 (**LGA**) and the common law (primarily based on past usage by the public). In these circumstances, and whether or not the road is a public highway, Council assumes no responsibility for the inspection, repair or maintenance of such roads because Council's current policy is that it does not ordinarily maintain unconstructed roads throughout the municipality.

However, and whether or not the laneway is already a public highway, it is still considered that the laneway is a 'road'. This is because it is and remains shown as set aside or appropriated as a road on plan of subdivision LP31183 lodged at the Land Titles Office on 9 August 1955. As such, the laneway is considered to be and to remain under the discretionary care, management and control of Council. It is Council's present position that all of the properties which adjoin the road, and members of the public generally, have a lawful right to use the whole of the road. On this basis, it is considered that the road cannot, without the permission and authority of Council, be lawfully obstructed so as to limit, restrict or prevent any rights of access, vehicular or pedestrian, over and along the road.

Section 204(2) of the LGA provides that, "A Council may, by resolution, declare a road that is reasonably required for public use to be open to public traffic."

It follows that, if Council is ultimately able to form the view that the road is "reasonably required for public use" and should be "open to public traffic", then Council has the power to make a declaration to this effect.

Assuming the road is not already a public highway, the making of such a declaration by Council does not, of itself, make the road a public highway. This means that, in the future and if through changed circumstances, Council were to form the view that the road is no longer "reasonably required for public use" and should no longer be "open to public traffic", then Council would have the power to pass another resolution so as to give effect to this view, without the need to commence a separate statutory process to formally discontinue the road.

CONSULTATION

On 24 October 2016 (and following the request of some property owners of 134 Canterbury Road), Council sent a consultation letter and survey to 43 property owners and occupiers in and around the local area asking whether or not they supported a proposal to open the section of the laneway that is occupied.

A total of 21 responses were received (49% response rate), with 67% supporting the proposal, and 33% opposing the proposal.

9.1.4 (cont)

At its Ordinary Council meeting on 26 June 2017, Council resolved to give public notice of its intention to declare the laneway known by Council as Laneway 302 as a road that is reasonably required for public use and to be open to public traffic (under section 204(2) of the LGA). The public notice was published in the Whitehorse Leader on 14 August 2017 and sent to the property owners and occupiers in and around the local area by letter on the same day. As part of the notice, persons were advised they may make a written submission to Council under section 223 of the LGA. Those making submissions could also indicate if they wish to speak in support of their written submission (or be represented by a person on their behalf) before a Committee established by Council for this purpose.

At the Council meeting on 26 June 2017, in accordance with section 223(1)(b)(i) of the LGA, Councillor Andrew Munroe and Councillor Denise Massoud were appointed and authorised to be members of the committee (**'the Committee'**) to hear any persons who in their written submissions under section 223 of the LGA have requested that they be heard in support of their submissions.

Following the giving of public notice and the other consultative steps taken by Council, there were two written submissions received under section 223 of the LGA in response to Council's proposal to declare the road to be reasonably required for public use and to be open to public traffic. To respect information privacy principles, copies of the two submissions received have separately been made available to all Councillors with their agenda papers for the Council meeting (**submissions**).

Council is no longer required to make available for public inspection submissions received in accordance with section 223 of the LGA. However, all submissions and personal information are required to be handled as authorised or required by law, including under the *Privacy and Data Protection Act 2014*.

An officer summary of the submissions, respecting information privacy principles. Both submitters requested to be (and were) heard in support of their submissions by the Committee. A report on the proceedings of the Committee, and a summary of the hearings of the Committee.

The Committee recommended that Council proceed with the declaration. The submissions and the Committee report, as both set out above, are provided to Council (and all Councillors) for their further consideration. If Council decides to proceed in accordance with the recommendation set out in this report, suggested reasons for the decision (for adoption by Council) are set out in the body of the recommendation.

FINANCIAL IMPLICATIONS

If approval is given to open the laneway to public traffic, Council will subsequently take, as appropriate, steps to require the property owner of 136 Canterbury Road to remove the fencing and gates from around the enclosed and occupied land and obstructions from the land, failing which Council will take such steps itself at the cost of the property owner of 136 Canterbury Road utilising other powers available to Council under the LGA.

Council would need to fund from its Operational Budget the administrative and legal costs (should this matter lead to a legal dispute between the property owner of 136 Canterbury Road and Council) associated with the declaration and the opening of the laneway. Council is advised that the property owner of 136 Canterbury Road may seek to claim the occupied section of road by adverse possession and this could lead to a legal dispute between Council and the property owner.

The cost to have the laneway reopened to public traffic is estimated to be approximately \$15,000.

9.2 INFRASTRUCTURE

9.2.1 Urban Forest Strategy

ATTACHMENT

SUMMARY

Council has committed to the sustainable management of trees and vegetation within the municipality. The attached interim Urban Forest Strategy, urban Forest Policy and Tree Management Plan outline the steps Council will take over the next two years in order to progress that commitment.

RECOMMENDATION

That Council:

- 1. Endorse the Interim Urban Forest Strategy 2018-2020;***
 - 2. Adopt the Urban Forest Policy 2018;***
 - 3. Note that the Urban Forest Policy supersedes the Streetscape Policy and Strategy 2002; and,***
 - 4. Note the Tree Management Plan;***
-

BACKGROUND

The green and leafy character of the City of Whitehorse is one of the most common reasons cited by the community for choosing to live in our Municipality. Further, a healthy urban forest affords a suite of benefits for the community. To that end, Council has endorsed through the Council plan to:

Continue to sustainably manage, enhance and increase trees and vegetation in Council's streetscapes, parks and gardens, with species that enhance neighbourhood character, support biodiversity and are adaptable to a changing climate.

Council currently manages approximately 75,000 street trees and significant numbers of park trees. There are also significant numbers of trees held on private land and other public land not managed by Council. Collectively, these trees amount to a municipal wide canopy cover of 22-26%.

Council's tree stock is in mixed condition with a significant portion likely to reach the end of its useful life in the next 5-10 years.

The purpose of this Interim Urban Forest Strategy is to:

- Outline the strategic and operational context for the development of an Urban Forest Strategy;
- Set high level sustainable urban forest principles for Council to adopt;
- Outline the key actions that Council will undertake over two to three years in order to develop a comprehensive and scientific Urban Forest Strategy to ensure effective and sustainable management of the urban forest into the future; and,
- Provide an update to Council's existing urban forest policy framework;

DISCUSSION

There are various significant benefits for the community that can be realised by having a thriving urban forest. These benefits include social, environmental, economic and health and wellbeing aspects. A thriving urban forest will in particular act as an antidote to the Urban Heat Island Effect which is a significant threat to the health and wellbeing of residents.

9.2.1

(cont)

In order to capitalise on these benefits, certain criteria must be met which include:

- A canopy cover of at least 30%;
- An appropriate level of diversity in species resulting in resilience against threats;
- Adequate protection of trees; and,
- Appropriate social conditions to encourage the community to plant and look after trees.

Successfully achieving the criteria outlined above requires a scientific approach to the management of the urban forest. The first stage in developing that approach is to collect and analyse data on composition, age, health and other criteria. From that data, modelling can occur which will allow for strategic management and maintenance of Council's tree population into the future. This analysis is a key aspect of the Interim Urban Forest Strategy.

There are other actions which will also make a significant contribution to the urban forest which are outlined in the Interim Urban Forest Strategy. These actions are not quantified at this stage due to the absence of complete data, but will certainly be of benefit and include:

- Increasing tree planting efforts;
- Improving the protection of existing trees;
- Improving the health, diversity and resilience of the urban forest; and,
- Improving and increasing community engagement.

These actions are expanded upon in the attached Interim Urban Forest Strategy and will be implemented to some extent between 2018 and 2021.

A more comprehensive UFS will be developed over that time frame and will be presented to Council in the 2020-21 financial year.

Council's Streetscape Policy and Strategy (2002) has been the guiding document for tree related matters in the municipality since its adoption. An updated Urban Forest Policy and Tree Management Plan have been developed and presented to Council for adoption.

These documents have been developed based on the 2002 policy and provide a more contemporary and streamlined basis for the management of Council trees. Council should note that this policy does not apply to trees on private land which are being addressed through the planning framework separately.

CONSULTATION

Internal consultation has been carried out in the development of this strategy and a Council briefing was held on 2 July 2018. It is not intended that public consultation be undertaken for the interim strategy, but that public consultation will be carried out in the development of the final strategy.

FINANCIAL IMPLICATIONS

Initial components of the Interim Urban Forest Strategy are funded in 2018-19 financial year and largely involve the collection and analysis of data. Further aspects of the Interim Urban Forest Strategy will be costed and presented to Council as New Budget Initiatives as part of future budget processes.

POLICY IMPLICATIONS

The attached Urban Forest Policy replaces the existing Streetscape Policy and Strategy (2002).

ATTACHMENT

- 1 Urban Forestry Strategy - 2018 

9.2.2 Tender Evaluation Report (Contract 30020) Construction of Nunawading Community Hub

FILE NUMBER: SF17/667

SUMMARY

To inform Council of the tender submissions received and the evaluation process that was undertaken to reach a final decision for the construction of the Nunawading Community Hub. To recommend the acceptance of the tender submission received from Buxton Constructions (Vic) Pty Ltd for the amount of \$26,346,706 including GST and to further advise on the total project cost.

RECOMMENDATION

That Council:

- 1. Appoint Buxton Constructions (Vic) Pty Ltd, trading as Buxton Constructions (Vic) Pty Ltd ABN 93 141 994 425, Level 1, 262 Lorimer Street, Port Melbourne, Vic 3207 as the successful contractor, and sign the formal contract document for Contract 30020 for the construction of the Nunawading Community Hub for the amount of \$26,346,706 including GST.***
- 2. Approve an additional \$2,324,129 in funding over the approved budget of \$28M to accommodate for new costs largely associated with the existing heritage building and the incorporation of Environmentally Sustainable Design (ESD) components to achieve a 5 Star Green Star rating.***

BACKGROUND

The former Nunawading Primary School site was purchased in 2015 by Whitehorse City Council. Funding has been allocated in Council's forward capital works program for the construction of a new Community Hub facility at the former Nunawading Primary School site to replace two main buildings and seven outbuildings currently situated on the nearby Silver Grove site located next to the Nunawading Railway Station. The existing primary school site buildings have been demolished, with the exception of the main school building, which is subject to a municipal heritage overlay.

DISCUSSION

The new Community Hub building will be owned, managed and operated directly by Whitehorse City Council. There will be a number of formal and non-formal user groups that will make use of the new facility. The wider community of the City of Whitehorse will have access to the various events held at the Community Hub and will have access to join the various clubs and societies utilising the building. Extensive consultation has taken place with all existing user groups throughout the design development phases of the project and community input and consultation has also been gathered through various media channels and a Community Information Day. This information has provided valuable input to the appointed architects with regards to design requirements for current and future users of the new Community Hub.

The selection of head contractors for construction of the Community Hub has been structured as a two stage, competitively tested, open market process. The first stage involved the receipt of Expressions of Interest (EOI's) from suitably qualified and experienced builders. The second stage resulted in a shortlist of five respondents progressing to the Request for Tender (RFT) stage of the project.

9.2.2

(cont)

After being pre-selected to tender for the project, two tenderers withdrew from the RFT process due to existing workload commitments. An invitation was then extended to the next two tenderers with the highest rated scores obtained in the EOI process. Only one of these two tenderers accepted the RFT and no more parties were invited from the EOI list as their EOI submissions did not fully satisfy the expectations set out in the EOI documents. This resulted in four respondents being invited to tender on 30 May 2018. All four tenders were lodged on Council's e-tender portal by the specified closing time of 3.00pm on Monday 9 July 2018.

The successful tenderer will be appointed as the head contractor who will engage, coordinate and manage relevant sub-contractors from other disciplines to deliver the various services necessary for the construction of the project.

The Tenders were evaluated against the following criteria:

- Project Methodology (Weighted Points Score)
- Financial Benefit (Weighted Points Score)
- Resources, Key Personnel and Relevant Experience (Weighted Points Score)
- Relevant Green Star Experience and Compliance Management (Weighted Points Score)
- Capacity (Weighted Points Score)
- Nominated Subcontractors and Relevant Experience (Weighted Points Score)
- Business Viability (Risk Based)
- Insurances (Risk Based)
- Conflict of Interest (Risk Based)
- Occupational Health & Safety (Assessed at EOI stage and re-assessed for any changes in RFT submission)
- Equal Employment Opportunity (Assessed at EOI stage and re-assessed for any changes in RFT submission)
- Compliance with Contract and Specification (Risk Based)
- Proposed Contractor's representative, proposed Key Personnel and proposed Senior Executive for dispute resolution purposes (Risk Based)
- Warranties to be provided by the Contractor (Risk Based)
- Principal's Design Requirements (Risk Based)
- Authority Approvals (Risk Based)
- Professional Referees for Tenderer (Risk Based)

A comprehensive evaluation of all tender submissions was conducted by a four member Tender Evaluation Panel (TEP) together with expert advice received from appointed Architects fjmt, Services Engineer WSP, ESD Consultant WSP and Quantity Surveyor Slattery Australia Pty Ltd. All tender submissions were evaluated by the TEP and scored against the designated evaluation criteria. Three evaluation sessions were held with the TEP and appointed consultants to evaluate the tender submissions. Council's probity advisor, CT Alliance was present as required.

The TEP analysed all criteria, including the lump sum prices, to arrive at a pre-interview consensus score. The evaluation determined that three tenderers scored significantly higher in all criteria. Based on this evaluation result, these three tenderers were invited to attend the interview stage. Due to the significant difference relating to the tenderer with the lowest score, the TEP agreed that this tenderer would no longer be considered as a preferred contractor for this project.

The TEP invited to interview Buxton Constructions (Vic) Pty Ltd, Ireland Brown Constructions Pty Ltd, and Devco Project and Construction Management Pty Ltd as the next stage of the evaluation process.

9.2.2

(cont)

The individual TEP scores were averaged and a final consensus score and ranking was recorded for each tender submission. Occupational Health and Safety (OH&S) was assessed on the responses submitted by each contractor for the essential OH&S requirements provided on Council's Tender Questionnaire and considered by the Evaluation Panel to be relevant to this construction contract. Equal Employment Opportunity was assessed on responses submitted by each contractor. Confirmation reference checks were conducted on all respondents. Business Viability of tenderers was assessed by Council's agent, Corporate ScoreCard, taking into account the current financial position and recent trading history of tenderers.

Following the interviews, a third and final meeting was held by the TEP to discuss the outcome and scores were re-evaluated and confirmed and finalised. At the conclusion of the evaluation process the preferred tenderer that offered the best value for money outcome, with an acceptable level of risk to Council for this contract was Buxton Constructions (Vic) Pty Ltd.

CONSULTATION

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

- Siobhan Belmore, Head Major Projects and Buildings
- Rohan Prathapasinghe, Senior Project Manager - Nunawading Community Hub
- Leo Pegoli, Buildings Co-ordinator, Major Projects and Buildings
- Louise Goodman, Senior Architect fjmt

Various Council departments were consulted during this tender process. All tender documents and the process adopted for awarding the contract to the preferred contractor has been discussed with Council's Procurement and Contracts Department. The Finance Department has been consulted on contractor financial viability matters.

The tender evaluation process has been overseen by probity advisor Matt Tubb from CT Alliance, who has provided a signoff statement attesting to the fairness and impartiality of the tender process.

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

All tenderers have confirmed there are no current legal or financial matters that would impede their ability to deliver the project.

FINANCIAL IMPLICATIONS

The total project cost of \$28 million was agreed in 14 December 2015 for the design and construction of the Nunawading Community Hub project including a CPI allowance of 3 per cent per annum for an anticipated build date in 2017. As at the date of this report, we have now designed and documented the building in accordance with Council requirements and re-evaluated the total project costs to \$30,324,129, some \$2,324,129 over the agreed budget.

The additional costs of \$2,324,129 are largely made up of remedial and refurbishment works to the existing heritage building and the incorporate of ESD components into the overall building design in order to achieve a 5 Star Green Star rating.

9.2.2

(cont)

The landscaping and site improvement works include developing a linkage to Tunstall Park creating a larger, continuous public open area. The costs of these works are estimated to be \$1,079,126. We recommend consideration be given to fund this component of the works from the Council Public Open Space Reserve, in particular from the reserve that houses 40% of contributions received that are required to be used only for development and improvement of public open areas. If adopted, this will not constrain other planned uses of this reserve.

In addition to the above, we recommend consideration be given to fund the remaining \$1,245,003 from the Council Development Reserve.

We note there is a significant amount of building construction activity in Melbourne that is challenging the capacity of the construction companies to deliver the projects in the required timeframes. The limited capacity of the building construction companies has resulted in an increase in construction costs of Council projects.

The project team have undertaken various value engineering sessions throughout the design development and documentation phases to look at alternative finishes, fixtures and fittings to achieve a more cost effective outcome without compromising the quality and efficiency of the building.

9.2.2

(cont)

Financial Implications Table

	Silver Grove Budget	Hub Project Budget	Difference
PROJECT TO DATE			
Consultants	\$0	\$870,390	
Project Management	\$0	\$815,000	
TOTAL	\$0	\$1,685,390	
PROJECT TO COME			
Construction Tender	\$24,000,000	\$22,697,551	-\$1,302,449
Consultant Fees	Incl. Above	\$654,610	\$0
Project Management	Incl. Above	\$635,000	\$0
Furniture, Fittings & Equipment	Incl. Above	\$800,000	\$0
Authority Fees & Headworks	Incl. Above	\$350,000	\$0
Decanting & Relocation	Incl. Above	\$100,000	\$0
Heritage Building	\$0	\$884,000	\$884,000
ESD Components	\$0	\$1,070,000	\$1,070,000
Intersection Works	\$0	\$250,000	\$250,000
Design Contingency	Incl. below	Expended	\$0
Construction Contingency	\$2,765,000	\$1,197,578	-\$1,567,422
Cost Escalation	\$1,235,000	\$0	-\$1,235,000
TOTAL	\$28,000,000	\$30,324,129	\$2,324,129

9.3 CORPORATE

9.3.1 In Principal Approval of the 2017/18 Annual Financial Statements & Performance Statement

ATTACHMENT

SUMMARY

Council is required to complete and forward to the Minister for Local Government its Annual Report by 30 September 2018. The Annual Report contains audited annual financial statements and the audited performance statement. Council cannot submit the financial statements or the performance statement to its auditor or the Minister unless it has passed a resolution giving its approval in principle to the financial statements and performance statement. It is recommended that the Annual Financial Statements and Performance Statement, be approved in principle and upon completion of the audit forwarded to the Minister as part of the Annual Report.

RECOMMENDATION

That Council receive the report and that:

- 1. The Annual Financial Statements and Performance Statement for 2017/18 be approved in principle.***
- 2. The Principal Accounting Officer be authorised to make minor amendments to the Annual Financial Statements and Performance Statement for 2017/18 to meet the Victorian Auditor General's requirements.***
- 3. Cr Massoud and Cr Stennett be authorised to sign the Annual Financial Statements and Performance Statement for 2017/18.***
- 4. The Chief Executive Officer be authorised to sign the Annual Financial Statements and Performance Statement for 2017/18.***
- 5. The final audited Annual Financial Statements and audited Performance Statement for 2017/18 be forwarded to the Minister for Local Government as part of the Annual Report by 30 September 2018.***
- 6. Public notice be given of:***
 - a) The availability of the report of the auditor under Section 9 of the Audit Act 1994.***
 - b) A meeting to be held for the purpose of discussing the Annual Report under Section 134 of the Local Government Act 1989 at 7.00 pm on 15 October 2018.***

BACKGROUND

The Council is required under Section 131 of the Local Government Act 1989 to complete an annual report each year and forward it to the Minister by 30 September 2018. The annual report comprises:

- A report of its operations during the financial year
- Audited financial statements
- Audited performance statement
- A copy of the auditor's reports on the financial statements and performance statement, and
- Any other matter required by the regulations.

9.3.1 (cont)

The Council cannot submit the financial statements or the performance statement to its auditor or the Minister unless it has passed a resolution giving its approval in principle to the financial statements and performance statement.

The financial statements and performance statement are required to be certified by Council's Principal Accounting Officer, by two Councillors on behalf of Council and the Chief Executive Officer prior to Council's Auditor signing the Audit Report. The annual report is then required to be forwarded to the Minister for Local Government by 30 September 2018.

The Audit Advisory Committee, at its meeting of 20 August 2018, discussed the annual financial statements and performance statement with representatives of the Victorian Auditor General.

DISCUSSION

The legislation requires Council to resolve to approve in principle the annual financial statements and performance statement prior to these statements being forwarded to the Victorian Auditor General. The Victorian Auditor General conducted the final phase of the audit process early August 2018 at Council. In conjunction with the audit, the Victorian Auditor General requires copies of Council resolutions to authorise the signing and approval in principle of the statements.

The Audit Advisory Committee reviewed the Annual statements, in conjunction with representatives of the Victorian Auditor General, at its meeting held on 20 August 2018.

Certification

Two Councillors and the Chief Executive Officer are required to sign the certification of the annual financial statements and performance statement once clearance is obtained from the Victorian Auditor General and after the Principal Accounting Officer has signed their certification. It is proposed that the Councillors on the Audit Advisory Committee be authorised to sign the certification on behalf of the Council after the necessary clearance has been obtained. In the eventuality that there may be some late changes made to the financial statements, it is also proposed that the approval given to the Councillors be extended to enable them to sign the certification after these necessary changes have been made.

After the annual report has been submitted to the Minister, Council must give public notice that the annual report has been prepared and can be inspected at the Council office - Section 134(2).

Section 134 of the Act requires a meeting to consider the annual report. The Council must consider the annual report at a meeting of Council. The meeting must be held as soon as practicable but within the time required by the regulations, after the Council has sent the annual report to the Minister.

ATTACHMENT

- 1 Financial Statements – **Separately Circulated at meeting**
- 2 Performance Statement – **Separately Circulated at meeting**

9.3.2 Supplementary Valuation Quarterly Report- 1 April 2018 to 30 June 2018

FILE NUMBER: SF16/746#02

SUMMARY

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

RECOMMENDATION

That Council:

- 1. Note and accept the supplementary valuations undertaken during the period commencing 1 April 2018 to 30 June 2018.***
- 2. Authorise the rate records to be adjusted to take account of the supplementary valuations returned.***

BACKGROUND

This report relates to supplementary valuations undertaken by Council in accordance with the *Valuation of Land Act 1960* for the period from 1 April 2018 to 30 June 2018.

DISCUSSION

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

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

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

Table # 1: Supplementary Valuations completed between: 1 April 2018 and 30 June 2018

Supplementary Valuation Reference	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
April 2018	16	\$ 29,770,500	\$ 33,953,500	\$ 1,873,725
May 2018	2	\$ 1,550,000	\$ 1,720,000	\$ 86,000
Supplementary Valuations Total	18	\$ 31,320,500	\$ 35,673,500	\$ 1,959,725

CONSULTATION

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

9.3.2

(cont)

FINANCIAL IMPLICATIONS

The total change to the Capital Improved Value (CIV) caused by the supplementary valuations undertaken is an increase of \$8,341,000.

This change in CIV has generated an additional \$5,709 of supplementary rate income.

Total year rates income from supplementary valuations in 2017/2018 has been \$1,131,137. (Note: This total includes a minor correction reducing the previously reported rates income in the October Quarterly Supplementary Valuation Report from \$588,822 to \$588,586.)

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

Table #2: Valuation totals as at 1 April 2018

BREAKDOWN	Number of assessments	SITE VALUE	C.I.V.	N.A.V.
Rateable	73,436	\$47,471,095,200	\$65,467,656,000	\$ 3,382,649,650
Non Rateable	1,074	\$3,104,237,500	\$3,515,477,000	\$199,903,350
Municipal Total	74,510	\$50,575,332,700	\$68,983,133,000	\$3,582,553,000

Table#3 Change to valuation totals due to supplementary valuations between: 1 April 2018 to 30 June 2018

Supplementary Valuations	Number of assessments subject to Supplementary Valuation	Change to Site Value	Change to CIV	Change to NAV
April and May	18	\$ 8,864,000	\$ 8,341,000	\$217,625

Table #4: Valuation totals as at 30 June 2018

NEW BREAKDOWN	Number of assessments	SITE VALUE	C.I.V.	N.A.V.
New Rateable	73,431	\$47,487,258,200	\$65,482,718,000	\$3,383,387,350
New Non Rateable	1,074	\$3,096,938,500	\$3,508,756,000	\$199,383,275
New Municipal Total	74,505	\$50,584,196,700	\$68,991,474,000	\$3,582,770,625

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

POLICY IMPLICATIONS

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

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

SUMMARY

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

RECOMMENDATION

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

BACKGROUND

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

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

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

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

CONSULTATION

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

FINANCIAL IMPLICATIONS

There are no financial implications.

POLICY IMPLICATIONS

There are no policy implications.

9.3.3

(cont)

Whitehorse City Council

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

STAFF	
Surname	Given name
Ponza	Elvio
Bothma	Gert

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

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

- a) Elvio Ponza
- b) Gert Bothma

By this instrument of appointment and authorisation Whitehorse City Council:

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

It is declared that this instrument -

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

This instrument is authorised by a resolution of the **Whitehorse City Council** on **20 August 2018**

THE COMMON SEAL OF THE)
WHITEHORSE CITY COUNCIL was hereunto)
affixed this **day of August 2018**)
in the presence of:)

Councillor

Chief Executive Officer

9.3.4 Delegated Decisions June 2018

SUMMARY

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

RECOMMENDATION

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

DELEGATION	FUNCTION	Number for June 2017	Number for June 2018
Planning and Environment Act 1987	Delegated Decisions	130	149
	Strategic Planning Decisions	Nil	0
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		29	27
Gaming Control Act 1991		Nil	0
Building Act 1993	Dispensations & Applications to Building Control Commission	75	64
Liquor Control Reform Act 1998	Objections and Prosecutions	1	3
Food Act 1984	Food Act Orders	8	1
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	6	2
Local Government Act 1989	Temporary Road Closures	8	3
Other Delegations	CEO Signed Contracts between \$150,000 - \$500,000	Nil	Nil
	Property Sales and Leases	14	4
	Documents to which Council seal affixed	Nil	Nil
	Vendor Payments	1395	1139
	Parking Amendments	11	4
	Parking Infringements written off (not able to be collected)	226	228

9.3.4 (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/2018/145	15-06-18	Application Lapsed	1 Laurencia Court Mont Albert Vic 3127	Elgar	Construction of a double storey dwelling to the rear of an existing dwelling in a Heritage Overlay	Multiple Dwellings
WH/2011/1009/A	18-06-18	Delegate Approval - S72 Amendment	1/12 Metropolitan Avenue Nunawading Vic 3131	Springfield	Buildings and works for extension and alteration to existing trade supplies and restricted retail premises, and provision of parking to the satisfaction of the Responsible Authority, and associated signage.	Permit Amendment
WH/2012/538/A	06-06-18	Delegate Approval - S72 Amendment	2 Maria Avenue Nunawading Vic 3131	Springfield	Amendments to plans and permit WH/2012/538 for the Construction of two (2) side-by-side double storey dwellings.	Permit Amendment
WH/2014/139/A	22-06-18	Delegate Approval - S72 Amendment	469 Middleborough Road Box Hill North Vic 3129	Elgar	Amendment to plans for Planning Permit WH/2014/139 issued for the construction of one (1) single storey dwelling to the rear of the existing dwelling to include construction of a verandah (Lot 2)	Permit Amendment
WH/2014/386/A	18-06-18	Delegate Approval - S72 Amendment	1/372-394 Whitehorse Road Nunawading Vic 3131	Springfield	Amendment to Conditions 4 and 5	Permit Amendment
WH/2014/423/B	15-06-18	Delegate Approval - S72 Amendment	15 Peel Street Mitcham Vic 3132	Springfield	Construction of two double storey dwellings	Permit Amendment
WH/2014/562/A	27-06-18	Delegate Approval - S72 Amendment	6 Cypress Avenue Burwood Vic 3125	Riversdale	Timber fence added to the front of both properties within 4m of three protected trees.	Permit Amendment

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2015/131/A	01-06-18	Delegate Approval - S72 Amendment	260 Burwood Highway Burwood Vic 3125	Riversdale	Construction of a part four, part five storey building comprising 43 dwellings plus two levels of basement parking, a reduction in car parking and alteration of access to a road in a Road Zone Category 1	Permit Amendment
WH/2015/950/A	21-06-18	Delegate Approval - S72 Amendment	3-5 Starling Street Burwood Vic 3125	Riversdale	Use and development of a two storey child care centre and reduction of car parking requirements	Permit Amendment
WH/2016/1020/A	28-06-18	Delegate Approval - S72 Amendment	17 Middlefield Drive Blackburn North Vic 3130	Central	The construction of two double storey dwellings and the construction of a front fence within 4 metres of vegetation.	Permit Amendment
WH/2016/267/A	21-06-18	Delegate Approval - S72 Amendment	78 Middleborough Road Burwood East Vic 3151	Riversdale	Subdivision of land into four superlots, creation of access to roads in a Road Zone Category 1 and variation of part Easement E-2 on PS347288N	Permit Amendment
WH/2016/267/B	21-06-18	Delegate Approval - S72 Amendment	78 Middleborough Road Burwood East Vic 3151	Riversdale	Subdivision of land into four superlots, creation of access to roads in a Road Zone Category 1 and variation of part Easement E-2 on PS347288N	Permit Amendment
WH/2016/415/A	21-06-18	Delegate Approval - S72 Amendment	78 Middleborough Road Burwood East Vic 3151	Riversdale	Creation and alteration of access to roads in a road Zone Category 1	Permit Amendment
WH/2017/124/A	18-06-18	Delegate Approval - S72 Amendment	49 Warrigal Road Surrey Hills Vic 3127	Riversdale	Construction of two double storey dwellings	Permit Amendment
WH/2017/26/A	05-06-18	Delegate Approval - S72 Amendment	8 Bruce Street Mitcham Vic 3132	Springfield	The construction of four (4) double storey dwellings (in a General Residential Zone and a Heritage Overlay), and the demolition of an existing dwelling and outbuilding in a Heritage Overlay	Permit Amendment

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/325/A	19-06-18	Delegate Approval - S72 Amendment	1 Salisbury Avenue Blackburn Vic 3130	Central	Amendment to Planning permit WH/2017/325 (Buildings and works, a reduction in the car parking requirements of Clause 52.06, waiver of the loading bay requirements of Clause 52.06 and allow for the the sale and consumption of liquor associated with the as of right use of land for a restaurant (cafe)) to include an extension of cafe trading hours and liquor licence hours	Permit Amendment
WH/2017/640/A	18-06-18	Delegate Approval - S72 Amendment	14 Larch Street Blackburn Vic 3130	Central	Construction of a double storey dwelling (within Special Building Overlay)	Permit Amendment
WH/2017/1018	01-06-18	Delegate NOD Issued	26 Beverley Crescent Blackburn Vic 3130	Central	The construction of two (2) double storey dwellings, buildings and works within 4 metres of vegetation and vegetation removal.	Multiple Dwellings
WH/2017/1048	01-06-18	Delegate NOD Issued	15 Simpson Street Mitcham Vic 3132	Springfield	Construction of two double storey dwellings, vegetation removal and buildings and works within 4 metres of trees under the SLO9	Multiple Dwellings
WH/2017/107	18-06-18	Delegate NOD Issued	65 Broughton Road Surrey Hills Vic 3127	Riversdale	Construction of two double storey dwellings, front fence and tree removal	Multiple Dwellings
WH/2017/276	12-06-18	Delegate NOD Issued	10 Leonard Street Burwood Vic 3125	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
WH/2017/43	22-06-18	Delegate NOD Issued	8 Beacon Street Vermont South Vic 3133	Morack	Development of the land for the construction of two double storey dwellings (side by side) and buildings and works (SLO9)	Multiple Dwellings

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/691	05-06-18	Delegate NOD Issued	34 Williamson Road Mont Albert North Vic 3129	Elgar	The construction of two double storey dwellings, vegetation (tree) removal and works within 4 metres of a protected tree (VPO2 and SLO9).	Multiple Dwellings
WH/2017/754	25-06-18	Delegate NOD Issued	27 Walwa Street Mitcham Vic 3132	Springfield	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/798	21-06-18	Delegate NOD Issued	119 Esdale Street Nunawading Vic 3131	Springfield	Construction of Three (3) Double Storey Dwellings on a Lot and Removal of Vegetation within a Significant Landscape Overlay - Schedule 9	Multiple Dwellings
WH/2017/800	12-06-18	Delegate NOD Issued	6 Calcutta Street Mitcham Vic 3132	Springfield	Construction of Two (2) Double Storey Dwellings and vegetation removal	Multiple Dwellings
WH/2017/859	05-06-18	Delegate NOD Issued	121 Mount Pleasant Road Nunawading Vic 3131	Springfield	Development of two double storey dwellings, tree removal and buildings and works within 4m of protected trees.	Multiple Dwellings
WH/2017/920	22-06-18	Delegate NOD Issued	71 Station Street Burwood Vic 3125	Riversdale	Proposed buildings and works (Cool room and freezer room) and reduction of carparking requirement in association with a restaurant	Business
WH/2017/924	14-06-18	Delegate NOD Issued	11 Scott Grove Burwood Vic 3125	Riversdale	The construction of a double storey dwelling at the rear of the existing dwelling and vegetation removal.	Multiple Dwellings
WH/2017/938	18-06-18	Delegate NOD Issued	23 Cairo Road Mont Albert North Vic 3129	Elgar	Construction of two double storey dwellings on a lot	Multiple Dwellings
WH/2017/956	26-06-18	Delegate NOD Issued	6 Sweetland Road Box Hill Vic 3128	Elgar	Construction of three (3) double storey dwellings & vegetation removal	Multiple Dwellings

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/958	29-06-18	Delegate NOD Issued	68 Springvale Road Nunawading Vic 3131	Springfield	Development of the land for the construction of 3 double storey dwellings, buildings and works (SLO9), tree removal and relocation of the existing crossover in a Road Zone - Category 1	Multiple Dwellings
WH/2017/963	29-06-18	Delegate NOD Issued	6 Coppin Close Mitcham Vic 3132	Springfield	Construction of four (4) double storey dwellings and removal of trees in SLO9	Multiple Dwellings
WH/2017/980	18-06-18	Delegate NOD Issued	12-14 Varman Court Nunawading Vic 3131	Springfield	Use the land in part for motor vehicle sales	Industrial
WH/2017/999	08-06-18	Delegate NOD Issued	20 Scottsdale Street Surrey Hills Vic 3127	Riversdale	2 lot subdivision	Subdivision
WH/2018/103	18-06-18	Delegate NOD Issued	1/5-7 Diana Drive Blackburn North Vic 3130	Central	The use of the land for a food and drink premises and to serve and consume liquor and a waiver of the standard car parking rate	Business
WH/2018/3	22-06-18	Delegate NOD Issued	158 Elgar Road Box Hill South Vic 3128	Riversdale	Construction of a part two and part 3 storey mixed use building to accommodate a shop and 4 x apartments and associated car parking reduction	Business
WH/2018/4	22-06-18	Delegate NOD Issued	34 Devon Street Box Hill South Vic 3128	Riversdale	Construction of two double storey dwellings and associated vegetation removal	Multiple Dwellings
WH/2014/256/B	18-06-18	Delegate Permit Issued	14 Kneale Drive Box Hill North Vic 3129	Elgar	Construction of a double storey dwelling to the rear of the existing dwelling	Permit Amendment
WH/2015/885/A	18-06-18	Delegate Permit Issued	33 Neville Street Box Hill South Vic 3128	Riversdale	Construction of two double storey dwellings	Permit Amendment
WH/2017/1005	25-06-18	Delegate Permit Issued	9 Olympiad Crescent Box Hill North Vic 3129	Elgar	Construction of two double storey dwellings and vegetation removal	Multiple Dwellings

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/192	14-06-18	Delegate Permit Issued	30 Station Street Burwood Vic 3125	Riversdale	Construction of three double storey dwellings, alteration of access to a road in a Road Zone Category 1 and buildings and works within 4 metres of a protected Tree	Multiple Dwellings
WH/2017/259	01-06-18	Delegate Permit Issued	9 Wimmera Street Box Hill North Vic 3129	Elgar	Construction of three double-storey dwellings and associated tree removal	Multiple Dwellings
WH/2017/488	19-06-18	Delegate Permit Issued	1 Tudor Street Burwood Vic 3125	Riversdale	The construction of three (3) double storey dwellings and buildings and works within 4 metres of protected trees	Multiple Dwellings
WH/2017/489	21-06-18	Delegate Permit Issued	60-62 Lexton Road Box Hill North Vic 3129	Elgar	Buildings and works (refurbishing) and change of use to Motor Repairs (including ancillary storage and offices) and display of business identification signage.	Industrial
WH/2017/687	07-06-18	Delegate Permit Issued	24 Clanbrae Avenue Burwood Vic 3125	Riversdale	Variation to restrictive covenant to remove single dwelling restriction	Subdivision
WH/2017/834	14-06-18	Delegate Permit Issued	311 Mitcham Road Mitcham Vic 132	Springfield	Alterations and additions to a single dwelling including construction of a garage and front fence and tree removal	Single Dwelling < 300m2
WH/2017/902	07-06-18	Delegate Permit Issued	34 Greenwood Street Burwood Vic 3125	Riversdale	3 lot subdivision	Subdivision
WH/2017/949	08-06-18	Delegate Permit Issued	42 Esdale Street Blackburn Vic 3130	Central	Construction of three double storey dwellings and associated tree removal	Multiple Dwellings

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2017/990	15-06-18	Delegate Permit Issued	1050-1054 Whitehorse Road Box Hill Vic 3128	Elgar	Use of the land as an Emergency Services Facility (Fire Station), including associated construction of buildings and works (partial demolition, alterations and additions to an existing building), the alteration of access to a road located in a Road Zone, Category 1.	Heritage
WH/2018/106	12-06-18	Delegate Permit Issued	3/51 Creek Road Mitcham Vic 3132	Springfield	Buildings and works to construct a verandah on a lot less than 500 square metres	Special Landscape Area
WH/2018/110	08-06-18	Delegate Permit Issued	2 Pickford Street Burwood East Vic 3151	Morack	Boundary Realignment	Subdivision
WH/2018/144	01-06-18	Delegate Permit Issued	470 Mitcham Road Mitcham Vic 3132	Springfield	Remove 6 trees within Schedule 9 to the Significant Landscape Overlay	Special Landscape Area
WH/2018/152	25-06-18	Delegate Permit Issued	497 Whitehorse Road Mitcham Vic 3132	Springfield	sale and consumption of liquor in association with a restaurant	Liquor Licence
WH/2018/183	12-06-18	Delegate Permit Issued	347 Burwood Highway Forest Hill Vic 3131	Morack	Display of a high-wall internally illuminated business identification panel sign and identification of two existing signs (business identification and internally illuminated business identification sign)	Advertising Sign
WH/2018/206	18-06-18	Delegate Permit Issued	500 Middleborough Road Blackburn Vic 3130	Central	Removal of three (3) trees in SLO9	Special Landscape Area
WH/2018/208	18-06-18	Delegate Permit Issued	8 Grace Street Mont Albert Vic 3127	Elgar	Removal of six (6) trees in the SLO9	Special Landscape Area
WH/2018/21	22-06-18	Delegate Permit Issued	399 Springfield Road Nunawading Vic 3131	Springfield	Development of an additional dwelling with garage and carport to existing residence and tree removal	Multiple Dwellings

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/22	12-06-18	Delegate Permit Issued	545 Mitcham Road Vermont Vic 3133	Springfield	Retrospective planning permit for an increase in the allowable hard surface and site coverage area in SLO7 & road opening	Special Landscape Area
WH/2018/223	04-06-18	Delegate Permit Issued	19 Devon Drive Blackburn North Vic 3130	Central	Three lot subdivision	Subdivision
WH/2018/227	14-06-18	Delegate Permit Issued	36 Foch Street Box Hill South Vic 3128	Riversdale	Vegetation removal, seven trees	Special Landscape Area
WH/2018/231	01-06-18	Delegate Permit Issued	5 Duckham Street Blackburn Vic 3130	Central	Buildings and works within 4 metres of protected trees	Special Landscape Area
WH/2018/235	27-06-18	Delegate Permit Issued	845-851 Whitehorse Road Box Hill Vic 3128	Elgar	Display of advertising signage, including promotion signs and major promotion signs	Advertising Sign
WH/2018/243	12-06-18	Delegate Permit Issued	8 Havelock Street Burwood Vic 3125	Riversdale	Three lot subdivision	Subdivision
WH/2018/244	21-06-18	Delegate Permit Issued	18 Cumming Street Burwood Vic 3125	Riversdale	2 Lot Subdivision	Subdivision
WH/2018/247	21-06-18	Delegate Permit Issued	47 Mccomas Grove BURWOOD VIC 3125	Riversdale	Three Lot Subdivision	Subdivision
WH/2018/248	21-06-18	Delegate Permit Issued	37 Boondara Road Mont Albert North Vic 3129	Elgar	Three lot subdivision	Subdivision
WH/2018/263	14-06-18	Delegate Permit Issued	228/270 Canterbury Road Forest Hill Vic 3131	Central	Use of the land for the sale and consumption of liquor	Liquor Licence
WH/2018/275	26-06-18	Delegate Permit Issued	948 Canterbury Road Box Hill South Vic 3128	Riversdale	4 lot subdivision	Subdivision
WH/2018/276	26-06-18	Delegate Permit Issued	33 Ashley Street Box Hill North Vic 3129	Elgar	2 lot subdivision	Subdivision
WH/2018/281	26-06-18	Delegate Permit Issued	47 Gillard Street Burwood Vic 3125	Riversdale	subdivide in 3 lots	Subdivision
WH/2018/311	26-06-18	Delegate Permit Issued	116 Mahoneys Road Forest Hill Vic 3131	Central	Three lot subdivision	Subdivision
WH/2018/318	28-06-18	Delegate Permit Issued	4 Chaucer Street Box Hill South Vic 3128	Riversdale	Two lot subdivision	Subdivision
WH/2018/327	05-06-18	Delegate Permit Issued	924 Whitehorse Road Box Hill Vic 3128	Elgar	Display advertising sign	VicSmart - General Application
WH/2018/328	07-06-18	Delegate Permit Issued	10 Morris Avenue Mont Albert North Vic 3129	Elgar	Buildings and works to extend the existing dwelling	VicSmart - General Application
WH/2018/344	29-06-18	Delegate Permit Issued	1/29 Simpsons Road Box Hill Vic 3128	Elgar	3 LOT Subdivision In Accordance With Plan Of Subdivision - PS817819P	Subdivision
WH/2018/347	07-06-18	Delegate Permit Issued	37 Moona Street Burwood East Vic 3151	Riversdale	Tree Removal	VicSmart - General Application

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/354	29-06-18	Delegate Permit Issued	647 Canterbury Road Vermont Vic 3133	Springfield	5 Lot residential subdivision	Subdivision
WH/2018/356	06-06-18	Delegate Permit Issued	29-31 Clarice Road Box Hill South Vic 3128	Riversdale	Construction of a security gate on common property	VicSmart - General Application
WH/2018/357	05-06-18	Delegate Permit Issued	4 Ida Court Vermont Vic 3133	Morack	Remove one tree	VicSmart - General Application
WH/2018/363	29-06-18	Delegate Permit Issued	31-33 Byron Street Box Hill South Vic 3128	Riversdale	Construction of four double storey dwellings	Multiple Dwellings
WH/2018/377	07-06-18	Delegate Permit Issued	1 Ireland Street Burwood Vic 3125	Riversdale	Display of business identification signage	Advertising Sign
WH/2018/41	18-06-18	Delegate Permit Issued	G06/ 55-65 Railway Road Blackburn Vic 3130	Central	Use of land for the sale and consumption of liquor in association with a restaurant	Liquor Licence
WH/2018/444	28-06-18	Delegate Permit Issued	222 Canterbury Road Blackburn South Vic 3130	Central	Front fence with 4 metres of tree	VicSmart - General Application
WH/2018/449	13-06-18	Delegate Permit Issued	9a Salisbury Avenue Blackburn Vic 3130	Central	Waiver of car parking spaces	VicSmart - General Application
WH/2018/453	15-06-18	Delegate Permit Issued	5 Daisy Court Box Hill North Vic 3129	Elgar	Buildings and works (ground floor extension) in the Special Building Overlay	VicSmart - General Application
WH/2018/455	06-06-18	Delegate Permit Issued	3/59 O'shannessy Street Nunawading Vic 3131	Springfield	To remove one tree	VicSmart - General Application
WH/2018/456	08-06-18	Delegate Permit Issued	2 Pickford Street Burwood East Vic 3151	Morack	2 lot subdivision	VicSmart - Subdivision
WH/2018/457	08-06-18	Delegate Permit Issued	4 Pickford Street Burwood East Vic 3151	Morack	Two lot subdivision	VicSmart - Subdivision
WH/2018/465	05-06-18	Delegate Permit Issued	2 Stevens Road Forest Hill Vic 3131	Morack	Two Lot Subdivision	VicSmart - Subdivision
WH/2018/466	06-06-18	Delegate Permit Issued	24 Margaret Street Box Hill Vic 3128	Elgar	Remove lily pilly on right side of house	VicSmart - General Application
WH/2018/467	06-06-18	Delegate Permit Issued	11 Chablis Crescent Vermont South Vic 3133	Morack	To remove tree	VicSmart - General Application
WH/2018/468	06-06-18	Delegate Permit Issued	12 Goodwin Street Blackburn Vic 3130	Central	removal of tree because it is affecting all plumbing and hinders backyard development	VicSmart - General Application
WH/2018/472	12-06-18	Delegate Permit Issued	5 Adele Street Vermont Vic 3133	Springfield	Remove significant tree in close proximity to proposed retaining wall building platform and dwelling	VicSmart - General Application

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/474	15-06-18	Delegate Permit Issued	15 Fithie Street Blackburn North Vic 3130	Central	Construction of a fence within 4 metres of a protected tree	VicSmart - General Application
WH/2018/475	19-06-18	Delegate Permit Issued	40 High Street Nunawading Vic 3131	Springfield	Build a front fence within 4m of protected tree	VicSmart - General Application
WH/2018/476	07-06-18	Delegate Permit Issued	3/22 Horfield Avenue Box Hill North Vic 3129	Elgar	Removal of washingtonia Palm. tree is damaging existing decking, has little green foliage, provides no shade	VicSmart - General Application
WH/2018/477	13-06-18	Delegate Permit Issued	4 Nelson Road Blackburn North Vic 3130	Central	Removal of one significant tree in the SLO9	VicSmart - General Application
WH/2018/478	13-06-18	Delegate Permit Issued	395 Middleborough Road Box Hill Vic 3128	Elgar	Buildings and works within heritage overlay	VicSmart - General Application
WH/2018/479	07-06-18	Delegate Permit Issued	91 Harrison Street Box Hill North Vic 3129	Elgar	Removal of one significant tree in the SLO9	VicSmart - General Application
WH/2018/48	22-06-18	Delegate Permit Issued	24 Jeffery Street Blackburn Vic 3130	Central	Construction of a new shed and removal of existing shed within 4 metres of a tree in the SLO1	Other
WH/2018/480	12-06-18	Delegate Permit Issued	77 Vanbrook Street Forest Hill Vic 3131	Morack	Remove Tree 8	VicSmart - General Application
WH/2018/481	12-06-18	Delegate Permit Issued	77 Vanbrook Street Forest Hill Vic 3131	Morack	Remove Tree 9	VicSmart - General Application
WH/2018/482	12-06-18	Delegate Permit Issued	77 Vanbrook Street Forest Hill Vic 3131	Morack	Remove Tree 10	VicSmart - General Application
WH/2018/483	12-06-18	Delegate Permit Issued	77 Vanbrook Street Forest Hill Vic 3131	Morack	Remove Tree 11	VicSmart - General Application
WH/2018/484	12-06-18	Delegate Permit Issued	16 Glenice Avenue Blackburn South Vic 3130	Riversdale	Tree Removal - Flowering Gum	VicSmart - General Application
WH/2018/487	12-06-18	Delegate Permit Issued	36 Orchard Crescent Mont Albert North Vic 3129	Elgar	Removal of one protected tree in the SLO9 - Tree 2	VicSmart - General Application
WH/2018/488	12-06-18	Delegate Permit Issued	36 Orchard Crescent Mont Albert North Vic 3129	Elgar	Removal of one protected tree in the SLO9 - Tree 3	VicSmart - General Application
WH/2018/489	12-06-18	Delegate Permit Issued	36 Orchard Crescent Mont Albert North Vic 3129	Elgar	Removal of one protected tree in the SLO9 - Tree 2	VicSmart - General Application
WH/2018/491	13-06-18	Delegate Permit Issued	15 Wolseley Close Mont Albert Vic 3127	Elgar	Demolition and rebuild of an out building within a Heritage Overlay	VicSmart - General Application
WH/2018/501	12-06-18	Delegate Permit Issued	13 Boardman Close Box Hill South Vic 3128	Riversdale	Tree removal - Sydney Blue Gum	VicSmart - General Application

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/502	18-06-18	Delegate Permit Issued	345 Mont Albert Road Mont Albert Vic 3127	Elgar	Reduction of the car parking requirement for an Education Centre and Arts and Craft Centre	VicSmart - General Application
WH/2018/512	12-06-18	Delegate Permit Issued	9 Reid Street Box Hill North Vic 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2018/513	15-06-18	Delegate Permit Issued	6 Howell Avenue Surrey Hills Vic 3127	Riversdale	Tree Removal	VicSmart - General Application
WH/2018/514	18-06-18	Delegate Permit Issued	24 Currie Street Box Hill North Vic 3129	Elgar	Addition of deck to rear of existing dwelling & internal alterations	VicSmart - General Application
WH/2018/516	19-06-18	Delegate Permit Issued	2/5 Kinkora Road Blackburn Vic 3130	Central	Buildings and works for a dwelling extension within 4 metres of a protected tree	VicSmart - General Application
WH/2018/522	26-06-18	Delegate Permit Issued	12 Acacia Street Box Hill Vic 3128	Elgar	Carport in NCO2	VicSmart - General Application
WH/2018/523	18-06-18	Delegate Permit Issued	7 Jessie Street Blackburn North Vic 3130	Central	Construct carport within 4m of trees	VicSmart - General Application
WH/2018/531	28-06-18	Delegate Permit Issued	3 Somers Street Burwood Vic 3125	Riversdale	Modify front fence within 4m of protected tree	VicSmart - General Application
WH/2018/532	20-06-18	Delegate Permit Issued	30 Grange Road Blackburn South Vic 3130	Riversdale	Removal of one protected tree in Significant Landscape Overlay 9	VicSmart - General Application
WH/2018/538	18-06-18	Delegate Permit Issued	1 Rosslyn Street Blackburn South Vic 3130	Central	Construction of deck that increases land coverage over 33% as required by SLO2	VicSmart - General Application
WH/2018/539	26-06-18	Delegate Permit Issued	13 Bronte Avenue Burwood Vic 3125	Riversdale	Remove tree within Significant Landscape Overlay - Schedule 9 and Vegetation Protection Overlay - Schedule 3	VicSmart - General Application
WH/2018/540	21-06-18	Delegate Permit Issued	8 Morack Road Vermont Vic 3133	Morack	Remove tree within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/542	22-06-18	Delegate Permit Issued	13 Course Close Forest Hill Vic 3131	Morack	Removal of one protected tree in the SLO9	VicSmart - General Application
WH/2018/548	26-06-18	Delegate Permit Issued	5 Anthony Court Burwood East Vic 3151	Morack	Two lot subdivision	VicSmart - Subdivision
WH/2018/550	22-06-18	Delegate Permit Issued	65 Doncaster East Road Mitcham Vic 3132	Springfield	To remove tree within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/557	21-06-18	Delegate Permit Issued	497 Whitehorse Road Mitcham Vic 3132	Springfield	Retrospective carparking reduction for restaurant (use)	VicSmart - General Application

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/570	26-06-18	Delegate Permit Issued	49 Mitta Street Box Hill North Vic 3129	Elgar	Remove Tree within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/571	28-06-18	Delegate Permit Issued	49 Mitta Street Box Hill North Vic 3129	Elgar	Construct a driveway within 4m of a protected tree under the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/575	27-06-18	Delegate Permit Issued	4 Uralla Street Vermont Vic 3133	Morack	Removal of one tree within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/576	26-06-18	Delegate Permit Issued	1/12 Clifford Court Forest Hill Vic 3131	Springfield	Removal of one tree with Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/581	27-06-18	Delegate Permit Issued	108 Parer Street Burwood Vic 3125	Riversdale	Removal of tree within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/90	07-06-18	Delegate Permit Issued	171 Burwood Highway Burwood Vic 3125	Riversdale	Buildings and works associated with the upgrade of existing restaurant, including internally illuminated signage	Residential (Other)
WH/2018/95	21-06-18	Delegate Permit Issued	20 Rosslyn Street Blackburn South Vic 3130	Central	Extension to existing dwelling	Special Landscape Area
WH/2016/840	29-06-18	Delegate Refusal Issued	144-146 Rooks Road Nunawading Vic 3131	Springfield	Use land to sell and consume liquor and a reduction in the standard carparking requirement for a restaurant	Business
WH/2017/1007	19-06-18	Delegate Refusal Issued	49 Trawool Street Box Hill North Vic 3129	Elgar	Construction of two dwellings on a lot and tree removal	Multiple Dwellings
WH/2017/776	13-06-18	Delegate Refusal Issued	1 Irving Avenue Box Hill Vic 3128	Elgar	Removal of Covenant and Certification	Other
WH/2017/816	15-06-18	Delegate Refusal Issued	45 Rostrevor Parade Mont Albert North Vic 3129	Elgar	Construction of four (4), two storey dwellings and works within 4m of protected trees and removal of protected trees within SLO9	Multiple Dwellings
WH/2017/916	19-06-18	Delegate Refusal Issued	21 Fellows Street Mitcham Vic 3132	Springfield	Construction of a single dwelling on a lot less than 500m2	Single Dwelling < 300m2
WH/2018/428	01-06-18	Delegate Refusal Issued	Lg01/ 21 Queen Street Blackburn Vic 3130	Central	reduction of required parking from 5 to 1	VicSmart - General Application

9.3.4
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Appl Type
WH/2018/524	20-06-18	Delegate Refusal Issued	30 Orchard Crescent Mont Albert North Vic 3129	Elgar	Tree removal	VicSmart - General Application
WH/2018/546	22-06-18	Delegate Refusal Issued	16 Silverleaf Court Forest Hill Vic 3131	Springfield	Removal of one tree within the Significant Landscape Overlay - Schedule 9 and Vegetation Protection Overlay - Schedule 1	VicSmart - General Application
WH/2018/547	22-06-18	Delegate Refusal Issued	682-684 Elgar Road Box Hill North Vic 3129	Elgar	Remove a tree within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/578	26-06-18	Delegate Refusal Issued	11 Southey Street Blackburn North Vic 3130	Central	Removal of tree within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/348	13-06-18	No Permit Required	1/5 Campaspe Street Box Hill North Vic 3129	Elgar	covered alfresco area (Verandah)	Single Dwelling < 300m2
WH/2018/393	19-06-18	No Permit Required	34 Myrtle Grove Blackburn Vic 3130	Central	Remove 1 tree in SLO2	VicSmart - General Application
WH/2014/197/A	01-06-18	Withdrawn	44 Victoria Street Box Hill Vic 3128	Elgar	Construction of three double storey dwellings	Permit Amendment
WH/2017/447	05-06-18	Withdrawn	25 Medway Street Box Hill North Vic 3129	Elgar	Construction of three double storey dwellings	Multiple Dwellings
WH/2018/270	13-06-18	Withdrawn	26 Daniel Street Burwood Vic 3125	Riversdale	Construction of two (2) double storey dwellings and removal of trees	Multiple Dwellings

9.3.4

(cont)

BUILDING DISPENSATIONS/APPLICATIONS JUNE 2018

Address	Date	Ward	Result
15 Fithie Street, Blackburn North	28-06-18	Central	Consent Granted 79
19 Gay Street, Blackburn North	04-06-18	Central	Consent Granted 74
25 Primrose Street, Blackburn North	04-06-18	Central	Consent Granted 85
3 Paulette Court, Blackburn South	26-06-18	Central	Consent Granted 79
5 Kalang Street, Blackburn	28-06-18	Central	Consent Granted 76, 79
8 Bridgeford Avenue, Blackburn North	15-06-18	Central	Consent Granted 74, 79
14 Larch Street, Blackburn	13-06-18	Central	Consent Refused 79
26 Aldinga Street, Blackburn South	15-06-18	Central	Consent Refused 81
3 Paulette Court, Blackburn South	26-06-18	Central	Consent Refused 80
5 Kalang Street, Blackburn	28-06-18	Central	Consent Refused 77
8 Dobell Street, Blackburn South	21-06-18	Central	Extension of Time Approved 76, 79, 82
32 Laurel Grove North, Blackburn	29-06-18	Central	Report Closed 74
1/2 Ursula Street, Box Hill North	05-06-18	Elgar	Consent Granted 75, 79, 80, 85
11 Ferris Avenue, Box Hill North	04-06-18	Elgar	Consent Granted 74, 79
1153 Whitehorse Road, Box Hill	21-06-18	Elgar	Consent Granted 97
12 Merton Street, Box Hill	04-06-18	Elgar	Consent Granted 89
12 Serpentine Street, Mont Albert	14-06-18	Elgar	Consent Granted 89
49 Strabane Avenue, Mont Albert Nth	18-06-18	Elgar	Consent Granted 92
545-563 Station Street, Box Hill	06-06-18	Elgar	Consent Granted 116
8 Corlett Street, Mont Albert North	07-06-18	Elgar	Consent Granted 74
8 Moselle Street, Mont Albert North	18-06-18	Elgar	Consent Granted 91
27 Pendle Street, Box Hill	27-06-18	Elgar	Consent Refused 74
14 East Road, Vermont South	26-06-18	Morack	Consent Granted 89
298 Burwood Highway, Burwood East	29-06-18	Morack	Consent Granted 97
3 Tulkara Grove, Vermont	14-06-18	Morack	Consent Granted 80
6 Pico Close, Vermont South	04-06-18	Morack	Consent Granted 73
19 Carrington Court, Burwood East	26-06-18	Morack	Consent Refused 89
23 Thornhill Drive, Forest Hill	28-06-18	Morack	Consent Refused 74
9 Consort Avenue, Vermont South	14-06-18	Morack	Consent Refused 89
13 Pembroke Street, Surrey Hills	27-06-18	Riversdale	Consent Granted 89
15 Banksia Street, Burwood	25-06-18	Riversdale	Consent Granted 91
18 Central Avenue, Burwood	25-06-18	Riversdale	Consent Granted 75, 80
2 Duncan Street, Box Hill South	14-06-18	Riversdale	Consent Granted 80
24 Duncan Street, Box Hill South	21-06-18	Riversdale	Consent Granted 89
3 Beech Street, Surrey Hills	01-06-18	Riversdale	Consent Granted 89
43 Piedmont Street, Box Hill South	13-06-18	Riversdale	Consent Granted 79
63 Russell Street, Surrey Hills	25-06-18	Riversdale	Consent Granted 74
11 Iris Street, Burwood	05-06-18	Riversdale	Consent Refused 79
4 Sunhill Avenue, Burwood	29-06-18	Riversdale	Consent Refused 74
1 Jubilee Street, Nunawading	15-06-18	Springfield	Consent Granted 92
23 Rosstrevor Crescent, Mitcham	05-06-18	Springfield	Consent Granted 76
25 Dawe Road, Mitcham	19-06-18	Springfield	Consent Granted 74
27 Cyprus Avenue, Nunawading	18-06-18	Springfield	Consent Granted 76
3 Florida Court, Mitcham	27-06-18	Springfield	Consent Granted 79
4 Laidlaw Court, Vermont	21-06-18	Springfield	Consent Granted 76
40 Lorikeet Street, Nunawading	19-06-18	Springfield	Consent Granted 76

9.3.4

(cont)

Address	Date	Ward	Result
41 Owen Street, Mitcham	21-06-18	Springfield	Consent Granted 74
53 Alwyn Street, Mitcham	18-06-18	Springfield	Consent Granted 74, 75, 76, 79, 80
65 Rooks Road, Mitcham	12-06-18	Springfield	Consent Granted 79
1 Jubilee Street, Nunawading	15-06-18	Springfield	Consent Refused 89
40 Lorikeet Street, Nunawading	19-06-18	Springfield	Consent Refused 74

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – JUNE 2018

Under the Planning and Environment Act 1987 - Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION JUNE 2018

Nil

REGISTER OF PROPERTY DOCUMENTS EXECUTED JUNE 2018

Property Address	Document Type	Document Detail
Leases		
657 Elgar Road, Mont Albert North	Lease	Deed of Renewal - New Lease (1/7/18 to 30/6/22)
Land Transfers		
Part of discontinued road at rear of 498 Elgar Road, Box Hill North	Client Authorisation for Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989
Part of discontinued road at rear of 498 Elgar Road, Box Hill North	Goods Statutory Declaration	Duties Act 2000
Fire Services Property Levy (FSPL)		
Fire Services Property Levy Quarterly Remittance	Vendor Payment Authorisation Form	State Revenue Office

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – JUNE 2018

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION JUNE 2018

Address: **Buxton Road, Mitcham:** from Whitehorse Road to Tennyson Street – west side

Previously: 15 'Unrestricted' parking spaces

Now: 15 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

Address: **Tennyson Street, Mitcham:** from Witt Street to Buxton Road – north side

Previously: 11 'Unrestricted' parking spaces

Now: 11 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

9.3.4

(cont)

Address: **Springvale Road, Nunawading:** from the northern boundary of 193-195 Springvale Road to 10m north of Market Street – east side

Previously: 3 'No Stopping' parking spaces

Now: 3 '1-Hour, 9am to 6pm, Monday to Saturday' parking spaces

Address: **Whitehorse Road, Mitcham:** from 15m east of the western boundary of 631 Whitehorse Road to 39m east of the western boundary of 631 Whitehorse Road – east side

Previously: 4 'No Parking, 8am to 9:15am, School Days' parking spaces

Now: 4 'No Parking, 8:30am to 9:15am & 3pm to 4pm, School Days' parking spaces

Address: **Whitehorse Road, Mitcham:** from 48m east of the western boundary of 631 Whitehorse Road to 70m east of the western boundary of 631 Whitehorse Road – north side

Previously: 4 'No Parking, 8am to 9:15am, School Days' parking spaces

Now: 4 'No Parking, 8:30am to 9:15am & 3pm to 4pm, School Days' parking spaces

Address: **Whitehorse Road, Mitcham:** from 70m east of the western boundary of 631 Whitehorse Road to 97m east of the western boundary of 631 Whitehorse Road – north side

Previously: 4 'No Stopping' parking spaces

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

Address: **Whitehorse Road, Mitcham:** from 7m east of the eastern boundary of 631 Whitehorse Road to 19m east of the eastern boundary of 631 Whitehorse Road – north side

Previously: 2 '5minute, 8am to 9:15am & 3pm to 4pm, School Days' parking spaces

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

Address: **Silver Grove (OSCP), Nunawading:** from Oval Way to Silver Grove – east side

Previously: 5 'Permit Zone Meals On Wheels Only, Monday to Friday' parking spaces

Now: 5 'Permit Zone Meals On Wheels Only 8am to 1pm Mon-Fri & 4-hour, 1pm to 6pm, Monday to Friday & 4-Hour, 8am to 6pm, Saturday' parking spaces

Address: **Springfield Road, Blackburn:** from eastern boundary of 134 Springfield Road to 6m east of the western boundary of Springfield Road – south side

Previously: 1 'Bus Zone' parking space

Now: 1 'Works Zone, 7am to 5pm, Monday to Saturday' parking space

9.3.4

(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING JUNE 2018

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
01/06/2018	\$420.00	1	EFC
06/06/2018	\$2,220.00	1	EFT
06/06/2018	\$70,664.00	1	EFT
07/06/2018	\$15,403.04	18	EFC
07/06/2018	\$62,966.06	56	CHQ
07/06/2018	\$344,694.55	32	EFT
07/06/2018	\$260,967.30	6	EFT
14/06/2018	\$7,636.42	11	EFC
14/06/2018	\$142,324.49	53	CHQ
14/06/2018	\$2,157,592.43	309	EFT
14/06/2018	\$65,989.62	1	EFT
14/06/2018	\$5,720.00	1	EFT
15/06/2018	\$3,400.80	1	EFC
18/06/2018	\$14,679.05	8	CHQ
19/06/2018	\$55,950.42	1	EFT
21/06/2018	\$3,104.77	12	EFC
21/06/2018	\$13,012.87	29	CHQ
21/06/2018	\$755,059.16	67	EFT
22/06/2018	\$1,000.00	1	CHQ
27/06/2018	\$2,524,067.76	1	EFT
29/06/2018	\$15,298.36	26	EFC
29/06/2018	\$221,196.15	63	CHQ
29/06/2018	\$6,141,468.51	440	EFT
GROSS	\$12,884,835.76	1139	
Monthly Lease Payments	\$36,054.51		
Direct Debit Payments	\$355,852.57		
CANCELLED PAYMENTS	-\$9,526.50	-25	
NETT	\$13,267,216.34	1114	

**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 13 August 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
25-06-18 6.30 – 7.00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> • Notice of Motion 111 – Risk Mitigation • 9.1.1 12 Milne Street, Mitcham (LOT 16 LP 33530) 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	T Wilkinson (ACEO) J Green M Ackland (GMCS) P Warner A De Fazio S Freud J Russell 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) 	<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 6.40pm, returning at 6.57pm
06-08-18 3.00-4.30pm	Early Years Reference Group <ul style="list-style-type: none"> • Whitehorse Early Years Plan 	Cr Liu Cr Stennett	N Rogers R Simpson R Kalaidjian P Heselev M Grant A Allen	Nil	Nil
06-08-18 6.30-9.00pm	Strategic Planning Session <ul style="list-style-type: none"> • Capital Works • Community Satisfaction Survey • Student Accommodation Policy Review • Waste Management Strategy 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Stennett	N Duff J Green N Brown (AGMHS) D Seddon P Smith A De Fazio S Hewett C Gripps S Cann S Smith K Marriott A North I Kostopoulos I Barnes M Kerr J Nikas	Nil	Nil
13-08-18 5.30-6.00pm	Metropolitan Activity Centre Logo for Box Hill, Workshop	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Ellis Cr Liu Cr Massoud	N Duff J Green N Brown (AGMHS) D Seddon P Smith A De Fazio S Freud P Moore B Alder W Gerhard D Shambrook D Vincent-Smith	Nil	Nil

10.3
(cont)

13-08-18 6.30-10.00pm	Councillor Briefing Session <ul style="list-style-type: none"> Integrated Water Management Strategy Tender Evaluation Report (30020), Construction of Nunawading Community Hub Special Committee Agenda Draft Council Agenda 20 August 2018 Other Business Budget Meetings 2019 Valuation Rates Notice 2018/2019 Annual Accounts Process 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett NB. Cr Bennett left the meeting at 9.00pm	N Duff J Green N Brown (AGMHS) D Seddon P Smith A De Fazio S Belmore K Marriott A Egan J Hansen I Kostopoulos S Tierney P Moore	Nil	Nil
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RECOMMENDATION

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

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

RECOMMENDATION

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

12 CONFIDENTIAL REPORTS

RECOMMENDATION

THAT IN ACCORDANCE WITH SECTION 89(2) (H) AND (D) OF THE LOCAL GOVERNMENT ACT 1989 THE COUNCIL SHOULD RESOLVE TO GO INTO CAMERA AND CLOSE THE MEETING TO THE PUBLIC AS THE MATTERS TO BE DEALT WITH RELATE TO ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON AND CONTRACTUAL MATTERS.

6.1 NOTICE OF MOTION NO 112 - CR BARKER

12.1 Contractual Matter

13 CLOSE MEETING