CITY OF WHITEHORSE

City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

Monday 15 October 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

Mr Jeff Green
Acting Chief Executive Officer

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AGENDA

1 PRAYER

1a Prayer for Council

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

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

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

Amen.

1b Aboriginal Reconciliation Statement

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

2 WELCOME AND APOLOGIES

3 DISCLOSURE OF CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 17 September 2018 and Confidential Ordinary Council Meeting 17 September 2018.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 17 September 2018 and Confidential Ordinary Council Meeting 17 September 2018 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 114 Cr Barker

That within 6 months of the granting of the amendment to the permit allowing the increase in numbers of children for the child care at 152 Dorking Road and 65 Twyford Street, the Transport Engineering Department is to:

1. ***Undertake an investigation into the traffic movements, and on-street parking demand on Dorking Road beside the subject site and;***
2. ***If warranted, then commence the process to investigate installing 1 Hour parking restriction (8am-6pm Monday to Friday) signs on the east side of Dorking Rd adjacent to the subject site. This process is to include community consultation with surrounding residents.***

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 15 McKeon Road, MITCHAM (LOT 5 LP 52907) – Construction of a three storey building to be used as a medical centre (existing) at ground floor and two dwellings (one on each of the upper floors)

FILE NUMBER: WH/2018/521
ATTACHMENT

SUMMARY

This application was advertised on 20 July 2018, following which a total of twenty-seven (27) objections were received. The objections raised issues with regard to neighbourhood character, parking and traffic and amenity impacts. A Consultation Forum was held on 21 August 2018 and chaired by Councillor Andrew Davenport, at which the issues were explored, however, no consensus was reached between the parties. Following the Consultation Forum, Councillors Be Stennett & Prue Cutts decided to call this matter in to a Council meeting.

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 refused.

RECOMMENDATION

That Council:

A. Being the Responsible Authority, having caused application WH/2018/521 for 15 McKeon Road, Mitcham (Lot 5 LP52907) to be advertised and having received and noted the objections, is of the opinion that granting a Planning Permit for the construction of a three-storey building to be used as a medical centre (existing) at ground floor and two dwellings (one on each of the upper floors) is not acceptable and will unreasonably impact on the neighbourhood character and amenity of adjacent properties.

B. Issue a Notice of Decision to Refuse to Grant a Permit under the Whitehorse Planning Scheme to the land described as 15 McKeon Road, Mitcham (Lot 5 LP52907) for the construction of a three-storey building to be used as a medical centre (existing) at ground floor and two dwellings (one on each of the upper floors) on the following grounds:

1. The proposal does not meet the objectives of the Design and Development Overlay Schedule 4 as:

a) The building has not been designed to facilitate a lively, attractive and safe local activity centre, and assist in improving its economic viability.

b) The building has not been designed to respond to the immediate environs, reflective of the role of the commercial centre and enhance the character of the surrounding residential area. The three storey building would be prominent, out of place and inconsistent with the role of this small neighbourhood activity centre.

c) The proposed three-storey building would not fit into the prevailing streetscape rhythm, building scale and height of the adjoining and adjacent buildings.

d) The design details of the building would not provide a high quality and visually interesting interface with the streetscape and the surrounding residential area

9.1.1
(cont)

2. ***The layout fails to provide for safe and convenient access to and egress from the laneway in accordance with Clause 52.06 of the Whitehorse Planning Scheme.***

MELWAY REFERENCE 48 K

Applicant:	Frank Garrubba
Zoning:	Commercial 1 Zone
Overlay:	Design and Development Overlay Schedule 4
Relevant Clauses:	
Clause 11	Settlement
Clause 15.01-1R	Urban Design
Clause 15.01-2S	Building Design
Clause 16.	Housing
Clause 17.02	Commercial
Clause 21.07	Economic Development
Clause 22.06	Activity Centres
Clause 43.02	Design and Development Overlay Schedule 4
Clause 52.06	Car Parking
Clause 65	Decision Guidelines
Ward:	Springfield



BACKGROUND

History

The former City of Nunawading issued a planning permit (NUN3009) on the 14th November 1985 authorising the use of the existing shop for the purpose of a medical centre (existing naturopath clinic) with one practitioner conducting consulting sessions at any one time. When this permit was granted, there was no requirement for on-site parking to be provided and the existing naturopath clinic was therefore considered to have a full parking waiver.

9.1.1
(cont)

The planning application (WH/2016/866) which sought planning permission from the City of Whitehorse to alter the existing building and construct a three-storey building to be used as a medical centre (existing naturopath clinic) and two dwellings (on each upper level) was supported by Council officers. There were four (4) objections to the application. Council's decision was reviewed by the Victorian Civil and Administrative Tribunal (VCAT) following an appeal by an objector (Meade v Whitehorse CC [2017] VCAT 1854) and directed that no permit be granted.

The Site and Surrounds

The subject site is located on the eastern side of McKeon Road, approximately 35 metres north of Quarry Road in Mitcham. The site has a frontage of 6.25 metres to McKeon Road, 29.86 metres in length, and a total site area of 173m^2. The site and surrounds are shown in the images at Attachment 3.

The subject site is currently occupied by a single storey building, occupied by a single practitioner medical centre (naturopath clinic). The rear portion of the site is vacant and is currently enclosed by a chain mesh fence.

A 3.6-metre wide laneway, managed by Council, extends past the rear (eastern boundary) of the site. This laneway provides access to each of these commercial properties. There is currently no vehicle access to the site from McKeon Road. Figure 4 (attachment 3) shows the views into the lane from Quarry Road.

The commercial properties within this centre include a café/restaurant, a milk bar, offices, shops, and a naturopath clinic (subject site). A shared pool of 90° angled parking for 14 cars is available in McKeon Road in front of the shops. One of the parking spaces is subject to ¼ hour restrictions between 8:00 am to 6:00 pm Monday to Friday and 8:00 am to 5:00 pm Saturday. Another shared pool of 90° angled parking for 6 cars is available in Quarry Road to the south of the milk bar (23 McKeon Road). In total, 20 car spaces serve this commercial centre.

The residential properties in the surrounding area are zoned Neighbourhood Residential and are contained within a Significant Landscape Overlay Schedule 6 (SLO6) that recognises the existing canopy vegetation in the neighbourhood as a distinct character.

The original houses in the area were built in the early post-war decades (the 1950s and 60s) but many have been replaced with infill medium density housing over the last 30 years. Opposite the site is a cluster of single storey brick units at 26-28 McKeon Road. Behind the site, separated by the laneway, is a single storey dwelling at 33 Quarry Road.

Permit Triggers

The land is zoned Commercial 1 (C1Z). Pursuant to Clause 34.01-4 (Commercial 1 Zone), planning approval is required for buildings and works. The use of land for a medical centre (existing naturopath clinic) and for upper-level apartments (accommodation) is as-of-right.

The land is also affected by Schedule 4 to the Design and Development Overlay (DDO4). Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works.

Planning Policy Framework

Clause 11
Clause 11 (Settlement) states that 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*', land use and transport integration, and facilitate '*sustainable growth that takes full advantage of existing settlement patterns and investment in commercial infrastructure and services'*.

9.1.1
(cont)

Clause 15.01-1R

Clause 15.01-1R (Urban design-Metropolitan Melbourne) aims '*to create a distinctive and liveable city with quality design and amenity.'* This objective is to be achieved by way of supporting the creation of well-designed places that are memorable, distinctive and liveable and integrating place making practices into road space management.

Clause 15.01-2S

Clause 15.01-2S (Building design) *aims to achieve building design outcomes that contribute positively to the local context and enhances the public realm through ensuring the site analysis provides the basis for the consideration of height, scale and massing of new development, ensuring development responds and contributes to the strategic context of its location, minimising the detrimental impact of development on neighbouring properties, ensure the form, scale and appearance of development enhances the function and amenity of the public realm*.

Clause 16 (Housing)

16. (Housing) states that planning should provide for housing diversity, and the efficient provision of supporting infrastructure, ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space and include provision of land for affordable housing

Clause 17.02

Clause 17.02 (Commercial) has the objectives to encourage development that meets the communities needs for retail, entertainment, office and other commercial services. This objectives is to be achieved by way of planning for an adequate supply of commercial land in appropriate location, locating commercial facilities in existing activity centres and providing small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Local Planning Policy

Clause 21.07-1

Clause 21.07-1 (Economic development) states:

"*Small-scale neighbourhood centres play an important social and community role. They should be the focus of social interaction and provide for community facilities and spaces.*

There will, however, be small neighbourhood centres that may no longer be viable. Some small centres contain several vacant shops or non-retail uses which fail to provide for the daily needs of the surrounding community. Furthermore, they are run down and can become targets for vandalism, which is of some concern given that residential properties directly abut them. These centres need to be further assessed as to whether it is appropriate to develop these centres as mixed use precincts with an appropriate mix of uses which help providing meeting places such as cafes, community facilities and even small scale residential development specifically in the form of 'shoptop' housing. The amenity of these centres can be vastly improved by high quality design, minimisation of signage and streetscape improvements."

9.1.1
(cont)

Clause 21.07-2

Clause 21.07-2 (Key issues) identifies the key *issues associated, among others, with local shopping centres*. The objectives of Clause 21.07-3 *is to ensure all shopping centres are safe, attractive and are developed in accordance with their role, to support the transition to local commercial premises where operations of home-based businesses are no longer suited to residential locations*. The strategies to achieve these objectives include:

- Ensure that development and use in shopping centres are appropriate to the role and function of the centre.
- Investigate and encourage shoptop housing and other appropriate development in Neighbourhood Activity Centres (NACs).

Clause 22.06

Clause 22.06 (Activity centres) aims to:

- Ensure that land use and development in activity centres reinforce, and are appropriate to, the role of the centre;
- Ensure that each centre responds to the needs of the community;
- Ensure that new retail floor space reflect retail demand and considers the impact on the retail hierarchy and the planned role and function of other activity centres;
- Maintain and enhance the role of activity centres as a community focus.

Pursuant to Clause 22.06-3, in relation to small Neighbourhood Centres, it is a policy that:

- Smaller neighbourhood centres continue to focus on providing limited convenience retailing;
- The redevelopment and renovation of existing buildings and shop fronts, and other works, be encouraged to improve the visual amenity and streetscape of these centres and respond to the character of surrounding areas;
- Office and residential uses be encouraged in appropriate centres where the retailing function is declining.

Overlays

Schedule 4 to the Design and Development Overlay (DDO4), applies to all Neighbourhood Activity Centres (NAC). The objectives of the DDO4 are to ensure:

- New development is designed to facilitate a lively, attractive and safe local activity centres, and assist in improving its economic viability;
- New development is designed to respond to the immediate site environs, reflect the role of the centre and enhance the character of the surrounding residential area;
- New buildings incorporate design details that provide a high quality and visually interesting interface with the streetscape and the surrounding residential area, addressing issues of amenity, functionality, adaptability and accessibility;
- New buildings create a complementary interface to enhance the public realm;
- New development is designed to minimise potential off-site impacts such as noise (including from services), overlooking, access to sunlight, and light spillage on adjoining residential properties.

DDO4 contains a map at (Attachment 4) categorising each of the NAC and a table setting out preferred maximum height, setbacks, and built-form outcomes for each category NAC.

9.1.1
(cont)

The NACs categorisation map shows that this NAC is within Category of 1A, which is a 'small-medium neighbourhood centre on a standard width road'. This is the lowest category of NAC in terms of the size of the centre and road type. The key characteristics of a Category 1a are at Attachment 4:

The built-form guidelines relevant to this NAC are as shown below:

MAXIMUM HEIGHT	MAXIMUM STREET WALL HEIGHT	MINIMUM GROUND LEVEL SETBACK	BUILDING SETBACKS
11m (3 storeys) 7.5m (2 storeys) on a boundary adjoining a residential zone	7.5m (2 storeys)	**FRONT BOUNDARY** ▪ Buildings should be built to the front boundary (zero metre front setback) **REAR BOUNDARY** ***Where the rear of the lot abuts a residential property or street:*** ▪ Buildings should be set back a minimum of 3 metres from the rear boundary ***Where the rear of the lot abuts a lane:*** ▪ Buildings should be setback 1 metre from the rear boundary **SIDE BOUNDARY** ▪ None specified	**FRONT BOUNDARY** ▪ Over 7.5m buildings should be setback a minimum of 3 metres from the ground floor building footprint (at the front) **REAR BOUNDARY** ▪ Over 7.5m buildings should be setback a minimum of 5 metres from the ground floor building footprint (at the rear) **SIDE BOUNDARY** ▪ Where the side of the lot abuts a residential property, buildings over 7.5m should be set back 1 metre from that boundary

NB Where the property abuts a residentially zoned property, all measurements of height should be taken from the abutting residential property boundary.

Particular Provisions

Clause 52.06 (Car parking)

Pursuant to Clause 52.06, before a new use commences, the number of car carking spaces required under Clause 52.06-5 must be provided, to the satisfaction of the responsible authority, on the land, or in accordance with a permit issued under Clause 52.06-3.

Pursuant to Clause 52.06-5, one car space to each one or two bedroom dwelling and 3.5 spaces to each 100sqm of leasable area of a medical centre should be provided.

Clause 58 (Apartment development)

Provisions in this clause apply to an apartment development if the apartment development is in the Commercial 1 Zone. The purpose of this clause is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
- To encourage apartment development that is responsive to the site and the surrounding area.

9.1.1
(cont)

THE PROPOSAL

The application seeks approval to construct a three-storey building on the land that will be used for a medical centre (existing naturopath clinic) at the ground floor and two apartments one on each of the upper floors.

In summary, the proposal includes the following:

- Total floor area of 376 square metres
- The ground floor will be occupied by the existing medical centre (naturopath clinic) on a floor area of 157 square metres.
- The first floor will be occupied by a 2 bedroom apartment with a floor area of 116 square metres.
- The second floor will be occupied by a 2 bedroom apartment with a floor area of 103 square metres.
- Secluded Private Open Space of 12 square metres is provided with a balcony to each apartment.
- 2 car parking spaces within the rear half of the building.
- Maximum building height of 10.57m.
- The ground floor is setback zero (0) metres from the front (McKeon Road) and 1 metre from the rear (Laneway).
- The first floor is set back 2.17 metres from the front and is set back 1 metre from the rear. The balcony is within the front setback.
- The second floor is set back 3 metres from the front and is set back 6 metres from the rear.
- There are two windows at the second floor to face the north.
- There are two windows at the first and second floors to face the east.
- The site coverage of 97%.
- Non-pervious area of 3%.
- Access to the car spaces is via the laneway.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and adjoining property owners and occupiers and by erecting a notice to the McKeon Road frontage. Following the advertising period, twenty-seven (27) objections (Objector properties) were received. The issues raised are summarised as follows:

<u>Neighbourhood character</u>

- Appropriateness of the three-storey building in this area.
- Bulk and massing

<u>Traffic and car parking</u>

- Traffic impacts within the commercial centre
- Pedestrian safety
- Use of laneway vehicle access

9.1.1
(cont)

Amenity impacts

- Visual bulk
- Overlooking
- Noise
- Traffic

Other matters

- Whether title boundaries are accurate.
- Potential precedent for future three-storey buildings.
- Interpretation of boundary when applying DDO4.

Consultation Forum

A consultation forum was held on 21st August 2018. Approximately fourteen (14) objectors attended the meeting, in addition to Cr Davenport, Cr Ben Stennett, Cr Prue Cutts, planning officers and the landowner. The Consultation Forum was chaired by Councillor Davenport.

The issues raised with the proposal were grouped under broad categories of neighbourhood character, traffic and car parking, amenity issues and other matters with all parties afforded the opportunity to provide commentary on each concern. The landowner was also given an opportunity to respond to objector concerns. A number of potential resolutions were discussed between parties however no formal resolution was reached.

Internal referral

Transport Engineer

The application was referred to the Council's Transport Engineering team who have reviewed the proposal and do not support the proposal as the vehicle access to and from the laneway is constrained.

Waste Engineer

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

Assets Engineer

The application was referred to the Council's Assets Engineering team who have reviewed the proposal and do not object to the proposal, subject to standard conditions. They have noted that the slope of the entrance to the garage from the laneway must be investigated to comply with access regulations for vehicles.

9.1.1
(cont)

DISCUSSION

Previous VCAT Decision

The previous application for the site was very similar to that being considered under the current application. The applicant has sought to change the building design to address the design issues highlighted by the VCAT decision, however, the changes made do not significantly change the proposal from the plans considered by VCAT. This is relevant, as the Tribunal detailed the failings of the original proposal, and in particular, how it had not shown enough regard to the principals of the DDO, nor the built form character of this activity centre. The Tribunal, in its decision noted:

- The three storey building height is not in accordance with the planning scheme aspirations as the development does not respond to its immediate context and the role of the commercial centre. In regard to this ground of refusal, the Tribunal referred to one of the objectives of Schedule 4 to the Design and Development Overlay (DDO4) which is 'to ensure new development is designed to respond to the immediate site environs, reflect the role of the centre and enhance the character of the surrounding residential areas' (paragraph 9). Whilst accepting 11 metres (three storeys) is the preferred maximum height, in this case, the Tribunal stated that 'the building height is not the deciding factor about the acceptability or otherwise of a design for a more intensive development on the site' (paragraph 19).

- The setbacks are not acceptable.

The Tribunal was not satisfied with the proposed setbacks. In relation to the frontage, it states '*the proposal is described as an addition to the existing building, yet there are quite substantial changes that effectively create a whole new street frontage presentation' (paragraph 22).*

In relation to the upper front setback, the Tribunal states '*the front setback of the third storey does not comply with the DDO4 table. The descriptive provision in Section 2.0 of DDO 4 prefers 'recessed upper levels… to reduce the appearance of building bulk'. Overall, the new building is very close to the street. The combination of the top two floor levels creates a building bulk that is at odds with the intact original single storey streetscape (paragraph 23).*

In relation to streetscape presentation, the Tribunal found that the proposal was not a good design outcome as it did not achieve the DDO4 design objectives. The brick parapet is an existing consistent feature across the commercial frontages, and particularly those adjacent to this site. Therefore the Tribunal emphasised that greater effort should be made to incorporate as much of the original streetscape presentation as possible (paragraph 24-27).

Referring to the side setbacks, the Tribunal acknowledged that there are no preferred side setbacks specified in the DDO4 table. However, it stated that incorporation of some setbacks for part of the second and third floor levels from the south side boundary with windows (including bedroom windows) facing across those setback areas is not acceptable as it places a burden upon the ability of the adjoining land to the south to develop to its full potential in accordance with DDO4. It added that this is not a fair or equitable development outcome (paragraph 28 and 29).

The Tribunal also found that the rear setback of the third storey does not comply with the DDO4 table. It sought the upper level to be over 7.5 metres in height and setback a minimum of 5 metres from the rear ground building footprint (paragraph 30).

The Tribunal accepted the design of the car spaces, which are effectively sitting alongside each other but are also staggered so that one is located further within the site than the other.

In relation to waste management, the Tribunal stated that a private collection should be incorporated into the design by way of a waste management plan.

9.1.1
(cont)

In determining the merit of this second application, the bar has been set higher by virtue of the strong commentary provided by the Tribunal in its decision. The expectations are quite explicit in how the proposal failed to achieve an acceptable outcome, and as such the proposed development has not gone far enough to address the issues raised at the previous VCAT decision. Particular concerns are:

- Whilst accepting 11 metres (three storeys) is the preferred maximum height, the Tribunal states that the building height is not the deciding factor about the acceptability or otherwise of a design for a more intensive development on the site.
- In relation to the upper front setback, it was the Tribunal's view that upper levels should be recessed to reduce the appearance of building bulk. It goes on to state that the combination of the top two floor levels create a building bulk that is at odds with the intact original single storey streetscape.
- In relation to the streetscape presentation, the Tribunal stated that the brick parapet is an existing consistent feature across the commercial frontages and greater effort should be made to incorporate as much as of the original streetscape presentation as possible.

Planning Scheme

Planning Policy Framework

The construction of a three storey mixed-use building can be considered under the planning policy framework, which encourages higher density development within walking distance of shops, recreation facilities and public transport. The proposal also accords with the planning policy frameworks which seeks to anticipate and respond to the needs of existing and future communities, recognises the need for diversity of choice and economic viability.

However, the proposed design has responded poorly to the strategic context of this small neighbourhood activity centre which is surrounded by low profile residential developments. In particular, the proposal fails to meet the aims of Clauses 15.01-1R, 15.01-2S, 16 and 17.02 which specifically state the following:

- 'Respond to its context in terms of character to minimise detrimental impacts on the amenity and built environment'.
- 'Contribute positively to the local context's height, scale and massing'.
- 'Minimise the detrimental impacts on neighbouring properties'.
- 'Ensure the form, scale and appearance enhance the function and amenity of the public realm'.

Local Planning Policy

Clause 21.07-1 identifies that small-scale neighbourhood centres play an important social and community role. The clause also encourages a mix of uses at some small centres if those centres are proving viable in the long run with retail uses. In a review of land use, this centre is already mixed with a number of uses including food and drink premises, offices, shops and the like. Based on current occupancy and activity levels, the centre has a high degree of activation and use. The purpose of Commercial 1 includes '*providing for residential uses at densities complementary to the role and scale of the commercial centre.* Clause 21.06 specifically states that each activity centre should respond to the need of the community. This is the one of the smallest activity centres according to the NAC categorisation. The purpose of these centres is to provide retail commercial services to meet the local community's needs. From the development details, it appears that only 14.87% of the total floor area of the building is set aside for commercial use.

9.1.1
(cont)

Zoning

The C1Z provides little guidance regarding the appropriate height of the building as it primarily controls the use of land. The decision guidelines require consideration of overlooking and overshadowing, streetscape and provision of car parking, but no benchmarks or outcomes are provided to assist in determining whether a proposal is acceptable.

Therefore, greater weight is given to the local planning policy and DDO4 in forming a position as to whether the proposed three-storey building is acceptable in its current form.

DDO4 and NAC Urban Design and Built Form Guidelines

This small neighbourhood activity centre has a consistent architectural style, height and massing. The centre does not have an eclectic, mixed, or changing streetscape. It is acknowledged that the site has capacity for further changes to enhance the role of the centre (community needs). The recently constructed buildings near the centre are two stories in height. Therefore, it presents as a sensitive precinct with a consistent, intact character, one which continues to be respected by newer development. Beyond the immediate commercial buildings, the area is further defined by a consistent residential character of single and double storey dwellings and medium density development that reflects its location within the Neighbourhood Residential Zone to the north, east, south and west of the site. In particular, this small neighbourhood activity centre has a low scale of single storey and fine-grain articulation.

Whilst the DDO4 and C1Z provide a framework for higher density developments, it is considered that the appropriate approach is to undertake a contextual analysis. The objectives of the DDO4, the NAC General Urban Design and Built Form Guidelines provide a useful contextual framework for the assessment, and on that basis, it is considered that the three-storey building would not be acceptable. Particular concerns include the following:

- The building has not been designed to facilitate a lively, attractive and safe local activity centre, nor assist in improving its economic viability. Whilst residential development on top of commercial buildings is generally acceptable in a commercially zoned land that is close to public transport, with regard to a small commercial centre like this, (This is a low category NAC fully occupied by primarily commercial activities) the proposal should ensure that the residential use will assist in revitalising the local centre. From the development details it appears that the proposal to use 85.13% of the total floor area for residential is not considered to be ‘providing commercial/retail services’ to the local community and, therefore the proposal is a deviation from the primary role of this centre.
- The new building is poorly designed and does not address and provide an active frontage to the public realm as the front windows do not allow lively internal uses visible from the outside, or interaction to/with the street.
- The upper floors have not been designed to allow for adaptation to a commercial use in the future, for example by provision of allowance for future services, signage car parking and loading needs etc.
-

9.1.1
(cont)

- The new building has not been designed to reflect the role of the centre and enhance the character of the surrounding residential area. Design objectives of DDO4 include 'to ensure new development is designed to respond to the immediate site environs, reflect the role of the centre and enhances the character of the surrounding residential areas'. Although the three-storey design response technically satisfies the numerical requirements of the preferred maximum building height and setbacks in DDO4, the new development has not responded to its immediate context and the role of the centre. Although the front setback is numerically compliant with the DDO4 table, which seeks a minimum of 3-metre setback from upper levels over 7.5 metres in height, the building is considered to be too close to the road and creates a building bulk that is at odds with the intact original single storey streetscape. As this is the first new development in this commercial strip and the relevant setback descriptive provision in section 2.0 of DDO4 prefers 'recessed upper levels to reduce the appearance of building bulk', the building should be set back beyond the minimum 3-metre set back.

- The form and scale of the frontage of the new building are not respectful of the prevailing single storey nature of commercial buildings of this activity centre. This is a low scale commercial centre and is cohesive because of its consistent single storey streetscape that comprises predominantly brick facades, shop fronts and brick parapets. As the proposal is to construct a new building, it is not demonstrated how the existing brick parapets will be retained.

- Whilst some growth is required to facilitate the on-going role of the commercial centre, the upper floor does not respect the adjacent residential character to the east of the site. The proposal technically meets the numerical setback requirements, however the building presents as too close to the residential properties due to the narrowness of the laneway and shallow setback of the existing residential buildings from the laneway. Therefore, the development does not maintain a pedestrian scale of development at the building's rear and will create visual impacts when viewed from the surrounding dwellings to the east (across the laneway).

- The design details of the new building will not provide a high quality and visually interesting interface with the streetscape and the surrounding residential area. The design response has not demonstrated a high standard of good design that complements the existing centre and surrounds. In particular, it has not utilised materials, colours and finishes that complement the appearance and character of the existing centre and local area that comprise predominantly brick facades, traditional shop fronts and brick parapets.

- Although it is acknowledged that the north and south walls may become party walls in the future, it is considered that they should be articulated with variation in surface textures, colours and/or material given their 'blank-wall' presentation to the street and adjacent residential properties at this point in in time.

- Robust high-quality materials and detailing have not been used to ensure that the building remains attractive and functional over time. The use of 'Colorclad' for the external walls of the second floor poses maintenance difficulties over time due to their inaccessibility.

9.1.1
(cont)

CONCLUSION

Overall, the history of this site does provide context for what may ultimately be considered an acceptable outcome. The previous VCAT decision sets important direction for both the applicant and planning officers in the matters to be considered.

In this instance, the proposal has not appropriately addressed the requirements and direction provided by the planning scheme, nor has it given the necessary consideration to the matters identified by VCAT.

The proposal therefore, has been assessed and is considered to be inconsistent with the relevant planning controls and policies, including planning policy framework, local planning policies, DDO4 and NAC general urban design and built form guidelines. In particular, the proposed built-form and overall design is considered to be unacceptable and will not integrate well with the existing built-form and character design details.

A total of twenty-seven (27) objections (objector properties) 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 refused in this instance for the reasons specified above.

ATTACHMENT

1 Advertised Plans ⇨
2 Meade v Whitehorse CC [2017] 1854 ⇨
3 Aerial Image, Site & Surrounding Photos ⇨
4 NAC Categorisation ⇨

9.1.2 28 Thomas Street, Mitcham (LOT 8 LP 6626) – Demolition of existing house, construction of new single dwelling on the lot and tree removal

FILE NUMBER: WH/2017/1050
ATTACHMENT

SUMMARY

This application was advertised, and a total of 6 objections were received. The objections raised issues with heritage, detail and information shown on the plans, and amenity impacts. A Consultation Forum was held on 19 July 2018 chaired by Councillor Cutts, at which the issues were explored, however no resolution was reached between the parties. This application has been called in by Councillor Cutts.

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/2017/1050 for 28 Thomas Street, Mitcham (LOT 8 LP 6626) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the demolition of existing house, construction of new single dwelling on the lot and tree removal is acceptable and should not unreasonably impact the amenity of adjacent properties.

B. Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 28 Thomas Street, Mitcham (LOT 8 LP 6626) for the demolition of existing house, construction of new single dwelling on the lot and tree removal, subject to the following conditions:

1. Before the development starts, or vegetation removed, amended plans must be submitted to and approved by the Responsible Authority in a digital format. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn scale, and be generally in accordance with the plans submitted with the application but modified to show:

a) The location of Tree A – Betula pendula (Silver Birch) including TPZ of 2.0 m and SRZ of 1.5 m to be notated on the development plans and landscape plan in accordance with Attachment 3 of the permit.

b) The locations of Structural Root Zones and Tree Protection Zones in accordance with condition 6, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of conditions 6 to be annotated on the development and landscape plans.

c) Removal of the 3.0 m rear easement incorrectly shown on plans

d) Alteration of the front fence to a 1.2 m high vertical timber batten fence supported by steel posts to reflect the same style of vertical timber battens on the dwelling façade.

e) Amended landscape plan in accordance with condition 3.

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

9.1.2
(cont)

3. ***No building or works must be commenced (and no trees or vegetation shall be removed) until an amended landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed 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;***
      iv. ***Minimising the potential of any overlooking between habitable rooms of adjacent dwellings;***
      v. ***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;***
      vi. ***The proposed design features such as paths, paving, lawn and mulch;***
      vii. ***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;***
      viii. ***Landscaping in accordance with this approved plan and schedule shall be completed prior to the occupation of the development;***
      ix. ***The height and details of the proposed retaining walls clearly notated.***
   d) ***Reduction in height of the screen planting along the front boundary fence to a maximum height of 0.9 metre.***
   e) ***Replacement of the proposed compacted gravel area above the western retaining wall with planting.***
   f) ***Relocate the proposed canopy tree in the south western corner of the rear private open space to the rear north western corner of the site.***
4. ***Unless with the prior written consent, all tree planting and landscaping works as shown on the endorsed plans must be completed prior to the occupation of the development to the satisfaction of the Responsible Authority.***
5. ***The garden areas shown on the endorsed plan must only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.***
6. ***Prior to commencement of any building or demolition works on the land, a Tree Protection Zones (TPZs) must be established on the subject site (and nature strip if required) and maintained during, and until completion of, all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:***
   a) ***Tree Protection Zone distances:***
      i. ***Tree A - 2.0 metre radius from centre base of tree;***
      ii. ***Tree 1 – 5.4 metre radius from centre base of tree;***
      iii. ***Tree 11 – 2.0 metre radius from centre base of tree.***

9.1.2
(cont)

b) Tree Protection Zone measures are to be established in accordance with Australian Standard 4970-2009 and are to include the following:

i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet;

ii. Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319;

iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary provide watering/irrigation within the TPZ, prior and during any works performed;

iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority;

v. All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible;

vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority;

vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area;

viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorized person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.

7. 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.

8. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.

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. 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.

10. 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.

11. All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.

9.1.2
(cont)

12. This permit will expire if one of the following circumstances applies:

a) The development is not commenced within two (2) years from the date of issue of this permit;

b) The development is not completed within four (4) years from the date of this permit.

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

Permit Notes

Engineering Assets

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, naturestrip and kerb and channel.

5. 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.

C. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.

9.1.2
(cont)

MELWAYS REFERENCE 48 A8

Applicant:	Matrix Architects
Zoning:	Neighbourhood Residential Zone, Schedule 4 (NRZ4)
Overlays:	Significant Landscape Overlay, Schedule 9 (SLO9), Heritage Overlay (HO179)
Relevant Clauses:	
Clause 11	Settlement
Clause 12	Environment and Landscape Values
Clause 15	Built Environment and Heritage
Clause 21.05	Environment
Clause 21.06	Housing
Clause 22.01	Heritage Buildings and Precincts
Clause 22.03	Residential Development
Clause 22.04	Tree Conservation
Clause 42.03	Significant Landscape Overlay – Schedule 9
Clause 43.01	Heritage Overlay – reference 179
Clause 65	Decision Guidelines
Ward:	Springfield



		Subject site		6 Objector Properties

North

9.1.2
(cont)

BACKGROUND

History

Planning Permit WH/2015/1019 was issued on 1 May 2017 following a Council Meeting on 20 March 2017, for 'Demolition of the existing dwelling and buildings and works to construct two (2) double storey dwellings'. The permit issued with the requirement to reduce dwellings 1 and 2 to single storey. The permit is still active with an expiry date for commencement of 1 May 2019. It has not been acted upon at this time.

The Site and Surrounds

The subject site is located on the west side of Thomas Street, approximately 50 metres south of the intersection with Harrison Street. The site is generally rectangular in shape with a frontage of 15.2 metres, a depth of 58 metres and an overall site area of 882 square metres.

The subject site contains a gable roofed single storey weatherboard dwelling with concrete tiled roof constructed circa 1950s and is typical of post-World War 2 housing. The site contains existing vegetation as identified within the Arboricultural Report prepared by Sherrin Bishop dated 26 April 2018 which provides an assessment of 13 trees mainly consisting of low scale exotic species located within the subject site. Three trees are protected under the Significant Landscape Overlay, Schedule 9 (SLO9). The site is sloping with a rise of approximately 1.95 metres from the front (east) boundary to the rear (west) boundary. No easements are located on the site.

The subject site is located within the Thomas Street Heritage Overlay Precinct (HO179). The Thomas Street heritage precinct comprises the properties with a frontage to Thomas Street remaining from the late Edwardian and the inter-war period constructed prior to 1939. The Thomas Street heritage precinct is of local historic and aesthetic significance to the City of Whitehorse as a good expression of the major growth in housing in Mitcham during the late Edwardian and particularly the immediate post-World War 1 era as expressed by single storey detached largely Californian Bungalow style housing.

The adjoining lot to the north contains two single storey brick dwellings at 1/26 and 2/26 Thomas Street and a more recently constructed single storey weatherboard dwelling to the south at 30 Thomas Street. These dwellings are located within the Thomas Street heritage precinct and are affected by the HO179. The adjoining lot to the west at 26 Harrison Street contains a medium density housing development consisting of six single storey dwellings.

Planning Controls

The State Planning Policies at Clauses 11 (Settlement), Clause 12 (Environment and Landscape Values), Clause 15 (Built Environment and Heritage) and Clause 16 (Housing) aim to encourage consolidation of existing urban areas whilst respecting neighbourhood character and heritage.

The Local Planning Policy Framework at Clause 21.06 (Housing) identifies the site as located within the 'Limited Change Area'. It is also identified under Clause 22.03 (Residential Development) Under Clause 22.03 (Residential Development), the site is located in a Bush Suburban Precinct 6 which encourages a preferred character of *'low scale dwellings set within established largely exotic garden settings'.*

Clause 22.04 (Tree Conservation) outlines the importance of retaining significant trees within a development where it is practical to do so. The policy includes the preferred minimum distances between trees and buildings/ hard surfaces, replanting and suggested design response for hard surfaces close to retained trees.

In accordance with Clause 43.01-1 (HO179) of the Whitehorse Planning Scheme a permit is required to demolish or remove a building and construct or carry out works (including construction of a front fence).

9.1.2
(cont)

There is no permit required under the Neighbourhood Residential Zone or under Clause 54 (ResCode) for a single dwelling as the lot area exceeds 500 square metres.

Clause 65 provides guidelines that must be considered before deciding on an application to ensure the proposal will produce acceptable outcomes. These guidelines include the Planning Policy Framework (PPF recently amended under Planning Scheme Amendment VC148 on 31 July 2018), the purpose of the Zone and overlays and the orderly planning of the area and the effect on the amenity of the area.

PROPOSAL

The application involves the demolition of the existing dwelling and buildings and works for the construction of a single dwelling (including front fence) and tree removal.

The plans currently before Council for consideration in determination of the application are Revision P3 prepared *by Matrix Architects,* dated 26 April 2018.

Amended application plans (including a section 50 amendment to the application to include tree removal and buildings and works within 4m of a protected tree under SLO9) were submitted to Council in response to officer concerns outlined in the further information letter and in response to issues raised by Council's Heritage Advisor prior to advertising of the application.

The amended decision plans show:

- A new dwelling which is part single storey with a double storey element to the rear with a swimming pool and decked alfresco living areas to the north and west side of the dwelling.
- The dwelling is contemporary in design featuring a vertical timber and horizontal cement weatherboard cladding on the gable frontage with pitched iron roof forms with no eaves and flat roof front porch at the dwelling entry.
- The dwelling is provided with minimum side setbacks of 1.83 metres to the north and 2.0 metres to the southern side boundary at ground floor. The dwelling is setback 9.4 metres from the street and a minimum 11.4 metres from the rear site boundary.
- The first floor level is setback approximately 26.5 metres from the front of the dwelling at ground floor and recessed from ground floor a distance of 2.2 metres on the northern and southern side elevations
- Vehicle access through a modified vehicle crossover on the southern side of the property frontage.
- A double garage on the southern side boundary which is set back from the dwelling frontage.
- A garden area of 52% or 458.8 sqm (with no eaves proposed).
- The removal of trees and shrubs numbered 2, 4, 5, 7, 8, 9, 10, 12, 13 with trees 8 and 10 requiring a permit for removal.
- Buildings and works (front fence and retaining wall) within 4m of protected trees 1 (street tree) and tree 11 located within the site.
- The dwelling ground floor level will have a maximum building height (roof ridge height) on the front (east) elevation of 6.9 metres and a maximum ridge height of 5.8 metres on the southern side elevation.
- The second storey located at the rear of the dwelling will have a maximum ridge height of 7.4 metres on the southern side elevation and 6.8 metres on the west (rear elevation) above natural ground level due to the depth of the cut on the western elevation
- A 1.2 metre high rendered fence with steel blade infill is proposed along the front site boundary.

9.1.2
(cont)

In accordance with Clause 42.03-2 of the Whitehorse Planning Scheme, a planning permit is required for tree removal (Trees 8 and 10) and buildings and works within 4m of a tree requiring a permit for removal under the SLO9 (Tree 1 and Tree 11). Trees 8 and 10 are described as follows:

Tree No.	Species	Height (m)	Retention value	Recommendation
8	Pyrus species (Pear tree)	8m	Medium	Poor structure - Canopy lopsided from overcrowding by neighbouring trees and loss of foliage from possums
10	Unknown	4m (DBH 116 cm)	Medium	Located within proposed site cut and retaining wall

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting a notice to the Thomas Street frontage. Following the advertising period 6 objections were received.

The issues raised are summarised as follows:

Heritage

- Demolition and contribution of existing house to heritage precinct
- Heritage impacts
- Compliance with "Guidelines for Alterations and Additions to Dwellings" in the Thomas Street Precinct
- Lack of respect for character of Heritage Precinct
- Appropriateness of built form and materials, modern front façade
- Appropriateness of double storey building
- Previous approvals
- Visibility from street and adjoining dwellings

Plans

- Lack of clarity in drawings
- Sightline diagrams and materials schedules and sections of building heights not provided

Amenity impacts

- Loss of skyline view, and potential loss of natural light to adjoining dwelling
- Potential overlooking from ground floor windows
- Proposed canopy tree on southern fence line will overshadow existing solar pool heating

Consultation Forum

A Consultation Forum chaired by Councillor Cutts was held on 19 July 2018. A total of 12 people attended with 8 representing the 6 registered objector properties, and the applicant, site owner, planning consultant and planning officers.

The Chair facilitated discussions around the themes raised in objections. All objector issues were reviewed, however no consensus was reached.

9.1.2
(cont)

After the Forum, correspondence received from the applicant proposed amendments to the application to address objector concerns that the proposed canopy tree within the rear private open space would overshadow the shed solar panels on the adjoining property to south. The applicant has advised the canopy tree can be located to the north- west corner of the site under a condition of permit.

Referrals

External

No external referrals were required

Internal

Engineering and Environmental Services Department

- Assets Engineer

The advertised plans have been reviewed by Council's Assets Engineer who has no objection to the proposal subject to standard conditions to be included on any permit to issue.

Planning Arborist

The proposal has been reviewed by Council's consulting Arborist who has no objection to the proposed tree removal (Trees 8 and 10) or buildings and works within 4m of protected trees (Tree 1 and Tree 11) subject to tree protection conditions to be included in any permit to issue.

It was identified that the structure of Tree 8 is poor and not worthy of retention. It was also identified that an additional tree (Tree A) located on the western adjoining property has not been included on plans however there appears to be no encroachment into the TPZ of this tree and the buildings and works can go ahead in relation to this tree. This will be addressed by a condition of permit requiring Tree A (Silver birch) with a TPZ of 2.0 m to be shown on amended plans and tree protection conditions for this tree. There are no other trees on adjoining properties that will be impacted by the proposal in accordance with the diagram and table within Attachment 3 of the Permit.

Heritage Advisor

The advertised plans have been reviewed by Council's Heritage Advisor who has no objection to the demolition of the existing dwelling. Council's Heritage Advisor shares the same view as the applicant's Heritage Consultant, that the existing dwelling was constructed post World War 2 in the 1950s and therefore does not constitute a contributory building within the Thomas Street Heritage Precinct.

Council's Heritage Advisor has no objection to the proposed dwelling and is of the opinion that the proposed design is "*a well-considered response to the construction of a new dwelling in the Thomas Street Heritage overlay*."

Council's Heritage Advisor has assessed the new dwelling as being a "*contemporary interpretation of the 'traditional' gable roofed form of housing in the street and will achieve the desired aims of a) being a distinctly contemporary building in the streetscape that allows easy identification of the earlier houses for which the precinct is significant, and b) through its scale and form, will not dominate or otherwise detract from the significance of the precinct or detract from the significant inter-war streetscape."* Further discussion of the new dwelling against the requirements of the Heritage Overlay provisions is included below.

9.1.2
(cont)

DISCUSSION

Consistency with State and Local Planning Policies

The proposal is consistent with State and Local Planning Policies which seek to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed housing that respects the neighbourhood character and appropriately responds to the surrounding prevailing landscape character and valued built form and cultural context.

Under Clause 21.06 (Housing), the site is included within a 'Limited Change Area' and under Clause 22.03 (Residential Development), the site is included within a Bush Suburban Precinct 6. These local policies enable specific characteristics of the neighbourhood, environment and landscape to be protected through greater control over new development. Moreover, architectural, urban design and landscape outcomes must positively contribute to local urban character whilst minimising impacts on neighbouring properties.

The proposed development is consistent with these policies as follows:

- The development of a single dwelling is an appropriate response and retains the existing neighbourhood character, landscape and heritage elements in accordance with the directions of 'limited change' areas.
- The development takes the form of replacing an existing dwelling within the heritage precinct with a well-designed contemporary building set within a large garden, consistent with the preferred character statement for Clause 22.03 (Residential Development).

Consideration must also be given to the design response in relation to the site's inclusion within the Thomas Street Precinct Heritage Overlay. The heritage planning considerations and a response to the concerns of objectors to the proposal will be discussed in the following section of this report.

Heritage Assessment

Local Policy, Clause 22.01 (Heritage Buildings and Precincts) applies to all heritage places, building structures and natural features of heritage significance within the City of Whitehorse which are subject to a heritage overlay where a permit is required under Clause 43.01.

The subject site is located within the Thomas Street Heritage Precinct. The Statement of Significance for the precinct states it is *"...of aesthetic and historical significance to the City of Whitehorse as a good expression of the major growth in housing in Mitcham during the late Edwardian and particularly the immediate post World War One era, as expressed by single storey detached largely Californian Bungalow style housing."*

Thomas Street and Cook Road were created following the partial subdivision of a former orchard in the area in 1914. Only two houses were built by 1918, however in the post WW1 era land sales improved significantly, particularly in the 1930s, although on the west side of the street, many of the lots remained unbuilt, with the dwelling on the subject site not constructed until the mid-1950s.

Although the Heritage Citation map (HO179) which is a reference document to Clause 22.01, shows the subject site as a contributory dwelling, as previously discussed, Council's Heritage Advisor, and an independent heritage assessment provided by Heritage Alliance, are both satisfied that the house was constructed in the mid-1950s and does not constitute Interwar or Edwardian house design. It is therefore not included in the period of construction identified as significant within the Precinct as defined by the Statement of Significance.

9.1.2
(cont)

Council's Heritage Advisor has identified the adjoining dwelling immediately to the south at 30 Thomas Street as a recently constructed single storey dwelling and also not contributory. The dwelling further south at 32 Thomas Street is contributory being constructed in 1918. To the north the adjoining two dwellings at 26 Thomas Street were constructed in the 1970's and 1990's with dwellings further north at 24 and 22 Thomas Street (corner Harrison Street) both constructed in the 1950's. As such, all the buildings from number 22 to number 30 Thomas Street are non- contributory to the precinct.

The demolition of the existing structure is acceptable provided the replacement dwelling is sympathetic to the heritage values of the precinct.

Clause 22.01-3 (Heritage Buildings and Precincts) states new buildings and works within a Heritage Overlay:

- Should conserve and be sympathetic to the heritage place identified in the Heritage Overlay Schedule;
- The design and location of new buildings should not adversely impact the heritage value and significance of the buildings or precinct;
- Development on sites adjacent to heritage buildings and precincts be sympathetic to the heritage place in terms of bulk, setbacks, materials, colour scheme and form;
- Care should be taken not to 'mock' the heritage building style.

Council's Heritage Advisor provides the following assessment of the proposed new dwelling under the requirements of Clause 22.01 for the design of New Dwellings and buildings within the Thomas Street Heritage Precinct. Council's Heritage Advisor is satisfied the proposed dwelling replaces a non- contributory building and that it will make a positive contribution to the value and cohesiveness of the heritage precinct as follows:

Setbacks

The set back of the proposed building from the street boundary is consistent with those of the immediately adjacent buildings and with the street generally. Whilst there is no setback to the south boundary, there is a driveway to the south at No. 30 and a 2.0 m setback to the north boundary and a driveway to No. 26 which serve to maintain the visual separation of the buildings typical in the precinct.

Form, massing and height

Within this context, the proposed building presents a restrained, contemporary interpretation of the gable roof form single-storey building type prevalent in the street. It does not replicate or otherwise directly reference either the late-Edwardian or Californian bungalow styles, which, given its location in the midst of a run of non-contributory buildings, is an appropriate approach. It is consistent with policy that new buildings not 'mock' historic buildings and is consistent in scale and form with the dwellings in the street. The scale of the front façade is consistent with the prevailing late-Edwardian and Californian Bungalow building types in the street as is the gable form employed. The projecting bay and small porch roof serve to provide some relief and balance to the façade and also reference similar projecting bays in the street. The 3D images provided on drawing TP14 (Rev P3) illustrate satisfactorily how the building will "sit" in the existing streetscape and how its scale and form is similar to those of the nearby buildings. The new building will not, in my view, "dominate" the streetscape nor detract from the significance of the contributory buildings in the street or the precinct as a whole.

The higher 2-storey section at the rear is sufficiently set back (approximately 37 metres) from the street frontage so as to have minimal visual impact on the streetscape. This is consistent with previous approvals for rear 2-storey additions to single-storey buildings throughout the Heritage Overlay in Whitehorse and second-storey additions are distinctly different from a 2-storey building extending to the front façade.

9.1.2
(cont)

Materials and finishes

Whilst the use of vertical timber battens is not a 'traditional' material within the street, its use creates a simple unifying feature across the basic gable form of the façade and serves to provide a relatively restrained aspect to the elevation. Its "undecorated" nature will serve to create a simple understated effect. The cement sheet cladding to the projecting bay emulates a broader form of the weatherboards commonly used in the street. It is not necessary in this instance, due to the nature and cladding materials of the immediately adjacent buildings, to directly reference them.

Details

The proposed building has very restrained detailing which does not directly reproduce any period detailing and, correctly, appears 'of its time'.

Garages

There is no doubt that the proposal incorporates the garage into the dwelling, however the integration of the door into the façade cladding serves to minimize its visibility, allowing it to become part of the restrained character of the overall façade rather than the typically dominant effect when a contrasting door is incorporated into a façade.

Fences

It is proposed to construct a fence to the front boundary consisting of a low rendered wall with steel palisade-style railings (pickets) above to a height of 1.2m.

Council's heritage advisor has concerns with the materials proposed for the fence within the context of the street which can be addressed as a condition of permit. Specifically, the following observations and conclusions were made:

Whilst the materials utilised for the house can be justified either as a simple unifying feature or referencing the weatherboard cladding, the combined use of render and steel, directly to the street frontage creates an unnecessary 'complication' in the use of materials and form. I recommend that the fence be simplified by removing the rendered base and that consideration be given to employing vertical battens similar to the building façade supported by a steel frame.

Swimming pool/spa

A swimming pool is proposed to be constructed towards the centre of the lot as part of the development.

Council's Heritage Advisor has stated: *I have no objection to the construction of the pools as it will be concealed from the street by the building and fencing.*

As outlined above Council's Heritage advisor supports the proposed dwelling as a replacement of the previous non-contributory dwelling. The proposed dwelling provides a contemporary restrained design which does not seek to replicate period design features of contributory buildings and is sympathetic to the heritage values of the precinct. A condition of permit will be required to amend the front fence details from a rendered and steel palisade fence with steel to a vertical timber batten fence

9.1.2
(cont)

As discussed above the proposed new replacement dwelling with rear second storey provides a positive response to the policy objectives contained within Clause 22.01 (Heritage Buildings and Precincts) and the purpose and decision guidelines of Clause 43.01 (Heritage Overlay) for new buildings and works as follows:

- The existing dwelling is considered non-contributory and not of heritage significance within the Thomas Street precinct given the house was constructed in the mid-1950s and does not constitute Interwar or Edwardian house design. It is therefore not included in the period of construction identified as significant within the Precinct as defined by the Statement of Significance
- The second storey is not visible from primary views from the street (as demonstrated by sightline diagrams on sheet TP43) due to being located to the rear of the dwelling and will only be visible from oblique angles and viewlines. The double storey element is setback approximately 35 metres from the street frontage and will largely be obscured by the pitched roof form to the dwelling.
- Whilst the dwellings located immediately adjacent to the dwelling have been assessed by Council's heritage advisor as not contributory or of heritage significance within the Thomas Street precinct, the proposed dwelling is provided with side setbacks to both dwellings of between 1.8 and 2.0 metres at ground floor and 4.1 metres at first floor ensuring the dwelling is well recessed into the site.
- The proposed dwelling is contemporary in design and utilizes design differentiation by the use of materials and form to ensure there is clarity between the architectural period of contributory buildings within the precinct and new development. The use of vertical timber cladding and front gable façade with pitched iron roof form does not seek to replicate but sympathetically interprets the architectural features of contributory Edwardian and inter-war dwellings in a contemporary manner.

Tree impacts

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

The proposed new dwelling requires the removal of trees numbered 8 and 10. As per the submitted arborist report, these trees have 'medium' retention value and Council's arborist is satisfied the trees are appropriate for removal. A landscape plan has been provided demonstrating appropriate screen planting and replacement canopy trees can be achieved and tree protection conditions for trees to be retained will be included as a condition of permit.

Objectors Concerns not Previously Addressed

Plans

An objection raised an issue with lack of clarity of plans and sightlines not being provided. It is noted all required plans for the development have been provided including additional plans not required to be assessed under the Heritage Overlay (shadow diagrams and overlooking). It is also noted that sightline diagrams (Sheet TP43) have been provided and included in the advertised plans which demonstrate no views are available to the second storey from the street due to the distance setback of the second storey to the rear of the dwelling.

Amenity impacts

Objections to the application raised issues of loss of skyline view, potential loss of natural light to adjoining dwellings and overlooking from ground floor windows. The application for a single dwelling is not able to be assessed under Clause 54 Standards under the Neighbourhood Residential Zone (NRZ) as no permit is required under the Zone provisions with a single dwelling being 'as of right' on a lot greater than 500 sqm.

9.1.2
(cont)

Other Issues

The amended site plans and landscape plan prepared by CX Landscape dated 26/04/2018 incorrectly show a rear 3.0 metre wide easement located along the western boundary which contains a 3.0 metre wide area of compacted gravel behind the retaining wall. The title plan does not include any easement on the lot and therefore the easement and area of gravel will be required to be deleted from site plans via a condition and replaced with additional screen planting along the rear western boundary.

In addition to the above the tall screen planting along the front boundary fence will be required to be reduced in height to 900mm in height to ensure views from the front setback will be maintained within the streetscape to provide appropriate passive surveillance to the street in accordance with neighbourhood character objectives.

CONCLUSION

The proposal for the demolition of the existing dwelling, construction of a new dwelling and tree removal is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, Significant Landscape Overlay, Schedule 9, Heritage Overlay HO179, Clauses 22.03 (Residential development) and Clause 22.04 (Tree Conservation).

A total of 6 objections were received as a result of public notice and all of the issues raised have been discussed above.

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

ATTACHMENT

1 Advertised Plans ⇨
2 Advertised Heritage Report ⇨
3 Arborist Report ⇨

9.1.3 152 Dorking Road and 65 Twyford Street, Box Hill North - Amendment to the current permit which allows 'use and development of childcare centre' to extend hours of operation and increase the maximum number of children and associated reduction in car parking requirements

FILE NUMBER: WH/2003/14254/A
ATTACHMENT

SUMMARY

This application seeks to amend the existing planning permit, to allow an increase in the opening hours, and in the number of children for the child care centre. This triggers the need for one additional car parking space under the planning scheme. The application was advertised, no objections were received. No Consultation Forum was held. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme. It is recommended that the amendments be supported. This application for amended permit has been called in by Cr Barker.

RECOMMENDATION

That Council:

A. Being the Responsible Authority, having caused Application WH/2003/14254/A for 152 Dorking Road & 65 Twyford Street, Box Hill North to be advertised and having received no objections is of the opinion that the granting of an amendment to the current planning permit which allows 'use and development of childcare centre' to extend hours of operation to 6:30pm (currently 6pm) and increase the maximum number of children from 50 to 55, including associated reduction in car parking requirements, is acceptable and should not unreasonably impact the amenity of adjacent properties.

B. Issue an amended Planning Permit under the Whitehorse Planning Scheme to the land described as 152 Dorking Road & 65 Twyford Street, Box Hill North for Amendment to the current permit which allows 'use and development of childcare centre' to extend hours of operation to 6:30pm (currently 6pm) and increase the maximum number of children from 50 to 55, including associated reduction in car parking requirements., subject to the following amended conditions:

Conditions 1-5 – No change.

Condition 6 (Amended) The maximum number of children attending the site shall not exceed 55.

Condition 7 (Amended) The hours of operation shall generally be 7am to 6:30pm Monday to Friday and between 7am to 6pm Saturdays.

Conditions 8-18 – No change.

C. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.

9.1.3
(cont)

MELWAYS REFERENCE 47 F6

Applicant:	Urbis Pty Ltd
Zoning:	General Residential Zone – Schedule 3 (GRZ3)
Overlays:	Significant Landscape Overlay – Schedule 9 (SLO9)
Relevant Clauses:	
Clause 13.07-1S	Land use compatibility
Clause 17	Economic development
Clause 18	Transport
Clause 19	Education facilities
Clause 21.07	Economic development
Clause 22.05	Non-Residential uses in Residential areas
Clause 32.08	General Residential Zone – Schedule 3
Clause 42.03	Significant Landscape Overlay – Schedule 9
Clause 52.06	Car Parking
Clause 65	Decision Guidelines
Ward:	Elgar



		Subject site		0 objector Properties

North

9.1.3
(cont)

BACKGROUND

History

The following permit history is taken from the delegate report under the original application for the existing permit:

- *Planning permit BH/90/4604 was issued on the 4th of December, 1990 at the direction of the Administrative Appeals Tribunal and allowed the use of 152 Dorking Road, Box Hill for a Childcare Centre. Amongst other conditions this permit restricted the number of children attending the site to 35 and restricted the hours of operation to 7am to 6pm Monday to Friday.*
- *On the 14th of December, 1993 a second planning permit BG/92/5057 was issued to extend the Childcare Centre on the site for use by 45 children and with extended hours to allow operation on Saturdays.*
- The existing/current Planning permit which the Box Hill Early Learning Centre operates under (WH/2003/14254) was issued 22nd of July, 2004 for use and development of a childcare centre.

The 2004 decision approved the rear of the neighbouring lot at number 65 Twyford Street, Box Hill North to be consolidated with the existing childcare centre within number 152 Dorking Road and included conditions limiting the maximum number of children to fifty (50) and limiting hours of operation between 7:00am to 6:00pm – Monday to Saturday.

Condition 5 of this permit required the cancellation of the previously issued permits relating to use of the land as a childcare centre as described in the points above.

The conditions of the permit have been acted upon and Planning Permit WH/2003/14254 remains valid.

The Site and Surrounds

Subject site

The subject site is located on the eastern side of Dorking Road with Twyford Street to the north and Trawool Street to its south. The lot has an area of approximately 1286sqm.

The subject site contains a single-storey building which operates as a childcare centre (Box Hill Early Learning Centre) which contains nine on-site car parking spaces accessed via the western boundary into Dorking Road.

Surrounding area

While the properties fronting onto Dorking Road are generally residential, the area immediately adjacent to the subject site also contains a mix of commercial uses with the Trawool Street Neighbourhood Shopping Centre being located immediately to the south.

The Trawool Street Neighbourhood Shopping Centre contains twelve (12) commercially zoned lots which front onto Trawool Street, including a mix of shops and businesses. The lots at numbers 15 and 17 Trawool Street also contain shop-top housing above each ground floor tenancy, forming a three-storey, mixed use building.

Twenty-three (23) angled parking spaces are located outside of these commercial premises. These parking spaces are subject to 1P and 1/4P controls which operate Monday to Saturday. Unrestricted, parallel parking is also available on the southern side of Trawool Street.

Kerrimuir Primary School is located approximately 220m north of the subject site, also fronting Dorking Road Our Lady of Sion College is located approximately 1.2km to the south at the intersection of Dorking Road and Whitehorse Road.

9.1.3
(cont)

The immediately surrounding lots have seen a modest level of change since the original application based around increased residential densities of a few select sites. The immediately adjoining lots can be described as follows:

South – No.1 Trawool Street

The lot is currently vacant and is located on the north-eastern corner of Dorking Road and Trawool Street. A bus stop is located directly adjacent to the western boundary of this lot along Dorking Road.

This neighbouring lot has been issued with Planning Permit WH/2007/29 at the direction of VCAT on the 28th of July, 2008 for the development of ten (10) dwellings within a three level building. Under this approved development, all vehicle access would be provided via Trawool Street and would therefore allow for the removal of the two double-width crossovers into Dorking Road previously utilised by the service station which has now been removed from the site.

An amendment has been lodged to this permit for changes to the plans and is currently being assessed by planning officers at the time of writing this report.

North – Numbers 154 Dorking Road and 67 Twyford Street

Number 154 Dorking Road contains a single storey brick veneer dwelling located on the south-eastern corner of the intersection between Dorking Road and Twyford Street. This dwelling is orientated west towards Dorking Road with Secluded Private Open Space (SPOS) located on the northern side of the building, facing onto Twyford Street.

The dwelling at number 67 Twyford Street was developed on the rear portion of the lot at number 154 Dorking Road under Planning Permit WH/2011/389 issued 28th October, 2011 for construction of two dwellings on one lot. This dwelling is orientated north towards Twyford Street with an area of SPOS located off the north-eastern corner of the building. Areas adjacent to the common boundary shared with the subject site include a service area to the rear of the garage and on-boundary construction associated with the laundry room and a bathroom at ground floor.

East – Numbers 63 and 65 Twyford Street

These two properties each contain a single-storey, brick dwelling orientated north towards Twyford Street with areas of SPOS to the rear. As outlined earlier in this report, the southern portion of the SPOS associated with number 65 Twyford Street has been amalgamated into the childcare centre under the original application.

West – Opposite side of Dorking Road.

Unrestricted parking is available on both sides of Dorking Road. Properties on the opposite (western) side of Dorking Road from the subject site generally contain single dwelling lots. Number 157 Dorking Road has been developed with two dwellings under Planning Permit WH/2015/1156 for construction of two double storey dwellings, issued on 3rd of August, 2016.

Planning Controls

Clause 32.08 – General Residential Zone Schedule 3

Pursuant to the table of uses under clause 32.08-1 of the Whitehorse Planning Scheme (the Scheme) a permit is required for the use of a childcare centre as a Section 2 'innominate' land use.

As outlined earlier in this report, the existing childcare centre operates under the current planning permit and therefore, no new land use considerations are triggered under the provisions of the General Residential Zone.

9.1.3
(cont)

Clause 42.03 – Significant Landscape Overlay Schedule 9

No buildings, works or tree removal are proposed under this application and therefore no permit is triggered under the requirements of the Significant Landscape Overlay.

Clause 52.06 – Car Parking

Pursuant to clause 52.06-1 of the Scheme, before an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use, the number of car parking spaces required under clause 52.06-5 must be provided to the satisfaction of the Responsible Authority.

Pursuant to clause 52.06-3 – *Permit requirement,* a permit is required to: *Reduce (including reduce to zero) the number of car parking spaces required under clause 52.06-5 or in a schedule to the Parking Overlay.*

Clause 52.06-5 of the Scheme requires 0.22 parking spaces per child to be provided for a child care centre. For the five (5) additional children proposed under this application, this equates to a requirement for one (1) additional car parking space.

PROPOSAL

The application to amend Planning Permit WH/2003/14254 requests the following:

- Condition 6 amended to allow for a maximum of fifty-five (55) children (increased from fifty);
- Condition 7 amended to allow for operation until 6:30pm (increased from 6pm) Monday to Friday.
    - No change to hours has been requested for the hours on Saturdays which would remain at 7:00am to 6:00pm as per the existing permit.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Dorking Street frontage. No objections were received.

Consultation Forum

No Consultation Forum was held in light of no objections being received.

Referrals

External

The Whitehorse Planning Scheme does not require the proposal to be referred externally under Section 55 of the Act.

Internal

Engineering and Environmental Services Department

- Transport Engineer

The Transport Team support the approval of the proposed development as detailed in this memo.

As detailed in the One Mile Grid report the short fall of one parking space is unlikely to have a significant parking impact in the area nor is an increase of 30 minutes in the hours of operation to 6.30pm.

9.1.3
(cont)

- Planning Enforcement Unit

The application has been referred to Council's Planning Enforcement Unit who confirmed that there is no history of complaints recorded against the existing childcare centre.

DISCUSSION

Condition 6 - Increased child numbers and car parking/traffic considerations

With the existing childcare centre having been established as early as 1990, the scope of this application is limited to assessing whether an additional five (5) children would 'tip the balance' with regards to amenity impacts from the existing scenario where the childcare centre has operated in its current capacity for approximately fourteen years.

Under the current application, the additional five (5) children results in a requirement for one (1) additional car parking space to be provided on site pursuant to clause 52.06 – *Car parking* of the Scheme.

With regards to policy direction under the Scheme, clause 22.05-3 states that it is policy that (listed as relevant):

- *Adequate provision is encouraged for on-site staff and visitor parking.*

The applicant's Traffic Report from One Mile Grid (dated 15 March, 2018) states that the increase in car parking demand associated with five additional children would be readily accommodated within the surrounding street network and is unlikely to result in significant impacts to the parking amenity of the surrounding area noting that kerbside parking is available on both sides of Dorking Road, Twyford Street and Trawool Street immediately abutting the site.

With regards to traffic generation, the One Mild Grid report indicates that impacts are likely to be negligible based on an increased capacity of five additional children. The report states: *the additional five child places could be anticipated to result in a maximum increase of 10 vehicle movements in a peak hour (representing drop off/pick-up activities) or 1 vehicle movement every six minutes. This level of traffic is not anticipated to have a material impact on the operation or safety of the external road network and is considered satisfactory.*

These comments are supported by Council's Traffic Engineering Unit who has stated that the waiver of the single car parking space is unlikely to result in any significant impact to car parking or traffic conditions in the surrounding area.

Overall, it is considered that the increase in numbers to a maximum of fifty-five children is acceptable for the reasons outlined above.

Condition 7 - Increased hours of operation

As outlined earlier in this report, the application proposes to extend the closing time for the childcare centre from 6:00pm to 6:30pm – Monday to Friday, no change to Saturday hours.

The comments received from Council's Planning Enforcement Unit have stated that there have been no complaints against the operation of the Box Hill Early Learning Centre which indicates that the Centre is well managed with regards to noise and other possible impacts. In conjunction with the proposed changes not receiving any objections following public notice to this application, it is not unreasonable to assume that the Box Hill Early Learning Centre has integrated well with the adjoining residential properties and the local area.

It is unlikely that the additional half an hour would result in unreasonable impacts beyond the existing conditions to the planning permit which allows operation up until 6:00pm noting that condition 9 of the permit requires all lighting to be 'designed, baffled and located to prevent light from the site casing any detriment to the locality'.

9.1.3
(cont)

Condition 11 of the permit requires the amenity of the area shall not be detrimentally affected by the use or development through: emission of noise, light, vibration, smell fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Increasing the hours to 6:30pm would not result in the Centre operating in more sensitive 'night time' periods (defined under SEPP controls as being after 10:00pm) in which residents would typically be sleeping and therefore the additional 30 minutes up to 6:30pm is considered to be acceptable.

With regards to the modest extension in operating hours proposed under this application, it is considered that the requirements of conditions 9 and 11 are sufficient to ensure the amenity of the surrounding area continues to be protected.

Overall, the proposed increase in hours is considered to be a modest increase to the existing operation and would be adequately managed by the conditions of the existing planning permit.

CONCLUSION

The proposal for an amendment to the current permit which allows 'use and development of childcare centre' to extend hours of operation to 6:30pm (currently 6pm) Monday to Friday and increase the maximum number of children from 50 to 55, including associated reduction in car parking requirements is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the General Residential Zone and Clause 52.06 of the Scheme.

It is considered that the application should be approved.

ATTACHMENT

1 Existing Planning Permit ⇨
2 Endorsed Plan Sheet 1 of 2 ⇨
3 Endorsed Plan Sheet 2 of 2 ⇨

Engineering and Environmental

9.1.4 Whitehorse Community Forum regarding North East Link

ATTACHMENT

SUMMARY

This report summarises the outcomes of the Whitehorse community forum regarding the North East Link project and recommends further advocacy to the State Government to minimise the detrimental impacts of the project.

RECOMMENDATION

That Council advocate strongly to the State Government, opposition and the North East Link Authority for improved outcomes for the Whitehorse community resulting from the North East Link project, particularly:

1. ***Reduce the amount of public open space being used to widen the Eastern Freeway;***
2. ***Improve noise attenuation measures to protect nearby residents and users of community facilities from vehicle noise;***
3. ***Address traffic volume increases predicted for roads within Whitehorse, including the number and classes of heavy vehicles;***
4. ***Address the health, wellbeing, amenity, social and liveability concerns of community members as a result of pollution, noise, loss of open space, impacts to vegetation and wildlife, increased traffic volumes, and changes to pedestrian and cycling infrastructure.***

BACKGROUND

The State Government has committed to constructing the North East Link (NEL), that will connect the M80 Ring Road in Greensborough to the Eastern Freeway at Bulleen Road. The project also includes the widening of the Eastern Freeway between Bulleen Road and Springvale Road. Council resolved at its meeting on 11 December 2017 to oppose the State Government's decision to select this alignment. At its meeting on 19 March 2018, Council further resolved to host a public forum to hear community views regarding NEL.

DISCUSSION

Whitehorse City Council hosted a community forum on 11 September 2018 to discuss the NEL project. It was attended by approximately 150 community members.

The aims of the forum were to:

- Allow community members to hear a variety of views on how the NEL project may impact the City of Whitehorse;
- Encourage community members to have their say on the project; and
- Provide feedback to Councillors about community views which will contribute to advocacy regarding the project.

A panel of five speakers presented a variety of political, academic and community views of the NEL project. The panel members were:

- Robert Clark MP, Member for Box Hill (Liberal party);
- Alex Marks, representing Samantha Dunn MLC, Member for Eastern Metropolitan Region (Greens Party);
- Dr John Stone, Senior Lecturer in Transport Planning, University of Melbourne;
- Chris Trueman, Whitehorse Active Transport Action Group (WATAG); and
- Michelle Giovas, Warringal Conservation Society and Friends of Banyule.

9.1.4
(cont)

Representatives of the Labor Party and the North East Link Authority were invited however declined to attend.
There was a high level of engagement at the forum with community members interested and concerned about the NEL project. Forum attendees and speakers raised strong concerns regarding the following aspects of the NEL project:

Transport

- Increased vehicle volumes on local and arterial roads within Whitehorse.
- Increased number and classes of heavy vehicles along the Eastern Freeway and using other roads within Whitehorse to access destinations.
- Impact of loss of open space on walking and cycling infrastructure.
- Building additional roads is not considered the answer to addressing traffic congestion. Significant investment in public transport and active transport is required.
- NEL will prevent mass transit options such as the Doncaster Rail along the Eastern Freeway corridor.

Environment

- Loss of open space, vegetation and wildlife habit is a major concern.

Liveability

- Noise, air pollution and traffic volumes are significant concerns to residents, particularly those who live adjacent to the Eastern Freeway.
- Concerns were raised regarding population growth and the impacts on Whitehorse, particularly Box Hill.

Community engagement

- Forum attendees expressed concerns that they feel that they have not been consulted adequately by the State Government, particularly regarding the preferred alignment, scale and impact of the project.

In addition to the forum, a survey was available for community members to share their opinions with Council regarding the NEL project. The survey was widely advertised to community members and participation was not limited to forum attendees. Responses were received from 172 community members, with 68% of respondents either opposed or strongly opposed to the NEL project. The main concerns are around the impact that the project will have on:

- Open space, ecology and the environment
- Increased noise levels
- Traffic volumes, including the volume on local and arterial roads in Whitehorse.

Twelve percent (12%) of survey respondents are neutral about the NEL project and 20% either support or strongly support the project. The main reason given for supporting the project is improved regional connectivity (eg to Melbourne Airport).

Further results of the survey are listed in Attachment 1.

CONSULTATION

Extensive advertising was carried out regarding the forum and the survey.

Advertising methods included print media, social media, web information, ‘on-hold’ phone messages, poster displays, electronic signs in parklands adjacent to the Eastern freeway, emails to stakeholder groups, community radio announcements and distribution of flyers.

FINANCIAL IMPLICATIONS

The costs associated with advertising and hosting the community forum was approximately $12,200.

9.1.4
(cont)

Funding for further advocacy actions is not allocated in Council's operational budget. Estimated costs for further activities could range from $5,000 to $25,000 depending on the level of engagement, type of activities and use of consultants.

POLICY IMPLICATIONS

Advocacy to the State Government on behalf of the Whitehorse community is in accordance with the Council Plan 2017-2021. Relevant measures of success listed in the Council Plan include:

- Number of transport advocacy programs;
- Number of actions or activities that protect neighbourhood character;
- Number of participants engaged in community engagement activities in the development of policies, strategies and major projects;
- Community satisfaction with advocacy; and
- Number of annual advocacy campaigns

ATTACHMENT

1 Whitehorse Community Survey Results ⇨

9.1.5 Whitehorse Community Road Safety Strategy - 2017 Progress Report

FILE NUMBER: 1/131662
ATTACHMENT

SUMMARY

This purpose of this report is to provide a progress update on actions delivered in the Whitehorse Community Road Safety Strategy during the 2017 calendar year.

RECOMMENDATION

That Council notes the report.

BACKGROUND

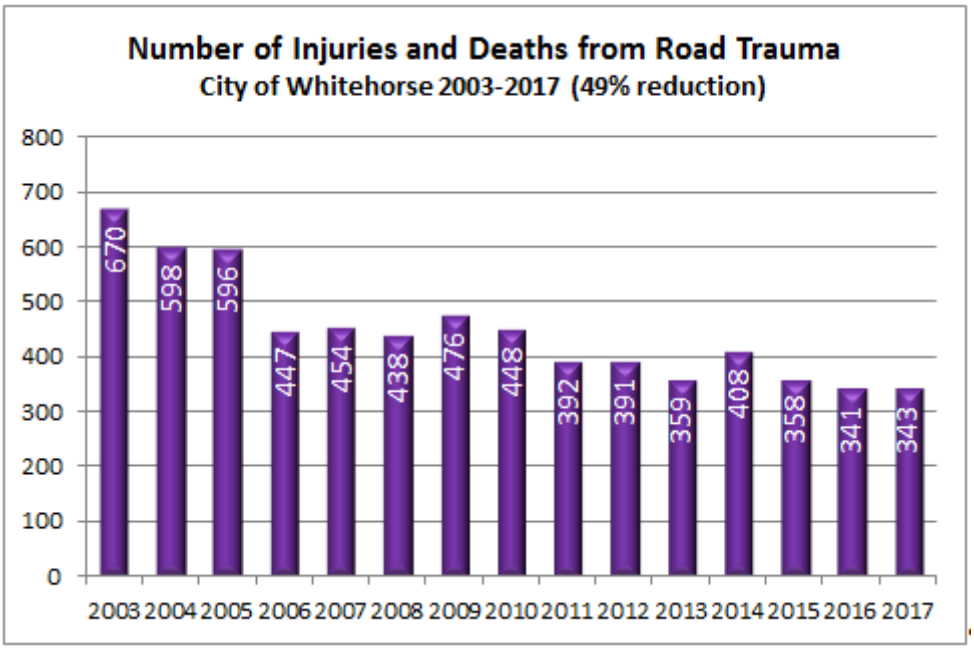
The Whitehorse Community Road Safety Strategy 2013 was adopted by Council on 16 September 2013 following a comprehensive review of Council's previous Road Safety Strategy, road crash statistics, and extensive community consultation. A progress report on the Strategy's action plan was last provided to Council on 21 August 2017.

This progress report provides an update on road safety statistics for Whitehorse for the five year period up to the end of the 2017 calendar year, and the progress on actions in the Strategy.

DISCUSSION

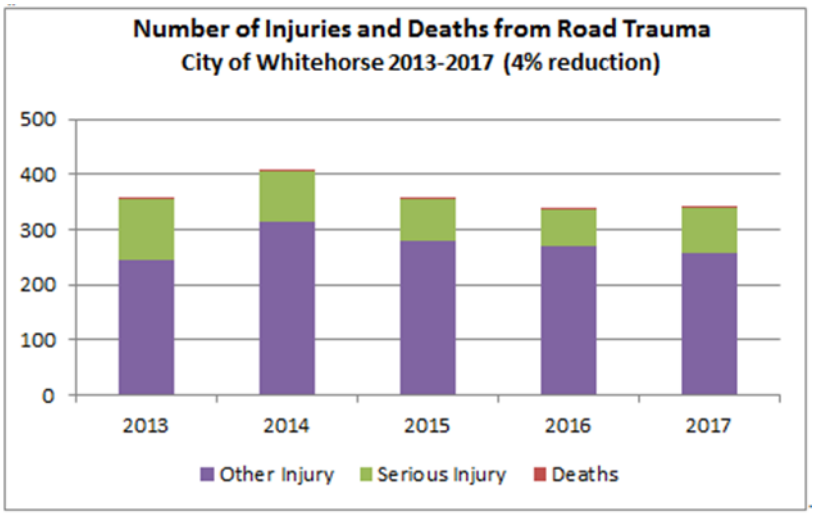
Road injuries and deaths result in significant trauma within our community and it has been a priority for Council to play a role in reducing the social, emotional, physical and financial impacts of road crashes within Whitehorse.

The work undertaken by Council, the State Government and community organisations have resulted in a 49% reduction in deaths and injuries on Whitehorse roads since 2003.



9.1.5
(cont)

In the last five years, the downward trend in road injuries and deaths has eased off in Whitehorse and statewide, with Whitehorse only seeing 4% reduction during this time.



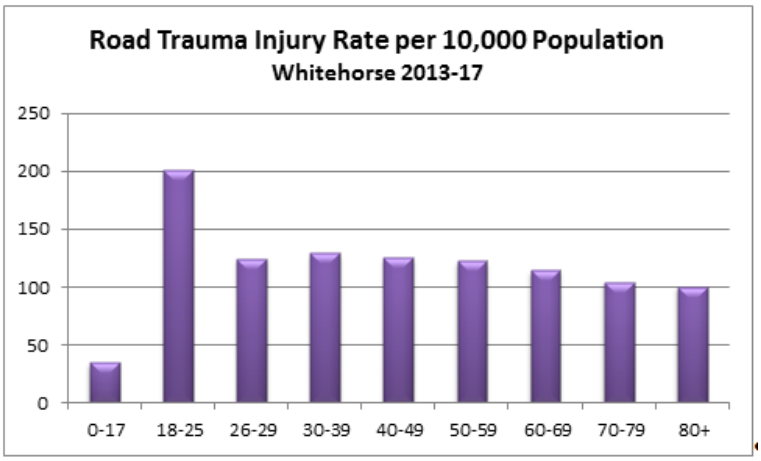
In 2017, there were 343 injuries and deaths in road crashes within the City of Whitehorse. This includes three people who died and 84 people who were seriously injured.[1] As a comparison, the five year averages are 3.4 deaths/year and 85.2 serious injuries/year.

A summary of the trends in road injuries and deaths in Whitehorse for the period 2013-2017 is shown in the following charts.

Road Trauma by Age

People aged 18 to 25 years old continue to be the highest represented age group for road trauma, with 19% of all injury crashes occurring in this age group.

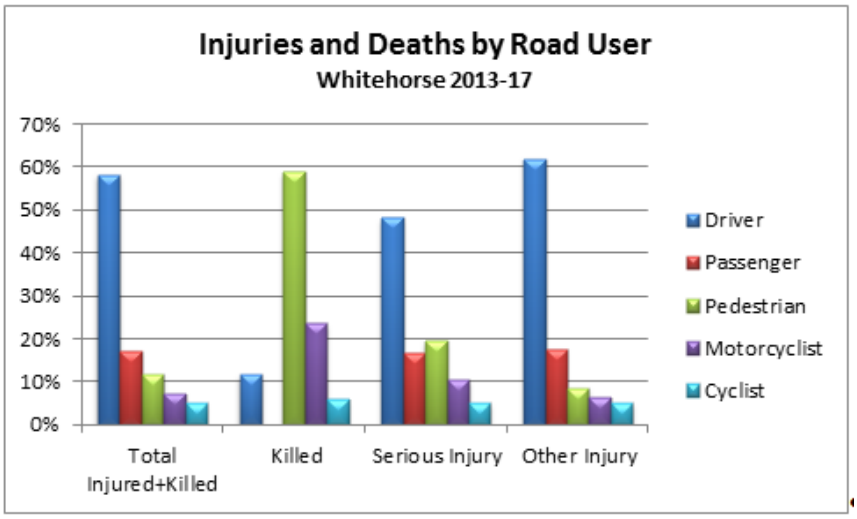
When comparing the road trauma statistics against the 2016 Census population statistics[2], the road trauma injury rates shows that the rates are consistent across the adult age groups, but significantly higher for the 18 to 25 age group.



[1] *Data sourced through VicRoads Road Crash Information System (RCIS)*
[2] *Data sourced through id Community Demographic Resources website, forecast.id.com.au/whitehorse/home*

9.1.5
(cont)

Road Users by Type



Vulnerable road users (people walking, cycling or riding a motorcycle) are over represented in death and serious injury crashes. They are considered vulnerable because they do not have the same level of protection that a car provides in the event of a crash.

The chart above shows that while pedestrians are involved in 12% of all injury and death crashes, they make up 59% of deaths and 19% of all serious injuries.

The table below lists the number of road users killed by road crashes in Whitehorse between 2013 to 2017, which demonstrates the trend of pedestrian deaths.

	Deaths
Pedestrian	10
Motorcyclist	4
Driver	2
Bicyclist	1
Passenger	0
All Road Users	**17**

Most Common Crash Types

Rear end crashes were the most common type of crashes, comprising 28% of all injury crashes, followed by right hand turns into oncoming vehicles at 22%.

Other common crash types groupings include side impacts at intersections.

The two single most common crash types were vehicle rear ends (31%) and those involving drivers turning right into oncoming vehicles (15%). After these two crash types, the most common groupings of crashes include side impacts at intersections (21%) and crashes involving pedestrians (11%).

Program Delivery

Road crash statistics, together with information gathered through community engagement activities are used to prioritise the delivery of road safety programs in Whitehorse.

9.1.5
(cont)

During 2017, Council provided a wide range of road safety programs. The major achievements include:

- Running the 'L2P' learner driver program for disadvantaged youth.
  - 15 Learners participated, with 5 Learners completing the program
  - 435 hours of supervised driving completed.
- Delivery of the 'Transit' program to 13 primary schools and 724 students, which provides travel advice to Year 6 students before they transition to secondary school.
- Placed Council's Six speed observation trailers in 295 locations within 50 kph local streets, 40 kph school speed zones and 40/50 and 40/60 kph time-based school zones.
- Supported Victoria Police with the use of Council's speed observation trailers to display drink and drug driving messages over Five public holiday long weekends.
- Traffic counts were conducted at approximately 150 local roads across the municipality.
- Participated in the Victoria Walks 'WalkSpot' program to understand community concerns regarding pedestrian safety.
- Hosted Five 'Wiser Driver' programs, One 'Wiser Walker Wiser Traveller' course and One 'Seniors Stepping Out Safely' seminar for older road users.
- Hosted Two 'Child Restraint Clinics' which checked or fitted 107 child restraints.
- Co-hosted a 'Ride2Work' Day Community Breakfast with Box Hill Institute.
- Co-hosted the 'Bike It!" Bike Ed challenge, with 148 students from 11 schools participating.
- A range of youth road safety programs were delivered in secondary schools including Two 'Fit to Drive' workshops, Six 'Keys Please' sessions.
- Three Novice 'CycleWise' programs and Three Intermediate 'Cyclewise' programs were held for adult cyclists.
- Received a $10,000 grant from VicHealth for Walk to School Month in October 2017.
- Received $5,000 in funding from RoadSafe Eastern Metro to implement a range of road safety programs.
- Received a $25,000 grant from the TAC to review Council's Fleet and Driver Safety policy and procedures.

The progress in 2017 for each action in the Whitehorse Community Road Safety Strategy is provided in Attachment 1.

CONSULTATION

Council officers regularly consult with the community, neighboring municipalities, Victoria Police, VicRoads and RoadSafe Eastern Metro in the development, implementation and evaluation of road safety programs and projects.

FINANCIAL IMPLICATIONS

Funding in the 2016/17 and 2017/18 financial years for road safety related programs and projects is provided within the Engineering and Environmental Services Department operating and capital works budgets and also funded through various external grants.

POLICY IMPLICATIONS

Road safety activities are directly linked to the following corporate Strategies:

- Council Plan 2016-2020
- Whitehorse Integrated Transport Strategy 2011
- Whitehorse Community Road Safety Strategy 2013
- Whitehorse Cycling Strategy 2016

ATTACHMENT

1 Actions completed in 2017 ⇨

9.2 INFRASTRUCTURE

9.2.1 Tender Evaluation (Contract 30097) Bushland Maintenance Services

SUMMARY

To consider tenders received for the provision of Bushland Maintenance Services and to recommend the acceptance of the tenders received from Envirotechniques Pty Ltd, Practical Ecology Pty Ltd, Haas & Gray Indigenous Horticulture Pty Ltd acting as Trustee for HG Group Trust trading as Haas and Gray Indigenous Horticulture, Indigenous Design Environmental Services Pty Ltd trading as Indigenous Design Environmental Management and Naturelinks Landscape Management Pty Ltd on a Schedule of Rates basis for a period of 3 years commencing on 1 November 2018 with provision for a 2 year extension at Council's discretion and to consider the estimated expenditure over the life of the contract.

RECOMMENDATION

That Council:

1. ***Accept the tender and sign the formal contract document for Contract 30097 for the Bushland Maintenance Services received from Envirotechniques Pty Ltd (ABN 59 061 469 369), of 147 Zig Zag Rd, North Eltham 3095), Practical Ecology Pty Ltd (ABN 88 082 911 377) of 2B Stott Street, Preston 3072, Haas & Gray Indigenous Horticulture Pty Ltd acting as Trustee for HG Group Trust trading as Haas and Gray Indigenous Horticulture (ABN 33 681 411 296) of 19 Roberts Street, Northcote 3070, Indigenous Design Environmental Services Pty Ltd trading as Indigenous Design Environmental Management (ABN 64 081 044 144) of 1635 Main Road, Research 3095 and Naturelinks Landscape Management Pty Ltd (ABN 22 097 146 426) of 79 Asling Street, Brighton 3051 on a Schedule of Rates basis for a period of 3 years commencing on 1 November 2018 with the provision of a further 2 year extension at Council's discretion.***
2. ***Authorise the Chief Executive Officer to award an extension of this contract, subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term.***

BACKGROUND

1. Council undertakes an extensive annual Bushland Maintenance program. Council's ParksWide Department is responsible for coordinating and implementing bushland maintenance and development programs in remnant bushland areas, parklands, creek and river corridors within the City of Whitehorse. Council engages the assistance of a number of contractors to assist in the implementation of this program.

2. Council invited tenders from suitably qualified contractors to be included in Council's Bushland Management and Maintenance Services Panel to undertake bushland maintenance and development programs in Council owned and managed environmental reserves. The works include remnant vegetation management and enhancement works, general site maintenance, weed control, revegetation, ecological burning and other environmental rehabilitation activities.

The term of the contract is 3 years commencing on 1 November 2018, with an option to extend the contract for a further 2 years at Council's discretion.

9.2.1
(cont)

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 14 July 2018 and were closed on 3pm, Wednesday 1 August 2018. 11 tenders were received.

The tenders were evaluated against the following criteria:

- Financial;
- Capability;
- Credibility; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

Submissions were received from:

1. Australian Ecosystems Pty Ltd (ABN 36 080 253 096)
2. Envirotechniques Pty Ltd (ABN 59 061 469 369)
3. Graham Peterson t/a Eco-Repair (ABN 33 728 578 633)
4. Haas & Gray Indigenous Horticulture Pty Ltd acting as Trustee for HG Group Trust trading as Haas and Gray Indigenous Horticulture (ABN 33 681 411 296)
5. Indigenous Design Environmental Services Pty Ltd t/a Indigenous Design Management Services (ABN 64 081 044 144)
6. Kenyons Tree Tactics Pty Ltd (ABN 18 102 312 032)
7. Landlinks Environmental Services Pty Ltd (ABN 53 078 936 151)
8. Naturelinks Landscape Management Pty Ltd (ABN 22 097 146 426)
9. Practical Ecology Pty Ltd (ABN 88 082 911 377)
10. Southern Ecosystems Management (ABN 53 556 256 984)
11. Trustee for the Chynoweth Family Trust t/a Felix Botanica Pty Ltd (ABN 84 171 259 468)

The successful tender submissions were considered to provide best value for money for this contract and the greatest understanding of the specification requirements and standards. The pricing for these contracts were also highly competitive.

The successful submissions also illustrated clear demonstrated experience undertaking comparable works under similar contracts (including previous City of Whitehorse contracts). They all provided evidence of proven ability to provide highly experienced staff and have the capability to be reactive to requested works.

In addition those recommended for engagement demonstrated a strong understanding of best practice bushland management and ability to provide the equipment to undertake such works.

The unsuccessful submissions indicated limited experience with vegetation and bushland management and did not clearly align their submission within the identified scope of bushland management activities.

9.2.1
(cont)

It is recommended that contracts for the Bushland Maintenance Services Panel be awarded to the following:

1. Envirotechniques Pty Ltd (ABN 59 061 469 369)
2. Haas & Gray Indigenous Horticulture Pty Ltd acting as Trustee for HG Group Trust trading as Haas and Gray Indigenous Horticulture (ABN 33 681 411 296)
3. Indigenous Design Environmental Services Pty Ltd t/a Indigenous Design Management Services (ABN 64 081 044 144)
4. Naturelinks Landscape Management Pty Ltd (ABN 22 097 146 426)
5. Practical Ecology Pty Ltd (ABN 88 082 911 377)

CONSULTATION

Consultation occurred broadly with Parkswide staff and procurement staff. The preferred tenderer's business viability and referees have been considered.

FINANCIAL IMPLICATIONS

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

The financial advantage of each tender submission was determined by comparing the rates for services that are used most frequently by Council.

The estimated expenditure under this contract over the initial contract term is **$960,000** excluding GST. This expenditure will increase to approximately **$1,600,000**, excluding GST if the options to extend the contract are exercised.

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

9.3 HUMAN SERVICES

9.3.1 Municipal Early Years Plan 2014-2018 Implementation Report 2018

ATTACHMENT

SUMMARY

The purpose of this report is to update Council on the implementation status of the Municipal Early Years Plan 2014-2018 "A City for all Children".

RECOMMENDATION

That Council receive and note the report.

BACKGROUND

In August 2014, Council adopted a municipal wide strategic plan for the enhancement and development of services and supports for families with young children aged 0-12 years. The implementation of the plan covered a 4 year period with annual progress reports presented to Council as part of the implementation and evaluation process. This report represents the fourth and final implementation and evaluation report presented to Council since the plan was adopted.

DISCUSSION

Extensive research into child and family development confirms that the 'early years' of a child's life are crucial in laying foundations that will contribute to a child's future development, health and well-being. Effective supports for parents, families and children are therefore vital in ensuring that every child is provided with the best opportunities available and assistance to avoid potential developmental problems and difficulties later in life.

Municipal Early Years Plans (MEYP) provide an important strategic framework for Local Government, their communities, partner organisations and governments to prioritise actions and resources aimed at improving education, care, health and social outcomes for children and their families. Conceptually, the Whitehorse MEYP sits as a sub plan to the Whitehorse *Community Wellbeing Plan* and utilises the same '*Environments for Health'* planning framework that considers the overall impact of factors originating across any or all of four environmental dimensions on the health and wellbeing of families. These dimensions are social, economic, built and natural environments.

As previously reported to Council, a comprehensive strategic planning process was employed in the development of the plan which incorporated a review of government policy, demographic data and early years services in the local community. The process also included consultation with the community, councillors, government representatives and other key stakeholders.

Collectively, these processes provided direction on the current and future issues of importance to young children and their families living in the Whitehorse community. It is from this process that four key priority areas were identified and their respective actions plans developed in the plan. These priority areas are:

1. Healthy active and thriving children
2. Secure, supported and engaged families
3. Quality services for all children & families
4. Safe, welcoming & inclusive community for all children and families

9.3.1
(cont)

The four priority areas form the basis of annual action plans that were developed in collaboration between relevant Council departments and with partner organisation with a key stake hold in supporting families and their children.

The plan itself provides a roadmap for all stakeholders in Whitehorse to move ahead in improving supports for children and their families in Whitehorse.

Finally, the plan was distributed widely to the community and partner organisations in the form of an easy to read one page flyer.

IMPLEMENTATION STATUS

The Whitehorse MEYP Steering committee was established by Council in 2013 to guide the development of the plan. Following adoption of the plan, the committee was reformed as the Whitehorse Early Years Reference Group and charged with monitoring the implementation of the plans.

The Whitehorse Early Years Reference Group has prepared the attached table (Appendix 1) reporting on the progress for implementing the plan.

In summary, the timetable for implementation has been achieved with a number of exceptions which are outlined. A number of key achievements to date are highlighted as follows:

- Parent Information Forums: 4 early years' Parenting Information Forums delivered with positive feedback and attendance numbers.
- FlexiBuzz App: Strong growth in the use of the FlexiBuzz App – currently 803 subscribers.
- Whitehorse Family Resource Guide: A newly revised and updated 2018 Family Resource Guide developed and distributed. 1000 copies printed and a PDF is available on the corporate website.
- Supported Playgroup: Council was successful in receiving full operational funding state government for this new program. 1EFT staff member has been appointed to deliver 5 Supported Playgroups sessions each week.
- Immunisation: Immunisation rates in Whitehorse are above the state average (Whitehorse – 93.54% State – 93.26%).
- MCH – Chinese playgroups have been supported and promoted by the MCH team. MCH and WELS teams have also focussed on healthy eating and outdoor play this year.
- Whitehorse Early Years Service Sector Network: The Whitehorse Early Years Sector Network meetings are held 3 times per year – themes featured so far this year include: Family Violence; and the NDIS. The Network involves coordinators, team leaders, and managers and has a focus on sector wide topics of interest.
- Vulnerable families: Work over the past 12 months has focussed on vulnerable families including grandparents. Promotional material has been altered to embrace grandparents.
- Child Friendly Cities: Further work undertaken to embed the principles of the Child Friendly Cities Charter and Consulting with Children in service operations. A framework for Engaging with Children has been developed and distributed to all staff. A practical demonstration of engaging with children involved the staff of 2 Whitehorse Early Learning Services Child Care Centres consulting with children on the design of the outdoor play spaces.

9.3.1
(cont)

It should be noted that the implementation of the Whitehorse MEYP has been undertaken utilising existing departmental budgets and personnel.

There are a number of actions highlighted in the plan that lie ahead for the next 6 months. These actions will be incorporated into service plans for operational areas within Council and discussed with partner agencies and the government where relevant.

Whitehorse MEYP – Next Iteration

As mentioned, this report represents the fourth and final year of the current MEYP. The 4th year of the MEYP also aligns with the first year of the current iteration of the Health and Well Being Plan and will contribute to the set of actions covered in that plan. A key action scheduled for the second year of the Health and wellbeing plan incorporates an interim update of both the MEYP and MYP with the objective of aligning the time frame of all three social plans. The updating of both plans will involve an update of the demographic profile for families with children aged 0-25 years, updated service maps, a review of current state and federal policies related to the cohort groups and a community consultation process to assess relevant actions under the key thematics for both plans.

FINANCIAL IMPLICATIONS

The financial cost to Council, in regards to the implementation of the Whitehorse Municipal Early Years Plan 2014-2018, has been absorbed within current operational budgets.

POLICY IMPLICATIONS

The Whitehorse Municipal Early Years Plan - *A City for all Children* – 2014-2018 is consistent with objectives in the Whitehorse Council Plan and State and Federal Government policy directions.

ATTACHMENT

1 MEYP Action Plan ⇨

9.3.2 Municipal Youth Plan 2014-2018 Implementation Plan 2018

ATTACHMENT

SUMMARY

The purpose of this report is to update Council on the implementation status of the Municipal Youth Plan 2014-2018 "A City for all Young People".

RECOMMENDATION

That Council receive and note the report.

BACKGROUND

In August 2014, Council adopted a municipal wide strategic plan for the enhancement and development of services and supports for young people aged 12-25 years and their families. The implementation of the plan covers a 4 year period with annual progress reports presented to Council as part of the implementation and evaluation process. This report represents the first implementation and evaluation report presented to Council since the plan was adopted. The implementation of the plan will be completed in December 2018.

DISCUSSION

The adolescent and early adult years are a vital period of development and transition for all people. They are characterized by significant physical, emotional and sociological change.

It has long been acknowledged that there is an important role for the community to play in ensuring young people make a happy and safe transition into adulthood in a community that supports and respects them. For many young people, often referred to as marginalized within their communities, this is often not the case.

The development of a Municipal Youth Plan (MYP) is consistent with the commitment by the City of Whitehorse, as articulated in the Municipal Community Wellbeing Plan, to support young people, to achieve improved health and wellbeing outcomes and to develop an integrated approach to planning and service delivery throughout the municipality.

Conceptually, the MYP sits as a sub plan to the Whitehorse *Community Wellbeing Plan* and utilizes the same *Environments for Health* planning framework that considers the overall impact on the health and wellbeing of young people, of factors originating across any or all of four environmental dimensions. These dimensions are social, economic, built and natural environments. The framework emphases the importance of addressing inequalities in health and the leadership role played by Council working in partnership with its community.

As previously reported to Council, a comprehensive strategic planning process was employed in the development of the plan which incorporated a review of Government policy, demographic data and early years services in the local community. The process also included consultation with the community, councillors, government representatives and other key stakeholders.

Collectively, these processes provided a clear indication of the current and future issues of importance to young people and their families living in the Whitehorse community. It is from this process that five key priority areas were identified and their respective action plans developed in the plan. These priority areas are:

- Healthy, resilient and engaged young people
- Secure families and relationships
- Employment, training and education opportunities
- Comprehensive services for all young people
- Safe, welcoming and inclusive community

9.3.2
(cont)

The five priority areas form the basis of annual action plans that have and will be developed in collaboration between relevant council departments and with partner organisations with other key stakeholders in supporting young people and their families.

The Youth Plan is documented and formatted to ensure accessibility to a broad audience including youth service professionals and young people themselves. Since adoption, it has been distributed widely across the municipality to an array of welfare, health and education services.

IMPLEMENTATION STATUS

The Whitehorse MYP Steering committee was established by Council in 2013 to guide the development of the Plan. Following the adoption of the plan, the committee was reformed as the Whitehorse Youth Plan Implementation Review Committee and charged with monitoring the implementation of the Plan. The Review Committee comprises six Council Officers (from across the organisation), representatives from six community organisations and government departments. Two young people from the Council's Youth Representative Committee worked alongside the reference group to assist guide the implementation of the MYP.

The Whitehorse Youth Plan Implementation Review Committee now meets on a six monthly basis and has prepared the attached table (Appendix 1) reporting on the progress for implementing the plan.

In summary, the timetable for implementation has been achieved with a number of exceptions which are outlined. A number of key achievements to date are highlighted as follows:

- Community Youth Services Awareness Project:
    - Development of a comprehensive communications strategy to provide information regarding all existing services, supports, programs and events, activities and facilities available to young people and their families in Whitehorse.
    - Development and launch of the Whitehorse Creative Youth Community
- Whitehorse Education Assistance Grant:
    - Provision of financial support to young people experiencing financial hardship (aged 10 - 25) to remain engaged in education and training. Grants capped at a maximum of $400 per student per calendar year.
    - Since the beginning of 2017, the Education Assistance Grant has supported a total of 48 students, with a total grant amount of $19,300.
- Whitehorse School Focused Youth Service interventions:
    - Capacity building interventions: Implementation of Andrew Fuller full day seminar to staff from several Whitehorse schools on the topic of depression and anxiety. In response to need from Whitehorse schools, who were reporting difficulties in managing the increased incidence of depression and anxiety amongst their student cohort.
    - Targeted interventions: Funding for 'Tomorrow Man' to deliver 'Breaking the Man Code' workshop at Blackburn High School, to support a cohort of 15 male students in year 8 & 9 identified as being at risk of disengaging from education, due to aggression and antisocial behaviours. Workshop promotes healthy traits that strengthen resilience, promotes respectful relationships and encourages participants to redefine what it means to be a young man.

9.3.2
(cont)

- Box Hill Assertive Outreach program:
  - Engaged and supported young people in the community. Approximately 260 young people engaged through the Box Hill Assertive Outreach program over the last 12 months. (685 young people engaged by the Outreach Program over last 4 years).
  - Organisations involved: Whitehorse Youth Services, Victoria Police, FAN, Uniting Care Harrisons, Carrington Heath, EACH, Box Hill Institute, HYPA.
- Parent Information Forums:
  - A range of topics covered focusing on parenting strategies for adolescents. Thirteen parent information forums held over last 3 and half years with a focus on parenting young people. Approximately 1,100 parents of adolescents registered for the 13 parent forums.
- Whitehorse Youth Issues Network (YIN):
  - Presentations to the YIN to address specific issues in the Youth Plan including the following: -
    - Carrington Health Mobile Drug Safety Worker on the increasing number and nature of overdoses in Victoria and the Whitehorse area.
    - Family Access Network Dual Diagnosis Worker on inter-relationship between drugs, alcohol and other substance use and mental health.
    - Psychiatric Nurse and Senior Clinician, Dual Diagnosis Service, Eastern Health on the Dual Diagnosis Service to support the improvement of responses of mental health and drug treatment services to individuals with both mental illness and substance use problems (dual diagnosis)
- WYRC Municipal Youth Forum:
  - The Whitehorse Youth Representative Committee over the last 3 years has coordinated and facilitated the youth forum hosted at the Box Hill Town Hall. The forum has covered a diverse range of youth issues such as mental health, bullying, LGBTIQ, social media, body image, cultural diversity. Guest speakers and interactive / professionally facilitated workshops for young people to discuss and explore the relevant issues.
- Whitehorse FReeZA:
  - Over last 3 years, the Whitehorse FReeZA youth committee (Flying Pig Events) has facilitated 5 cultural / music events per year for young people across the municipality.

It should be noted that the implementation of the Whitehorse MYP has been undertaken utilising existing departmental budgets and personnel.

There are significant actions highlighted in the plan that lie ahead for the next 12 months. These actions will be incorporated into service plans for operational areas within Council and discussed with partner agencies and the government where relevant.

9.3.2
(cont)

Whitehorse MYP – Next Iteration

As mentioned, this report represents the fourth and final year of the current MYP. The 4th year of the MYP also aligns with the first year of the current iteration of the Health and Well Being Plan and will contribute to the set of actions covered in that plan. A key action scheduled for the second year of the Health and wellbeing plan incorporates an interim update of both the MEYP and MYP with the objective of aligning the time frame of all three social plans. The updating of both plans will involve an update of the demographic profile for families with children aged 0-25 years, updated service maps, a review of current state and federal policies related to the cohort groups and a community consultation process to assess relevant actions under the key thematics for both plans.

FINANCIAL IMPLICATIONS

The financial cost to Council, in regards to the implementation of the Whitehorse Municipal Youth Plan 2014-2014, has been absorbed within current operational budgets.

POLICY IMPLICATIONS

The Whitehorse Municipal Youth Plan – *"A City for all Young People"* – 2014-2018 is consistent with objectives in the Whitehorse Council Plan and State and federal Government policy directions.

ATTACHMENT

1 MYP Action Plan ⇨

9.4 CORPORATE

9.4.1 Annual Report 2017-18

ATTACHMENT

SUMMARY

Council's Annual Report for the 2017-18 financial year was presented to the Minister for Local Government in accordance with section 133 of the Local Government Act 1989 on Thursday 27 September 2018. The Annual Report 2017-18 is to be presented to Council at the Ordinary Meeting of Council on Monday 15 October 2018 in accordance with section 134 of the Local Government Act 1989.

RECOMMENDATION

That Council receive and note the Annual Report 2017-18.

BACKGROUND

Section 131 of the *Local Government Act 1989* (the Act) requires Council to prepare and approve an Annual Report containing:

a) A report of operations of the Council;
b) An audited performance statement;
c) Audited financial statements;
d) A copy of the auditor's report on the performance statement, prepared under section 132;
e) A copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;
f) Any other matters required by the regulations.

Council, at its meeting held on Monday 20 August 2018, approved in principle the year-end financial statements and the performance statement in advance of the Auditor-General's consideration.

Final audit reports on the financial statements and performance statement were received from the Auditor-General on Tuesday 28 August 2018 and the Annual Report was submitted to the Minister for Local Government on Thursday 27 September 2018, in accordance with requirements of the Act.

Once submitted to the Minister for Local Government, section 134 of the Act requires Council to consider the Annual Report at a meeting of Council as soon as practicable. The Annual Report will be presented to Council at the Ordinary Meeting of Council on Monday 15 October 2018 for consideration.

Council has given public notice that the Annual Report has been prepared and can be inspected at Council's customer service centres, libraries and operations centre.

9.4.1
(cont)

DISCUSSION

In addition to fulfilling statutory obligations, the report of Council's performance for 2017-18 provides an opportunity to report to the Whitehorse community about Council's services and initiatives during the year. The Annual Report is structured in several sections:

- Introduction: includes CEO's Message, Mayor's Message, highlights and opportunities for 2017-18; Council's vision, mission and values, financial year in review and information about Council, Councillors and the organisation.
- Our Performance: describes Whitehorse City Council's integrated planning and reporting framework, and outlines the Annual Plan 2017-18 major initiatives and initiatives and Council services. Results against Council's Measures of Success outlined in the Council Plan 2017-2021 are displayed in infographic format.
- Local Government Performance Reporting Framework - The service performance indicators of the Local Government Performance Reporting Framework are included in this section in accordance with section 131 of the Act.
- Governance and Statutory Information: captures the annual statutory reporting requirements, including reporting against various acts and regulations, Councillor meeting attendance, documents available for inspection, audit operations and the governance and management checklist.
- Performance Statement: is the statement prepared under section 132 and section 133 of the Act and reports on the Local Government Performance Reporting Framework. The regulations require an explanation of any material variations for all relevant indicators. The performance statement has received an unqualified report from the Auditor-General's office.
- Annual Financial Report 2017-18: contains the financial statements as well as a guide to assist readers to under their nature and content. These statements have received an unqualified report from the Auditor-General's office.

CONSULTATION

Under sections 131 and 134 of the *Local Government Act 1989*, Council is required to advertise that the Annual Report 2017-18 will be considered at an Ordinary Meeting of Council after the report has been submitted to the Minister of Local Government. This was publicised in The Age newspaper on Saturday 29 September 2018 and the Whitehorse Leader on Monday 8 October 2018. The Annual Report 2017-18 will be made available at Council's customer service centres, libraries, operations centre and on Council's corporate website.

FINANCIAL IMPLICATIONS

An overview of Council's financial performance is presented in the Annual Report 2017-18. In the Annual Report, there is a guide for the reader on how to understand the detailed financial report which includes audited financial and standard statements. The financial position of Council is strong and the audit has been passed without qualification by the Victorian Auditor-General's office.

ATTACHMENT

1 Annual Report 2017-18 ⇨

9.4.2 Proposed Creation of Sewerage Easement over Council Land, 47 Rochdale Drive, Burwood East

SUMMARY

This report seeks authorisation to consent to the creation of a sewerage easement (E-1) over part of 47 Rochdale Drive, Burwood East in exchange of consideration of $75,000 plus GST.

RECOMMENDATION

That Council:

1. ***Grant a sewerage easement in favour of Yarra Valley Water, shown as E-1 on Plan B within this report, in consideration of seventy five thousand dollars ($75,000) plus GST.***

2. ***Authorise the Chief Executive Officer to sign all documents relating to the creation of the sewerage easement in favour of Yarra Valley Water, including the affixing of the Council seal, if required.***

BACKGROUND

Council is the registered proprietor of the property known as Donaldsons Reserve and addressed as 47 Rochdale Drive, Burwood East, as shown outlined in blue on Plan A below. The western boundary of 47 Rochdale Drive, Burwood East has an abuttal to the adjoining Burwood Brickworks development site (the Brickworks site), addressed as 78 Middleborough Road, Burwood East.

The registered proprietor of the Brickworks site has applied to Council for the granting of a sewerage easement, in favour of Yarra Valley Water, over a strip of Council's abutting land shown coloured red on Plans A and B below.

Donaldsons Reserve is comprised of three certificates of title, and includes a 2.45 metre wide strip of land linking the recreation reserve at 47 Rochdale Drive to Eley Road.

The proposed easement encumbers part of certificate of title Volume 8727 Folio 577, being the strip of land linking the Reserve to Eley Road. The proposed easement will connect sewerage infrastructure in the Brickworks site to that located in Eley Road.

The land contained in certificate of title Volume 8727 Folio 577 comprises a land size of 237m^2. The proposed easement has a width of 2.45 metres and a length of 76.20 metres, with a total land area of 186m^2.

Plan B below shows the extent of the proposed easement as shown coloured red and designated as E-1.

Photographs #1 and #2 contained within this report show the section of Council owned land where the proposed easement is to be located.

Whilst it is the registered proprietor of the Brickworks site who has requested the creation of the easement and who will be responsible for payment of the consideration to Council, the beneficiary of the proposed easement will be recorded on title as being Yarra Valley Water.

9.4.2
(cont)

Governance Requirements

In accordance with Section 191 of the *Local Government Act 1989*, Council is empowered to grant an interest in land to a public body without giving public notice of the proposal under Section 189 of the *Local Government Act 1989*.

Legal advice has confirmed that Yarra Valley Water is a public body for the purposes of Section 191 of the *Local Government Act 1989*, and accordingly, the public notification requirements of Section 189 of the *Local Government Act 1989*, do not apply in this circumstance; meaning that Council is not required to publish a public notice and is also not required to hear submissions relating to the proposal to grant an easement.

The market value of the proposed easement has been established via an independent valuation report undertaken by a qualified Property Valuer commissioned by Council's Property & Rates Department.

The market value of the proposed sewerage easement (E-1) as at 11 September, 2018 is:

- Seventy Five Thousand Dollars ($75,000) excluding GST.

DISCUSSION

The location of the proposed easement will have minimal impact on land use within Donaldsons Reserve.

The proposed easement will be located under an existing gravel path and enable the land to continue to provide a link from Donaldsons Reserve to Eley Road.

Refer Photographs #1 & #2 below.

CONSULTATION

The registered proprietor of the Brickworks site has been informed as to the valuation of the proposed sewerage easement and have advised Council, in writing, that they agree to the valuation quantum of Seventy Five Thousand Dollars ($75,000) plus GST as the consideration for the creation of the proposed easement.

As mentioned above, the creation of the easement is exempt from public notification requirements as the proposed easement is to be created in favour of a public body, being Yarra Valley Water.

FINANCIAL IMPLICATIONS

The registered proprietor of the Brickworks site will be required to pay Seventy Five Thousand Dollars $75,000 plus GST to Council for the creation of the sewerage easement.

Council will not execute the deed of easement documentation until the easement consideration is paid in full.

All valuation and legal costs, estimated to be $15,000 plus GST, associated with this matter will be borne by the Property & Rates 2018/19 operational budget.

POLICY IMPLICATIONS

There are no policy implications.

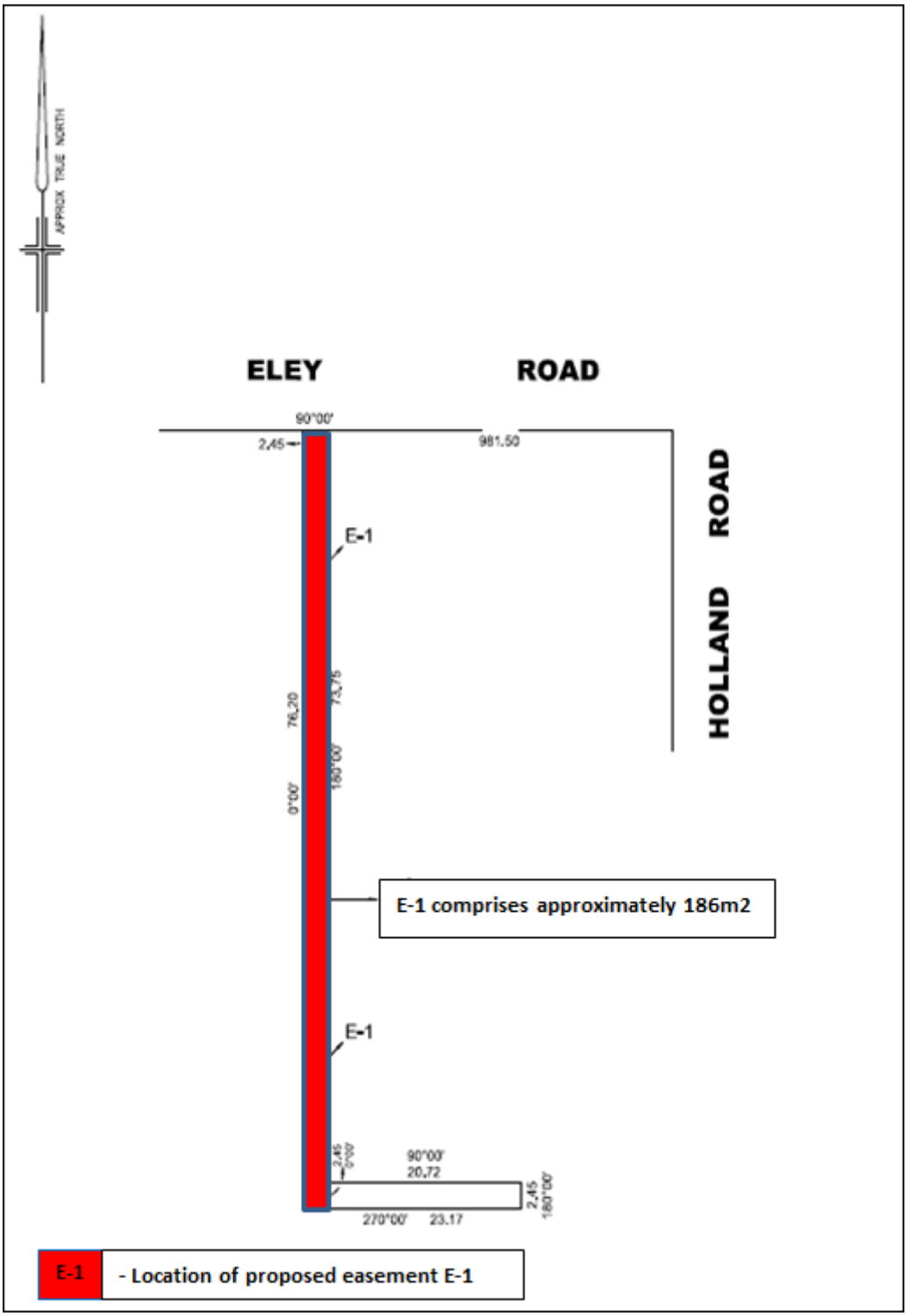
9.4.2
(cont)

PLAN A: ***"Location of 47 Rochdale Drive and surrounds"***



9.4.2
(cont)

PLAN B: ***"Proposed easement on Certificate of Title Volume 8727 Folio 577"***



9.4.2
(cont)

Photograph #1:



Photograph of subject land from Eley Road

Photograph #2:



Photograph of subject land looking north to Eley Road

9.4.3 Intention to Lease Land at 10-12 Watts Street, Box Hill

SUMMARY

This report advises Council of a proposal to lease the Council owned land known as 10-12 Watts Street, Box Hill and to authorise the statutory process in accordance with Section 190 of the Local Government Act 1989.

RECOMMENDATION

That Council:

1. ***In accordance with Sections 190 and 223 of the Local Government Act 1989, give notice of Council's intention to lease the land known as 10-12 Watts Street, Box Hill to Early Childhood Management Services Inc for a total lease term of two (2) years, in accordance with clauses 1b (ii) & (iii) of the Retail Leases Act 2003 Ministerial Determination dated 13 October 2014, with an annual rental of nine thousand dollars ($9,000) + GST, and with a proposed commencement date of 1 January 2019.***
2. ***Authorise the Manager of Property & Rates to undertake the administrative procedures necessary to enable Council to carry out its functions under Section 223 of the Local Government Act 1989, in relation to this matter.***
3. ***Appoints Council's Special Committee to consider and hear any submissions at the meeting to be held at Whitehorse Civic Centre Council Chamber 379 Whitehorse Road, Nunawading on Monday 3 December 2018 at 8.00pm.***

BACKGROUND

In 1994, the former City of Box Hill, the Box Hill Institute of Technical and Further Education and the Australian Taxation Office entered into a Joint Venture Agreement to develop and manage a 75 place childcare centre, at the Council owned property known as 10-12 Watts Street, Box Hill (the Subject Property).

The construction of the Subject Property was completed by Council in early 1995 and subsequently licensed and commenced operating as a childcare service in March 1995.

In April 1995, the Watts Street Child Care Centre Management Inc. (WCCMgt) became incorporated under the *Associations Incorporations Act 1981* and became the responsible legal entity acting as licensee and manager of the centre.

In 2005, WCCMgt contracted day-to-day management responsibilities and the role of licensee to Early Childhood Management Services Inc (ECMS), with ECMS becoming the stand-alone tenant in 2011.

ECMS is Victoria's largest "not-for-profit" provider of early learning and childcare services; and who, via 66 kindergartens and childcare centres, has been operating within metropolitan Melbourne for over twenty years.

The existing lease, which is now in overholding, was granted to ECMS in 2011 for a seven year term with a commencement date of 1 July 2011, an expiry date of 30 June 2018; with a passing rent of Twenty Thousand One Hundred Dollars ($20,100) excluding GST per annum.

Traditionally, childcare centres operate on a calendar year rather than on a financial year. Given that the existing lease expired on 30 June, Council wrote to ECMS advising that the existing lease will be placed in overholding from 1 July 2018 to 31 December 2018. This overholding extension will enable ECMS to provide continuity of service for the remainder of 2018.

9.4.3
(cont)

Photo #1: Aerial Photo of Subject Property



DISCUSSION

Childcare centres for the purposes of the *Retail Leases Act 2003* are considered a retail service; however, as ECMS are a "not-for-profit" organisation, this means that the proposed lease would be exempt from the operation of the *Retail Leases Act 2003* based on the Ministerial Determination dated 13 October 2014 (the Determination).

The Determination provides Council, as landlord, with relief from a number of restrictions contained with the *Retail Leases Act 2003*, with the main relief being that Council can offer a two year lease term rather than five year lease term, along with being able to negotiate a targeted maintenance schedule.

However, the Determination caps the rent at $10,000 inclusive of GST per annum and if the rent exceeds $10,000 per annum during the life of the lease, the Determination cannot be applied.

The reasoning for seeking a two year lease term via the Determination is that it will enable Council Officers to assess the central Box Hill childcare supply over the next 18 months, enable Council to complete a "fit-for-purpose" building audit of the Subject Property and, if required, enable Council to undertake a public procurement process (i.e. Expression of interest or public tender) to secure a longer term market based tenancy agreement.

Council's Lawyers have confirmed that the proposed lease can be granted in accordance with clauses 1b (ii) & (iii) of the Determination; however, they have also confirmed that Sections 190 and 223 of the *Local Government Act 1989* (the LGA) apply to the proposed lease.

9.4.3
(cont)

The dates for the Sections 190 & 223 process are as follows:

Monday 15 October 2018:	Council resolves to advertise its Intention to Lease over Council Owned Land
Saturday 20 October 2018:	Public notice displayed in The Age
Monday 22 October 2018:	Public Notice displayed on Council's Website
Monday 19 November 2018:	Public Submissions close
Monday 3 December 2018:	Special Committee to hear and consider any submission/s
Monday 10 December 2018:	Report to Council for consideration and resolution

CONSULTATION

As mentioned above, the formal process regarding the leasing of Council owned land is contained within Section 190 of the LGA, and this section gives members of the public the right to make a written submission under Section 223 of the LGA.

In accordance with Section 223(a) of the LGA, a person making a written submission has the right to request to be heard by the Committee of Council, appointed to consider and hear submissions.

Additionally, the public notice will be displayed on Council's website for the duration of the twenty eight (28) day public notice period.

FINANCIAL IMPLICATIONS

All expenses associated with the lease and the statutory process will be borne by the Property & Rates 2018/19 recurrent budget and these expenses are estimated to be approximately $15,000 + GST.

POLICY IMPLICATIONS

Council's Lease & Licence Policy.

9.4.4 Intention to Lease Land at 96-106 Springvale Road, Nunawading

FILE NUMBER: SF08/271

SUMMARY

This report advises Council of a proposed substation lease over part of the Council owned land known as the Nunawading Hub located at 96-106 Springvale Road, Nunawading and to authorise the statutory process in accordance with Section 190 of the Local Government Act 1989.

RECOMMENDATION

That Council:

1. ***In accordance with Sections 190 and 223 of the Local Government Act 1989, give notice of Council's intention to lease part of the land known as 96-106 Springvale Road, Nunawading to United Energy Distribution Pty Ltd for a total lease term of thirty (30) years, with a nominal annual rental of one dollar ($1), if demanded, and with a proposed commencement date of 1 January 2019.***
2. ***Authorise the Manager of Property & Rates to undertake the administrative procedures necessary to enable Council to carry out its functions under Section 223 of the Local Government Act 1989, in relation to this matter.***
3. ***Appoints Council's Special Committee to consider and hear any submissions at the meeting to be held at Whitehorse Civic Centre Council Chamber 379-397 Whitehorse Road, Nunawading on Monday 3 December 2018 at 8.00pm.***

BACKGROUND

The Council owned property located at 96-106 Springvale Road, Nunawading (the Subject Property), is the site for the proposed Nunawading Hub which is due commence construction in 2019.

The future electricity needs of the proposed Nunawading Hub necessitates the need for a new electrical substation, which is to be located on the northern title boundary of the Subject Property abutting Esdale Street.

The substation being located on the title boundary enables Council to maintain ownership and control of the electrical infrastructure, namely the onsite electrical cabling, from the proposed substation location across the Subject Property; thereby reducing any potential impediment relating to the development of the Nunawading Hub.

United Energy is the power authority in the Nunawading area and will be the lessee, while Zinfra acts on behalf of United Energy in relation to infrastructure requests; however, Zinfra will not be a party to the lease.

Zinfra confirmed the required substation area is approximately 41m^2 based on 6.40 metres x 6.40 metres dimensions, this area is required to provide adequate clearances and to also allow for 24 hour access.

It is important to note that the lease does not grant any easements over Council owned land

9.4.4
(cont)

DISCUSSION

Statutory Process:

Section 190 of the *Local Government Act 1989* (the LGA) states the following:

"Restriction on power to lease land:

1) A Council's power to lease any land to any person is limited to leases for a term of 50 years or less.

2) Subject to any other Act, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.

3) If the lease is to be-

   a) For 1 year or more and-
      i. The rent for any period of the lease is $50 000 or more a year; or
      ii. The current market rental value of the land is $50 000 or more a year; or

   b) For 10 years or more; or

   c) A building or improving lease-the Council must at least 4 weeks before the lease is made publish a public notice of the proposed lease.

4) A person has a right to make a submission under section 223 on the proposed lease."

Given that the proposed lease term is to be thirty (30) years, Council is required to comply with Section 190 of the LGA and publish a public notice and hear submissions in accordance with Section 223 of the LGA.

The dates for the statutory process are as follows:

Monday 15 October 2018:	Council resolves to advertise its Intention to Lease over Council Owned Land
Saturday 20 October 2018:	Public notice displayed in The Age
Monday 22 October 2018:	Public Notice displayed on Council's Website
Monday 19 November 2018:	Public Submissions close
Monday 3 December 2018:	Special Committee to hear and consider any submission/s
Monday 10 December 2018:	Report to Council for consideration and resolution

CONSULTATION

As mentioned above, the formal process regarding the leasing of Council owned land is contained within Section 190 of the LGA and this section gives members of the public the right to make a submission under Section 223 of the LGA.

Council is required to give public notice of the lease proposal and this public notice also gives members of the public the opportunity to make a written submission regarding Council's proposal to lease.

In accordance with Section 223(a) of the LGA, a person making a written submission has the right to request to be heard by the Committee of Council, appointed to consider and hear submissions.

Additionally, the public notice will be displayed on Council's website for the duration of the twenty eight (28) day public notice period.

9.4.4
(cont)

FINANCIAL IMPLICATIONS

The proposed substation is being constructed at Council's request, meaning that Council is the primary beneficiary of the substation. Consequently, it is deemed appropriate that the rent payable under lease, for the duration of the lease term, is a nominal rent of one dollar ($1) per annum, if demanded.

All expenses associated with the lease and the statutory process will be borne by the Property & Rates 2018/19 recurrent budget and these expenses are estimated to be approximately $10,000 + GST.

POLICY IMPLICATIONS

Council's "Property Lease and Licence Policy".

9.4.5 Tender Evaluation (Contract 30079) Parking Meter Replacement

SUMMARY

To consider tenders received for the provision of parking Meter replacement Program and to recommend the acceptance of the tender received from Australian Revenue and Parking Control, trading as APARC, for the amount of $1,233,500, including GST and to consider the overall project expenditure.

RECOMMENDATION

That Council:

1. ***Accept the tender and sign the formal contract document for Contract 30079 for the Supply and Installation and for five years, the maintenance, communications and licensing of Parking Meters received from Australian Revenue and Parking Control (ABN 35 131 621 666), of 37 Parramatta Road Haberfield NSW, trading as APARC, for the tendered amount of $1,233,500 including GST, and***
2. ***Place the formal order be placed when the APARC receive 4G certification for its network (November 2018); and***
3. ***Authorise the Chief Executive Officer to execute all necessary contract documents under this arrangement.***
4. ***Consider changing the Saturday parking tariff in Council's off street carparks from $7.50 per day to $2.70.***

BACKGROUND

Council has been providing paid parking options via ticket machines around the Box Hill CAA and Hospital precincts with the current infrastructure eight years old. Progressively these ticket machines have been failing resulting in decreased revenue, loss of community confidence as well as increasing levels of faults, vandalism and theft reducing accessibility.

As part of the 2018/19 Capital Works draft budget, Officers sought to replace the existing fleet to provide the community with a suite of parking meters that would provide reliability and allow users access to the latest technologies including payment options such as pay by phone, credit card and Near Field Communication (NFC).

At the Council meeting of 25 June 2018, Council adopted the Capital Works budget which included $850,000 for the purchase and replacement of the existing parking meter fleet. Separately and as part of the Budget Initiative, the Parking Services budget includes $50,000 for annual maintenance of the parking meters.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 26th April 2018 and closed on May 23, 2018.

Council received five (5) tenders from the following companies:

- Duncan Solutions
- CDS worldwide
- Global Integrated Solutions
- CELLO Park
- APARC

As part of the assessment of the tenders, reference checking was carried out with municipalities currently using the various parking meters to provide information on reliability, payment options, accessibility and usability.

9.4.5
(cont)

The preferred tenderer's feedback included:

- Excellent reliability;
- Back office system provides ease of use, good reporting and fault management;
- Excellent battery life and minimal break downs reported;
- Ease of use of the machines and maintenance.

In addition to the supply and installation of the new parking meters, tenderers were asked to include an annual maintenance program. The preferred tenderer's cost of the this program and the supply of the parking meters was considered the best value for Council

The tenders were assessed against the following criteria:

PRICE (35%),

- The tender offer for the supply, installation and removal of 100 parking meters and an annual maintenance program.

CAPABILITY (40%)

- Ability to deliver the service including multiple payment options, accessibility to spare parts, reliability of performance, back office reporting, latest technology including 4G network, communication between the parking meters and Council and reporting standards

CREDIBILITY (25%)

- The reliability of the service and expertise in the service being provided. The The experience of the existing fleet of parking meters found support often was delayed, spare parts unreliable, reporting failure and loss of confidence in the customer experience.

As referenced earlier in this report, extensive on site visits to the Councils of Port Phillip, Boroondara, Maribyrnong, Greater City of Dandenong and Hobsons Bay for inspection and discussion with nominated persons on the meters currently in use at those locations from the tendering companies.

In addition to the above, Council's Manager IT Operations reviewed all tenders specifically in relation to the information technology capabilities, advancements and benefits available to Council, while Council's Head of Finance and Corporate Performance reviewed the financial submissions and costings of each of the tenders to ensure the very best product, value for money and benefits to Whitehorse.

The financial analysis was assessed under two categories. The first relates to the cost associated with the supply, removal and installation (Capital) of the Parking Meters as well as additional signage and the second includes recurrent expenditure of maintenance, licensing and communications. The communication and licensing fees tendered are significantly higher than the current expenditure however this can be attributed to the improved communication and multiple payment option platforms.

As there will be new payment platforms available for motorists additional advisory signage will need to be installed. The financial analysis incorporates these costs.

9.4.5
(cont)

The preferred tender's pricing structure is as follows:

	Budget $ (Incl. GST)	Tendered $ (Incl. GST)
Supply, removal and installation	850,000	595,000
Disposal of old machines	0	8,500
New signage	0	16,500
Maintenance – 5 years	250,000	300,000
Licensing & Communications – 5 years	110,000	330,000
Total	1,210,000	1,250,000

CONSULTATION

Officers from Council's Compliance, Transport Engineers, Finance and Information Technology departments were consulted in the tender review and preparation of this report.

Cities of Greater Dandenong, Port Phillip, Maribyrnong, Hobson's Bay and Boroondara.

FINANCIAL IMPLICATIONS

	Budget $	**Expenditure $**
Capital Works Funding Account No.(2017-390)	850,000	
Recurrent maintenance Schedule (five years)	250,000	
Recurrent communications/licensing Schedule (five years)	110,000	
Total Budget	**1,210,000**	
Preferred tenderer's lump sum offer (including GST)		595,000
Disposal and New Signage		25,000
Preferred tenderer's 5 year maintenance program		300,000
Preferred tenderer's communications/licensing Schedule (five years)		330,000
Less GST		-125,000
Total Expenditure Over 5 years)		**1,125,000**

9.4.6 Dog Off Lead Review

ATTACHMENT

SUMMARY

The Domestic Animals Act 1994 (Act) provides for local governments to establish additional controls for the management of Domestic Animals. These controls include how domestic animals are to be restrained in the community and locations where dogs can be exercised.

This report details the results of a review of the current Dog Off Lead provisions operating in the City of Whitehorse and recommends a number of changes to Order No 6 made under the Act.

RECOMMENDATION

That Council:

1. ***Repeals Whitehorse City Council's Order No. 6 made in accordance with Section 26 (2) of the Domestic Animals Act 1994;***
2. ***Endorse Whitehorse City Council Order No. 7 (Attachment 1) made in accordance with Section 26 (2) of the Domestic Animals Act 1994 to become effective November 1, 2018;***
3. ***Publish the Whitehorse City Council Order No. 7 in the Government Gazette and local paper as specified under Section 26 (3) of the Domestic Animals Act 1994.***

BACKGROUND

The Act provides Councils the authority to impose certain conditions on the presence of dogs and cats in any public place. Whitehorse has four Orders in place made under the Act being:

- Order 3 – compulsory desexing of cats and dogs being registered for the first time in Whitehorse;
- Order 4 – cat confinement during specified times;
- Order 5 – prohibition of cats entering designated environmentally sensitive areas; and
- Order 6 – effective control of dogs in Public Places including Dog Off Lead areas.

The Act also requires local governments to establish a Domestic Animal Management Plan (DAMP). The objectives of the Whitehorse 2017-2020 DAMP include the establishment of a framework that provides a safe, harmonious environment by promoting responsible pet ownership through the effective control of dogs in public places. Part of the DAMP 2018 action plan objectives was to conduct a review of Order No 6 made under section 26 (2) of the Act.

Council last reviewed Order No 6 in 2012 where it was resolved to maintain the existing 19 designated Dog Off Lead areas in the municipality.

The remaining three Orders are scheduled for review in 2019.

9.4.6
(cont)

DISCUSSION

Order No. 6 establishes a set of requirements for dog owners when exercising their pets in public places. These include:

- Dogs must be under effective control by being on a lead or similar no longer than 1.5 metres in length when being exercised in public places;
- Under certain conditions, dogs maybe exercised off lead in a designated reserve (there are 19 designated reserves);
- When exercising a dog in a designated reserve, an owner must be no further than 25 metres from their dog;
- Dogs are not permitted within 2.5 metres of a playground, a permanent barbeque or picnic area or an organised public meeting; and
- Dogs are not permitted to enter an oval or similar during an organised sporting event or within 2.5 metres of the perimeter of those events

Members of the Domestic Animal Management Planning Advisory Committee (DAMPAC) undertook a review of Order No. 6 examining its effectiveness, whether it meet community expectations and if there were potential to modify and expand the current controls.

The initial review identified a number of matters that required reassessment. These included expanding the definitions, consider the potential increase of the number of locations in the municipality available to exercise dogs off lead, improve the off lead requirements for dog owners, consider exclusion zones along shared paths and clarify aspects of the Order.

Draft Order No. 7 has expanded the definitions to improve clarity of terms used, included the Community Local Law 2014 requirement that dogs are prohibited from entering Specified Wetland areas and enhanced the controls around community gathering locations, organised sport and events.

In regards to additional dog off lead areas, a number of locations were identified for potential inclusion as designated reserves and these were investigated.

A mixture of Council (Five) and Melbourne Water (11) managed reserves were identified as potential dog off lead sites with all undergoing investigation. All Melbourne Water Reserves were deemed unsuitable for a mixture of reasons including:

- Unrestricted access to open drains that carry large volumes of fast moving water;
- Access to unfenced drowning hazards such as spillways;
- Trees in the retarding basins are not maintained to the same standards as public access reserves and may be a hazard; and
- Any additional fencing would compromise the efficiency of the retarding basins in rain events.

The five Whitehorse Reserves were Elgar Park Mont Albert North, Eram Park and Frank Sedgman Reserve in Box Hill North and Billabong and Tyrol Parks in Vermont South. Of the five locations three were considered suitable for use as dog off lead areas.

A sub-committee of DAMPAC (Members included Councillors, staff from Arts and Recreation, Compliance and Parkswide Departments, RSPCA and a community group) conducted an analysis of each location including onsite inspections, mapping review, locality gaps and broader community consultation.

9.4.6
(cont)

An overview of the analysis for each site follows.

Billabong Park - Recommended

Billabong Park is a large park with the southern section used for baseball. The park has carparking and facilities open to the public.

This site will be one of two sites south of Burwood Highway that allows for dogs off lead if endorsed and will service a large community. There are substantial areas where dogs can be exercised away from the baseball diamonds having minimal impact.

The DAMPAC subcommittee supported this location as a dog off lead area.

Frank Sedgman Reserve – Not supported

This reserve is a small allotment south of the eastern freeway. There is a carpark, tennis courts, a children's' play space and is generally used for passive recreation. The largest piece of open space in the reserve is in Manningham and is already a dog off lead area.

The DAMPAC subcommittee did not support declaring this reserve as a dog off lead area.

Elgar Park - Recommended

The oval to the west of the hockey pitch was considered as an appropriate off led area as it was immediately adjacent to the Koonung Creek Reserve, an existing linear dog off lead area. The site is underutilised, has carparking available, is clearly definable and away from other park users.

The DAMPAC subcommittee identified that the oval immediately to the west of the hockey pitch would be suitable as area for the exercise of dogs off lead.

Eram Park - Recommended

Is a large park adjacent to the Koonung Creek Reserve that is open providing opportunities for dogs to run in a safe environment. There are few houses in the vicinity with large tracts of linear parkland to the west and east. Eram Park is also immediately adjacent to a dog off Lead Park in the City off Manningham.

In the future, Eram Park will be impacted by Melbourne Water and North East Link works. However, the DAMPAC subcommittee felt that the location remains an excellent option for dogs off lead exercise.

Tyrol Park – Not Supported

Tyrol Park is a small passive park that has children's place space and an area for informal sport including cricket. The site is surrounded by residential homes and has roads bordering on two sides.

While the DAMPAC subcommittee supported this location, the community consultation carried out identified that there was not majority support for the declaration

9.4.6
(cont)

CONSULTATION

To identify the community appetite for additional dog off lead areas, public advertisements and targeted mail out of local areas were made inviting comments and submissions on the proposal of including three new locations as areas where dogs could be exercised off lead.

The consultation included:

- Billabong Park - associated sporting clubs (Forest Hill Baseball Club, Blackburn Orioles Baseball Club) and residents within a 450 metre radius (614 in total)
- Tyrol Park- residents within a 450 metre radius (625 in total)

- Advertised all 4 proposed off lead parks on the website and Whitehorse Leader- 27 August 2018.

Given that Eram Park and Elgar Reserve do not have housing associated a mail out was not conducted at these locations.

A total of 109 responses were received. The table below details the results of the submissions received.

	Billabong	**Frank Sedgman**	**Elgar**	**Eram**	**Tyrol**
DAMPAC Support	Yes	No	Yes	Yes	Yes
Community For	20	0	5	2	15
Community Opposed	18	0	0	0	23
Totals	**38**	**0**	**5**	**2**	**38**
Recommendation	**Yes**	**No**	**Yes**	**Yes**	**No**

Some common concerns and themes that were coming through the consultation were:

- The lack of fencing;
- Proximity to playgrounds and schools;
- Lack of control from owners walking their dogs off lead; and
- The lack of bins at the locations.

DAMPAC also received a submission from a local resident requesting that any dog off lead provisions:

- Provide for a five metre buffer zone along either side of any shared path where dogs must be on a lead; and
- That dogs must be within clear and unobstructed view of its owner and must return to its owner upon command in a dog off lead area.

DAMPAC considered both proposals and did not support the introduction of buffer zones along shared paths as existing controls require dogs to be under the control of their owners at all times.

The enhanced definition for controls in a dog off lead parks was supported.

9.4.6
(cont)

FINANCIAL IMPLICATIONS

To assist the community in identifying the proposed additional dog off lead areas and supplement the signage in existing parks, a 2019/20 Capital Nomination has been submitted for $15,000 for the purchase and installation of Dog Off Lead Information signs.

It's planned to install these at the new locations and existing dog off lead areas.

	Budget 2019/20
Total Budget	**$15,000**
Total Expenditure	**$15,000**

POLICY IMPLICATIONS

Whitehorse City Council Order No 6 made under Section 26(2) of the *Domestic Animals Act 1994* be repealed and replaced with Whitehorse City Council Order No. 7 (Attachment 1).

ATTACHMENT

1 Designated Reserves (Dog off lead) Provisions ⇨

9.4.7 Tender Evaluation (Contract 30121) Whitehorse City Council Microsoft Licensing Agreement Renewal

SUMMARY

This report is to recommend the preferred channel partner for the supply of a three year Microsoft Enterprise Agreement and recommends the Chief Executive Officer be authorised to sign the formal contract document on behalf of Council. It is recommended that the contract be awarded to Data#3 Limited.

RECOMMENDATION

That Council:

1. ***Accept Data#3 Limited as its preferred Microsoft channel partner.***
2. ***Accept the offer from Data#3 Limited (ABN 31 010 545 267), for the supply of software licensing and to sign an Enterprise Agreement with Microsoft Operations PTE Limited of Department 551, Volume Licensing 438B Alexandra Rd #04-09/12 Block B Alexandra TechnoPark Singapore 119968, for the amount of $935,055.87, including GST for a period of 3 years.***
3. ***Authorise the Chief Executive Officer to execute all necessary contract documents under this arrangement.***

BACKGROUND

In 2015, under an MAV led tender on behalf of Victorian local government, Council purchased Microsoft licences through Staples Australia for the fixed period of 3 years. This allowed Council to amortise the cost of outright purchases over the period in addition to paying software assurance (Maintenance). This contract ended in September 2018.

As a refresh to the existing MAV contract, the MAV recently completed a tender process (Contract MS4333-2017) and following evaluation have selected two preferred suppliers from which Council can choose as a channel partner. Winc Australia Pty Ltd (formerly Staples Australia) and Data#3 Limited were the selected suppliers, each with a unique set of pricing and value-add offerings.

DISCUSSION

Enterprise Agreements

Enterprise Agreements (EA) are generally aimed at large businesses and offer significant cost savings based on business size categories. An EA enables the purchase of required software licenses with payment amortised over a 3 year period rather than an upfront lump sum. A condition of signing an EA is the up-take of Software Assurance, which provides the following benefits to Council:

- All future upgrades at no further cost;
- Training credits;
- Technical support and problem resolution.

9.4.7
(cont)

Once the capital cost of the software has been paid after year 3, the ongoing cost is only software assurance (software maintenance). Additional license requirements due to PC fleet increases or user demand is captured yearly during the annual true-up.

If, during the Enterprise Agreement, there is a requirement to buy additional licenses of a particular application, Council will be able to purchase at the discounted prices. Effectively, the prices are locked in over the period of the agreement. Microsoft may request an audit of all licences installed at any time during the life of the agreement.

Microsoft, in conjunction with the MAV, have renewed the EA as many local governments' current agreements are due to expire in July-September, including Whitehorse. The intention of the agreement was to allow all Councils access to a sector-wide agreement and be rewarded with the lower cost option as a result of the economy of scale normally restricted to larger organisations. The agreement has also received Ministerial approval to exempt Councils from having to tender for Microsoft licensing agreements.

The process involved the tendering of MS Licensing Services and license pricing. A panel of two vendors were selected – Data#3 Limited and Winc Australia. Both vendors offer a discount off official Microsoft pricing as well as value-added services.

Options Summary with Recommended Microsoft Channel Partner

Option	Pros / Cons
"Do nothing" option (Non-preferred)	• No support; Council unlicensed • Ongoing compatibility issues • Limited development opportunities • Unsupported integration to corporate applications • No opportunity to consider cloud based solutions • High business continuity risk
Re-sign to an Enterprise Agreement (Option 2 is the preferred option)	• Continuous access to state-of-the-art software • Ongoing support • Functionality • Software Assurance benefits • Facilitates adoption of cloud based solution • Option 1: Continue annual maintenance of current product set (non-preferred option) - Limits the Council to accessing Microsoft products from the desktop and is tied to Council installation of the Microsoft suite of products - Licencing for 700 users @ $444.59 per user = $311,210.9 per year = $933,632.70 over 3 years (Data#3) • Option 2: Move to a cloud-centric EA renewal option (Recommended option) - Allows for migration to the web based version of Microsoft Office 365, collaboration tools and other cloud services - Licencing for 700 users @ $445.27 per user = $311,685.29 per year = $935,055.87 over 3 years (Data#3) - Initially Council will continue to host content onsite.

Microsoft, like most software vendors, are moving their products to "cloud-based" offerings. This changes the traditional per desktop software license to an annual subscription. With cloud-based solutions, the renewal options include moving from a software per licenced copy to a per user licence (with a regulated number of device installs allowed per user). A cloud based solution allows the Council to optimise licensing and improve software asset management controls.

9.4.7
(cont)

Benefits Summary of Option 2 – Move to a cloud-centric EA renewal

Action	Impact	Benefit
Modernising of the current systems	Increased functionality Increased stability Increased compatibility Increased collaboration	Increased productivity Better Customer Service Reduced downtime Reduced errors and conflicts
Closing licensing gaps	Increased cost	Risk mitigation
Software Assurance	Ongoing support	Stable, reliable systems
Ability for payments over 3 years	Reduced upfront costs	Better cost management
Ongoing supplier relationship	Value Added services	Better service

Other benefits

- Locking in acknowledged sector best pricing
- Dealing with an existing, known, reliable supplier
- Increased ability to keep systems current
- Other Software Assurance benefits
- Cloud centric renewal allowing for greater functionality, mobility and security

License Channel Partner Selection

To assist in the selection of a preferred License Solution Partner available, Council officers utilised Council's tender evaluation methodology. Our selection was based on the following criteria:

- Financial Benefit
- Value Added services
- Experience
- Overall Track Record

The outcome of the evaluation resulted in Data#3 Limited being the preferred vendor. The package offered by the company, exceeded Winc in terms of value added services. Data#3 demonstrated value add by assisting the Council to better understand the offerings available with the cloud-centric EA agreements, provided valuable insights which were utilised to determine the most cost effective licensing framework and product solution moving forward to meet the Council's overall technology strategy and assisted the Council to identify savings and right-sizing for the licence renewal options. Results of the evaluation are included in Attachment 2.

FINANCIAL IMPLICATIONS

Whitehorse currently has an Enterprise Agreement for Microsoft licensing. This was due to expire at the end of August 2018. The table below outlines the previous and future period spend (inc GST).

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Operational	227,647	227,647	227,647	311,685	311,685	311,685

9.4.7
(cont)

Product Set Required

Office Productivity
Windows Enterprise
Office Professional Plus – Word, Excel, Outlook, PowerPoint, Access, Publisher
Core Client Access License (usrCAL)
O365 E1 Cloud Client License (Cloud User) – Core Cloud Client Access
O365 E3 Cloud Client License (Cloud User) – Skype, Exchange, SharePoint
Visio Standard – org and flow charting
Visio Professional
Microsoft Project – project management
Visual Studio Pro w/MSDN Premium
Server Products
Office SharePoint Server
SharePoint Enterprise CAL
Configuration Manager Server
Exchange Server Standard
Exchange Server Enterprise
SQL CAL – client access license
SQL Server Standard
SQL Server Standard Core
System Centre Standard
System Centre Datacentre
Windows Remote Desktop CAL - Device
Windows Remote Desktop CAL - User
Windows Server Standard
Windows Server Datacentre

9.4.8 Live Streaming of Council Meetings

ATTACHMENT

SUMMARY

This report recommends that Council adopt the 'Live Streaming and Publishing Recordings of Council Meetings Policy' and provides an overview of why the introduction of live streaming would benefit the City of Whitehorse. Many components have been considered as part of the implementation and installation of Council's streaming solution in the Nunawading Council Chamber. Relevant financial, legal risk and resource implications have been identified and reflect Council's commitment to improve transparency in decision making, so members of the public can actively watch the debate and gain a better understanding of the reasons why decisions were made.

RECOMMENDATION

That Council:

1. ***Approve the proposal to Live Stream (Video webcast) Council Meetings, via the internet, as an innovative means of enhancing current decision making processes and providing residents with the opportunity to observe Council's business via all browser based screens (Smart TV's, computers and mobile devices).***
2. ***Adopt the Live Streaming and Publishing Recordings of Council Meetings Policy (Refer Attachment 1).***
3. ***Implement live streaming and archiving of Ordinary, Special and Special Committee of Council Meetings commencing 12 November 2018.***

BACKGROUND

Council at its Meeting 21 August 2017 resolved:

"That Council investigate costs for possible future video streaming and recording of all formal Council Meetings, including Special Committee meetings."

A budget initiative for Live Streaming of Council and Committee meetings for the 2018/2019 financial year was submitted to Council for consideration and approved by Council as part of the 2018/2019 budget.

The City of Whitehorse holds two meetings each month (except January) where Councillors consider and decide upon issues and policies which guide how the City operates.

Attendance by members of the public at Ordinary, Special and Committee meetings is encouraged. Council's Meeting Procedures and Common Seal Local Law 2013 provides members of the public with the opportunity to:

- Submit (up to two) questions to Ordinary Council meeting via public question time.
- Make a verbal submission to Special Committee of Council meeting

While attendance at Council meetings allows for direct participation with Councillors, it is impracticable for individuals who are not able to physically attend. The provision of livestreaming services could help to minimise this limitation.

9.4.8
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To date, the public are able to attend open sessions of all Committee/Council meetings, read documentation which has been uploaded to Council's website and also listen to an audio recording of the meeting, which is uploaded the day after each meeting. These forms of engagement inform and enable the public to participate in Council processes. The audio recording allows for a completeness of record, as the nuance of debate and reasoning is not captured by the official minuting of the meetings. The audio recording also allows for enhanced engagement for those members of the public who are unable to attend the meetings. While these benefits should not be understated, the recording is limited in that it has no visual element, and thus cannot match the engagement garnered by attending meetings in person. By livestreaming, Council could produce a real-time, objective account of each meeting.

The Victorian Ombudsman initiated an investigation and tabled a report "*Investigation into the Transparency of Local Government Decision making*" in the Victorian Parliament on 15 December 2016. The terms of reference for the investigation were to consider actions that ensure decision making is transparent and balanced against the need for efficiency and any specific obligations to maintain confidentiality.

The Ombudsman's report contained a number of recommendations, including the recording of council meetings (wherever practicable) and posting on council websites, all of which the Victorian State Government will take in account as part of the current review being undertaken of the Local Government Act 1989.

Given the Ombudsman's findings, Council's decision of 21 August 2017 and the importance of improving transparent processes to provide residents with greater opportunity to observe council decision making, arrangements have been put in place to introduce the live streaming of public Council and Committee meetings at Whitehorse City Council.

The aim is to improve accessibility and community access and participation in relation to viewing Council debate and decision making processes. Live streaming and publishing the video recordings of meetings on Council's website will provide more flexible and convenient access to a wider audience. Eliminating geographic and time barriers which may prevent the public from attending meetings in person, and providing opportunity for people to watch meetings 'in real time' via the internet, will result in greater community awareness and confidence in the integrity and accountability of decision making processes.

It is envisaged to commence video recording, streaming and archiving of Ordinary, Special and Special Committee of Council Meetings that are open to the public from Monday 12 November 2018.

DISCUSSION

Risk Management and Insurance implications

Public council meetings are an open forum of statements, questions, and answers. Occasionally, some things that are said may be regarded as offensive, defamatory, or contrary to law. Local Government council decision making, unlike State and Federal Government, does not afford Councillors the benefit of parliamentary privilege and hence, all associated laws apply.

When negative statements occur during a meeting that is not recorded, the potential for damage is generally confined to the audience in attendance. However, in contrast, when a recording of a meeting is published publicly the audience is potentially far greater, increasing the likelihood and/or severity of potential liability.

Whilst a council may not be liable for any defamatory comments made by an individual at a meeting, it may, however, be liable if it publishes that material; albeit inadvertently.

9.4.8
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In February 2015, the Municipal Association of Victoria (MAV) issued guidelines to:

- Clarify the MAV Insurance Liability Mutual Insurance (LMI) scheme's position regarding public liability insurance coverage for webcasting and audio recordings to cover Council's liability for inadvertently webcasting a deliberate, malicious, defamatory comment. However, the Councillor or officer knowingly making a deliberate, malicious statement would not be covered.

- Identify some of the risks associated with webcasting and/or audio recordings, i.e;
    - Inaccuracies
    - Misinformation
    - Defamation
    - Infringement of Copyright
    - Breach of Privacy / Disclosure of Personal Information
    - Offensive Behaviour including Discrimination
    - Vilification or Inciting Hatred
    - Confidential or Privileged Council Information

A detailed operational policy and procedures document 'Live Streaming and Publishing Recordings of Council Meetings' has been developed and presented for adoption by Council (Refer Attachment 1). This provides technical guidance for managing a webcast, processes for reducing the associated risks and a communication plan to ensure the community are aware of the live streaming and archived material, including:

- Placement of signage at the entrance to the Council Chamber advising that the meeting is being recorded and that members of the public gallery will not be visible during the recording, only Councillors and Council officers;
- The meeting Chair (or Council officer nominated by the Chair) making a statement to the gallery at the commencement of each meeting to ensure all attendees are aware that the meeting is being recorded;
- A similar statement included in the meeting agenda;
- Posting a disclaimer on Council's website to address any potential defamation and privacy concerns;
- The meeting Chair or Chief Executive Officer also having the ability at any time during a meeting to request that a live stream and/or recording be terminated.

Social and Community Matters

It is envisaged that the live streaming of Council meetings will:

- Provide residents with the opportunity of observing Council business via their browser based screens ('smart' TVs, computers, and mobile devices) and is envisaged to facilitate greater engagement with the community;
- Provide greater visibility to the role of the Mayor and Councillors;
- Provide an accurate visual record of meetings for future reference.

CONSULTATION

MAV (via MAV LMI), Council's Risk Management Team, IT Department, and Engineering and Environmental Services Department.

9.4.8
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FINANCIAL IMPLICATIONS

The installation of the equipment for the live streaming was funded by the 2018/2019 Capital budget initiative.

Monthly cost of $1260 (+GST) for the live streaming, agenda/items listings, archiving, editing, web page set up and the host serving of the live streaming and video archiving and data storage, will be met within the Civic Services Department recurrent budget.

POLICY IMPLICATIONS

The 'Live Streaming and Publishing Recordings of Council Meetings Policy', once endorsed will be placed in Council's Corporate Policy manual.

Other related policies and statutory obligations:

- Councillor Code of Conduct
- Employee Code of Conduct
- Meetings Procedure and Use of Common Seal Local Law 2013

ATTACHMENT

1 Live Streaming and Publishing Recordings of Council Meetings Policy ⇨

9.4.9 Delegated Decisions August 2018

SUMMARY

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

RECOMMENDATION

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

DELEGATION	FUNCTION	Number for August 2017	Number for August 2018
Planning and Environment Act 1987	Delegated Decisions	133	167
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		34	31
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	94	
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	Nil
Food Act 1984	Food Act Orders	7	3
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	3	Nil
Local Government Act 1989	Temporary Road Closures	4	11
Other Delegations	CEO Signed Contracts between $150,000 - $500,000	1	1
	Property Sales and Leases	7	3
	Documents to which Council seal affixed	5	Nil
	Vendor Payments	1114	1257
	Parking Amendments	7	1
	Parking Infringements written off (not able to be collected)	290	355

9.4.9
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DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS AUGUST 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	Application Type
WH/2018/253	07.08.18	Application Lapsed	5-7 Hirst Street Blackburn Vic 3130	Central	The construction of four double storey dwellings, buildings and works within four metres of vegetation.	Multiple Dwellings
WH/2018/422	15.08.18	Application Lapsed	19 Bennett Street Burwood Vic 3125	Riversdale	Construction of three double storey dwellings, buildings and works within 4 metres of vegetation.	Multiple Dwellings
WH/2018/617	15.08.18	Application Lapsed	10 Meerut Street Mitcham Vic 3132	Springfield	Buildings and works for a driveway and front fence within 4 metres of a protected tree in the SLO9	VicSmart - General Application
WH/2015/1143/A	06.08.18	Delegate Approval - S72 Amendment	31 Denis Street Mitcham Vic 3132	Springfield	Proposed two - two storey dwellings	Permit Amendment
WH/2015/475/B	23.08.18	Delegate Approval - S72 Amendment	55 Katrina Street Blackburn North Vic 3130	Central	Reduction of standard car parking requirement associated with a cafe	Permit Amendment
WH/2016/1199/A	22.08.18	Delegate Approval - S72 Amendment	78 Middleborough Road Burwood East Vic 3151	Riversdale	Creation of an access to a road in a Road Zone Category 1, intersection works to a road in a Road Zone Category 1, building and works for a retaining wall and associated removal of native vegetation	Permit Amendment
WH/2016/256/A	06.08.18	Delegate Approval - S72 Amendment	1 Winton Street Burwood Vic 3125	Riversdale	Construction of 11 dwellings comprising 8 three storey and 3 double storey dwellings with basement, removal of easements, and alteration of access to a road in a Road Zone, Category 1	Permit Amendment

9.4.9
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Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/553/A	15.08.18	Delegate Approval - S72 Amendment	541 Elgar Road Mont Albert North Vic 3129	Elgar	Construction of two (2) double storey dwellings	Permit Amendment
WH/2016/875/A	06.08.18	Delegate Approval - S72 Amendment	7 Eustace Street Blackburn Vic 3130	Central	Removal of tree and construction of buildings and works associated with the construction of a double carport and verandah	Permit Amendment
WH/2016/887/A	15.08.18	Delegate Approval - S72 Amendment	11 Farleigh Avenue Burwood Vic 3125	Riversdale	Construction of three (3) double-storey dwellings	Permit Amendment
WH/2016/926/A	15.08.18	Delegate Approval - S72 Amendment	14 Roselea Street Box Hill North Vic 3129	Elgar	The construction of six (6) double storey dwellings	Permit Amendment
WH/2017/640/B	27.08.18	Delegate Approval - S72 Amendment	14 Larch Street Blackburn Vic 3130	Central	Construction of a double storey dwelling (within Special Building Overlay)	Permit Amendment
WH/2012/919/A	29.08.18	Delegate NOD Issued	50 Station Street Burwood Vic 3125	Riversdale	Amendment to WH/2012/919 (issued for construction of a three storey building with basement car park, reduction in car parking requirement and alteration of access to a road in a Road Zone Category 1) to increase floor levels and building height by 0.9 metre, alter entrance ramp, provide stairs to access ground floor terraces and minor layout changes	Permit Amendment
WH/2017/1016	14.08.18	Delegate NOD Issued	27 Parkside Avenue Box Hill Vic 3128	Elgar	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/1035	15.08.18	Delegate NOD Issued	9 St James Avenue Mont Albert Vic 3127	Elgar	Construction of two dwellings on a lot, removal of trees and buildings and works within 4 metres of a tree under the SLO9	Multiple Dwellings

9.4.9
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Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/1052	21.08.18	Delegate NOD Issued	25 Main Street Blackburn Vic 3130	Central	Demolition of a dwelling, buildings and works to construct a single dwelling and tree removal	Neighbourhood Character Overlay
WH/2017/256	17.08.18	Delegate NOD Issued	15 Kintore Crescent Box Hill Vic 3128	Elgar	Buildings and works for construction of five triple storey dwellings, reduction of the visitor car parking space and tree removal	Multiple Dwellings
WH/2017/740	8.08.18	Delegate NOD Issued	762-764 Whitehorse Road Mitcham Vic 3132	Springfield	Construction and use of a 2 storey childcare centre, signage, tree removal and alteration of access to a road in a road zone, category 1	Child Care Centre
WH/2017/960	21.08.18	Delegate NOD Issued	15 Edyvean Street Surrey Hills Vic 3127	Riversdale	The development of two (2) double storey dwellings	Multiple Dwellings
WH/2018/100	22.08.18	Delegate NOD Issued	274-278 Whitehorse Road Nunawading Vic 3131	Springfield	Buildings and works associated with the redevelopment of the existing restricted retail premises, use of the land for a food and drink premises, a reduction in carparking requirements, alterations to access to a road zone category 1, erection and display of business identification signage	Business
WH/2018/15	17.08.18	Delegate NOD Issued	20 Oak Street Surrey Hills Vic 3127	Riversdale	Construction of 2 double storey dwellings including basement level and tree removal	Multiple Dwellings

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/322	17.08.18	Delegate NOD Issued	15 Hartigan Street Blackburn Vic 3130	Central	Removal of 10 trees, buildings and works within 4 m of one protected tree (for the purpose of one new double storey dwelling)	Special Landscape Area
WH/2018/373	30.08.18	Delegate NOD Issued	219 Blackburn Road Blackburn South Vic 3130	Central	Removal of five (5) trees on a property covered by the significant landcsape overlay schedule 9	Special Landscape Area
WH/2018/394	31.08.18	Delegate NOD Issued	7 Highview Grove Burwood East Vic 3151	Riversdale	Buildings and works within 4 metres of protected trees and vegetation removal in SLO9	Special Landscape Area
WH/2018/395	15.08.18	Delegate NOD Issued	46 Shepherd Street Surrey Hills Vic 3127	Riversdale	Construction of two double storey residential dwellings and removal of trees.	Multiple Dwellings
WH/2018/413	31.08.18	Delegate NOD Issued	9 Patterson Street Nunawading Vic 3131	Springfield	Removal of Vegetation within a Significant Landscape Overlay - Schedule 2	Special Landscape Area
WH/2018/46	03.08.18	Delegate NOD Issued	141 Eley Road Blackburn South Vic 3130	Riversdale	Buildings and works for construction of two double storey dwellings and tree removal.	Multiple Dwellings
WH/2018/47	27.08.18	Delegate NOD Issued	62-64 Dunlavin Road Nunawading Vic 3131	Springfield	Construction of six, two storey dwellings, removal of trees protected under SLO9	Multiple Dwellings
WH/2016/1173	17.08.18	Delegate Permit Issued	78 Middleborough Road Burwood East Vic 3151	Riversdale	Development of a (six storey) apartment building and alteration of access to a road in a Road Zone Category 1	Multiple Dwellings
WH/2017/1003	22.08.18	Delegate Permit Issued	23 Highview Grove Burwood East Vic 3151	Riversdale	The construction of two (2) double storey dwellings, front fence and buildings and works within 4 metres of vegetation.	Multiple Dwellings

9.4.9
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Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/1033	27.08.18	Delegate Permit Issued	34 Whitehorse Road Blackburn Vic 3130	Central	Use and development of a child care centre with basement carpark, alteration of road access to a Category 1 Road Zone and tree removal.	Child Care Centre
WH/2017/469	13.08.18	Delegate Permit Issued	36 O'shannessy Street Nunawading Vic 3131	Springfield	Amendments to layout of originally advertised plans for construction of two attached double storey dwellings, including alterations to boundary setbacks and driveway location	Multiple Dwellings
WH/2017/791	21.08.18	Delegate Permit Issued	16 Clive Street Mitcham Vic 3132	Springfield	The construction of three double storey dwellings	Multiple Dwellings
WH/2017/910	15.08.18	Delegate Permit Issued	225 Highbury Road Burwood Vic 3125	Riversdale	Construction of Two (2) Dwellings on a Lot, Alteration of Access to a Road Zone, Category 1 and Removal of Vegetation	Multiple Dwellings
WH/2017/952	13.08.18	Delegate Permit Issued	17 Slater Avenue Blackburn North 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/2018/128	20.08.18	Delegate Permit Issued	14 Cumming Street Burwood Vic 3125	Riversdale	Construction of Two (2) Double Storey Dwellings and vegetation removal	Multiple Dwellings
WH/2018/151	10.08.18	Delegate Permit Issued	4 Boxleigh Grove Box Hill North Vic 3129	Elgar	Development of the land for the construction of two (2) double storey dwellings and associated removal of trees.	Multiple Dwellings
WH/2018/164	16.08.18	Delegate Permit Issued	5 Judy Court Vermont Vic 3133	Morack	Construction of three (3) double storey dwellings and removal of trees within SLO9	Multiple Dwellings

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/171	28.08.18	Delegate Permit Issued	23 High Street Mont Albert Vic 3127	Elgar	Construct and building or carry out works to an existing heritage dwelling, building and works within 4m of vegetation and vegetation removal	Heritage
WH/2018/186	28.08.18	Delegate Permit Issued	1000 Whitehorse Road Box Hill Vic 3128	Elgar	Buildings and works to construct a building, use of the site as a place of assembly & alter access to a road zone category 1	Other
WH/2018/198	28.08.18	Delegate Permit Issued	1 Judith Street Burwood Vic 3125	Riversdale	Construction of two dwellings and trees removal	Multiple Dwellings
WH/2018/218	06.08.18	Delegate Permit Issued	1 South Parade Blackburn Vic 3130	Central	Display an electronic promotion sign	Other
WH/2018/232	31.08.18	Delegate Permit Issued	5 Bedford Street Box Hill Vic 3128	Elgar	Construction of three (3) double storey dwellings and removal of trees	Multiple Dwellings
WH/2018/265	20.08.18	Delegate Permit Issued	38 Edinburgh Road Blackburn South Vic 3130	Central	Buildings and works, timber entry acess ramp, covered verandah, extension to existing garden shed and resurfacing deck.	Education
WH/2018/312	23.08.18	Delegate Permit Issued	49 Denis Street Mitcham Vic 3132	Springfield	Buildings and works (construct a retaining wall) within 4m of protected trees within SLO9	Special Landscape Area
WH/2018/315	09.08.18	Delegate Permit Issued	12 Renmark Court Vermont South Vic 3133	Morack	Removal of Vegetation within a Significant Landscape Overlay - Schedule 9	Special Landscape Area
WH/2018/316	20.08.18	Delegate Permit Issued	612 Station Street Box Hill Vic 3128	Elgar	Restaurant and cafe licence	Liquor Licence
WH/2018/317	23.08.18	Delegate Permit Issued	31 Fowler Street Box Hill South Vic 3128	Riversdale	To construct two dwellings, front fence, remove vegetation and construct a building or construct or carry out works within 4m of trees	Multiple Dwellings

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/346	30.08.18	Delegate Permit Issued	G01/ 850 Whitehorse Road Box Hill Vic 3128	Elgar	Sale & Consumption of Liquor in association with use of land for the purpose of a Cafe/Restaurant	Liquor Licence
WH/2018/372	30.08.18	Delegate Permit Issued	50 Aldinga Street Blackburn South Vic 3130	Central	Removal of five trees on a property covered by the significant landscape overlay	Special Landscape Area
WH/2018/397	02.08.18	Delegate Permit Issued	903-905 Canterbury Road Box Hill Vic 3128	Elgar	10 Lot Subdivision (Multi Level Building Development)	Subdivision
WH/2018/405	10.08.18	Delegate Permit Issued	23 Dalmor Avenue Mitcham Vic 3132	Springfield	Buildings and works (comprising replacement of a brick and motor driveway with a permeable aggregate driveway and replacement of fencing) within 4m of a protected tree under Significant Landscape Overlay (SLO6).	Special Landscape Area
WH/2018/412	24.08.18	Delegate Permit Issued	2 Murray Court Vermont South Vic 3133	Morack	Removal of three trees	Special Landscape Area
WH/2018/436	30.08.18	Delegate Permit Issued	3 Charlnet Drive Vermont South Vic 3133	Morack	Subdivision of new apartment building in accordance with approved Development Permit	Subdivision
WH/2018/445	02.08.18	Delegate Permit Issued	6 Percy Street Mitcham Vic 3132	Springfield	6 lot subdivision	Subdivision
WH/2018/497	23.08.18	Delegate Permit Issued	14 Gordon Street Mont Albert Vic 3127	Elgar	Construct a Building & Carry out Works within a Significant Landscape Overlay - Schedule 9	Special Landscape Area
WH/2018/498	07.08.18	Delegate Permit Issued	44 Thornton Crescent Mitcham Vic 3132	Springfield	Buildigns and works (Installation of additional 70 CU.M Cement silo) associated with an existing concrete batch plant	Industrial

9.4.9
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Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/510	30.08.18	Delegate Permit Issued	355 Station Street Box Hill South Vic 3128	Riversdale	Removal of 17 protected trees in the Significant Landscape Overlay 9	Special Landscape Area
WH/2018/518	31.08.18	Delegate Permit Issued	22 Wavell Street Box Hill Vic 3128	Elgar	Construction of two dwellings and associated vegetation removal	Multiple Dwellings
WH/2018/519	30.08.18	Delegate Permit Issued	63 Laburnum Street Blackburn Vic 3130	Central	Development of the land for three (3) new dwellings including associated buildings and works and tree removal.	Multiple Dwellings
WH/2018/528	16.08.18	Delegate Permit Issued	19 Selwyn Street Blackburn Vic 3130	Central	Buildings and works within 4 metres of protected trees and vegetation removal	Special Landscape Area
WH/2018/54	21.08.18	Delegate Permit Issued	1 Sitar Court Burwood East Vic 3151	Riversdale	Construction of two (2) double storey dwellings and tree removal	Multiple Dwellings
WH/2018/551	30.08.18	Delegate Permit Issued	511a Whitehorse Road Mitcham Vic 3132	Springfield	Reduction in Carparking in assocation with use of land as a Medical Centre	Business
WH/2018/558	27.08.18	Delegate Permit Issued	125-135 Rooks Road Nunawading Vic 3131	Springfield	30 lot subdivision in 2 stages Stage 1- Lots 17-30, Stage 2- Lots 1-16	Subdivision
WH/2018/559	10.08.18	Delegate Permit Issued	19 Rostrevor Parade Mont Albert North Vic 3129	Elgar	Three lot subdivision	Subdivision
WH/2018/560	10.08.18	Delegate Permit Issued	14 La Frank Street Burwood Vic 3125	Riversdale	Four lot subdivision	Subdivision
WH/2018/572	30.08.18	Delegate Permit Issued	27 Box Hill Crescent Mont Albert North Vic 3129	Elgar	2 lot subdivision	Subdivision

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/579	02.08.18	Delegate Permit Issued	8 Market Street Nunawading Vic 3131	Springfield	Reduction of required car parking for a medical centre (massage)	VicSmart - General Application
WH/2018/582	15.08.18	Delegate Permit Issued	65 Esdale Street Nunawading Vic 3131	Springfield	Subdivision of Land into Three Lots, in accordance with the approved Development Permit and Plans	Subdivision
WH/2018/594	17.08.18	Delegate Permit Issued	25 Beaver Street Box Hill South Vic 3128	Riversdale	Vegetation removal (14 trees)	Special Landscape Area
WH/2018/596	15.08.18	Delegate Permit Issued	20 Iris Street Burwood Vic 3125	Riversdale	2 lot subdivision	Subdivision
WH/2018/597	15.08.18	Delegate Permit Issued	142 Junction Road Nunawading Vic 3131	Springfield	Two lot subdivision in accordance with approved Dual Occupancy development	Subdivision
WH/2018/618	23.08.18	Delegate Permit Issued	1029 Riversdale Road Surrey Hills Vic 3127	Riversdale	2 Lot subdivision	Subdivision
WH/2018/620	21.08.18	Delegate Permit Issued	52 Clyde Street Box Hill North Vic 3129	Elgar	3 lot subdivision	Subdivision
WH/2018/628	23.08.18	Delegate Permit Issued	34 Purches Street Mitcham Vic 3132	Springfield	To develop the land for the purpose of an ancillary scout hall and associated buildings and works within 4 metres of protected trees and vegetation removal	Other
WH/2018/636	28.08.18	Delegate Permit Issued	204 Hawthorn Road Vermont South Vic 3133	Morack	3 Lot subdivision in accoordance with plan of subdivision- PS 824408W	Subdivision
WH/2018/658	15.08.18	Delegate Permit Issued	10 Dudley Street Mitcham Vic 3132	Springfield	Removal of Vegetation within a Significant Landscape Overlay - Schedule 9	Special Landscape Area
WH/2018/672	10.08.18	Delegate Permit Issued	4 Service Road Blackburn Vic 3130	Central	4 Lot subdivision of development currently under construction	Subdivision
WH/2018/675	29.08.18	Delegate Permit Issued	5 Alexander Street Mitcham Vic 3132	Springfield	Three Lot Subdivision	Subdivision
WH/2018/679	30.08.18	Delegate Permit Issued	4/30 Burnett Street Mitcham Vic 3132	Springfield	Tree removal within Significant Landscape Overlay - Schedule 9	VicSmart - General Application

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/699	15.08.18	Delegate Permit Issued	36 Jolimont Road Forest Hill Vic 3131	Morack	Two (2) lot subdivision	VicSmart - Subdivision
WH/2018/703	30.08.18	Delegate Permit Issued	12 Ernest Street Blackburn Vic 3130	Central	Two (2) lot subdivision	Subdivision
WH/2018/706	22.08.18	Delegate Permit Issued	1 Wilkinson Street Burwood East Vic 3151	Morack	Buildings and works (construct a front fence) within 4m of protected vegetation within SLO9	VicSmart - General Application
WH/2018/709	02.08.18	Delegate Permit Issued	1 Fawcett Street Mitcham Vic 3132	Springfield	Removal of one tree within Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/714	02.08.18	Delegate Permit Issued	3 Florence Road Surrey Hills Vic 3127	Riversdale	Removal of one tree in the Signficant Landscape Overlay 9	VicSmart - General Application
WH/2018/716	27.08.18	Delegate Permit Issued	75 Valda Avenue Mont Albert North Vic 3129	Elgar	Buildings and works (front fence) within 4m of protected vegetation within SLO9 & VPO2	VicSmart - General Application
WH/2018/723	27.08.18	Delegate Permit Issued	3/14 Beaver Street Box Hill South Vic 3128	Riversdale	Buildings and works (construct a decking extension) in Special Building Overlay	VicSmart - General Application
WH/2018/724	02.08.18	Delegate Permit Issued	20 Winton Street Burwood Vic 3125	Riversdale	Removal of one (1) tree with SLO9	VicSmart - General Application
WH/2018/73	30.08.18	Delegate Permit Issued	10 Gladys Street Nunawading Vic 3131	Springfield	Construction of two double storey dwellings on a lot, removal of and buildings and works within 4 metres of trees protected under SLO9	Multiple Dwellings
WH/2018/736	02.08.18	Delegate Permit Issued	32 Cadorna Street Box Hill South Vic 3128	Riversdale	Removal of Melaleuca bracteata - Black Tea-tree within SLO9	VicSmart - General Application
WH/2018/739	02.08.18	Delegate Permit Issued	32 Cadorna Street Box Hill South Vic 3128	Riversdale	Removal of Liquidambar styraciflua - Sweet Gum within SLO9	VicSmart - General Application
WH/2018/744	02.08.18	Delegate Permit Issued	17/12 Irvine Street Mitcham Vic 3132	Springfield	Removal of one (1) tree within SLO9 & VPO3	VicSmart - General Application

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/745	02.08.18	Delegate Permit Issued	4 Sharrow Road Mitcham Vic 3132	Springfield	Remove one (1) tree within SLO6	VicSmart - General Application
WH/2018/746	06.08.18	Delegate Permit Issued	25 Walbrook Drive Vermont South Vic 3133	Morack	Removal of one tree within SLO9	VicSmart - General Application
WH/2018/748	10.08.18	Delegate Permit Issued	22 Trinian Street Vermont Vic 3133	Morack	Removal of Syzygium smithii - Lilly Pilly (Tree 1) within SLO9	VicSmart - General Application
WH/2018/751	02.08.18	Delegate Permit Issued	15 Mitchell Street Blackburn North Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/760	02.08.18	Delegate Permit Issued	17 Cromwell Court Blackburn Vic 3130	Springfield	Remove one (1) tree within SLO2	VicSmart - General Application
WH/2018/761	07.08.18	Delegate Permit Issued	11 Glen Valley Road Forest Hill Vic 3131	Springfield	Remove one (1) tree within SLO9	VicSmart - General Application
WH/2018/762	08.08.18	Delegate Permit Issued	1/3 Wridgway Avenue Burwood Vic 3125	Riversdale	Remove one (1) tree within SLO9	VicSmart - General Application
WH/2018/763	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Cupressocyparis leylandii - Leyland Cypress within SLO9	VicSmart - General Application
WH/2018/764	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Prunus serrulata - Oriental Cherry within SLO9	VicSmart - General Application
WH/2018/765	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Ligustrum lucidum - Broad-leaf Privet within SLO9	VicSmart - General Application
WH/2018/766	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Pittosporum undulatum - Sweet Pittosporum within SLO9	VicSmart - General Application
WH/2018/767	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Acer negundo - Box Elder within SLO9	VicSmart - General Application
WH/2018/768	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Cupressus arizonic - Arizona Cypress within SLO9	VicSmart - General Application
WH/2018/769	10.08.18	Delegate Permit Issued	1/1 Arcadia Street Box Hill South Vic 3128	Riversdale	Remove Pittosporum undulatum - Sweet Pittosporum within SLO9	VicSmart - General Application

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/770	22.08.18	Delegate Permit Issued	40 High Street Nunawading Vic 3131	Springfield	Remove one (1) tree within SLO9	VicSmart - General Application
WH/2018/776	16.08.18	Delegate Permit Issued	5 Maltby Walk Burwood Vic 3125	Riversdale	Remove one (1) tree within SLO9	VicSmart - General Application
WH/2018/777	21.08.18	Delegate Permit Issued	6 Hannaslea Street Box Hill Vic 3128	Elgar	Buildings and works (external paint) within Heritage Overlay HO101	VicSmart - General Application
WH/2018/778	21.08.18	Delegate Permit Issued	8 Wildwood Avenue Vermont South Vic 3133	Morack	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/781	07.08.18	Delegate Permit Issued	2 Boulton Road Blackburn Vic 3130	Central	Construct a carport associated with a dwelling within SLO2	VicSmart - General Application
WH/2018/783	22.08.18	Delegate Permit Issued	17-23 Stevens Road Vermont Vic 3133	Morack	Buildings and works (construct a front fence) within 4m of protected vegetation within SLO9	VicSmart - General Application
WH/2018/784	24.08.18	Delegate Permit Issued	7a Burnett Street Mitcham Vic 3132	Springfield	Buildings and works for the construction of a verandah to an existing dwelling on a lot less than 500 square metres	Single Dwelling < 300m2
WH/2018/785	15.08.18	Delegate Permit Issued	1 Somerset Court Blackburn South Vic 3130	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/786	15.08.18	Delegate Permit Issued	1 Somerset Court Blackburn South Vic 3130	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/787	10.08.18	Delegate Permit Issued	22 Trinian Street Vermont Vic 3133	Morack	Remove Sysygium smithii - Lilly Pilly (Tree 2) within SLO9	VicSmart - General Application
WH/2018/788	22.08.18	Delegate Permit Issued	47 Combarton Street Box Hill Vic 3128	Elgar	Buildings and works (front fence) within Heritage Overlay	VicSmart - General Application
WH/2018/799	15.08.18	Delegate Permit Issued	23 Cromwell Street Burwood Vic 3125	Riversdale	Two Lot Subdivision	VicSmart - Subdivision
WH/2018/800	17.08.18	Delegate Permit Issued	83 Percy Street Mitcham Vic 3132	Springfield	Two Lot Subdivision	VicSmart - Subdivision

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/816	21.08.18	Delegate Permit Issued	27 Vogue Avenue Vermont South Vic 3133	Morack	Two lot subdivision	VicSmart - Subdivision
WH/2018/817	22.08.18	Delegate Permit Issued	352 Station Street Box Hill South Vic 3128	Riversdale	Buildings and works (construction of an outbuilding) within 4m of protected vegetation within SLO9	VicSmart - General Application
WH/2018/819	17.08.18	Delegate Permit Issued	3 Duckham Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/820	28.08.18	Delegate Permit Issued	15 Victor Crescent Forest Hill Vic 3131	Morack	3 lot subdivision	Subdivision
WH/2018/822	22.08.18	Delegate Permit Issued	4 Arna Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/828	17.08.18	Delegate Permit Issued	1 Unley Court Vermont Vic 3133	Morack	Buildings and works (construct an extension to existing dwelling) within 4m of protected vegetation within SLO9	VicSmart - General Application
WH/2018/831	17.08.18	Delegate Permit Issued	3/2 John Street Blackburn Vic 3130	Central	Remove one (1) tree within SLO9	VicSmart - General Application
WH/2018/833	21.08.18	Delegate Permit Issued	38 Kenmare Street Mont Albert Vic 3127	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2018/838	17.08.18	Delegate Permit Issued	56 Broughton Road Surrey Hills Vic 3127	Riversdale	Buildings and works (construct a new front fence) within 4m of protected vegetation within SLO9	VicSmart - General Application
WH/2018/844	21.08.18	Delegate Permit Issued	18 O'shannessy Street Nunawading Vic 3131	Springfield	2 lot subdivision	VicSmart - Subdivision
WH/2018/845	21.08.18	Delegate Permit Issued	5/15 Badenoch Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/846	21.08.18	Delegate Permit Issued	55 Witchwood Crescent Burwood East Vic 3151	Riversdale	2 lot subdivision in accordance with plan of subdivision - ps821957c	VicSmart - Subdivision
WH/2018/847	22.08.18	Delegate Permit Issued	30 O'shannessy Street Nunawading Vic 3131	Springfield	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/848	21.08.18	Delegate Permit Issued	22 East India Avenue Nunawading Vic 3131	Springfield	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/850	22.08.18	Delegate Permit Issued	13 Churinga Avenue Mitcham Vic 3132	Springfield	Buildings and works (construct a carport) within SLO9 & VPO1	VicSmart - General Application
WH/2018/853	28.08.18	Delegate Permit Issued	20/634-644 Mitcham Road Vermont Vic 3133	Springfield	Buildings and works (internal alterations) within Industrial 3 Zone	VicSmart - General Application
WH/2018/857	27.08.18	Delegate Permit Issued	83 Wattle Valley Road Mitcham Vic 3132	Springfield	Removal of one (1) tree within SLO6	VicSmart - General Application
WH/2018/858	28.08.18	Delegate Permit Issued	8 Kent Close Blackburn North Vic 3130	Central	Buildings and works (construction of garage) within 4m of protected vegetation with SLO9	VicSmart - General Application
WH/2018/861	22.08.18	Delegate Permit Issued	51 Rosalind Crescent Blackburn Vic 3130	Central	Removal of one (1) tree within SLO2	VicSmart - General Application
WH/2018/862	27.08.18	Delegate Permit Issued	8 Inverness Avenue Burwood Vic 3125	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/863	22.08.18	Delegate Permit Issued	1/6 Springfield Road Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/864	27.08.18	Delegate Permit Issued	43 Court Street Box Hill Vic 3128	Elgar	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/872	30.08.18	Delegate Permit Issued	9 Badenoch Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/873	30.08.18	Delegate Permit Issued	77 Parer Street Burwood Vic 3125	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/875	30.08.18	Delegate Permit Issued	6 Albert Street Mitcham Vic 3132	Springfield	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/877	31.08.18	Delegate Permit Issued	12a Wolseley Crescent Blackburn Vic 3130	Central	Sweet pittosporum tree too close to driveway, fence and house	VicSmart - General Application
WH/2018/878	30.08.18	Delegate Permit Issued	1/151 Springfield Road Blackburn North Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/879	30.08.18	Delegate Permit Issued	6 Menzies Street Box Hill Vic 3128	Elgar	Removal of vegetation	VicSmart - General Application
WH/2018/881	30.08.18	Delegate Permit Issued	51 Wattle Valley Road Mitcham Vic 3132	Springfield	Buildings and Works (front fence) within 4m of protected vegetation within SLO6	VicSmart - General Application
WH/2018/887	30.08.18	Delegate Permit Issued	16 Collina Street Mitcham Vic 3132	Springfield	Removal of one tree	VicSmart - General Application
WH/2018/897	31.08.18	Delegate Permit Issued	68 Harrison Street Box Hill North Vic 3129	Elgar	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/900	30.08.18	Delegate Permit Issued	35 Victoria Crescent Mont Albert Vic 3127	Elgar	Buildings and Works (front fence) within 4 metres of protected vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/901	29.08.18	Delegate Permit Issued	7 Morley Crescent Box Hill North Vic 3129	Elgar	2 lot subdivision in accordance with existing planning permit	VicSmart - Subdivision
WH/2018/905	31.08.18	Delegate Permit Issued	103 Kenmare Street Mont Albert North Vic 3129	Elgar	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/92	30.08.18	Delegate Permit Issued	28 Hillside Crescent Blackburn Vic 3130	Central	Development of a two storey dwelling and tree removal	Single Dwelling < 300m2

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/863	08.08.18	Delegate Refusal Issued	3 Talbot Street Mitcham Vic 3132	Springfield	The construction of four (4) double storey dwellings	Multiple Dwellings
WH/2017/890	08.08.18	Delegate Refusal Issued	14 Efron Street Nunawading Vic 3131	Springfield	Development of Seven (7) Double Storey Dwellings on a Lot, Buildings and Works within Four (4) Metres of Protected Tree's under the Significant Landscape Overlay - Schedule 9 and Buildings and Works within a Special Building Overlay	Multiple Dwellings
WH/2018/258	10.08.18	Delegate Refusal Issued	129-133 Burwood Highway Burwood Vic 3125	Riversdale	Construction of a part five storey and part six storey apartment building plus basement car park, and alteration of access to a Road Zone Category 1	Multiple Dwellings
WH/2018/49	27.08.18	Delegate Refusal Issued	31 Cumming Street Burwood Vic 3125	Riversdale	Construction of six, two storey dwellings, removal of trees and buildings and works within 4 metres of trees protected under SLO9	Multiple Dwellings
WH/2018/64	24.08.18	Delegate Refusal Issued	551 Middleborough Road Box Hill North Vic 3129	Elgar	Construction of two, two storey dwellings, buildings and works within 4 metres of a tree and the removal of trees within SLO9	Multiple Dwellings
WH/2018/738	02.08.18	Delegate Refusal Issued	32 Cadorna Street Box Hill South Vic 3128	Riversdale	Removal of Corymbia ficifolia - Flowering Gum within SLO9	VicSmart - General Application
WH/2018/671	02.08.18	No Permit Required	Mm 3/1 Main Street Box Hill Vic 3128	Elgar	Liquor license on premises	Liquor Licence

9.4.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2014/763/E	29.08.18	Withdrawn	850 Whitehorse Road Box Hill Vic 3128	Elgar	Buildings and works to construct a building comprising two towers of 36 storeys and 26 storeys plus rooftop plant and four levels of basement car parking (including a residential hotel, dwellings and commercial uses), use of land for accommodation and a restricted recreation facility (gym), and associated reduction of car parking requirements	Permit Amendment
WH/2015/1126/A	24.08.18	Withdrawn	25 Holland Road Blackburn South Vic 3130	Central	Lodged as amendment, needed to be a new planning application - Use and development of land for a child care centre and display of business identification signage	Permit Amendment
WH/2017/1002	28.08.18	Withdrawn	5 Birkby Street Box Hill North Vic 3129	Elgar	Construction of two double storey dwellings, buildings and works within 4 metres of protected vegetation and associated vegetation removal	Multiple Dwellings
WH/2017/604	27.08.18	Withdrawn	429 Springvale Road Forest Hill Vic 3131	Morack	The construction and use of two display homes and associate car park	Residential (Other)
WH/2018/202/A	24.08.18	Withdrawn	17 Harris Street Blackburn North Vic 3130	Central	Removal of a tree (Liquidambar styraciflua Sweet Gum) protected under SLO9	Permit Amendment
WH/2018/718	24.08.18	Withdrawn	409 Mont Albert Road Mont Albert Vic 3127	Elgar	Removal of trees within an interim significant landscape overlay	Special Landscape Area

9.4.9
(cont)

BUILDING DISPENSATIONS/APPLICATIONS AUGUST 2018

Address	Date	Ward	Result
14 Larch Street, Blackburn	20.08.18	Central	Consent Granted 79
2 Stewart Avenue, Blackburn South	23.08.18	Central	Consent Granted 83
20 Cootamundra Crescent, Blackburn	03.08.18	Central	Consent Granted 74
21 Hartigan Street, Blackburn	17.08.18	Central	Consent Granted 92
22 Elder Street, Blackburn	24.08.18	Central	Consent Granted 74
22-24 Blackburn Road, Blackburn	14.08.18	Central	Consent Granted 116
30 Charlotte Street, Blackburn South	14.08.18	Central	Consent Granted 82
30 Charlotte Street, Blackburn South	14.08.18	Central	Consent Granted 79
34 Bond Avenue, Blackburn South	15.08.18	Central	Consent Granted 89
9 Goodwin Street, Blackburn	13.08.18	Central	Consent Granted 80
19 Norway Avenue, Blackburn	31.08.18	Central	Consent Refused 74
22 Elder Street, Blackburn	24.08.18	Central	Consent Refused 79
30 Charlotte Street, Blackburn South	14.08.18	Central	Consent Refused 80, 81, R84, 74
7 Jessie Street, Blackburn North	10.08.18	Central	Consent Refused 74
12 Blenheim Avenue, Mont Albert	23.08.18	Elgar	Consent Granted 89
14 Gordon Street, Mont Albert	28.08.18	Elgar	Consent Granted 74,76,80
22 Rutland Road, Box Hill	16.08.18	Elgar	Consent Granted 116
27 Pendle Street, Box Hill	13.08.18	Elgar	Consent Granted 80, 74
3 Gilbert Street, Mont Albert	22.08.18	Elgar	Consent Granted 79
35 Victoria Crescent, Mont Albert	22.08.18	Elgar	Consent Granted 89
38 Second Avenue, Box Hill North	10.08.18	Elgar	Consent Granted 92, 89
503 Belmore Road, Mont Albert North	10.08.18	Elgar	Consent Granted 79, 85
51 Mckean Street, Box Hill North	31.08.18	Elgar	Consent Granted 74
66 Boondara Road, Mont Albert North	06.08.18	Elgar	Consent Granted 79, 75, 80
7 Chessell Street, Mont Albert North	28.08.18	Elgar	Consent Granted 92
88 Watts Street, Box Hill North	23.08.18	Elgar	Consent Granted 82
997-1003 Whitehorse Road, Box Hill	02.08.18	Elgar	Consent Granted 116
13 Cunningham Street, Box Hill	03.08.18	Elgar	Consent Refused 89
24 Peter Street, Box Hill North	01.08.18	Elgar	Consent Refused 89
503 Belmore Road, Mont Albert North	10.08.18	Elgar	Consent Refused 80, 74
7 Chessell Street, Mont Albert North	29.08.18	Elgar	Consent Refused 89
8 Hotham Court, Mont Albert	24.08.18	Elgar	Consent Refused 89
1 Unley Court, Vermont	27.08.18	Morack	Consent Granted 79, 76
10 Great Western Drive, Vermont South	22.08.18	Morack	Consent Granted 74, 75
16 Hutchinson Street, Burwood East	23.08.18	Morack	Consent Granted 85
3 Chippendale Terrace, Burwood East	22.08.18	Morack	Consent Granted 74, 76
79 Husband Road, Forest Hill	09.08.18	Morack	Consent Granted 74
36 Aubrey Street, Vermont	23.08.18	Morack	Consent Refused 74, 79
1/2 Rawlings Street, Surrey Hills	27.08.18	Riversdale	Consent Granted 79
10 Trent Court, Burwood East	30.08.18	Riversdale	Consent Granted 74
16 Hastings Avenue, Blackburn South	16.08.18	Riversdale	Consent Granted 76
167 Highbury Road, Burwood	20.08.18	Riversdale	Consent Granted 86, 74
8 Crockerton Court, Blackburn South	16.08.18	Riversdale	Consent Granted 79

9.4.9
(cont)

Address	Date	Ward	Result
13 Mirabella Crescent, Box Hill South	24.08.18	Riversdale	Consent Refused 74
14 Oakham Avenue, Burwood East	14.08.18	Riversdale	Consent Refused 74
16 Hastings Avenue, Blackburn South	16.08.18	Riversdale	Consent Refused 74
18 Byron Street, Box Hill South	07.08.18	Riversdale	Withdrawn 74
1 Fawcett Street, Mitcham	01.08.18	Springfield	Consent Granted 79
1/36 Luckie Street, Nunawading	28.08.18	Springfield	Consent Granted 74, 76
11 Owen Street, Mitcham	20.08.18	Springfield	Consent Granted 80
29 Owen Street, Mitcham	01.08.18	Springfield	Consent Granted 76, 80, 79
6 Abelia Street, Forest Hill	16.08.18	Springfield	Consent Granted 79
6 Browns Road, Nunawading	27.08.18	Springfield	Consent Granted 89
62 Cochrane Street, Mitcham	30.08.18	Springfield	Consent Granted 79
68a Shady Grove, Forest Hill	03.08.18	Springfield	Consent Granted 74
80 Glenburnie Road, Vermont	31.08.18	Springfield	Consent Granted 74
29 Owen Street, Mitcham	01.08.18	Springfield	Consent Refused 74
311 Springfield Road, Nunawading	09.08.18	Springfield	Consent Refused 74
32 Reserve Avenue, Mitcham	09.08.18	Springfield	Consent Refused 79

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS AUGUST 2018

Under the Planning and Environment Act 1987 – Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION AUGUST 2018

Contract Number	Service
Contract 30108	Utilities Management – Embedded Utilities Officer - Carbonetix Pty Ltd

REGISTER OF PROPERTY DOCUMENTS EXECUTED AUGUST 2018

Property Address	Document Type	Document Detail
Leases		
31B Surrey Drive, Box Hill	Lease	Office, reception and storage associated with swimming school
Licences		
Part 31 Surrey Drive, Box Hill	Licence	Licence - Swim School Operations at Aqualink Box Hill
Fire Services Property Levy (FSPL)		
Fire Services Property Levy - Compliance Certification	2017/18 Statement of Compliance	Certification to the State Revenue Office that Council has complied with the Fire Services Property Levy Act 2012

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL AUGUST 2018

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION AUGUST 2018

Address: **Antonio Park Off-street Car Park:** from 32m north of Whitehorse Road to 44m north of Whitehorse Road – south side
Previously: 5 'Unrestricted' parking spaces
Now: 5 '2-Hour, 9am to 5pm, Monday to Friday' parking spaces

9.4.9
(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING AUGUST 2018

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
02/08/2018	$34,571.75	1	EFC
02/08/2018	$10,192.35	33	EFC
02/08/2018	$55,076.74	44	CHQ
02/08/2018	$272,653.98	42	EFT
02/08/2018	$10,870.45	35	EFC
06/08/2018	$5,775.00	2	EFT
09/08/2018	$12,835.67	14	EFC
09/08/2018	$32,889.16	25	CHQ
09/08/2018	$86,535.57	2	EFT
09/08/2018	$941,684.18	271	EFT
15/08/2018	$546,446.92	1	EFT
15/08/2018	$20,048.45	1	EFT
16/08/2018	$11,916.15	20	EFC
16/08/2018	$39,630.59	45	CHQ
16/08/2018	$522,304.14	61	EFT
16/08/2018	$4,340.00	1	EFT
20/08/2018	$794,871.89	1	EFT
23/08/2018	$574.81	5	EFC
23/08/2018	$81,253.88	62	CHQ
23/08/2018	$440,184.67	68	EFT
30/08/2018	$16,976.30	13	EFC
30/08/2018	$59,086.90	60	CHQ
30/08/2018	$3,610,303.80	446	EFT
GROSS	$7,632,665.21	1257	
Monthly Lease Payments	$36,099.28		
Direct Debit Payments	$229,169.16		
CANCELLED PAYMENTS	-$15,483.05	-48	
NETT	**$7,882,450.60**	**1209**	

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 8 October 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
17.09.18 5:30-6:00pm	**North East Link Project**	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Liu Cr Massoud Cr Munroe	N Duff J Green N Brown T Wilkinson P Smith A De Fazio S Freud L McGuinness	Nil	Nil
17.09.18 6:30-7:00pm	**Councillor Informal Briefing Session** • Notice of Rescission No 113 – Cr Massoud	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Liu Cr Massoud Cr Munroe Cr Stennett	N Duff J Green N Brown T Wilkinson P Smith A De Fazio S Freud J Russell R Johnson S Cann	Nil	Nil
24.09.18 6:30-8:30pm	**Councillor Workshop Council Land**	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Cutts Cr Liu Cr Massoud Cr Stennett	N Duff J Green N Brown T Wilkinson P Smith T Peak L Hall P Warner	Nil	Nil

10.3
(cont)

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
01.10.18 7:00–10:10pm	**Strategic Planning Session** • Major Project Councillor Reference Group • Insurance Overview • Capital Works Update • Financial report as at 31 August 2018 • Privately Constructed Community Buildings on Council Land	Cr Massoud (Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Munroe Cr Stennett	N Duff J Green N Brown P Smith J Russell S Belmore A Merzvinskis M Ackland P Bennett D Kerwin M Federico S Cann S Hewett P Warner G Loftus	Nil	Nil
08.10.18 3:00-4:30pm	**Box Hill First Meeting**	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Massoud Cr Liu	(ACEO) J Green (AGMCD) K Marriott N Brown P Smith W Gerhard D Shambrook J Capomolla D Vincent Smith	Nil	Nil
08.10.18 5:30-6:30pm	**Whitehorse Tree Controls**	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts (arrived at 5.40pm) Cr Ellis Cr Liu Cr Massoud Cr Munroe	(ACEO)J Green (AGMCD) K Marriott N Brown A Egan V McLean J Hansen	Nil	Nil
08.10.18 7:00 – 7:55pm	**Councillor Briefing Session**	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	J Green (AGMCD) K Marriott N Brown P Smith J Russell R Anania L McGuiness C Hui N Rogers T Peak S Morison D Schoner M Wilson	Nil	NIl

RECOMMENDATION

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

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

RECOMMENDATION

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

12 CONFIDENTIAL REPORTS

13 CLOSE MEETING