



City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

Monday 19 November 2018

at 7:00pm

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

Ms Noelene Duff
Chief Executive Officer

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Meeting opened at 7.00pm

Present: Cr Bennett (Mayor), Cr Barker, Cr Carr, Cr Cutts, Cr Davenport
Cr Ellis, Cr Liu, Cr Massoud, Cr Munroe, Cr Stennett

1 PRAYER

1a Prayer for Council

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

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

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

Amen.

1b Aboriginal Reconciliation Statement

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

2 WELCOME AND APOLOGIES

The Mayor welcomed all

APOLOGIES: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 15 October 2018 and Special Council Meeting 29 October 2018

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Carr

That the minutes of the Ordinary Council Meeting 15 October 2018 having been circulated now be confirmed.

CARRIED

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts

That the minutes of the Special Council Meeting 29 October 2018 having been circulated now be confirmed.

CARRIED

5 RESPONSES TO QUESTIONS

5.1 Gary, Haley, Burwood submitted two questions regarding the webcasting of Council meetings.

The Chief Executive Officer , Ms Noelene Duff responded to the questions of behalf of Council.

6 NOTICES OF MOTION

6.1 Notice of Motion No 115 - Cr Davenport

MOTION

Moved by Cr Davenport, Seconded by Cr Barker

That:

- 1. Council notes that the Whitehorse Centre redevelopment is currently experiencing a projected 16 month delay to completion;*
- 2. Council notes that, according to Special Council Meeting report dated 10 April 2017, if no action was taken, the Whitehorse Centre would need to be closed down within 2 years;*
- 3. Council ask officers to complete a report estimating the life of the Whitehorse Centre based on current maintenance schedules.*
- 4. The report include the time frame for Nunawading Hub Project delivery.*

LOST

A Division was called.

Division

For	Against
Cr Barker	Cr Bennett
Cr Davenport	Cr Carr
Cr Liu	Cr Cutts
Cr Massoud	Cr Ellis
	Cr Munroe
	Cr Stennett

On the results of the Division the Notice of Motion was declared LOST

6.2 Notice of Motion No 116 - Cr Massoud

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Munroe

That Council supports the campaigns of the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate for the Waste and Resource Recovery issues on behalf of Local Government to the State and Federal Governments.

CARRIED UNANIMOUSLY

7 PETITIONS

Nil

8 URGENT BUSINESS

Nil

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 39 Nicholson Street, Nunawading (LOT 2 LP 85488) - Construction of three, two-storey dwellings and associated removal of trees within the Significant Landscape Overlay Schedule 9 (SLO9)

FILE NUMBER: WH/2018/24
ATTACHMENT

SUMMARY

This application was advertised, and a total of nine (9) objections were received. The objections raised issues with regard to the neighbourhood character, car parking and traffic, vegetation removal and amenity. A Consultation Forum was held on 16 August 2018 chaired by Councillor Prue Cutts, at which the issues were explored, however, no resolution was reached between the parties. Following the Consultation Forum, Councillor 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 and whether or not the grant of the permit may cause material detriment to the objectors. It is recommended that the application be supported, subject to conditions.

RECOMMENDATION

That Council:

- A. *Being the Responsible Authority, having caused Application WH/2018/24 for 39 Nicholson Street, NUNAWADING (LOT 2 LP 85488) to be advertised and having received and noted the objections is of the opinion that the grant of a Planning Permit for the construction of three, two-storey dwellings and associated removal of trees within the Significant Landscape Overlay Schedule 9 (SLO9) 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 39 Nicholson Street, NUNAWADING (LOT 2 LP 85488) for the construction of three, two-storey dwellings and associated removal of trees within the Significant Landscape Overlay Schedule 9 (SLO9), 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 to scale and be generally in accordance with the plans submitted with the application but modified to show:***
 - a) *The locations of Structural Root Zone (SRZ) and Tree Protection Zones (TPZ) described in Condition 5, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of Conditions 5 and 6 to be annotated on the development and landscape plans.***
 - b) *The eastern boundary setback (to the kitchen) of dwelling 3 increased from 2.7 metres to 3.7 metres at ground level and from 3.8 metres to 4.5 metres at upper floor (bedroom 3 and bathroom).***
 - c) *The double garage to dwelling 1 converted to a single garage, the driveway narrowed to single width, and space provided on the driveway for the second tandem car space.***

9.1.1

(cont)

- d) The setback between the northern garage wall to dwelling 1 and northern boundary increased from 1 metre to 3 metres.*
- e) The clothesline of dwelling 1 relocated to the north side of the garage to dwelling 1.*
- f) The upper level separation between dwelling 2 and 3 increased to 5.2 metres by deleting the WIR and bathroom of bedroom 2*
- g) The upper level setback of dwelling 1 at upper level increased to 5.7 metres from the northern boundary by deleting the retreat and balcony of the dwelling.*
- h) The south-facing parapet wall above 130.44 metres (AHD) to garage 3 deleted.*
- i) The south-facing cladding wall above 129.99 metres (AHD) to dwelling 2 pantry deleted.*
- j) The pedestrian gate between the garage 1 and north boundary moved at least 1 metre behind the front wall of garage 1.*
- k) Amended landscape plan to include the requirements of conditions 1(a, b, c, d, e and j).*
- l) The south-facing window to the master bedroom of dwelling 3 is screened up to a minimum height of 1.7 metres from the finished floor level and the west-facing window is replaced with a standard window (at least 1.6 m x 1.6m in dimensions).*
- m) A detailed schedule of construction materials, external finishes and colours.*
- n) Notation on site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.*
- o) Development plans to reflect all sustainability features indicated in the Sustainable Design Assessment. Where features cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.).*

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

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.*
- 3. Unless with the prior written consent, all tree planting and landscaping works as shown on the endorsed plans must be completed prior to the occupation of the development to the satisfaction of the Responsible Authority.*
- 4. Landscaping in accordance with the approved Landscape Plan must be completed before the building is occupied. The garden areas shown on the endorsed plan must only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.*
- 5. Prior to commencement of any building or demolition works on the land, Tree Protection Zones (TPZs) must be established on the subject site and nature strip 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:*

9.1.1 (cont)

- a) **Tree Protection Zone distances:**
 - i. **Tree 1 – 7.0 metre radius from centre base of tree.**
 - ii. **Tree 25 – 4.0 metre radius from centre base of tree.**
 - iii. **Tree 26 – 2.0 metre radius from centre base of tree.**
 - iv. **Tree 27 - 2.0 metre radius from centre base of tree.**
 - v. **Tree 28 - 2.0 metre radius from centre base of tree.**
 - vi. **Tree 29 - 2.0 metre radius from centre base of tree.**
 - vii. **Tree 30 – 2.0 metre radius from centre base of tree.**
 - viii. **Tree 31 – 2.0 metre radius from centre base of tree.**
- 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 to and during any works performed.**
 - iv. **No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.**
 - v. **All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.**
 - vi. **No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.**
 - vii. **Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.**
 - viii. **Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorized person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.**
- 6. **During construction of any buildings, or during other works, the following tree protection requirements are to be adhered to, to the satisfaction of the Responsible Authority:**
 - a) **Any excavation within the TPZ of the street tree must be undertaken by hand, hydro excavation or air spading and supervised by the Council's arborist.**
 - b) **The paved area where within the TPZs of Trees 26, 27, 28, 29, 30 and 31, must be constructed at the existing soil grade using porous materials that allows water to penetrate through the surface and into the soil profile. No roots are to be cut or damaged during any part of the construction process.**
 - c) **All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing ground level or topography of the land within greater than 10% of the TPZs of Trees 25, 26, 27, 28, 29, 30 and 31.**

9.1.1

(cont)

- 7. The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site.**
- 8. All stormwater drains and on-site detention systems are to be connected to the legal point of discharge to the satisfaction of the Responsible Authority prior to the occupation of the building/s. The requirement for on-site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.**
- 9. Detailed stormwater drainage and/or civil design for the proposed development are to be prepared by a suitably qualified civil engineer and submitted to the Responsible Authority for approval prior to occupation of the development. Plans and calculations are to be submitted with the application with all levels to Australian Height Datum (AHD). All documentation is to be signed by the qualified civil engineer.**
- 10. Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.**
- 11. Prior to works commencing the Applicant/Owner is to submit design plans for all proposed engineering works external to the site. The plans are to be submitted as separate engineering drawings for assessment by the Responsible Authority.**
- 12. The Applicant/Owner is responsible to pay for all costs associated with reinstatement and/or alterations to Council or other Public Authority assets as a result of the development. The Applicant/Owner is responsible to obtain all relevant permits and consents from Council at least 7 days prior to the commencement of any works on the land and is to obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets. Adequate protection is to be provided to the Council's infrastructure prior to works commencing and during the construction process.**
- 13. When undertaking civil design must ensure that the landscape plan/s and drainage plan/s are compatible. The stormwater drainage and on site detention system must be located outside the tree protection zone (TPZ) of any trees to be retained.**
- 14. All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.**
- 15. All works must be undertaken in accordance with the endorsed SDA to the satisfaction of the Responsible Authority, and the approved dwellings must operate in accordance with this Plan, to the satisfaction of the Responsible Authority. No alterations to the Reports may occur without the written consent of the Responsible Authority.**
- 16. Prior to the occupation of any dwelling approved under this permit, a report from the author of the SDA, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Reports have been implemented in accordance with the approved plan.**
- 17. 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.**

9.1.1

(cont)

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 Notes:

- A. The design and construction of the stormwater drainage system up to the point of discharge from an allotment is to be approved by the appointed Building Surveyor. That includes the design and construction of any required stormwater on-site detention system. The Applicant/Owner is to submit certification of the design of any required on-site detention system from a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register or approved equivalent) to Council as part of the civil plans approval process.***
- B. The requirement for on- site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.***
- C. All proposed changes to the vehicle crossing are to be constructed in accordance with the submitted details, Whitehorse Council's – Vehicle Crossing General Specifications and standard drawings.***
- D. 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.***
- E. The Applicant/Owner must obtain a certificate of hydraulic compliance from a suitably qualified civil engineer to confirm that the on-site detention works have been constructed in accordance with the approved plans, prior to Statement of Compliance is issued.***
- F. 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 the Council. All requirements for access for all-abilities (Disability Discrimination Access) are to be resolved within the site and not in public land.***
- G. No fire hydrants that are servicing the property are to be placed in the road reserve, outside the property boundary, without the approval of the Relevant Authority. If approval obtained, the property owner is required to enter into a S173 Agreement with Council that requires the property owner to maintain the fire hydrant.***
- H. There is a stormwater drainage outlet located between the development at 39 Nicholson Street and 39A Nicholson Street. It is unclear on the plan who is the owner of this stormwater drain. The developer must reinstate this stormwater outlet at the kerb to the satisfaction of the Responsible Authority.***

Engineering and Environmental Services Department's notes:

- I. Any MGB placements on Nicholson Street for the proposed waste collection services are not to cause any obstruction to any infrastructure or cause any danger to traffic/pedestrians. Bins are not to be placed within 1 metre of any infrastructure and are to have a height clearance of 4 metres for collection.***

9.1.1

(cont)

- J. If the criteria required for Council based on-street collection services is unable to be met and renders this inoperable, then the waste management system for the development is to revert to a private waste collection service and the Waste Management Plan be resubmitted to Council to confirm this.**
- K. Council issued bins will be required for this development.**
- L. Bins to be collected externally by Council's waste collection contractors.**
- M. Municipal Garbage Bin (MGB) usage is based on individual usage.**

ParksWide Department's Notes

- N. Before undertaking any excavation within the TPZ of the street tree, please contact Council's ParksWide Department on (03) 9272 6222 to arrange Council's supervising any excavation within the TPZ of the street tree in accordance with condition 6 (a).**
- 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.**

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Stennett

That Council:

- A. Being the Responsible Authority, having caused Application WH/2018/24 for 39 Nicholson Street, NUNAWADING (LOT 2 LP 85488) to be advertised and having received and noted the objections is of the opinion that the grant of a Planning Permit for the construction of three, two-storey dwellings and associated removal of trees within the Significant Landscape Overlay Schedule 9 (SLO9) 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 39 Nicholson Street, NUNAWADING (LOT 2 LP 85488) for the construction of three, two-storey dwellings and associated removal of trees within the Significant Landscape Overlay Schedule 9 (SLO9), 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 to scale and be generally in accordance with the plans submitted with the application but modified to show:**
 - a) The locations of Structural Root Zone (SRZ) and Tree Protection Zones (TPZ) described in Condition 5, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of Conditions 5 and 6 to be annotated on the development and landscape plans.**
 - b) Deletion of Dwelling 2**
 - c) Relocation of Dwelling 3 to the west outside of the Tree Protection Zone of Tree 11 (Brachychiton – Illawarra Flame Tree).**
 - d) Retention of Trees 10 (Parsea Americana – Avocado), 11 (Brachychiton – Illawarra Flame Tree), 12 (Prunus armeriaca – Apricot), 13 (Prunus cerasifera – Cherry Plum), 15 (Cordyline australis – Cabbage Tree), 16 (Syagrus romanzoffiana – Queen Palm), 17 (Prunus cerasifera – Cherry Plum), 18 (Syagrus romanzoffiana – Queen Palm), 19 (Pittosporum crassifolium variegatum – Variegated Karo).**

9.1.1

(cont)

- e) *Secluded Private Open Space for Dwelling 3 with minimum dimensions of 5 by 7 metres to be provided outside of the Tree Protection Zone of Tree 11.*
- f) *The pedestrian gate between the garage 1 and north boundary moved at least 1 metre behind the front wall of garage 1.*
- g) *Amended landscape plan to include the requirements of conditions 1(a, b, c, d, e, f and j).*
- h) *A detailed schedule of construction materials, external finishes and colours.*
- i) *Notation on site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.*
- j) *Development plans to reflect all sustainability features indicated in the Sustainable Design Assessment. Where features cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.).*

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

- 2. *The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.*
- 3. *Unless with the prior written consent, all tree planting and landscaping works as shown on the endorsed plans must be completed prior to the occupation of the development to the satisfaction of the Responsible Authority.*
- 4. *Landscaping in accordance with the approved Landscape Plan must be completed before the building is occupied. The garden areas shown on the endorsed plan must only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.*
- 5. *Prior to commencement of any building or demolition works on the land, Tree Protection Zones (TPZs) must be established on the subject site and nature strip 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 1 – 7.0 metre radius from centre base of tree.*
 - ii. *Tree 10 – 2.28 metre radius from centre base of tree.*
 - iii. *Tree 11 – 7.8 metre radius from centre base of tree.*
 - iv. *Tree 12 – 2.0 metre radius from centre base of tree.*
 - v. *Tree 13 – 3.6 metre radius from centre base of tree.*
 - vi. *Tree 15 – 2.88 metre radius from centre base of tree.*
 - vii. *Tree 16 – 3.0 metre radius from centre base of tree.*
 - viii. *Tree 17 – 3.6 metre radius from centre base of tree.*
 - ix. *Tree 18 – 3.0 metre radius from centre base of tree.*
 - x. *Tree 19 – 2.4 metre radius from centre base of tree.*
 - xi. *Tree 25 – 4.0 metre radius from centre base of tree.*

9.1.1
(cont)

- xii. *Tree 26 – 2.0 metre radius from centre base of tree.*
- xiii. *Tree 27 - 2.0 metre radius from centre base of tree.*
- xiv. *Tree 28 - 2.0 metre radius from centre base of tree.*
- xv. *Tree 29 - 2.0 metre radius from centre base of tree.*
- xvi. *Tree 30 – 2.0 metre radius from centre base of tree.*
- xvii. *Tree 31 – 2.0 metre radius from centre base of tree.*
- 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 to and during any works performed.*
 - iv. *No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.*
 - v. *All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.*
 - vi. *No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.*
 - vii. *Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.*
 - viii. *Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorized person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.*
- 6. *During construction of any buildings, or during other works, the following tree protection requirements are to be adhered to, to the satisfaction of the Responsible Authority:*
 - a) *Any excavation within the TPZ of the street tree must be undertaken by hand, hydro excavation or air spading and supervised by the Council's arborist.*
 - b) *The paved area where within the TPZs of Trees 26, 27, 28, 29, 30 and 31, must be constructed at the existing soil grade using porous materials that allows water to penetrate through the surface and into the soil profile. No roots are to be cut or damaged during any part of the construction process.*
 - c) *All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing ground level or topography of the land within greater than 10% of the TPZs of Trees 25, 26, 27, 28, 29, 30 and 31.*
- 7. *The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site.*

9.1.1

(cont)

8. *All stormwater drains and on-site detention systems are to be connected to the legal point of discharge to the satisfaction of the Responsible Authority prior to the occupation of the building/s. The requirement for on-site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.*
9. *Detailed stormwater drainage and/or civil design for the proposed development are to be prepared by a suitably qualified civil engineer and submitted to the Responsible Authority for approval prior to occupation of the development. Plans and calculations are to be submitted with the application with all levels to Australian Height Datum (AHD). All documentation is to be signed by the qualified civil engineer.*
10. *Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.*
11. *Prior to works commencing the Applicant/Owner is to submit design plans for all proposed engineering works external to the site. The plans are to be submitted as separate engineering drawings for assessment by the Responsible Authority.*
12. *The Applicant/Owner is responsible to pay for all costs associated with reinstatement and/or alterations to Council or other Public Authority assets as a result of the development. The Applicant/Owner is responsible to obtain all relevant permits and consents from Council at least 7 days prior to the commencement of any works on the land and is to obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets. Adequate protection is to be provided to the Council's infrastructure prior to works commencing and during the construction process.*
13. *When undertaking civil design must ensure that the landscape plan/s and drainage plan/s are compatible. The stormwater drainage and on site detention system must be located outside the tree protection zone (TPZ) of any trees to be retained.*
14. *All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.*
15. *All works must be undertaken in accordance with the endorsed SDA to the satisfaction of the Responsible Authority, and the approved dwellings must operate in accordance with this Plan, to the satisfaction of the Responsible Authority. No alterations to the Reports may occur without the written consent of the Responsible Authority.*
16. *Prior to the occupation of any dwelling approved under this permit, a report from the author of the SDA, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Reports have been implemented in accordance with the approved plan.*
17. *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.

9.1.1

(cont)

Permit Notes:

Engineering Assets Notes:

- A. The design and construction of the stormwater drainage system up to the point of discharge from an allotment is to be approved by the appointed Building Surveyor. That includes the design and construction of any required stormwater on-site detention system. The Applicant/Owner is to submit certification of the design of any required on-site detention system from a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register or approved equivalent) to Council as part of the civil plans approval process.**
- B. The requirement for on- site detention will be noted on your stormwater point of discharge report, or it might be required as part of the civil plans approval.**
- C. All proposed changes to the vehicle crossing are to be constructed in accordance with the submitted details, Whitehorse Council's – Vehicle Crossing General Specifications and standard drawings.**
- D. 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.**
- E. The Applicant/Owner must obtain a certificate of hydraulic compliance from a suitably qualified civil engineer to confirm that the on-site detention works have been constructed in accordance with the approved plans, prior to Statement of Compliance is issued.**
- F. 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 the Council. All requirements for access for all-abilities (Disability Discrimination Access) are to be resolved within the site and not in public land.**
- G. No fire hydrants that are servicing the property are to be placed in the road reserve, outside the property boundary, without the approval of the Relevant Authority. If approval obtained, the property owner is required to enter into a S173 Agreement with Council that requires the property owner to maintain the fire hydrant.**
- H. There is a stormwater drainage outlet located between the development at 39 Nicholson Street and 39A Nicholson Street. It is unclear on the plan who is the owner of this stormwater drain. The developer must reinstate this stormwater outlet at the kerb to the satisfaction of the Responsible Authority.**

Engineering and Environmental Services Department's notes:

- I. Any MGB placements on Nicholson Street for the proposed waste collection services are not to cause any obstruction to any infrastructure or cause any danger to traffic/pedestrians. Bins are not to be placed within 1 metre of any infrastructure and are to have a height clearance of 4 metres for collection.**
- J. If the criteria required for Council based on-street collection services is unable to be met and renders this inoperable, then the waste management system for the development is to revert to a private waste collection service and the Waste Management Plan be resubmitted to Council to confirm this.**
- K. Council issued bins will be required for this development.**
- L. Bins to be collected externally by Council's waste collection contractors.**

9.1.1

(cont)

M. Municipal Garbage Bin (MGB) usage is based on individual usage.

ParksWide Department's Notes

N. Before undertaking any excavation within the TPZ of the street tree, please contact Council's ParksWide Department on (03) 9272 6222 to arrange Council's supervising any excavation within the TPZ of the street tree in accordance with condition 6 (a).

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.

CARRIED

A Division was called.

Division

For

Cr Bennett

Cr Carr

Cr Cutts

Cr Ellis

Cr Liu

Cr Massoud

Cr Stennett

Against

Cr Barker

Cr Davenport

Cr Munroe

On the results of the Division the motion was declared CARRIED

9.1.1 (cont)

MELWAYS REFERENCE 48 F8

Applicant:	Paul Shaw & Associates Pty Ltd
Zoning:	General Residential Zone, Schedule 1 (GRZ1)
Overlays:	Significant Landscape Overlay, Schedule 9 (SLO9)
Relevant Clauses:	
Clause 11	Settlement
Clause 15	Built Environment and Heritage
Clause 21.05	Environment
Clause 21.06	Housing
Clause 22.03	Residential Development
Clause 22.04	Tree Conservation
Clause 22.10	Environmentally Sustainable Design
Clause 32.08	General Residential Zone Schedule 1
Clause 42.03	Significant Landscape Overlay Schedule 9
Clause 52.06	Car Parking
Clause 55	Two or More Dwellings on a Lot or Residential Buildings
Clause 65	Decision Guidelines
Ward:	Springfield

Location of objector properties



9.1.1

(cont)

BACKGROUND

History

There have been no previous planning permit applications for this site.

The Site and Surrounds

The subject site is located on the east side of Nicholson Street, north of Tunstall Avenue. The site is generally rectangular in shape (although has a dog-legged shaped north boundary), with a frontage of 18.17 metres to Nicholson Street, a depth of 53.47 metres (south boundary) and an overall site area of 910 square metres. The site contains a single storey brick dwelling with vehicle access via a crossover to the north-west corner.

The site has a moderate rise in topography of approximately 2.1 metres and an easement is located adjacent to the south (side) boundary. The arborist report provides an assessment of 31 trees, of which 23 are located within the subject site (trees numbered 2 to 24). All trees within the site are reported as having a low arboriculture value by the applicant's arborist.

The site is located in a residential area that contains a mix of remnant housing stock and newer infill development. Within the immediate context, the site has an abuttal to detached dwellings and single storey unit developments. The architecture of the built-form is predominantly post-war and 1950s to 1980s style, with contemporary infill and materials are predominantly brick with tiled roofs, and some timber infill.

The existing dwellings are predominantly 1-2 storeys detached with some semi-detached and front setbacks generally range from 4-8 metres with 1-3 metres setbacks from both side boundaries. Garages and carports are predominantly located behind the front façade of dwellings, near or on side boundary with a single crossover.

The gardens are established with generally exotic vegetation, including shrubs, garden beds, lawns and canopy trees. The front fencing is mixed, usually low to an average height up of 1.2 metres.

The site is proximate to public buses on Springfield Road, Springvale Road, Whitehorse Road, and to the Nunawading Train Station which provides services between the City and Lilydale/Belgrave.

The site is also proximate to Whitehorse Centre, Whitehorse City Council and library, Walker Park Sports complex, the proposed Nunawading Community Hub and Nunawading Homemaker Centre and a variety of shops.

Planning Controls

General Residential Zone, Schedule 1 (GRZ1)

The site is zoned GRZ1 and under the zone, a permit is required as follows:

- Clause 32.08-6, a planning permit is required for the construction of two or more dwellings on a lot.
- Clause 32.08-4, an application to construct a dwelling on a lot must provide a minimum garden area of 35% of the lot for a lot of above 650 square metres.
- Clause 32.08-9, a building must not be constructed for use as a dwelling that exceed the building height of 11 metres of 3 storeys at any point.

9.1.1

(cont)

In addition to the above, Schedule 1 to the zone includes variations to the following standards of *Clause 55*:

- **Standard B6** – any new wall on a boundary should be setback at least 12 metres from the front boundary or 3 metres further than the average setback of the buildings on adjoining allotments, whichever is the lesser.
- **Standard B8** - maximum site coverage of 50%.
- **Standard B9** - minimum permeability of 30%.
- **Standard B13** - provision of two canopy trees per dwelling that have the potential of reaching a minimum mature height of 8 metres. At least one of those trees should be in the secluded private open space of the dwelling.
- **Standard B18** – walls should only be constructed on one side boundary.
- **Standard B28** – a dwelling should have private open space consisting of an area of 40 square metres, with one part at the side or rear of the dwelling with a minimum area of 35 square metres and a minimum dimension of 5 metres and convenient access from a living room.
- **Standard B32** - A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'.

Significant Landscape Overlay, Schedule 9 (SLO9)

The objective of the SLO9 is to encourage the retention of established and mature trees and to provide for the planting of new canopy trees.

In accordance with Clause 42.03-2 a permit is required for:

- The removal of vegetation greater than 5 metres in height and/or with a single trunk circumference of 1 metre or greater at a height of 1 metre.
- Buildings and works within 4 metres of trees that require a permit for removal.
- The construction of a front fence with 4 metres of trees that require a permit for removal.

The decision guidelines to SLO9 require, among others, to consider the following:

- Whether there is a valid reason for removing the tree and whether alternative options to removal have been fully explored.
- If retention cannot be achieved, or a tree is considered appropriate for removal, consider whether the site provides adequate space for offset planting of indigenous or native trees that grow to a mature height similar to the mature height of the trees to be removed.
- Whether the planning location of the replacement vegetation will enable the future growth of the canopy and root system of the tree to maturity.
- Whether the replacement tree species and planting locations conflict with existing or proposed overhead wires, buildings, easements and existing trees.

9.1.1

(cont)

PROPOSAL

The proposal seeks to develop three, two storey dwellings in a row down the length of the site. Dwelling 1 will have an orientation towards Nicholson Street (with separate vehicle access) with dwellings 2 and 3 oriented towards the shared driveway. Dwelling 1 proposes a minimum front setback of 6.5m to Nicholson Street. No walls are proposed to be constructed on any boundary. The proposal incorporates a number of elements as follows:

- Dwelling 1 and 3 each contains four bedrooms and a double garage with dwelling 2 providing for two bedrooms and a single garage.
- The dwellings are constructed of face brickwork at ground level (with elements rendered), with a mix of render finish, vertical timber cladding and matrix panel cladding at first floor level.
- The elevations show a mix of flat and hipped roof form at ground level and hipped at first floor level.
- Secluded private open space of 44 square metres, 50 square metre and 101 square metres to dwellings 1, 2 and 3 respectively.
- A garden area of 35.5%
- Site coverage of 47%.
- Permeability of 36%
- Three (3) canopy trees within the front yard of dwelling 1 and one (1) canopy tree in the SPOS to each dwelling, totalling to six canopy trees for the development.

It is proposed to remove all existing vegetation on the site, of which trees numbered 2, 4 to 13, and 15 to 23 require a permit for their removal. A permit is also required for buildings and works within 4 metres of protected trees (neighbouring trees) 25 and 27. A new landscape plan is proposed which consists of 3 canopy trees within the front setback, one canopy tree in secluded private open space to each dwelling, 2 mid-canopy trees to the east of dwelling 3 and shrubs and ground cover planting on the site.

For further details of the proposal, refer to the:

- Advertised plans, prepared by Paul Shaw & Associates, Revision A, dated August 2017 including a Landscape Plan prepared by Bradbury Culina, dated 5 April 2018. (in Attachment 1)
- An Arboriculture Assessment, prepared by TreeMap Arboriculture dated July 2017 (Attachment 2).
- A Sustainable Design Assessment, prepared by Energy Efficient Choices, received 18 January 2018 (Attachment 3).
- Waste Management Plan (Attachment 4).

9.1.1

(cont)

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 Nicholson Street frontage. Following the advertising period, nine (9) objections were received. The issues raised are summarised as follows:

- The proposed development does not meet the preferred neighbourhood character of the area in that one dwelling per lot, single driveway per typical site frontage and landscaping around dwellings form part of the established character.
- Lots from Tunstall Avenue to Springfield Road are only allowed to have one dwelling.
- The development constitutes an over-development of the site.
- The development of three dwellings lowers the quality of lifestyle, risking higher occupancy turnover and periods of vacancy.
- Potential overlooking the backyard and windows of 44 McCulloch Street and 39A Nicholson Street.
- Additional driveways and lack of visitor parking onsite increase traffic leading to increased risk to children and reduced on-street parking. It is noted that the area is under pressure due to "rat-run" traffic.
- Impacts of tree removal on residential amenity and local wildlife.

Consultation Forum

A Consultation Forum was held on 16 August 2018. The meeting was chaired by Councillor Cutts, with the applicant, planning officers and 8 objectors attending the meeting. The issues were explored, however, no resolution was reached between the parties.

Internal Referrals

Transport Engineering Department

Council's Transport Engineering Department has assessed the proposal and are supportive of the proposal subject to the following changes to the layout:

- *Removal of vegetation adjacent to the south side of the driveway to dwelling 1 and reduction of front fence height (within the corner splay area) to a maximum height of 900 millimetres.*
- *Removal of the garden bed opposite the entrance to the garages of dwellings 2 and 3.*
- *Removal of the garden bed adjacent to the front porch area of dwelling 2.*

On balance, it is considered that the vegetation does not need to be removed as they are (Acacia cognate) 800 millimetres in height.

The amended plans show a distance of 7.58 metres which is considered to be adequate to accommodate vehicle turning and a garden bed.

The removal of the garden bed adjacent to the front porch area of dwelling 2 is not necessary as it will increase hard surface within the development.

9.1.1

(cont)

- **Engineering and Environmental Services Department**

The Council's Engineering and Environmental Services Department has approved the Waste Management Plan dated 11/04/2018. The department suggests inclusion of the following notes on any permit being granted:

- Any Municipal Garbage Bin placements on Nicholson Street for the proposed waste collection services are not to cause any obstruction to any infrastructure or cause any danger to traffic/pedestrians. Bins are not to be placed within 1 metre of any infrastructure and are to have a height clearance of 4 metres for collection.
- If the criteria required for Council based on-street collection services is unable to be met and renders this inoperable, then the waste management system for the development is to revert to a private waste collection service and the Waste Management Plan be resubmitted to Council to confirm this.
- It is also note that:
 - Council issued bins will be required for this development.
 - Bins to be collected externally by Council's waste collection contractors.
 - MGB usage is based on individual usage.

- **Assets Engineering Department**

Council's Assets Engineering team has no objection to the proposal subject to the standard drainage conditions and associated notes.

- **ParksWide Department**

Council's ParksWide Department has reviewed potential impacts of the development on street trees and provides the below comments.

Referral response received on 23/02/2018 based on the original plans.

'The tree on the naturestrip is a significant Quercus palustris, growing within an established significant avenue. The tree is in good health and displays a good structure. There should be no encroachments within Tree Protection Zone (TPZ) of the trees above the 10% allowable in accordance with the AS 4970 (2009) Protection of Trees on Development Sites. Any encroachment will be detrimental to the health and stability of the tree.'

Any excavation undertaken outside the TPZ should be undertaken by hand, hydro excavation or air spading and supervised by Councils arborist. The tree should also be protected during any proposed works by temporary fencing.

Removal of the trees would not be supported by ParksWide as it is considered to be a large, significant specimen, in good health and not meeting the criteria for removal under current Council policy. It is requested that the existing crossover be utilised'.

Referral response received on 28/06/2018 amended plans:

'The tree a Quercus palustris is structurally sound. The tree has a diameter at breast (DBH) of 61 cm which result in a tree protection zone of 4.98 metres. Which the new proposed crossover is proposed at distance of 5 metres for the tree which is allowable under AS1970-2009, therefore, Council will support the new crossover.'

Accordingly the standard condition contained in the referral response dated 23/2/2018 in regard to tree protection measures will form part of the permit conditions.

9.1.1

(cont)

- **Planning Arborist**

Council's consulting arborist has reviewed the applicants arborist report, the plans, and undertaken a sight inspection and concurs that there are no trees on the site worthy of retention. He recommends that undertaking adequate replanting as part of a landscape plan is required to meet with the neighbourhood character and SLO9 landscape objectives. The tree protection zone distances and measures will form part of the permit conditions.

DISCUSSION

Planning Policy Framework and Local Planning Policies

The planning policy framework at Clauses 11 (Settlement) and 15 (Built Environment Heritage) encourage consolidation of existing urban areas while respecting neighbourhood character, and facilitate sustainable development that take full advantage of existing settlement patterns through encouraging higher density development within walking distance of shops, recreation facilities and public transport. The planning policy also seeks to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed medium-density housing that makes better use of existing infrastructure.

The site is in a location that has access to public transport and services and is a good candidate for further intensification of the site. In particular, the site is located within the Principal Public Transport Network (PPTN) and walking distance (500m) to bus routes 303, 270, 370, 273, 901 and Nunawading train station (800m). Therefore, from a policy perspective, the development in the form of medium density development would be consistent with the policies in Clauses 11 and 21.06 of the Planning Policy Framework.

The local planning policies at Clause 21.06 (Housing) and 22.03 (Residential Development) have identified the subject site as being located in a Natural Change Area of the Garden Suburban character area (GS12). The Natural Change Area is expected to make a moderate contribution to increases in housing stock. Clause 22.04 (Tree Conservation) outlines the importance of retaining significant trees within a development where it is practical to do so, the minimum distances between the trees and buildings/works and suggests design responses for hard surface areas close to retained trees. As described below under 'neighbourhood character' and 'vegetation removal and landscaping', it is considered that the proposal generally meets the objectives of the local planning policies, however, as will be explained later in this report, requires changes to more appropriately respond to some of the defining characteristics of the surrounding area.

Design and Built Form

Achieving a preferred character is guided by Clause 21.05 (Environment), 22.03 (Residential Development, Standard B1 and B31 of Clause 55 and the design response objectives contained in the *City of Whitehorse, Neighbourhood Character Study 2004 (the Study) Precinct Guidelines*. Under Clause 22.03, the site is located within Precinct 12, which includes the following preferred character:

- *The area will retain its classic garden suburban characteristics of low set, pitched roof dwellings set in spacious garden settings, with a backdrop of large native and exotic trees.*
- *The established pattern of regular front and setbacks from both side boundaries will be maintained, allowing sufficient space for planting and growth of new vegetation.*
- *Low or open style front fences will provide a sense of openness along the streetscape, and allow views into front gardens and lawn areas.*

9.1.1

(cont)

Standard B1 (Neighbourhood character) and Standard B31 (Design Detail) of Clause 55 of the planning scheme, also seek to ensure that a development and its design detailing respects the existing neighbourhood character and contributes to a preferred neighbourhood character.

The proposal responds to the design and built form outcomes expected under the above planning provisions in the following manner.

- The front setback of between 6.5 metres and 7.1 metres meets the average of the setbacks of the adjoining dwellings. The development provides a significant setback compared to the 3 metres setback of the adjoining dwelling to the south (39A Nicholson Street) and 5.1 metres setback of the adjoining dwelling to the north (37 Nicholson Street).
- The garage to dwelling 1 is recessed 600mm from the front façade of the dwelling but falls short of the preferred one-metre recession (as encouraged by the Precinct Guidelines). Given the level of articulation achieved to the front façade, including staggered front wall, variation in materials, upper level balcony and generously proportioned windows, the variation to the Guideline is acceptable.
- It is however acknowledged that 2 crossovers is not a consistent feature of this part of Nicholson Street, yet, at the same time, is not reason alone to not support the application. In this regard, a compromised position is to require the garage for dwelling 1 to be converted to a single width garage, with a tandem space. This would enable greater space between the garage wall and the boundary, thus increasing the amount of landscaping opportunities, whilst also providing a view line through the site. A commensurate reduction in the width of the driveway would further reduce hard surface impacts from the streetscape and offer more landscaping options to soften the built form. Further to this, in order to further break any continuity of built-form, the side gate between the garage 1 and north boundary should sit at least 1m behind the front wall of the garage 1. These changes can be addressed through permit conditions.
- In terms of crossover numbers, two crossovers do not meet Standard B14 (Access), however as detailed above, this in itself is not fatal to the application. When balanced with the loss of one on-street car parking space, of which officers consider to be of minimal consequence as there is no demonstrated demand for on-street parking, and the ability to safely retain and protect the street tree, the proposal is acceptable. ...
- The ground levels are well setback from boundaries to ensure that the overall built form outcome is respectful of the existing and preferred neighbourhood character and limit the impact on the amenity of existing dwellings on the adjoining land.
- The overall height of the proposed development is 6.7 metres, which is substantially less than the allowed height (11 metres) within General Residential Zone. The upper floors are recessed to reduce their profile to the street and sensitive areas of adjoining residential properties. This level of recession generally provides an appropriate transition in height having regard to the existing traditional development within the immediate context. That said, the proposed separation (4 metres) between dwellings at upper floor is inadequate to reduce visual impact resulting from the upper floor built-form down the length of the site. To address this, the upper floor separation between dwelling 2 and 3 will be required to be increased to 5.2 metres by deleting the WIR and bathroom to dwelling 2. In addition, as discussed elsewhere in this report, it is recommended to increase the setback between the upper floor of dwelling 1 and norther boundary to 5.7 metres by deleting the retreat and balcony. These changes will serve two functions; firstly, it will reduce the size of the upper floor spaces, making it more commensurate with the ground floor proportions and those of surrounding two-storey dwellings, and secondly, will increase the space between upper floors thereby providing improved visual breaks between building forms. These can be dealt through permit conditions.

9.1.1

(cont)

- The design is contemporary, with flat roofs (excluding garages) and application of a variety of materials including face brick work, concrete render, timber cladding and matrix panel. The level of articulation is assisted by modulated forms with staggered setbacks, which provide visual interest and reduces the perception of visual bulk. The architectural treatment of the front façade with a balcony also reduces the visual profile when viewed from the street, and which will be further highlighted by built form reductions discussed above.
- The areas of private open space are north facing and have the capacity to accommodate a new canopy tree. .
- The development achieves site coverage of 47% and permeability of 36%, noting compliance with Standard B8 and B9 (as varied by the Schedule).
- The development also achieves the garden area of 35.5%, which meets the requirement of 35% under Clause 32.08-4.
- It is noted that these proportions will change as a result of the amendments being sought.

Vegetation removal and landscaping

Clause 21.05 (Environment), Clause 22.03 (Residential development), 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 objectives of Clause 21.05-3 include the protection and enhancement of areas with special natural and environmental significance for the future enjoyment of the community.

The Residential Development policy at Clause 22.03 also includes objectives to ensure that new development provides adequate vegetation and gardens consistent with the preferred neighbourhood character.

The objectives of the Tree Conservation policy at Clause 22.04 seek to assist in the management of the City's tree canopy by ensuring that new development minimises the loss of significant trees and does not detract from the natural environment and ecological systems, and to promote the regeneration of tall trees through the provision of adequate open space and landscaping areas in new development.

The Statement of nature and key elements of landscape under the SLO9 recognise:

- *Trees are significant to the landscape character of Whitehorse and the tree cover simultaneously delivers multiple benefits to the community, including defining neighbourhood character, providing visual amenity, reducing the urban heat island effect in more urbanised areas, improving air quality and energy efficiency, providing habitat for fauna, increasing the wellbeing of people and liveability of neighbourhoods.*

It is also noticed that Council's ParksWide Department has assessed the potential impacts of the development on the street tree (Tree 1) and confirms that the development can go ahead subject to establishing the appropriate Tree Protection Zone. The department also provided measures to be implemented during the construction period. It is therefore considered that the development will not adversely impact on the street tree.

Council's Planning Arborist has also assessed the impacts of the trees (Tree 25, 26, 27, 28 and 29) located on the adjoining property to the north. Whilst Tree 25 is an Australian native tree, the other trees are exotic evergreen and deciduous trees. The applicant's arborist indicates that these trees have a 'low' retention value and provided tree protection zones of 4 metres for tree 25 and 2 metres for all other trees. Council's Planning Arborist has recommended these tree protection zones to form part of the permit condition. The advertised plans demonstrate that the tree protection zones for trees 1 and 25 to 31 can be implemented and the encroachments into the tree protection zones are less than 10% complying with Australian Standard AS4970-2009.

9.1.1

(cont)

Trees numbered 2, 4 to 13 and 15 to 23 require a permit for removal. These trees are either exotic or weed species and classified as having a low retention value. Council's consulting arborist confirms that there are no trees worthy of retention. The trees to be removed will not detract the landscaping character of the area and replacement planting proposed, subject to condition, will be an acceptable outcome. The submitted landscape plan provides for three new trees within the front setback area and one within each area of secluded private open space. In addition to the new canopy trees, 70 new shrubs (with varying heights of between 800mm and 3 metres) and 200 groundcovers are proposed, providing a comprehensive response to the preferred garden character. Accordingly, once the landscaping reaches its perpetuity, the dwellings will be dominated by the vegetated surrounds and sit within the landscape.

The applicant has agreed to plant two additional mid-canopy trees within the space between dwelling 3 dining and kitchen wall and eastern boundary. However, the practicalities of achieving the necessary tree envelopes are questioned under the current footprint in order to ensure an unobstructed tree envelopes are set aside in accordance with the Tree Conservation Policy.

The proposed changes to the ground and upper floor footprints whilst achieving improved built form outcomes, will serve the dual purpose of providing greater tree envelopes for long terms viability of the proposed canopy trees. This can be addressed through permit conditions.

Car parking

The purpose of Clause 52.06 is to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

The standard parking space requirement, according to Table 1 to Clause 52.06-5, is 1 space to each one or two bedroom dwelling and 2 spaces to each three or more bedroom dwelling. The provision of car parking spaces to each dwelling meets the requirements of this clause as shown in the table below.

Car parking provision and standard

Dwelling No	Bedrooms	Standard spaces	Provided spaces	Complies?
Dwelling 1	4	2	2	Yes
Dwelling 2	2	1	1	Yes
Dwelling 3	4	2	2	Yes

Amenity

The advertised plans show that there are no walls proposed on any boundary, which meets the requirements of Standard B18 and walls near side and rear boundaries meet the requirements of Standard B17.

This proposal will not create any unreasonable impacts upon the amenity of adjoining properties by way of overlooking and overshadowing for the following reasons:

- Standard B22 requires habitable room windows to be located and designed to minimise direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres of the window, with views measured within a 45 degree angle.
- The proposed development has utilised upper level highlight windows with sill height over 1.7 metres above finished floor level to satisfactorily screen potential views into the secluded private open spaces and habitable room windows of the existing dwellings to the north, south and east in accordance with the requirement of Standard B22.
- The potential overlooking from ground levels have been minimised by incorporating lattice above existing boundary fences and new fences where necessary.

9.1.1

(cont)

- The shadow diagrams demonstrate that at the Equinox between 9 am and 3 pm, the shadows cast by the proposed dwellings falls generally within the subject site. As such, the proposed development will not cause unreasonable overshadowing of secluded private open spaces and habitable room windows associated with the adjoining dwellings.

It is also considered that the proposal does not reduce daylight into existing habitable windows of the dwelling on adjoining land. The proposed setbacks and recesses ensure adequate solar access to existing north-facing windows of the dwellings at 39A Nicholson Street, 2/15, 3/17 and 4/17 Tunstall Avenue. The advertised plans show that the building will be set back (at the upper level) between 5.6 metres and 8.8 metres which is in excess of the setback prescribed in Standard B20 of Clause 55.04-4.

On the face of the plans, it appears that all upper floor windows are either highlighted or screened with obscure glazing to minimise overlooking. However the level of internal amenity being created for the dwellings are acceptable as the most of the habitable room windows are generally oriented to an obstructed space to natural light on the north, east and west sides of the dwellings. At least one third of these windows (the top tier) is fitted with clear glazing and or openable and has the ability to capture direct natural light. The master bedroom of Dwelling 3 is required to be screened and a new window to face west for improved internal amenity.

Objectors' concerns not previously addressed

A response to the identified issues is discussed below.

- Lots from Tunstall Avenue to Springfield Road are only allowed to have one dwelling.
- There is no restriction on title for the subject lot that prevents Council from considering the development of more than one dwelling. The proposal constitutes an over-development of the site.

It has been identified that the site is situated in an area suitable for medium density development in a manner with Planning Policy Framework and Local Planning Policies. The following details with the development demonstrate that it does not represent an overdevelopment of the site, as measured by the requisite elements of the planning scheme:

- Site coverage 47%
- Permeability 36%
- Garden area 35.5%
- Setting aside the required side and rear setbacks
- No walls on boundaries
- Setting aside area and dimensions required to accommodate 6 canopy trees
- Subject to amendments as previously discussed the proposal complies with the relevant objectives of the ResCode and the preferred Neighbourhood Character objectives and decision guidelines of Garden Suburban 12.
- The three dwellings will lower the quality of lifestyle, risking higher occupancy turnover and periods of vacancy.

Occupancy is not a relevant planning consideration, and the provision of smaller dwellings offers a diversity of dwelling types as encouraged by the local planning policy framework and Clause 21.06 (Housing).

- Additional driveways and lack of visitor parking increase traffic which will result in an increased risk to children and reduced on-street parking. The area is under pressure due to "rat-run" traffic.

9.1.1

(cont)

The objectors raised a concern with the development contributing towards increased traffic congestion and safety impacts. The development provides the required level of car parking and is not considered to provide for any unreasonable impacts. The provision of visitor parking is not required for a development less than 5 dwellings.

Council's Transport team offered no objection to the proposal on parking and traffic grounds, and it is not considered that the two additional dwellings will create an unreasonable amount of additional traffic movements.

CONCLUSION

The proposal for construction of three, two storey dwellings and associated tree removal is an acceptable response to the applicable planning controls and policies, including the Planning Policy Framework and Local Planning Policies, General Residential Zone 1, Significant Landscape Overlay Schedule 9 and Clause 55 ResCode.

The subject site is located proximity to public transport, Whitehorse Civic Centre, Nunawading Homemaker Centre and a variety of shops and the overall development will provide for increased dwelling density whilst achieving a Garden Suburban Character outcome. Being one of the larger lots (912 sqm) in the area, the site is able to accommodate three, two storey dwellings without causing unacceptable amenity impacts to the streetscape and adjoining dwellings. That said, any one of the issues raised and discussed are not fatal to the proposal, however require changes to achieve an improved outcome. The suite of amendments sought, will achieve improved amenity and built form outcomes, whilst also achieving larger areas for landscaping and canopy tree planting.

A total of 9 objections from adjoining and adjacent properties were received as a result of public notice and all of the issues raised have been discussed as required. It is recommended that the application be approved and a Notice of Decision to Grant a Permit be issued subject to conditions.

ATTACHMENT

- 1 Advertised Plans [!\[\]\(1e63609ed98a835f4eb8c01936fe5abe_img.jpg\)](#) 

9.2 INFRASTRUCTURE

9.2.1 Tender Evaluation (Contract 30017) New Consultant Panel for the Provision of Architectural Consultancy Services

SUMMARY

The purpose of this tender report is to amend the previous report as submitted to Council on the 25th June 2018. There are no proposed changes to the recommendations as adopted in the previous report regarding the Architectural Consultants appointed to the Architectural consultancy panel. The amendment relates to the financial table detailing the expected expenditure over the three year contract period. In light of the expanded Major Projects and Buildings program, and with the likely use of the consultants by other departments, it is recommended that the approved expenditure amount be amended accordingly.

Following a public tender process, a comprehensive evaluation and assessment has been undertaken and eight Architectural consultants are now recommended to be appointed to a preferred supplier panel.

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Barker

That Council accept the tender and sign the formal contract document for Contract 30017 for the Provision of Architectural Consultancy Services received from:

- 1. Brazel Haley Maggs Architects Pty Ltd of 67 Rose Street Essendon, VIC. 3040; (ABN: 33 056 162 068)***
- 2. CCG Architects Pty. Ltd. Suite 234, Level 3, 7-11 The Avenue, Hurstville NSW 2220; (ABN:39 157 777 065)***
- 3. Centrum Architects Pty Ltd of 376 Punt Road, South Yarra, VIC. 3141;(ABN:40 065 422 835)***
- 4. Cohen Leigh Architects Pty Ltd of Suite 1, Level 1, 5-13 Melrose Street, Sandringham, VIC. 3191; (ABN: 83 106 604 648)***
- 5. JMA Architects Pty Ltd of 140 Gladstone Street, South Melbourne VIC. 3205; (ABN: 59 007 406 206)***
- 6. Katz Architecture Pty Ltd of 132 Cremorne Street, Cremorne VIC 3121; (ABN: 92 101 078 415)***
- 7. Mode Design Corp Pty Ltd of Plaza Level, Mosaic, 826 Ann Street, Fortitude Valley, QLD 4006; (ABN: 65 112 807 931)***
- 8. Terence Carey Architects Pty Ltd of First Floor, 84A Sydney Road, Brunswick VIC. 3056 (ABN: 53 005 090 826).***

on the basis of tendered schedule of job cost percentages and hourly rates, for a range of projects located throughout the municipality for a three year contract at an estimated total contract sum of \$4,800,000 excluding GST.

CARRIED UNANIMOUSLY

BACKGROUND

Council owns a large number of buildings which need to be refurbished and upgraded on a cyclic basis to ensure they continue to provide the level of service expected by the community. Funding for these projects is allocated annually from the Capital Works Program.

9.2.1

(cont)

The purpose of this tender report is to appoint a panel of eight Architectural consultants to provide architectural design and allied technical services for a range of planned building refurbishment and upgrade projects located throughout the municipality.

The establishment of a panel of architects is necessary to ensure the timely delivery of building capital works projects and to enable Council to comply with the requirements of the State Government's "best value" purchasing legislation.

It is planned to let a three year Contract, with the option of a two year extension at Council's discretion.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 11th November 2017 and closed on the Monday 4th December 2017. Twenty-two tenders were received.

The tenders were evaluated against the following criteria:

- Financial benefit to Council
- Quality of work
- Range of experience
- Methodology, Quality Assurance and Project Delivery Methods
- Occupational Health & Safety and Professional Standards

Following a comprehensive evaluation of the tenders, eight architectural consultants were shortlisted to be interviewed. Fee structures tendered by the 22 tenderers were assessed against a sample range of small (up to \$300,000), medium (up to \$1,000,000) and large (up to \$3.5 million) scale projects, reflective of the types of building projects routinely delivered by Council.

The tenders received from the selected eight architectural consultants are considered to provide the best value for money outcome for this Contract.

The tendered rates will be subject to rise and fall (CPI) adjustments based on the Melbourne All-groups index numbers at each anniversary date of the contract, including the optional extension period, if exercised by Council.

Council will seek lump sum quotes from panel members for each project and will manage the panel members to work collaboratively with a team of other consultants and stakeholders nominated by Council officers for a given project.

CONSULTATION

The directors of all the selected five new architectural companies were interviewed and skill sets of all the consultants were confirmed. Council Officers are aware of the quality of the services provided by the selected three architectural companies that currently exist on Council's panel Architectural Consultancy Services.

FINANCIAL IMPLICATIONS

The financial assessment considered the job cost percentages, nominated hourly rates and level of involvement by each staff category within each tender submission. This enabled a comprehensive range of project cost estimates to be determined for comparative evaluation purposes.

Based on Council's forward five year capital works program the estimated value of this contract for the initial three year term of the contract is \$4,800,000 excluding GST.

9.2.1

(cont)

Funding for the above services contract will be drawn annually from project budgets approved by Council as part of the annual Capital budget process. Contract administration and project financial management will be undertaken by the Major Projects and Buildings Department.

FINANCIAL TABLE

	Budget	Expenditure
Funds for this contract will be drawn from a range of Capital Accounts allocated for Building projects, with a total estimated cost of \$60,000,000 over 3 years.	\$4,800,000	
Estimated expenditure 2018/19		\$1,600,000
Estimated expenditure 2019/20		\$1,600,000
Estimated expenditure 2020/21		\$1,600,000
Total Estimated Expenditure (ex GST)		\$4,800,000

9.3 HUMAN SERVICES

9.3.1 Renaming Meeting Room 1, Box Hill Library to Bert Lewis Room

SUMMARY

Council received a request to rename Meeting Room 1 at the Box Hill Library the 'Lewis Room' in honour of former chief librarian Mr. H.C. (Bert) Lewis. Officers have assessed the request in line with relevant policies which included a community consultation process. Following community consultation it was determined that it would be more appropriate for the meeting room to be named the "Bert Lewis Room".

COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr Carr

That Council approve the renaming of Meeting Room 1 at Box Hill Library to the 'Bert Lewis Room'.

CARRIED UNANIMOUSLY

BACKGROUND

In November 2017, the Box Hill Historical Society requested Council's consideration to rename Meeting Room 1 at Box Hill Library to the 'Lewis Room', in honour of former chief librarian Mr H.C. (Bert) Lewis.

In March 2018, Council endorsed Officers to seek community consultation consistent with Council policy "*Criteria and Procedures for Naming Council Facilities after Individuals*". This process has now been undertaken.

DISCUSSION

Mr Lewis made an exceptional contribution to the Whitehorse community. His contribution meets the required provisions in Council's naming policy and is particularly fitting given his significant role in the history of the library. His significant contributions to the local area include, 27 years as Chief Librarian at Box Hill Library (1954-1981); Secretary of the Box Hill Council Centenary Committee (1957); Founded the Australian collection at Box Hill Library (1959); Served on the Executive of the Library Association and President (1961-62); Founder of the Box Hill Historical Society (1963); Rotary Club Citizen of the Year (1965); Promoted and oversaw the development of a new library on the current site (1973); Co-founder of the Box Hill Rostrum Club, Founder of the Box Hill Philatelic Society; Served for 23 years on the Box Hill Cemetery Trust; Long-time member of the Box Hill Businessmen's Club.

The proposal to rename Meeting Room 1, the Lewis Room was advertised for 30 days from 26/7/2018 until 24/8/2018 allowing the community an opportunity to comment. A total of five submissions were received. All submissions supported the room being renamed in honour of Mr Lewis. Four of the submissions suggested 'Bert' should be added to the title. The reason being that the addition of 'Bert' in the title more accurately acknowledges the individual considering that 'Lewis' is a common surname and the individual was warmly referred to as 'Bert'.

Three submissions also suggested that the room be renamed a 'Theatrette' in reference to the room's former function as the library theatrette. The recommendation was referred to Whitehorse Manningham Libraries for comment. Library staff expressed concerns that the title 'Theatrette' did not accurately describe the rooms present function as a meeting room.

9.3.1

(cont)

Council Officers proposed the 'Bert Lewis Room' to the Box Hill Historical Society, Whitehorse Manningham Libraries and the five individuals who submitted comments. The Box Hill Historical Society and Whitehorse Manningham Libraries both supported the proposal. There was one response in favour and no further comments received by the other four individuals.

CONSULTATION

Consistent with Council policy the proposal to rename Meeting Room 1, the Lewis Room was available for public consultation for a minimum of two weeks. The proposal was advertised for 30 days from 26/7/2018 until 24/8/2018 allowing the community an opportunity to comment. The community was notified through:

- 2 x A3 posters being displayed at the Box Hill Library.
- Advertisement on Council's consulting the community webpage.

FINANCIAL IMPLICATIONS

There are no further financial implications for Council.

Whitehorse Manningham Libraries have agreed to fund the cost of any signage required to rename Meeting Room 1, the 'Bert Lewis Room'.

POLICY IMPLICATIONS

The naming of the meeting room complies with the guidelines of Council's naming policy.

The Geographic Place Names Act (1998) does not apply to the naming of a room within a Council building.

9.4 CORPORATE

9.4.1 Quarterly Report July - September 2018

ATTACHMENT

SUMMARY

The purpose of this report is to brief the Council on the performance against the Council Plan 2017-21 and the Annual Budget 2018/19 for the quarter ended 30 September 2018.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Munroe

That the Council notes the Quarterly Performance Report for the quarter ended 30 September 2018.

CARRIED UNANIMOUSLY

BACKGROUND

The Quarterly Performance Report for the quarter ended 30 September 2018 provides a detailed report of performance against the major initiatives and initiatives identified in the *Annual Budget 2018/19*. These major initiatives and initiatives contribute to the achievement of the *Council Plan 2017-21*. Therefore, the Quarterly Performance Report reviews Council's performance against the Council Plan and the Annual Plan, pursuant to sections 131(3)(a)(ii) and 138 of the *Local Government Act 1989*.

The financial section of the Quarterly Performance Report has been prepared on an accruals basis to ensure accurate matching of income and expenditure, both operating and capital, for the year-to-date ended 30 September 2018. Furthermore, the financial section is prepared on the basis of year-to-date, year-end projection, cash and key balance sheet items, and analysing trends against budget.

DISCUSSION

Performance against Council Plan

The Annual Plan, which is a part of the *Annual Budget 2018/19*, identifies 23 major initiatives and initiatives which contribute to the achievement of the strategic directions and goals (strategic objectives) of the *Council Plan 2017-21*. Of the 23 major initiatives and initiatives in the *Annual Budget 2018/19*, 20 are on track, 2 are below target, and 1 has been deferred.

Highlights for the quarter included:

- Digital Transformation Strategy – The Digital Producer role was filled, a website development partner appointed, and the Council's corporate Facebook page was launched, providing another channel for interaction with the community.
- Nunawading Community Hub Development – Council appointed Ireland Brown Constructions as the builder for the Nunawading Community Hub in September 2018. Construction is due to start in November 2018 with completion expected in early 2020
- Review of Waste Management Strategy - A draft new Waste Management Strategy was adopted by Council in September, setting the direction for Council's waste and recycling services for the next 7 to 10 years.
- Live streaming of Council and Committee meetings - hardware was installed and a corporate policy developed, to be considered by Council at its 15 October 2018 Council Meeting.

9.4.1

(cont)

- Koonung Creek Boardwalk – The Boardwalk has been completed providing a widened viewing deck and bench seating to enjoy the view.

Performance against Annual Budget

The full year forecast has been reviewed and a \$64.74m surplus is expected for the year, which is \$631k favourable to budget. Excluding the \$34.84m gain from the sale of 517-521 Station Street, Box Hill, Council has forecast a \$29.90m surplus for 2018/19.

Settlement of the sale of 517-521 Station Street, Box Hill (\$34.84m profit on sale) was budgeted to occur on 30 September but actually settled on 8 October 2018. As a result, the year to date financial result at 30 September was \$34.08m lower than budget, primarily reflecting this slight timing difference.

As at 30 September 2018, actual capital YTD expenditure was \$3.39m, which is slightly lower than the YTD budget of \$4.04m.

ATTACHMENT

- 1 Quarterly Performance Report - Q1 July - Sept 2018 

9.4.2 Intention to Lease Land at 653-661 Elgar Road, Mont Albert North

FILE NUMBER: SF08/271

SUMMARY

Council resolved on 17 September 2018 to commence the statutory procedures under Section 190 and Section 223 of the Local Government Act 1989 to lease part of the Council owned land known as Elgar Park located at 653-661 Elgar Road, Mont Albert North to United Energy Distribution Pty Ltd for use as an electricity substation.

A public notice of Council's proposal was placed in The Age on Saturday 22 September 2018 and displayed for twenty eight (28) days on Council's Website. No submissions regarding the proposed lease have been received.

COUNCIL RESOLUTION

Moved by Cr Barker, Seconded by Cr Liu

That Council:

- 1. Having completed the public notice process in accordance with Sections 190 and 223 of the Local Government Act 1989 and having received no submissions, resolve to grant a lease over part of the Council owned land known as Elgar Park located at 653-661 Elgar Road, Mont Albert North to United Energy Distribution Pty Ltd for a total lease term of fifty (50) years, with a nominal annual rental of one dollar (\$1) if demanded, and with a proposed commencement date of 1 December 2018.**
- 2. Authorise the Manager of Property & Rates to sign the lease.**

CARRIED UNANIMOUSLY

BACKGROUND

In 2016, Council commenced design for the refurbishment and extension of the existing North Pavilion and in March 2017 construction commenced with completion in October 2017. During the consultation phase for the North Pavilion, it became evident that the existing substation located next to the South Pavilion was no longer compliant and its existing location also restricted the redevelopment of the South Pavilion.

Consequently a decision was made to relocate the substation to the eastern title boundary of Elgar Park (the Elgar Road boundary) north of the main entrance to Elgar Park.

United Energy is the power authority in the Mont Albert North area and is the proposed lessee. The proposed lease also grants a licence over a small section of Council owned land between the substation location and the eastern title boundary, this easement via licence is required to enable network connectivity through the substation.

A public notice advertising Council's intention to lease land was displayed in The Age newspaper on Saturday 22 September 2018, the advertising of the public notice was undertaken in accordance with Section 190 of the *Local Government Act 1989*.

The same public notice was displayed on Council's website in accordance with Section 82A of the *Local Government Act 1989*.

No submissions regarding the proposed lease were made to Council by the submissions closing date of Monday 22 October 2018.

9.4.2

(cont)

DISCUSSION

Statutory Process:

Section 190 of the Local Government Act 1989 (the LGA) restricts the powers of all Victorian councils to lease land.

Section 190 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 fifty (50) 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 public notice was advertised on 22 September 2018 and advised the community of Council's intention to lease the land with the following key terms:

Tenant:	United Energy Distribution Pty Ltd
Land Area:	41 square metres
Proposed Use:	Electricity substation
Title Description:	Part Volume 11532 Folio 134 and part Volume 11320 Folio 036
Length of Agreement:	Fifty (50) years
Rental:	One Dollar (\$1) plus GST per annum if demanded

CONSULTATION

The public consultation timetable for the proposed lease was as follows:

Statutory advertisements (Public Notice):	The Age Saturday 22 September 2018
Closing date for submissions	Monday 22 October 2018
Meeting to hear any submissions	Monday 12 November 2018

No public submissions were received.

9.4.2

(cont)

FINANCIAL IMPLICATIONS

Even though the proposed substation will distribute electricity in the wider Mont Albert North area, it 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

The granting of this lease is undertaken in accordance with Council's "Property Leasing and Licence Policy"

9.4.3 Supplementary Valuation Quarterly Report - 1 July 2018 to 30 September 2018

FILE NUMBER: SF16/746#03

SUMMARY

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

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Massoud

That Council:

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

CARRIED UNANIMOUSLY

BACKGROUND

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

DISCUSSION

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

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

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

Table # 1: Supplementary Valuations completed between: 1 July 2018 and 30 September 2018

Supplementary Valuation Reference	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
July 2018	1,539	\$897,889,400	\$1,527,866,000	\$84,535,150
September 2018	482	\$205,588,000	\$ 381,129,000	\$20,460,400
Supplementary Valuations Total	2,021	\$1,103,477,400	\$1,908,995,000	\$104,995,550

CONSULTATION

The legislative requirement for Council to complete supplementary valuations is contained within the *Valuation of Land Act 1960*. All supplementary valuations contained in this report have been undertaken in accordance with the *2018 Valuation Best Practice Specifications Guidelines*.

9.4.3

(cont)

FINANCIAL IMPLICATIONS

The total change to the Capital Improved Value (CIV) caused by the supplementary valuations undertaken is an increase of \$513,335,000.

This change in CIV has generated approximately \$714,940 of supplementary rate income.

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

Table #2: Valuation totals as at 1 July 2018

BREAKDOWN	Number of assessments	SITE VALUE	C.I.V.	N.A.V.
Rateable	73,431	\$59,669,594,000	\$77,928,466,000	\$ 3,990,089,515
Non Rateable	1,074	\$3,924,740,000	\$4,292,379,000	\$233,649,945
Municipal Total	74,505	\$63,594,334,000	\$82,220,845,000	\$4,223,739,460

Table#3 Change to valuation totals due to supplementary valuations between: 1 July 2018 to 30 September 2018

Supplementary Valuations	Number of assessments subject to Supplementary Valuation	Change to Site Value	Change to CIV	Change to NAV
July 2018	1,539	\$23,782,500	\$371,751,000	\$18,479,850
September 2018	482	\$ 222,000	\$141,584,000	\$ 7,434,900
Total Change	2,021	\$24,004,500	\$513,335,000	\$25,914,750

Table #4: Valuation totals as at 30 September 2018

NEW BREAKDOWN	Number of assessments	SITE VALUE	C.I.V.	N.A.V.
New Rateable	74,115	\$59,691,673,500	\$78,439,621,000	\$4,015,901,415
New Non Rateable	1,078	\$3,926,665,000	\$4,294,559,000	\$233,752,795
New Municipal Total	75,193	\$63,618,338,500	\$82,734,180,000	\$4,249,654,210

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

POLICY IMPLICATIONS

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

9.4.4 Naming of Unnamed Laneway adjacent to Tassell's Park Box Hill North

SUMMARY

Council has received a request from a resident to name a currently unnamed laneway which runs off Woodhouse Grove Box Hill North, adjacent to Tassell's Park. The property at 119 Woodhouse Grove was subdivided and a townhouse built at the rear of the original house. The townhouse is addressed as 119A Woodhouse Grove however the townhouse fronts the unnamed lane with vehicular access to the property also from the laneway. It is recommended Council assign the name Tassells Lane to the currently unnamed lane.

COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr Barker

That:

- 1 Council assigns the name Tassells Lane to the currently unnamed laneway which runs off Woodhouse Grove Box Hill North, adjacent to Tassell's Park.***
- 2 The Registrar of Geographic Names be advised of Council's Resolution.***
- 3 Adjoining property owners be advised accordingly once advice has been received from the office of the Registrar of Geographic Names and laneway name has been formally gazetted.***
- 4 Appropriate street signage be erected once advice has been received from the Office of the Registrar of Geographic Names that the laneway name has been formally gazetted.***

CARRIED UNANIMOUSLY

BACKGROUND

Council has received a request from a resident of Woodhouse Grove Box Hill North to name a currently unnamed laneway which runs off Woodhouse Grove Box Hill North and along the west side of Tassell's Park. The resident has suggested Tassells Lane due to the close proximity to Tassell's Park.

The property at 119 Woodhouse Grove Box Hill North was subdivided and a townhouse built at the rear of the original house. The townhouse was assigned the property address 119A Woodhouse Grove; however the townhouse fronts the unnamed lane with vehicular access to the property from the lane as well.

The lane is located on the west border of Tassell's Park. It is recommended that the lane be named for practical and safety reasons. Due to the proximity of the lane to Tassell's Park, it is recommended the lane be named Tassells Lane. (Note the use of apostrophes is not permitted in street naming).

9.4.4

(cont)

DISCUSSION

Schedule 10 (5) of the *Local Government Act* 1989 provides that Council may approve, assign or change the name of a road and in exercising that power must act in accordance with the Guidelines in force for the time being under the Geographic Place Names Act 1998 and must advise the Registrar under that Act of the action taken. The *Naming Rules for places in Victoria, Statutory Requirements for Naming Roads, Features and Localities* (Naming Rules) provide that Council in naming a road consider, amongst other things, the following:

- Ensuring public safety;
- Recognising the public interest;
- Linking the name to the place;
- Ensuring names are not duplicated;
- Names must not be discriminatory;
- Using commemorative names
- Recognition and use of Aboriginal languages;
- Names should be easy to pronounce, spell and write;
- Duplication of names (not allowed within localities, or within a five kilometre radius);

CONSULTATION

- Council officers contacted the DELWP, specifically the Office of Geographic Names (OGN) in relation to required process and also the eligibility and suitability of the name Tassells. OGN provided confirmation around the required process, advised it is appropriate for the laneway to be named and the property to be addressed to the road that the property fronts and which provides access to the property, OGN also advised that there is clearly a link to place with the name Tassells.
- Officers confirmed with Council's Property and Rates Department that once the lane has been assigned a name, the property facing Tassells Park can be assigned a new property address from its frontage. No other current properties will be affected by the naming of the lane.

Formal Consultation Process

As required by the Naming Rules, prior to seeking approval of the naming proposal from the Office of the Registrar of Geographic Names, Council must undertake a formal community consultation process:

- Council staff wrote to owners of properties abutting the laneway;
- An advertisement was placed in the Whitehorse Leader on 24 September 2018 and on Council's website, inviting comments from members of the community on the naming proposal;
- The consultation period closed at 5pm on Wednesday 24 October 2018. At the close of the consultation:
 - Correspondence supporting Tassells Lane was received, and
 - One objection to the naming proposal was received, the objection also suggested an alternative naming proposal.
- The alternative naming proposal is Woods Lane, unfortunately the name does not comply with the principles of the Naming Rules. In particular Naming Principle D Ensuring Names Are Not Duplicated – due to the fact that any road name that uses the word 'Wood' in it would be regarded as a duplication and non-compliant with the mandatory naming rules.

FINANCIAL IMPLICATIONS

Approximately \$400 for street signage and advertising.

9.4.4
(cont)



9.4.5 Appointment of Authorised Officer under the Planning and Environment Act 1987

SUMMARY

The purpose of this report is to recommend that Council resolve to appoint the named officer as an Authorised Officer under the Planning and Environment Act 1987 and approve the execution of the Instrument of Appointment.

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Ellis

That Council resolve to appoint Anne North as an Authorised Officer pursuant to the Planning and Environment Act 1987 and that the Council Common Seal be affixed to the Instrument of Appointment (provided as Appendix 1).

CARRIED UNANIMOUSLY

BACKGROUND

Part 6 of the Planning and Environment Act 1987 ("the Act") provides for the enforcement of planning schemes, planning permits and agreements entered in accordance with Section 173 of the Act.

Investigative powers are vested in individuals appointed as "Authorised Officers", such as the power to enter land, apply for an enforcement order, and file a charge and summons.

As Section 188(2) of the Act, prohibits authorisations being made under delegation, it is up to Council to directly appoint persons as "Authorised Officers" for the purpose of enforcing the Planning and Environment Act 1987.

DISCUSSION

The attached Instrument of Appointment has been prepared following advice received from Council's solicitors Maddocks and is similar to that used by many Victorian Councils.

The Instrument of Appointment will come into force once Council's Common Seal is affixed to the document.

CONSULTATION

Consultation with the General Manager City Development and the Manager Planning and Building has been undertaken in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications rising from the preparation of this report.

POLICY IMPLICATIONS

There are no policy implications arising from the preparation of this report.

9.4.5
(cont)

APPENDIX 1

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

In this instrument "**officer**" means -

Anne North

By this instrument of appointment and authorisation Whitehorse City Council -

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

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the **Whitehorse City Council** on **19 November 2018**.

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

Councillor

Chief Executive Officer

Date: / /

9.4.6 Meeting Cycle January to December 2019

SUMMARY

This report is to set meeting dates for the period January to December 2019. It is recommended that Council adopt the 2019 Meeting Cycle which provides for meetings to take place on Monday nights.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Cutts

That:

- 1. Council receive and note the report and adopt the Meeting Cycle for the period January to December 2019 as detailed in Appendix A to this report.**
- 2. All Meetings of the Council and Special Committee of Council will commence at 7.00pm in the Council Chamber, Civic Centre, 379 Whitehorse Road, Nunawading.**
- 3. Public notice of Council's meeting schedule be given as required by Section 89 (4) of the Local Government Act 1989. 89 (4) of the Local Government Act 1989.**

CARRIED

BACKGROUND

This report is to set meeting dates for the period January to December 2019 as listed in Appendix A to this report.

- Meetings will take place on Monday nights, where Monday is a public holiday the meeting will take place on the Tuesday night immediately following.
- Special Committee of Council meetings are held in the Council Chamber, 379 Whitehorse Road Nunawading and commence at 7.00pm. Special Committee meetings will be held February to December on the second Monday of the month. The exception being the December Special Committee meeting which will be held on the first Monday of the month, Monday 2 December.
- Ordinary Council Meetings are held in the Council Chamber, 379 Whitehorse Road, Nunawading and commence at 7.00pm. Ordinary Council meetings to be held as follows:
 - January Council meeting will be held on Tuesday 29 January.
 - The Special (Statutory) Council Meeting – Election of the Mayor will be held on Monday 28 October
 - The December Council meeting will be held on Monday 9 December.
- As a result of Council's resolution to live stream and archive all Council and Special Committee of Council meetings, recording equipment has been installed in the Nunawading Council Chamber. It is recommended that all public meetings, inclusive of the January Ordinary Council Meeting normally held at the Box Hill Town Hall, are held in the Council Chamber, 379 Whitehorse Road Nunawading, as there is no audio or video recording equipment in the Box Hill Council Chamber.
- All meetings will be conducted in accordance with the Charters and Council's Meeting Procedure and Common Seal Local Law 2013.

9.4.6

(cont)

CONSULTATION

Councillors have reviewed and considered the meeting cycle.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

9.4.6
(cont)

WHITEHORSE CITY COUNCIL - MEETING CYCLE 2019

January	
Ordinary Council Meeting	29 (Tues)
February	
Special Committee	11
Ordinary Council Meeting	25
March	
Special Committee	12 (Tues)
Ordinary Council Meeting	18
April	
Special Committee	8
Ordinary Council Meeting	15
May	
Special Committee	13
Ordinary Council Meeting	27
June	
Special Committee	11 (Tues)
Ordinary Council Meeting	24
July	
Special Committee	8
Ordinary Council Meeting	15
August	
Special Committee	12
Ordinary Council Meeting	26
September	
Special Committee	9
Ordinary Council Meeting	16
October	
Special Committee	14
Ordinary Council Meeting	21
Special (Statutory) Council Meeting –Election of the Mayor	28
November	
Special Committee	11
Ordinary Council Meeting	25
December	
Special Committee	2
Ordinary Council Meeting	9

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

9.4.7 Councillor Appointments to Organisations and Community Bodies

FILE NUMBER: SF09/28

SUMMARY

Council may to appoint Councillor representatives to various committees, organisations and community bodies in November/December of each year. The current list is detailed in Appendix A to this report.

COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Ellis

That Council appoint Councillor representatives to the committees, organisations and community bodies detailed in Appendix A.

CARRIED UNANIMOUSLY

The Chief Executive Officer Ms Noelene Duff was the Returning Officer for the conduct of an election held to appoint Councillor delegates to the committees, organisations and community bodies numbered 2, 3, 4, 10, 12, 13, 16, 18 and 19.

ELECTION

No. 2 - Municipal Association of Victoria (One Councillor - Delegate)

There were four nominations:

Cr Davenport
Cr Carr
Cr Munroe
Cr Ellis

A vote was conducted and Councillor Davenport was elected.

No. 2 - Municipal Association of Victoria (One Councillor - Substitute)

There were three nominations:

Cr Carr
Cr Munroe
Cr Ellis

A vote was conducted and Councillor Munroe was elected.

No. 3 Whitehorse Business Group (Two Councillors)

There were two nominations:

Cr Liu
Cr Cutts

Two nominations were received for the two Councillor Representative appointments on the Whitehorse Business Group, a vote was therefore not required and Councillor Liu and Councillor Cutts were appointed.

No. 4 Whitehorse Manningham Regional Library Corporation (Two Councillors)

There were three nominations:

Cr Liu
Cr Cutts
Cr Massoud

A vote was conducted and Councillor Liu and Councillor Cutts were elected.

9.4.7

(cont)

No. 10 - Advisory Committee for the review of the Chief Executive Officer's Development

(Two Councillors to join the Mayor Cr Bennett and Immediate Past Mayor Cr Davenport)

There were six nominations:

Cr Stennett
Cr Cutts
Cr Barker
Cr Massoud
Cr Ellis
Cr Munroe

A vote was conducted and Councillor Massoud and Councillor Munroe were elected.

No. 12 - Heritage Steering Committee (Two Councillors)

There were three nominations:

Cr Stennett
Cr Cutts
Cr Davenport

A vote was conducted and Councillor Cutts and Councillor Stennett were elected.

No. 13 - Visual Arts Committee (Two Councillors)

There were three nominations:

Cr Davenport
Cr Carr
Cr Massoud

A vote was conducted and Councillor Carr and Councillor Davenport were elected.

No. 16 - Domestic Animal Management Plan Advisory Committee (Two Councillors)

There were three nominations:

Cr Barker
Cr Carr
Cr Massoud

A vote was conducted and Councillor Carr and Councillor Barker were elected.

No. 18 - Eastern Region Group (One Councillor to be elected to join the Mayor Cr Bennett)

There were three nominations:

Cr Stennett
Cr Carr
Cr Ellis

A vote was conducted and Councillor Ellis was elected.

No. 19 - Built Environment Awards (Two Councillors to be elected to join the Mayor Cr Bennett)

There were three nominations:

Cr Barker
Cr Carr
Cr Liu

A vote was conducted and Councillor Barker and Councillor Liu were elected.

9.4.7

(cont)

MOTION

Moved by Cr Munroe, Seconded by Cr Davenport

That Council endorse the appointment of Council Delegates as per the results of the elections for the Delegate appointments numbered 2, 3, 4, 10, 12, 13, 16, 18 and 19.

PROCEDURAL MOTION

Moved by Cr Stennett, Seconded by Cr Massoud

That the Motion be put.

LOST

**The motion moved by Cr Munroe, Seconded by Cr Davenport was then put and
CARRIED**

BACKGROUND

Councillor Representative appointments to various committees, organisations and community bodies are made by Council each year during November/December, as well as other times throughout the year as required, when new committees or groups are established.

DISCUSSION

It is suggested Council consider and resolve appointments to these groups as detailed in Appendix A below.

APPENDIX A: Councillor Representative Appointments to the Following Bodies (For the Period 19 November 2018 to 18 November 2019)

NO.	BODY	COUNCILLOR NOMINATION 2018/2019
1	Local Government's Waste Management Forum to support the Metropolitan Waste Management Group (One Councillor and one substitute Councillor)	Cr Bill Bennett Substitute: Cr Andrew Munroe
2	Municipal Association of Victoria (One Councillor and one substitute Councillor)	Cr Andrew Davenport Substitute: Cr Andrew Munroe
3	Whitehorse Business Group (Two Councillors)	Cr Tina Liu Cr Prue Cutts
4	Whitehorse Manningham Regional Library Corp. (Two Councillors)	Cr Tina Liu Cr Prue Cutts
5	Victorian Local Governance Association (One Councillor and one substitute Councillor)	Cr Andrew Munroe Substitute: Cr Sharon Ellis
6	Eastern Region Affordable Housing Alliance (One Councillor)	Cr Sharon Ellis
7	Eastern Alliance for Greenhouse Action (EAGA) Executive Committee (One Councillor)	Cr Tina Liu

9.4.7
(cont)

TRANSPORT GROUP OF COMMITTEES

NO.	BODY	COUNCILLOR NOMINATION 2018/2019
8	Eastern Transport Coalition (One Councillor)	Cr Tina Liu
9	Metropolitan Transport Forum (One Councillor)	Cr Andrew Munroe

INTERNAL COMMITTEES

NO	BODY	COUNCILLOR NOMINATION 2018/2019
10	Advisory Committee for the review of the Chief Executive Officer's development (Mayor, Immediate Past Mayor and two Councillors)	(Mayor of the day) Cr Bill Bennett Cr Andrew Davenport Cr Denise Massoud Cr Andrew Munroe
11	Audit Advisory Committee (Two Councillors)	Cr Denise Massoud Cr Ben Stennett
12	Heritage Steering Committee (Two Councillors)	Cr Prue Cutts Cr Ben Stennett
13	Visual Arts Committee (Two Councillors)	Cr Raylene Carr Cr Andrew Davenport
14	Whitehorse Disability Advisory Committee (One Councillor as Chair)	Cr Denise Massoud
15	Whitehorse Reconciliation Policy & Action Plan Advisory Committee (One Councillor as Chair)	Cr Ben Stennett
16	Domestic Animal Management Plan Advisory Committee (Two Councillors)	Cr Raylene Carr Cr Blair Barker
17	Major Projects Councillor Reference Group (All Councillors)	All Councillors
18	Eastern Region Group (The Mayor, One Councillor & CEO)	(Mayor of the Day) Cr Bill Bennett Cr Sharon Ellis
19	Built Environment Awards (The Mayor and two Councillors with judging to take place April 2019)	(Mayor of the day) Cr Bill Bennett Cr Blair Barker Cr Tina Liu

Attendance

Cr Liu left the Chamber at 9.08pm and returning at 9.10pm

9.4.8 Delegated Decisions September 2018

SUMMARY

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

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Carr

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

CARRIED

DELEGATION	FUNCTION	Number for September 2017	Number for September 2018
Planning and Environment Act 1987	Delegated Decisions	101	118
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		18	17
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	57	58
Liquor Control Reform Act 1998	Objections and Prosecutions	1	1
Food Act 1984	Food Act Orders	1	4
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	3	4
Local Government Act 1989	Temporary Road Closures	3	6
Other Delegations	CEO Signed Contracts between \$150,000 - \$750,000	1	3
	Property Sales and Leases	4	6
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	977	1209
	Parking Amendments	8	4
	Parking Infringements written off (not able to be collected)	212	190

9.4.8

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS SEPTEMBER 2018

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

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/533	07.09.18	Application Lapsed	12 Elva Court Mitcham Vic 3132	Springfield	Construction of a single storey dwelling to rear of existing dwelling Buildings and works in the Significant Landscape Overlay	Multiple Dwellings
WH/2018/591	12.09.18	Application Lapsed	349 Whitehorse Road Nunawading Vic 3131	Springfield	removal of one tree from car park due to roots causing damage to car park area	Special Landscape Area
WH/2018/840	20.09.18	Application Lapsed	29b Redland Drive Mitcham Vic 3132	Springfield	Construction of Carport	Industrial
WH/1986/803277/A	17.09.18	Delegate Approval - S72 Amendment	1 Woodleigh Crescent Vermont South Vic 3133	Morack	Amendment to permit conditions	Permit Amendment
WH/2003/13990/E	06.09.18	Delegate Approval - S72 Amendment	1/880 Canterbury Road Box Hill South Vic 3128	Riversdale	Development of the land for a three storey building in association with the use of a shop, displaying of advertising signs and alterations to a Road Zone Category 1	Permit Amendment
WH/2012/842/B	27.09.18	Delegate Approval - S72 Amendment	434-438 Whitehorse Road Nunawading Vic 3131	Springfield	Amendment to endorsed plan to permit WH/2012/842 comprising a redesign of the internal and external layout of the development including a reduction in gross floor area, reduction in maximum building height, amendment to building design and style and removal of a crossover	Permit Amendment

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2014/108/A	27.09.18	Delegate Approval - S72 Amendment	76 Winfield Road Balwyn North Vic 3104	Elgar	Amendment to plans for construction of seven dwellings comprising three triple storey and four double storey dwellings and tree removal	Permit Amendment
WH/2015/370/A	06.09.18	Delegate Approval - S72 Amendment	173-175 Whitehorse Road Blackburn Vic 3130	Central	Use of the land for dwellings and buildings and works to construct a five storey building with basement car parking comprising two offices, a cafe and 43 apartments, and alterations to access to a road in a Road Zone, Category 1	Permit Amendment
WH/2015/787/B	26.09.18	Delegate Approval - S72 Amendment	88 Whitehorse Road Blackburn Vic 3130	Central	Buildings and works for the demolition and reconstruction of an outbuilding	Permit Amendment
WH/2016/13/A	26.09.18	Delegate Approval - S72 Amendment	14 Stanley Grove Blackburn Vic 3130	Central	Buildings and works for the Construction of three double storey dwellings and associated vegetation removal	Permit Amendment
WH/2016/489/A	21.09.18	Delegate Approval - S72 Amendment	315-319 Burwood Highway Burwood East Vic 3151	Morack	Buildings and works for the construction of a six (6) storey building and use of land for retail and serviced apartment	Permit Amendment

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2016/68/A	10.09.18	Delegate Approval - S72 Amendment	820-824 Whitehorse Road Box Hill Vic 3128	Elgar	Use of land for accommodation, buildings and works for the construction of a multi-storey building comprising up to 280 dwellings, with basement car parking and a reduction in car parking requirements	Permit Amendment
WH/2016/730/B	26.09.18	Delegate Approval - S72 Amendment	8 Lawford Street Box Hill North Vic 3129	Elgar	Construction of two double storey dwellings and associated Vegetation Removal	Permit Amendment
WH/2017/394/B	25.09.18	Delegate Approval - S72 Amendment	5 Arna Street Blackburn Vic 3130	Central	Construction of a single storey dwelling and removal of vegetation	Permit Amendment
WH/2009/293/A	24.09.18	Delegate NOD Issued	103 Weeden Drive Vermont South Vic 3133	Morack	Construction of a new double storey dwelling to the rear of the existing dwelling and associated subdivision of the land into two lots and vegetation removal.	Permit Amendment
WH/2017/842	12.09.18	Delegate NOD Issued	6 Farleigh Avenue Burwood Vic 3125	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
WH/2017/997	13.09.18	Delegate NOD Issued	352 Middleborough Road Blackburn Vic 3130	Central	Development of two (2) Dwellings on a lot	Multiple Dwellings
WH/2018/141	24.09.18	Delegate NOD Issued	284 Elgar Road Box Hill South Vic 3128	Riversdale	The construction of two double storey dwellings	Multiple Dwellings
WH/2018/153	19.09.18	Delegate NOD Issued	62 Windsor Crescent Surrey Hills Vic 3127	Elgar	Buildings and works to extend the existing dwelling (ground floor additions and first floor extension)	Heritage

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/280	14.09.18	Delegate NOD Issued	2 Cherry Orchard Rise Box Hill North Vic 3129	Elgar	Construction of two double storey dwellings on a lot	Multiple Dwellings
WH/2018/293	27.09.18	Delegate NOD Issued	16 Victoria Crescent Mont Albert Vic 3127	Elgar	Construction of Two (2) Double Storey Dwellings on a Lot and Removal of Vegetation within Significant Landscape Overlay - Schedule 9	Multiple Dwellings
WH/2018/355	10.09.18	Delegate NOD Issued	12 Barwon Street Box Hill North Vic 3129	Elgar	Construction of three double storey dwellings on a lot, removal of trees and buildings and works within 4 metres of trees under the SLO9	Multiple Dwellings
WH/2018/403	06.09.18	Delegate NOD Issued	16 Wellington Avenue Blackburn Vic 3130	Central	Buildings and works associated with the construction of a double storey dwelling and associated vegetation removal within SLO2.	Special Landscape Area
WH/2018/415	21.09.18	Delegate NOD Issued	10 Hirst Street Blackburn Vic 3130	Central	Buildings and works for Construction of Two Dwellings, associated works and Tree Removal	Multiple Dwellings
WH/2018/463	19.09.18	Delegate NOD Issued	12 Milton Street Nunawading Vic 3131	Springfield	Buildings and works to construct one (1) single storey dwelling	Special Landscape Area
WH/2018/494	19.09.18	Delegate NOD Issued	29 Fuller Street Mitcham Vic 3132	Springfield	Building and works for the construction of one double storey dwelling	Special Landscape Area
WH/2018/61	19.09.18	Delegate NOD Issued	2 Farleigh Avenue Burwood Vic 3125	Riversdale	Construction of three double storey dwellings, tree removal, and works within 4m of tree	Multiple Dwellings

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/1014	12.09.18	Delegate Permit Issued	560 Burwood Highway Vermont South Vic 3133	Morack	Construction of three double storey dwellings and associated tree removal	Multiple Dwellings
WH/2017/1047	03.09.18	Delegate Permit Issued	370 Burwood Highway Burwood Vic 3125	Riversdale	Buildings and works for construction of nine three-storey dwellings and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
WH/2017/565	10.09.18	Delegate Permit Issued	10 Barwon Street Box Hill North Vic 3129	Elgar	Construction of three double storey dwellings on a lot buildings and works within 4 metres and removal of trees protected under the SLO9	Multiple Dwellings
WH/2017/771	03.09.18	Delegate Permit Issued	93 Kenmare Street Mont Albert North Vic 3129	Elgar	Construction of two double storey dwellings (one with basement) and tree removal	Multiple Dwellings
WH/2017/867	25.09.18	Delegate Permit Issued	5 View Street Surrey Hills Vic 3127	Elgar	Construction of two double storey dwellings	Multiple Dwellings
WH/2017/955	27.09.18	Delegate Permit Issued	10/1 Jilmax Court Forest Hill Vic 3131	Springfield	Construction of a single garage on a lot of less than 300 square metres and works within 4 metres of a protected tree in the SLO9.	Single Dwelling < 300m2
WH/2017/966	06.09.18	Delegate Permit Issued	24 High Street Nunawading Vic 3131	Springfield	The construction of two (2) double storey dwellings, buildings and works within 4 metres of vegetation, vegetation removal.	Multiple Dwellings
WH/2018/1028	27.09.18	Delegate Permit Issued	1/15-17 Sweetland Road Box Hill Vic 3128	Elgar	Buildings and works (construction of a verandah) for a dwelling on a lot less than 300m2	VicSmart - General Application

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/129	14.09.18	Delegate Permit Issued	1 Morley Crescent Box Hill North Vic 3129	Elgar	Construction of two double storey dwellings on a lot and works within 4m of protected trees (SLO9)	Multiple Dwellings
WH/2018/201	24.09.18	Delegate Permit Issued	3 Joyhill Avenue Box Hill South Vic 3128	Riversdale	Construction of one double storey dwelling	Special Landscape Area
WH/2018/209	24.09.18	Delegate Permit Issued	34 Strabane Avenue Mont Albert North Vic 3129	Elgar	Development of the land for a second dwelling on the lot, including associated buildings and works.	Multiple Dwellings
WH/2018/219	24.09.18	Delegate Permit Issued	1/495 Mitcham Road Mitcham Vic 3132	Springfield	Construction of two, two storey dwellings	Multiple Dwellings
WH/2018/304	18.09.18	Delegate Permit Issued	54 Relowe Crescent Mont Albert North Vic 3129	Elgar	Three lot subdivision	Subdivision
WH/2018/345	18.09.18	Delegate Permit Issued	5 Dorene Court Vermont South Vic 3133	Morack	Removal of seven (7) trees in the Significant Landscape Overlay 9 (SLO9).	Special Landscape Area
WH/2018/351	12.09.18	Delegate Permit Issued	8 Glendale Street Nunawading Vic 3131	Springfield	Use of the land for an indoor recreation facility (swim school)	Industrial
WH/2018/407	27.09.18	Delegate Permit Issued	12 Laurel Grove North Blackburn Vic 3130	Central	Removal of two (2) trees	Special Landscape Area
WH/2018/416	17.09.18	Delegate Permit Issued	920 Whitehorse Road Box Hill Vic 3128	Elgar	Display of Advertising Signage	Advertising Sign
WH/2018/470	10.09.18	Delegate Permit Issued	6 Bundoran Parade Mont Albert North Vic 3129	Elgar	Removal of vegetation (6 trees).	Special Landscape Area

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/490	17.09.18	Delegate Permit Issued	297-309 Whitehorse Road Nunawading Vic 3131	Springfield	For a internally-illuminated business identification pole sign and internally-illuminated business identification directional sign.	Advertising Sign
WH/2018/500	06.09.18	Delegate Permit Issued	20-24 Masons Road Blackburn Vic 3130	Central	Buildings and Works (Front Fence) within Special Building Overlay and Significant Landscape Overlay - Schedule 2	VicSmart - General Application
WH/2018/543	18.09.18	Delegate Permit Issued	117-125 Canterbury Road Blackburn Vic 3130	Central	Buildings and works (Alterations to external facade) and display of business identification signage and directional signage	Business
WH/2018/595	21.09.18	Delegate Permit Issued	1/8 Alder Street Burwood Vic 3125	Riversdale	Buildings and works for front fence within 4 metres of a protected tree under SLO9	Single Dwelling < 300m2
WH/2018/66	20.09.18	Delegate Permit Issued	38 Gillard Street Burwood Vic 3125	Riversdale	Construction of two double storey dwellings within a Special Building Overlay	Multiple Dwellings
WH/2018/689	06.09.18	Delegate Permit Issued	13/22-24 Redland Drive Mitcham Vic 3132	Springfield	Use of a warehouse for distributing of frozen foods within 150 metres of a residential area	Industrial
WH/2018/702	17.09.18	Delegate Permit Issued	10 Sandy Street Nunawading Vic 3131	Springfield	Three (3) lot subdivision	Subdivision
WH/2018/711	20.09.18	Delegate Permit Issued	33 Elder Street Blackburn Vic 3130	Central	Buildings and Works (construct a new dwelling) within 4m of protected vegetation	Special Landscape Area

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/725	10.09.18	Delegate Permit Issued	10 Medhurst Street Burwood East Vic 3151	Riversdale	Five (5) lot subdivision	Subdivision
WH/2018/726	21.09.18	Delegate Permit Issued	1 Hill Street Blackburn Vic 3130	Central	Removal of trees protected under the Significant Landscape Overlay, Schedule 1	Special Landscape Area
WH/2018/732	24.09.18	Delegate Permit Issued	Bus Stop 8679 - Burwood Highway and Pheasant Street, Burwood	Riversdale	Erect internally illuminated and electronic signage at Bus Stop 8679	Advertising Sign
WH/2018/740	10.09.18	Delegate Permit Issued	Bus Stop 6507 at Elgar Road and Burwood Highway, BURWOOD	Riversdale	Erect internally illuminated and electronic signage at Bus Stop 6507	Advertising Sign
WH/2018/741	25.09.18	Delegate Permit Issued	141-155 Burwood Highway Burwood Vic 3125	Riversdale	Buildings and works to alter and extend the existing Year 12 building	Residential (Other)
WH/2018/742	26.09.18	Delegate Permit Issued	2/46 Begonia Street Box Hill South Vic 3128	Riversdale	Subdivision of common property and boundary realignment	Subdivision
WH/2018/759	10.09.18	Delegate Permit Issued	16 Berry Street Box Hill North Vic 3129	Elgar	Buildings and works (front fence) within 4m of protected vegetation within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2018/77	18.09.18	Delegate Permit Issued	15 Nielsen Avenue Nunawading Vic 3131	Springfield	Construction of two, two storey dwellings and vegetation removal	Multiple Dwellings
WH/2018/780	26.09.18	Delegate Permit Issued	78 Middleborough Road Burwood East Vic 3151	Riversdale	Use of the land for licensed premises (one tenancy: packaged liquor sales and ten tenancies: sale and consumption of liquor in association with a cafe/restaurant)	Liquor Licence

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/797	07.09.18	Delegate Permit Issued	61 Mill Avenue Forest Hill Vic 3131	Morack	Remove three (3) trees and buildings and works (construct a dwelling) within 4m of protected vegetation within SLO9	Special Landscape Area
WH/2018/803	14.09.18	Delegate Permit Issued	Bus shelter No. 8398 adjacent to 253 Middleborough Road, Box Hill South	Riversdale	Display two (2) advertising signs comprising of one internally illuminated promotion sign and one electronic promotion sign (stop id 8398)	Advertising Sign
WH/2018/804	14.09.18	Delegate Permit Issued	Bus Shelter 11891 adjacent to 96 Canterbury Road Blackburn South	Central	Display two (2) advertising signs comprising of one internally illuminated promotion sign and on electronic promotion sign (stop id 11891)	Advertising Sign
WH/2018/82	21.09.18	Delegate Permit Issued	20 Holyrood Drive Vermont Vic 3133	Morack	Buildings and works and tree removal in association with construction of a double storey dwelling	Special Landscape Area
WH/2018/839	10.09.18	Delegate Permit Issued	45 Combarton Street Box Hill Vic 3128	Elgar	Buildings and works (front fence) within 4m of protected vegetation within SLO9 & HO101	VicSmart - General Application
WH/2018/849	26.09.18	Delegate Permit Issued	11 Toogoods Rise Box Hill North Vic 3129	Elgar	Buildings and works (construct a service trench) within 4 metres of protected vegetation	VicSmart - General Application

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/852	27.09.18	Delegate Permit Issued	26 Clyde Street Box Hill North Vic 3129	Elgar	Creation of the drainage easement shown as E-2 & E-3 on the diagram on the Plan of Creation of Easement, in favour of Whitehorse City Council	Subdivision
WH/2018/869	10.09.18	Delegate Permit Issued	22 Elder Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/870	10.09.18	Delegate Permit Issued	22 Elder Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/871	10.09.18	Delegate Permit Issued	22 Elder Street Blackburn Vic 3130	Central	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/885	24.09.18	Delegate Permit Issued	8 First Avenue Box Hill North Vic 3129	Elgar	2 lot subdivision	VicSmart - Subdivision
WH/2018/898	27.09.18	Delegate Permit Issued	44 Roslyn Street Burwood Vic 3125	Riversdale	Buildings and works within 4 metres of a tree (driveway)	VicSmart - General Application
WH/2018/902	07.09.18	Delegate Permit Issued	7a Hughes Street Burwood Vic 3125	Riversdale	Two lot Subdivision	VicSmart - Subdivision
WH/2018/903	03.09.18	Delegate Permit Issued	355 Warrigal Road Burwood Vic 3125	Riversdale	Buildings and works within 4 metres of protected trees	Special Landscape Area
WH/2018/911	07.09.18	Delegate Permit Issued	32 Halls Parade Vermont Vic 3133	Springfield	Removal of one (1) tree within SLO9 & VPO3	VicSmart - General Application
WH/2018/912	05.09.18	Delegate Permit Issued	161 Central Road Nunawading Vic 3131	Springfield	Buildings and works to construct a lift well to an existing office building associated with a place of worship	Residential (Other)
WH/2018/914	12.09.18	Delegate Permit Issued	12 Dundee Street Blackburn South Vic 3130	Central	To construct a 1.5 high front fence and 3.5m existing crossing	VicSmart - General Application
WH/2018/916	06.09.18	Delegate Permit Issued	6 Corlett Street Mont Albert North Vic 3129	Elgar	Buildings and Works (new dwelling) within 4m of protected vegetation within the Significant Landscape Overlay - Schedule 9	Special Landscape Area

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/924	07.09.18	Delegate Permit Issued	18 Morris Avenue Mont Albert North Vic 3129	Elgar	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/930	10.09.18	Delegate Permit Issued	7 Bambra Court Vermont Vic 3133	Morack	Removal of one (1) tree	VicSmart - General Application
WH/2018/931	10.09.18	Delegate Permit Issued	2 Outlook Drive Nunawading Vic 3131	Springfield	Removal of one tree (Tree 1)	VicSmart - General Application
WH/2018/933	21.09.18	Delegate Permit Issued	33 Bank Street Box Hill Vic 3128	Elgar	Buildings and works (construct a verandah) with 4 metres of protected vegetation	VicSmart - General Application
WH/2018/934	20.09.18	Delegate Permit Issued	16 Richmond Street Blackburn South Vic 3130	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/935	20.09.18	Delegate Permit Issued	16 Richmond Street Blackburn South Vic 3130	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/938	25.09.18	Delegate Permit Issued	42 Robinlee Avenue Burwood East Vic 3151	Morack	Two lot subdivision based on development permit	VicSmart - Subdivision
WH/2018/939	18.09.18	Delegate Permit Issued	3 Roycliff Court Box Hill North Vic 3129	Elgar	removal of one tree - loquat tree	VicSmart - General Application
WH/2018/940	18.09.18	Delegate Permit Issued	3 Roycliff Court Box Hill North Vic 3129	Elgar	removal of one tree - weeping bottle brush	VicSmart - General Application
WH/2018/944	19.09.18	Delegate Permit Issued	4/59 Scott Street Vermont Vic 3133	Springfield	Removal of vegetation	VicSmart - General Application
WH/2018/958	21.09.18	Delegate Permit Issued	5 Conrad Court Blackburn North Vic 3130	Central	Remove of one (1) tree within SLO9	VicSmart - General Application
WH/2018/959	21.09.18	Delegate Permit Issued	5 Conrad Court Blackburn North Vic 3130	Central	Remove of one (1) tree within SLO9	VicSmart - General Application
WH/2018/960	21.09.18	Delegate Permit Issued	6 Gurrnoong Court Box Hill South Vic 3128	Riversdale	Buildings and works (front fence) with 4 metres of protected vegetation	VicSmart - General Application
WH/2018/964	25.09.18	Delegate Permit Issued	13 Malvern Road Mont Albert Vic 3127	Elgar	2 lot subdivision	VicSmart - Subdivision

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/967	25.09.18	Delegate Permit Issued	22 Elder Street Blackburn Vic 3130	Central	Removal of one tree (Tree 4 - Eriobotrya japonica - Loquat)	VicSmart - General Application
WH/2018/969	21.09.18	Delegate Permit Issued	553 Middleborough Road Box Hill North Vic 3129	Elgar	Buildings and works within four (4) metres of protected trees	VicSmart - General Application
WH/2018/970	26.09.18	Delegate Permit Issued	58 Bindy Street Forest Hill Vic 3131	Central	Removal of Pistachio tree in the driveway. It is close to neighbours and uplifting driveway	VicSmart - General Application
WH/2018/972	27.09.18	Delegate Permit Issued	6 Willurah Street Forest Hill Vic 3131	Morack	Removal of vegetation	VicSmart - General Application
WH/2018/973	27.09.18	Delegate Permit Issued	6 Willurah Street Forest Hill Vic 3131	Morack	Removal of vegetation	VicSmart - General Application
WH/2018/974	27.09.18	Delegate Permit Issued	6 Willurah Street Forest Hill Vic 3131	Morack	Vegetation removal	VicSmart - General Application
WH/2018/976	27.09.18	Delegate Permit Issued	3 Boxleigh Grove Box Hill North Vic 3129	Elgar	Remove one tree (Tree 1 - Photinia glabra - Photinia)	VicSmart - General Application
WH/2018/978	25.09.18	Delegate Permit Issued	24 Park Road Surrey Hills Vic 3127	Riversdale	2 lot subdivision	VicSmart - Subdivision
WH/2018/998	25.09.18	Delegate Permit Issued	40 Eram Road Box Hill North Vic 3129	Elgar	2 lot subdivision	VicSmart - Subdivision
WH/2017/781	12.09.18	Delegate Refusal Issued	4 Alimar Court Burwood Vic 3125	Riversdale	The construction of four (4), three storey dwellings and removal of trees protected within Schedule 9 to the Significant Landscape Overlay	Multiple Dwellings
WH/2017/835	17.09.18	Delegate Refusal Issued	40 Gillard Street Burwood Vic 3125	Riversdale	Construction of Three (3) Double Storey Dwellings and Removal of Vegetation within a Significant Landscape Overlay - Schedule 9	Multiple Dwellings

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/843	06.09.18	Delegate Refusal Issued	52 Kenmare Street Mont Albert Vic 3127	Elgar	Construction of one triple storey dwelling (including basement garage) and three double storey dwellings and associated tree removal	Multiple Dwellings
WH/2017/961	17.09.18	Delegate Refusal Issued	512 Station Street Box Hill Vic 3128	Elgar	Construction of Two (2) Three-Storey Townhouses and a Four-Storey Residential Building containing Four (4) Dwellings and Alteration of Access to a Road in a Road Zone, Category 1	Multiple Dwellings
WH/2018/461	10.09.18	Delegate Refusal Issued	17-21 Market Street Box Hill Vic 3128	Elgar	Construct and display an electronic major promotion high-wall sign	Advertising Sign
WH/2018/865	05.09.18	Delegate Refusal Issued	5 Fletcher Parade Burwood Vic 3125	Riversdale	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/899	27.09.18	Delegate Refusal Issued	44 Roslyn Street Burwood Vic 3125	Riversdale	Removal of one tree	VicSmart - General Application
WH/2018/915	07.09.18	Delegate Refusal Issued	6 Corlett Street Mont Albert North Vic 3129	Elgar	Removal of one (1) tree within SLO9	VicSmart - General Application
WH/2018/948	26.09.18	Delegate Refusal Issued	2 Phyllis Court Vermont Vic 3133	Morack	Removal of a tree (construction of two storey dwelling)	VicSmart - General Application
WH/2018/952	26.09.18	Delegate Refusal Issued	5 Ensay Court Vermont South Vic 3133	Morack	Removal of one (1) tree	VicSmart - General Application
WH/2018/971	27.09.18	Delegate Refusal Issued	6 Willurah Street Forest Hill Vic 3131	Morack	Vegetation removal	VicSmart - General Application
WH/2018/949	14.09.18	No Permit Required	48 Whitehorse Road Blackburn Vic 3130	Central	Temporary marketing office	Residential (Other)

9.4.8
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2011/140/A	25.09.18	Withdrawn	4/15-17 Sweetland Road Box Hill Vic 3128	Elgar	Amendment to plans for Planning Permit WH/2011/140 issued for construction of six double storey dwellings and two single storey dwellings to include construction of a verandah for Dwelling 1	Permit Amendment
WH/2018/612	18.09.18	Withdrawn	245-247 Canterbury Road Blackburn Vic 3130	Central	Development of land for place of worship, including associated buildings and works and tree removal.	Residential (Other)
WH/2018/942	27.09.18	Withdrawn	7 Boyd Street Blackburn South Vic 3130	Central	Buildings and works (construct a front fence) within 4 metres of protected vegetaiton	VicSmart - General Application

9.4.8 (cont)

BUILDING DISPENSATIONS/APPLICATIONS SEPTEMBER 2018

Address	Date	Ward	Result
12 Dundee Street, Blackburn South	05.09.18	Central	Consent Granted 89
2 Gerbera Court, Blackburn North	10.09.18	Central	Consent Granted 74
4 Almer Avenue, Blackburn	24.09.18	Central	Consent Granted 82
66 Laurel Grove South, Blackburn	21.09.18	Central	Consent Granted 79
8 Norfolk Street, Blackburn North	25.09.18	Central	Consent Granted 77,79,80,76,75
16 Katrina Street, Blackburn North	21.09.18	Central	Consent Refused 81
66 Laurel Grove South, Blackburn	21.09.18	Central	Consent Refused 82, 74
12-14 Nelson Road, Box Hill	14.09.18	Elgar	Consent Granted 116
17 Cameron Road, Box Hill North	20.09.18	Elgar	Consent Granted 89
31 Bundoran Parade, Mont Albert North	11.09.18	Elgar	Consent Granted 89
41 Ellingworth Parade, Box Hill	11.09.18	Elgar	Consent Granted 89
47 Victoria Crescent, Mont Albert	25.09.18	Elgar	Consent Granted 74
49 Strabane Avenue, Mont Albert North	12.09.18	Elgar	Consent Granted 116
4a Francesca Street, Mont Albert North	19.09.18	Elgar	Consent Granted 79
545-563 Station Street, Box Hill	25.09.18	Elgar	Consent Granted 116
692 Whitehorse Road, Mont Albert	25.09.18	Elgar	Consent Granted 116
757 Station Street, Box Hill	17.09.18	Elgar	Consent Granted 116
3 Carrington Road, Box Hill	11.09.18	Elgar	Consent Refused R109
119 Terrara Road, Vermont South	11.09.18	Morack	Consent Granted 79
15 Marina Street, Vermont	11.09.18	Morack	Consent Granted 76
27 Mullens Road, Vermont South	24.09.18	Morack	Consent Granted 80,75,74
6 Lucerne Street, Vermont	19.09.18	Morack	Consent Granted 89
119 Terrara Road, Vermont South	11.09.18	Morack	Consent Refused 75
17-23 Stevens Road, Vermont	03.09.18	Morack	Consent Refused 89
2/4 Karwitha Street, Vermont	12.09.18	Morack	Consent Refused 91
3/4 Karwitha Street, Vermont	12.09.18	Morack	Consent Refused 91, 96
6 Glenwerri Court, Vermont South	04.09.18	Morack	Consent Refused 85
14 Dorothy Street, Burwood East	11.09.18	Riversdale	Consent Granted 89
14 Trent Court, Burwood East	21.09.18	Riversdale	Consent Granted 74
39 Hilltop Crescent, Burwood East	26.09.18	Riversdale	Consent Refused 74
1/36 Luckie Street, Nunawading	10.09.18	Springfield	Consent Granted 79
259 Springfield Road, Nunawading	11.09.18	Springfield	Consent Granted 75
311 Springfield Road, Nunawading	20.09.18	Springfield	Consent Granted 79
6 Cook Road, Mitcham	25.09.18	Springfield	Consent Granted 79
8 Fletcher Street, Forest Hill	05.09.18	Springfield	Consent Granted 79
3 Valency Court, Mitcham	10.09.18	Springfield	Consent Refused 74
49 Wattle Valley Road, Mitcham	03.09.18	Springfield	Consent Refused 74
12 Dundee Street, Blackburn South	05.09.18	Central	Consent Granted 89
2 Gerbera Court, Blackburn North	10.09.18	Central	Consent Granted 74
4 Almer Avenue, Blackburn	24.09.18	Central	Consent Granted 82
66 Laurel Grove South, Blackburn	21.09.18	Central	Consent Granted 79
8 Norfolk Street, Blackburn North	25.09.18	Central	Consent Granted 77,79,80,76,75
16 Katrina Street, Blackburn North	21.09.18	Central	Consent Refused 81
66 Laurel Grove South, Blackburn	21.09.18	Central	Consent Refused 82, 74
12-14 Nelson Road, Box Hill	14.09.18	Elgar	Consent Granted 116

9.4.8

(cont)

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS SEPTEMBER 2018

Under the Planning and Environment Act 1987 – Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION SEPTEMBER 2018

Contract Number	Service
Contract 30030	Road improvements in Linum Street, Laurel Grove North and Boongarry Avenue, Blackburn
Contract 30078	Riversdale Road Shops Streetscape Upgrade
Contract 30092	Christmas Decorations

REGISTER OF PROPERTY DOCUMENTS EXECUTED SEPTEMBER 2018

Property Address	Document Type	Document Detail
Leases		
31A Surrey Drive, Box Hill (Aqualink Café)	Lease	Café - Renewal of Lease
Fire Services Property Levy (FSPL)		
66 Roslyn Street, Burwood	Not applicable	Category changed from 'Exempt' to 'Residential'
Rateability Changes (Section 154 of the Local Government Act)		
59 Cadorna Street, Box Hill South	Property Now Rateable	Department of Health & Human Services owned property now tenanted
63 Elgar Road, Burwood	Property Now Rateable	Department of Health & Human Services owned property now tenanted
9 Ireland Street, Burwood	Property Now Rateable	Department of Health & Human Services owned property now tenanted
Other		
Surrender of carriageway easement - Carrington Road, Box Hill	Letter of consent	Whitehorse City Council

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL SEPTEMBER 2018

Instrument of Appointment and Authorisation under the Planning and Environment Act 1987
04.09.18

9.4.8

(cont)

PARKING RESTRICTIONS APPROVED BY DELEGATION SEPTEMBER 2018

Address: **Garie Street, Blackburn:** from 25m west of Pakenham Street to 88m west of Pakenham Street – north side

Previously: 6 'Unrestricted' parking spaces

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

Address: **Alder Street, Burwood:** from 10m west of Somers Street to 10m east of Central Avenue – south side

Previously: 11 'Unrestricted' parking spaces

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

Address: **Heather Grove, Nunawading:** from 17m east of Springvale Road to 189m east of Springvale Road – south side

Previously: 16 'Unrestricted' parking spaces

Now: 16 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

Address: **Heather Grove, Nunawading:** from 52m west of Mount Pleasant Road to 86m west of Mount Pleasant Road – south side

Previously: 3 'Unrestricted' parking spaces

Now: 3 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

9.4.8

(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING SEPTEMBER 2018

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
03/09/2018	\$166,963.50	1	EFT
06/09/2018	\$23,919.71	7	EFC
06/09/2018	\$102,864.83	34	CHQ
06/09/2018	\$448,946.76	57	EFT
06/09/2018	\$3,395.00	1	EFT
07/09/2018	\$279.07	1	CHQ
10/09/2018	\$76,684.61	1	EFT
11/09/2018	\$280.50	1	EFT
13/09/2018	\$12,435.09	14	EFC
13/09/2018	\$52,881.90	37	CHQ
13/09/2018	\$1,652,513.45	338	EFT
20/09/2018	\$7,980.00	17	EFC
20/09/2018	\$115,242.75	92	CHQ
20/09/2018	\$15,980.00	19	EFC
20/09/2018	\$302,080.99	54	EFT
20/09/2018	\$1,562.02	1	CHQ
21/09/2018	\$550.00	1	EFT
26/09/2018	\$51.16	1	EFC
27/09/2018	\$10,292.43	13	EFC
27/09/2018	\$164,725.82	105	CHQ
27/09/2018	\$5,948,852.71	414	EFT
GROSS	\$9,108,482.30	1209	
Monthly Lease Payments	\$35,973.45	0	
Direct Debit Payments	\$208,306.69	0	
CANCELLED PAYMENTS	-\$27,434.95	-31	
NETT	\$9,325,327.49	1178	

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)

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Liu

That the reports from delegates be received and noted.

CARRIED

- 10.1.1 Cr Liu reported on her attendance at the:
- Whitehorse Business Group board meeting held on the 13 November 2018.
 - Eastern Alliance for Greenhouse Action EAGA held on the 1 November 2018.
- 10.1.2 Cr Ellis reported on her attendance at the Eastern Region Affordable Housing Alliance meeting held on the 25 October 2018.
- 10.1.3 Cr Cutts reported on her attendance at the:
- Whitehorse Business Group board meeting held on the 13 November 2018.
 - Heritage Steering Committee held on the 22 October 2018.
 - Whitehorse Manningham Regional Board meeting held on the 17 October 2018.
- 10.1.4 Cr Munroe reported on his attendance at the Metropolitan Transport forum held on the 7 November 2018, where Anna Purvis Senior Projects Officer with City of Yarra presented on the delivery and what they hope to achieve by trialling the introduction of 30km/h speed limit in a pocket of Fitzroy and Collingwood.
- 10.1.5 Cr Massoud reported on her attendance at the Audit Advisory Committee meeting held on the 19 November 2018.
- 10.1.6 Cr Stennett reported on his attendance at the Audit Advisory Committee meeting held on the 19 November 2018.
- 10.1.7 Cr Bennett reported on his attendance at the:
- Eastern Transport Coalition meeting held on the 25 October 2018.
 - Eastern Region Group meeting held on the 26 October 2018.

10.2 Recommendation from the Special Committee of Council Meeting of 12 November 2018

10.2.1 Whitehorse Sport and Recreational Network - Change to Terms of Reference SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION

Moved by Cr Davenport, Seconded By Cr Barker

That:

- 1. Council change the terms of reference for the Whitehorse Sport and Recreational Network dated February 2017 to include two (2) Councillors as members of the Network.***
- 2. Given the national focus of gender equality for opportunity in sport, that where feasible there is this same gender balance for the Councillors as representatives of Council on the Whitehorse Sport and Recreational Network.***

CARRIED UNANIMOUSLY

10.2.2 Significant Tree Register SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION

Moved by Cr Davenport, Seconded by Cr Ellis

That Council:

- 1. Recognises that Whitehorse Residents are impacted by the significant tree register;***
- 2. Consider guidelines for providing grants to owners of properties which have a tree on the significant tree register to assist with maintenance of those trees;***
- 3. Refer the matter to the 2019/2020 Budget.***

CARRIED UNANIMOUSLY

10.2.3 Carpark Construction Livingstone Primary School SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION

Moved by Cr Carr, Seconded by Cr Liu

That Council:

- 1. Notes and thanks the Member for Forest Hill, Neil Angus MP for his election commitment of \$250,000 to construct a staff carpark at Livingstone Primary School.***
- 2. Write a letter of thanks to Neil Angus, MP and include a request that his election commitment be expanded to include the construction of an onsite pick up and drop off area.***
- 3. Write a letter to the Labor candidate for Forest Hill, Mr Manoj Kumar requesting a similar election commitment.***
- 4. Copies of both letters to be sent to Vermont South Club, Livingstone Primary School and Vermont South Community House.***

CARRIED

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Stennett

That the recommendations from the Special Committee of Council Meeting of 12 November 2018 Items 10.2.1 – 10.2.3 (inclusive) be received and adopted.

CARRIED

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosure s of Conflict of Interest	Councillor /Officer attendance following disclosure
15.10.18 6:30 - 7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 6.1 Notice of 114 Procedural Arrangement 9.1.2 28 Thomas Street, Mitcham (Lot 8LP6626) 9.1.4 Whitehorse Community Forum Regarding North East Link 3.1 MAV Proposed Rules Change 3.2 Item 9.4.4 Intention to Lease Land at 96-106 Springvale Road, Nunawading – Clarification 3.3 Item 9.4.5 Dog off Lead Review - Clarification 3.4 Councillors Mid Term Review 	Cr Davenport (Mayor & Chair) Cr Barker Cr Bennett Cr Carr Cr Cutts Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett (arrived at 6:50pm)	(ACEO) J Green (AGMCD) K Marriott N Brown T Wilkinson P Smith S Freud J Russell R Anania	Nil	Nil
12.11.18 6:30 – 9:45pm	Councillor Briefing Session <ul style="list-style-type: none"> Quarterly Performance Report Special Committee Agenda 12 November 2018 Other Business Motions Draft Council Agenda 19 November 2018 	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	N Duff J Green (AGMI) S Kinsey T Wilkinson P Smith S Freud J Russell K Marriott J Hansen S Cann	Nil	Nil

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts

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

CARRIED

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Cr Massoud reported on her attendance at the ALGWA Victorian Conference held on the 26 - 28 October 2018.
- 11.2 Cr Liu reported on her attendance at the
- ALGWA Victorian Conference held on the 26 - 28 October 2018.
 - ICTC Conference held on the 14-16 November 2018.
 - MAV Conference and Dinner held on the 18 October 2018
- 11.3 Cr Davenport reported on his attendance at the Australian Institute of Company Directors Essential Directors Update 18 held on the 31 October 2018.
- 11.4 Cr Ellis reported on her attendance at the ICTC Conference held on the 14-16 November 2018.
- 11.5 Cr Carr reported on her attendance at the:
- ALGWA Victorian Conference held on the 26 -28 October 2018.
 - Smart Cities Roadshow 2018 held on the 25 October 2018.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts

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

CARRIED

12 CLOSE MEETING

Meeting closed at 9.35pm

Confirmed this 10th day of December 2018

CHAIRPERSON