



# City of Whitehorse

## MINUTES

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### Ordinary Council Meeting

Held in the  
Council Chamber  
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

**Monday 21 October 2019**

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

**Mr Simon McMillan**  
Chief Executive Officer

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## TABLE OF CONTENTS

<b>1</b>	<b>PRAYER</b> .....	<b>3</b>
<b>2</b>	<b>WELCOME AND APOLOGIES</b> .....	<b>3</b>
<b>3</b>	<b>DISCLOSURE OF CONFLICT OF INTERESTS</b> .....	<b>3</b>
<b>4</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b> .....	<b>3</b>
<b>5</b>	<b>RESPONSES TO QUESTIONS</b> .....	<b>3</b>
<b>6</b>	<b>NOTICES OF MOTION</b> .....	<b>4</b>
<b>7</b>	<b>PETITIONS</b> .....	<b>4</b>
<b>8</b>	<b>URGENT BUSINESS</b> .....	<b>4</b>
<b>9</b>	<b>COUNCIL REPORTS</b> .....	<b>5</b>
<b>9.1</b>	<b>CITY DEVELOPMENT</b> .....	<b>5</b>
	<b>STATUTORY PLANNING</b>	
9.1.1	843 WHITEHORSE ROAD, BOX HILL (LOT 2 PS 434842D 4, LOT 3 LP 84763) USE AND DEVELOPMENT OF THE LAND FOR DWELLINGS AND CAR SHOWROOM AND ALTERATION OF ACCESS IN A ROAD ZONE CATEGORY 1.....	5
	<b>STRATEGIC PLANNING</b>	
9.1.2	THE VISION FOR BOX HILL: REVIEW OF CONSULTATION ABOUT ANALYSIS AND OPTIONS REPORT ....	39
	<b>ENGINEERING AND ENVIRONMENTAL</b>	
9.1.3	COUNCIL APPROVAL TO AMEND MAXIMUM EXPENDITURE THRESHOLD FOR CONTRACT 15043 (MAV CONTRACT PP4924-2016) PANEL OF PROVIDERS FOR THE PROVISION OF OPEN SPACE, PLAY SPACE AND RELATED INFRASTRUCTURE PRODUCTS AND SERVICES.....	45
<b>9.2</b>	<b>INFRASTRUCTURE</b> .....	<b>47</b>
9.2.1	HEATHERDALE RESERVE PAVILION DEVELOPMENT.....	47
9.2.2	CONTRACT EXTENSION (CONTRACT 15035) PROVISION OF MECHANICAL SERVICES .....	52
9.2.3	COUNCIL APPROVAL TO AMEND MAXIMUM EXPENDITURE THRESHOLD FOR (CONTRACT 20019) DRAINAGE REPAIR AND MINOR CIVIL WORKS .....	54
<b>9.3</b>	<b>CORPORATE</b> .....	<b>55</b>
9.3.1	ANNUAL REPORT 2018-19 .....	55
9.3.2	SOCIAL MEDIA GUIDE: COUNCILLORS .....	57
9.3.3	MEETING CYCLE JANUARY TO DECEMBER 2020 .....	59
9.3.4	APPOINTMENT OF AUTHORISED OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987 ..	62
9.3.5	DELEGATED DECISIONS AUGUST 2019 .....	64
<b>10</b>	<b>REPORTS FROM DELEGATES, SPECIAL COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORDS</b> .....	<b>88</b>
10.1	REPORTS BY DELEGATES.....	88
10.2	RECOMMENDATION FROM THE SPECIAL COMMITTEE OF COUNCIL MEETING OF 14 OCTOBER 2019 .....	89
10.3	RECORD OF ASSEMBLY OF COUNCILLORS .....	90
<b>11</b>	<b>REPORTS ON CONFERENCES/SEMINARS ATTENDANCE</b> .....	<b>92</b>

<b>12</b>	<b>CONFIDENTIAL REPORTS.....</b>	<b>92</b>
12.1.	CONTRACTUAL MATTERS AND PROPOSED DEVELOPMENTS	
12.2.	ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON	
12.3.	CONTRACTUAL MATTERS	
12.4.	CONTRACTUAL MATTERS	
<b>13</b>	<b>CLOSE MEETING .....</b>	<b>93</b>

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 and 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

Nil

## 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 16 September 2019 and Confidential Ordinary Council Meeting 16 September 2019.

### COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Cutts

***That the minutes of the Ordinary Council Meeting 16 September 2019 and Confidential Ordinary Council Meeting 16 September 2019 having been circulated now be confirmed.***

**CARRIED UNANIMOUSLY**

## 5 RESPONSES TO QUESTIONS

5.1 Mr C Trueman, Blackburn submitted a question regarding the community information sessions on the completion of the shared path between Middleborough Road and Blackburn Station.

The Chief Executive Officer, Simon McMillan responded to Mr Trueman's question.

**6 NOTICES OF MOTION**

Nil.

**7 PETITIONS**

Nil.

**8 URGENT BUSINESS**

Nil.

## **9 COUNCIL REPORTS**

### **9.1 CITY DEVELOPMENT**

#### **Statutory Planning**

#### **9.1.1 843 Whitehorse Road, Box Hill (Lot 2 PS 434842D 4, Lot 3 LP 84763) Use and development of the land for dwellings and car showroom and alteration of access in a Road Zone Category 1.**

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#### **SUMMARY**

*This application for development of a 35 to 36 storey building in the Box Hill Metropolitan Activity Centre was advertised, and a total of seven (7) objections were received. The objections raise issues with overdevelopment; overshadowing; loss of views; loss of privacy; lack of appropriate setbacks; wind impacts; car parking and traffic impacts; strain on existing services; lack of landscaping and open space; issues with television signals; construction phase issues; glare from external materials and noise impacts. A Consultation Forum was held on 8<sup>th</sup> August, 2019 chaired by Councillor Barker, at which the issues were explored, however no resolution was reached between the parties. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. It is recommended that the application be supported, subject to conditions.*

#### **RECOMMENDATION**

##### ***That Council:***

- A. *Being the Responsible Authority, having caused Application WH/2017/819 for 843 Whitehorse Road, BOX HILL (LOT 2 PS 434842D 4, LOT 3 LP 84763) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for use and development of the land for dwellings and car showroom and alteration of access in a Road Zone Category 1 is acceptable and should not unreasonably impact the amenity of adjacent properties.***
- B. *Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 843 Whitehorse Road, BOX HILL (LOT 2 PS 434842D 4, LOT 3 LP 84763) for use and development of the land for dwellings and car showroom and alteration of access in a Road Zone Category 1, subject to the following conditions:***
  - 1. *Before the development starts, but excluding the works detailed in the Early Works Plan, amended plans must be submitted to and approved by the Responsible Authority in a digital format. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the decision plans but modified to show:***
    - a) *Treatments to levels ground, 1, 2, 3, 4, 5 & 6 to demonstrate no unreasonable overlooking to the north generally in accordance with the recommendations under Standard B22 – Overlooking, under clause 55 of the Whitehorse Planning Scheme;***
    - b) *The west-facing, on-boundary wall treated with finishes, textures or other design elements to provide a high quality finish which does not diminish the ability of the western adjoining lot to be simultaneously constructed to this wall;***
    - c) *Any changes required to comply with the Sustainability Management Plan under condition 9;***

### **9.1.1**

(cont)

- d) *Any changes required to comply with the revised wind report under condition 11;*
- e) *Any changes required to comply with the acoustic report under condition 6.*
- 2. *The use and development as shown on the endorsed plans must not be altered (unless the Whitehorse Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.*
- 3. *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.*

#### **Car Park Management Plan**

- 4. *Before the development commences, but excluding the works detailed in the Early Works Plan, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:*
  - a) *Loading/unloading of vehicles associated with the showroom being undertaken wholly on site with no vehicles being parked in Wellington Road or other streets;*
  - b) *Parking allocations must demonstrate no reduction to car parking rates under clause 52.06 or Schedule 1 to the Parking Overlay under clause 45.09 of the Whitehorse Planning Scheme for the approved development;*
  - c) *The number and allocation (including number and location) of car parking spaces;*
  - d) *Identifying (including number and location) any tandem parking spaces which must be allocated to a single tenancy/land use;*
  - e) *The number and location of car spaces for shared use, including time of shared use;*
  - f) *The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;*
  - g) *Details of way-finding, cleaning and security of the end of trip bicycle facilities.*
- 5. *The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

#### **Acoustic report**

- 6. *Before the development commences, but excluding the works detailed in the Early Works Plan, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. Once approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:*
  - a) *Noise from approved commercial and communal tenancies/areas to dwellings within the approved development;*
  - b) *Road and tram noise from Whitehorse Road to the approved dwellings.*

**9.1.1**  
(cont)

***The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.***

- 7. *The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.***

**Façade Strategy**

- 8. *Before the development starts, excluding the works detailed in the Early Works Plan, a Façade Strategy must be submitted to and be to the satisfaction of the Responsible Authority. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy for the development must be generally in accordance with plans prepared by Fender Katsalidis Architect dated 2/5/2019 and detail:***

- a) *A concise description by the architect of the building design concept and how the façade works to achieve this;***
- b) *Schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding;***
- c) *External building materials and finishes not resulting in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces to the satisfaction of the Responsible Authority:***
  - i. *Issues relating to glare and reflectivity of chosen building materials must be addressed within a report prepared by a suitably qualified engineer to qualify the outcomes under condition 8(c) of this permit;***
- d) *Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, glazing, window detail and any special features which are important to the building's presentation;***
- e) *Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material;***
- f) *Information about how the façade will be accessed and maintained and cleaned, including planting where proposed;***
- g) *Example prototypes and/or precedents that demonstrate the intended design outcome indicated on plans and perspective images to produce a high quality built outcome in accordance with the design concept.***



**9.1.1**  
(cont)

**Sustainability Management Plan**

9. *Prior to the endorsement of plans under Condition 1 of this permit, an amended Sustainability Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainability Management Plan must be generally in accordance with the Sustainable Design Assessment prepared by Wood and Grieve Engineers and dated 19/10/2017, but modified to include, show or address:*
- a) *Any update required to comply with the façade treatment requirements under condition 8 of this permit;*
  - b) *A STORM Rating Report with a score of at least 100% or equivalent;*
  - c) *A complete, published BESS Report, with an overall score that legitimately exceeds 50% and exceed the 'pass' marks in the categories of Water, Energy Stormwater and Indoor Environment Quality (IEQ);*
  - d) *Include a preliminary sample set of NatHERS scores as per Guide to NatHERS Sample Sizes;*
  - e) *Provide a Preliminary BCA Section J Energy Efficiency Report including information regarding artificial lighting, daylighting and ventilation for commercial areas;*
  - f) *Control car park ventilation with CO sensors;*
  - g) *Control car park lighting (at least 75% of lighting fixtures) with motion sensors;*
  - h) *Commit to controlling all common, service and lift area lighting with sensors/timers;*
  - i) *Commit to controlling common, service and lift area ventilation with sensors/timers;*
  - j) *Commit to the inclusion of energy efficient heating and cooling systems indicating the associated COP and EER values and/or star ratings;*
  - k) *Commit to the inclusion of renewable energy technologies including energy efficient solar hot water heaters;*
  - l) *Commit to the inclusion of water efficient fixtures and appliances indicating the associated WELS ratings;*
  - m) *Connect rainwater tank(s) to a significant amount of toilet flushing services, as well as, irrigation and bin wash-down areas;*
  - n) *Commit to diverting at least 80% of construction/demolition waste from landfill;*
  - o) *Submit a water balance calculation justifying the rainwater tank capacity, based on long-term average rainfall data, collection areas and expected end uses, which is in compliance with AS/NZS 6400:2016 of 1 full- and 4 half-flushes per person per day (providing 17.5 L/person/day for a 4 star WELS rated toilet). A rainwater tank size should be selected based on calculations ensuring adequate reliability of supply is maintained. It is encouraged to increase the size of the rainwater tank to 150 kL, which would enable a longer period of water security.*
10. *The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.*

**9.1.1**  
(cont)

**Wind Impact Assessment**

- 11. Prior to the endorsement of plans under Condition 1 of this permit, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Impact Assessment prepared by VIPAC and dated 9 October, 2017, but modified to include Wind tunnel testing to demonstrate the approved design achieving:**
  - a) Walking comfort along Whitehorse Road and Wellington Road;**
  - b) Standing comfort at relevant entrances along Whitehorse Road and Wellington Road;**
  - c) Sitting comfort at where seating is or intended to be provided – particularly at the retail tenancy food and drink area at ground floor;**
  - d) Sitting comfort at communal areas on Levels 4.**
- 12. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.**

**Environmental Audit**

- 13. Before the construction of the development authorised by this permit commences, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:**
  - a) A description of previous land uses and activities on the land;**
  - b) An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;**
  - c) Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and**
  - d) Recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.**
- 14. If the assessment required by Condition 13 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.**

### **9.1.1**

(cont)

**15. If the assessment required by Condition 13 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:**

- a) Certificate of Environmental Audit for the land at 843 Whitehorse Road in accordance with section 53Y of the EP Act (Certificate); or**
- b) A Statement of Environmental Audit for the land at 843 Whitehorse Road in accordance with section 53Z of the EP Act (Statement); and the Certificate or Statement must be provided to the satisfaction of the Responsible Authority.**

**If, pursuant to Condition 15, a Statement is issued:**

- a) The development authorised by this permit must not be undertaken unless the Statement clearly states that the land at 837 Whitehorse Road is suitable for the sensitive use for which the land is being developed;**
- b) The development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (pre-commencement conditions);**
- c) Before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the pre-commencement conditions have been complied with must be submitted to the responsible authority;**
- d) If any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (Agreement). The Agreement must:
  - i. Provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and**
  - ii. Be executed before the sensitive use for which the land is being developed commences;****
- e) The owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).**

#### **Waste Management Plan**

**16. Before the development commences, but excluding the works detailed in the Early Works Plan, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 1 May, 2019, but modified to include:**

- a) Transportable compactors for general and recycling waste;**

**9.1.1**  
(cont)

**Use conditions**

- 17. Except with the prior written consent of the Responsible Authority the car showroom use authorised by this permit may only operate between the hours of 7:00am to 10:00pm – Monday to Sunday.**
- 18. The amenity of the area must not be detrimentally affected by the use or development, including through:**
  - a) The transport of materials, goods or commodities to or from land;**
  - b) The appearance of any buildings, works or materials;**
  - c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or**
  - d) The presence of vermin;****to the satisfaction of the Responsible Authority.**
- 19. The use must comply at all times with the State Environment Protection Policy – Control of Noise from commercial, Industry and Trade (SEPP N-1).**
- 20. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.**
- 21. The development must be provided with external lighting capable of illuminating access to each the basement ramp and pedestrian areas at ground floor. 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.**
- 22. The Applicant/Owner must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an “Asset Protection Permit” from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**
- 23. Treatments to prevent overlooking must not include ‘Translucent film’ on windows and must be generally in line with the treatments under Standard B22 – Overlooking of Clause 55.**
- 24. Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
- 25. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:**
  - a) At the permit holder's cost; and**
  - b) To the satisfaction of the Responsible Authority.**

**VicRoads conditions**

- 26. Prior to the commencement of the use of the development; hereby approved; all disused or redundant vehicle crossings along Whitehorse Road must be removed and the area reinstated to the satisfaction of the Responsible Authority and at no cost to VicRoads.**

## **9.1.1**

(cont)

- 27. No work must be commenced in; on; under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004; the Road Safety Act 1986; and any other relevant acts or regulations created under those Acts.**

### **General conditions**

- 28. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.**
- 29. Except with the prior written consent of the Responsible Authority, council assets must not be altered in any way.**
- 30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.**
- 31. Existing street trees must not be removed or damaged except with the written consent of the Responsible Authority.**
- 32. The subject land must be drained to the satisfaction of the Responsible Authority.**

### **Early Works Plan**

- 33. Except with the prior written consent of the Responsible Authority, prior to the commencement of any buildings and works, an Early Works Plan must be prepared to the satisfaction of the Responsible Authority. The Early Works Plan must provide details of all works which comprise the 'early works', including but not limited to:**
- a) Piling works (Bored Piers), including Capping Beams;**
  - b) Retention system including structural columns, shotcrete walls and rock anchors;**
  - c) Bulk excavation;**
  - d) Detailed excavation;**
  - e) Excavation and pouring of pad footings, pile caps and basement slabs;**
  - f) Civil drainage retention system; and**
  - g) Crane pad footing system.**

### **Green Travel Plan**

- 34. Before the development commences, but excluding the works detailed in the Early Works Plan, A Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to the following:**
- a) Details for the proposed car share arrangements/operation;**
  - b) Information for residents and visitors about public transport options in the area;**
  - c) Measures to encourage uptake of public transport to and from the approved development.**

### **Construction Management**

- 35. Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner will manage the environmental and construction issues associated with the development, must be submitted to and approved by Council.**

**The Construction Management Plan must be prepared and managed by a suitably qualified person who is experienced in preparing Construction Management Plans in accordance with the City of Whitehorse Construction Management Plan Guidelines.**

**9.1.1**  
(cont)

*When approved the Construction Management Plan will form part of this permit and must be complied with, to the satisfaction of the Responsible Authority, to the extent that this is in the control of the owner of the land. The owner of the land is to be responsible for all costs associated with the works to be undertaken in accordance with the requirements of the Construction Management Plan.*

36. *The provisions, recommendations and requirements of the endorsed Construction Management Plans must be implemented and complied with to the satisfaction of the Responsible Authority.*

**Expiry**

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

- a) *The development is not commenced within three (3) years from the date of issue of this permit;*
- b) *The development is not completed within five (5) years from the date of this permit;*
- c) *If the approved use is not commenced within five (5) years from the date of this permit.*

*The Responsible Authority may extend the periods referred to in Condition 35 if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.*

- 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 Barker, Seconded by Cr Davenport

***That Council:***

- A. *Being the Responsible Authority, having caused Application WH/2017/819 for 843 Whitehorse Road, BOX HILL (LOT 2 PS 434842D 4, LOT 3 LP 84763) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for use and development of the land for dwellings and car showroom and alteration of access in a Road Zone Category 1 is acceptable and should not unreasonably impact the amenity of adjacent properties.*
- B. *Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 843 Whitehorse Road, BOX HILL (LOT 2 PS 434842D 4, LOT 3 LP 84763) for use and development of the land for dwellings and car showroom and alteration of access in a Road Zone Category 1, subject to the following conditions:*
  1. *Before the development starts, but excluding the works detailed in the Early Works Plan, amended plans must be submitted to and approved by the Responsible Authority in a digital format. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the decision plans but modified to show:*
    - a) *Treatments to levels ground, 1, 2, 3, 4, 5 & 6 to demonstrate no unreasonable overlooking to the north generally in accordance with the recommendations under Standard B22 – Overlooking, under clause 55 of the Whitehorse Planning Scheme;*



**9.1.1**  
(cont)

**Acoustic report**

6. *Before the development commences, but excluding the works detailed in the Early Works Plan, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. Once approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:*
- a) *Noise from approved commercial and communal tenancies/areas to dwellings within the approved development;*
  - b) *Road and tram noise from Whitehorse Road to the approved dwellings.*
- The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.*
7. *The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.*

**Façade Strategy**

8. *Before the development starts, excluding the works detailed in the Early Works Plan, a Façade Strategy must be submitted to and be to the satisfaction of the Responsible Authority. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy for the development must be generally in accordance with plans prepared by Fender Katsalidis Architect dated 2/5/2019 and detail:*
- a) *A concise description by the architect of the building design concept and how the façade works to achieve this;*
  - b) *Schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding;*
  - c) *External building materials and finishes not resulting in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces to the satisfaction of the Responsible Authority:*
    - i. *Issues relating to glare and reflectivity of chosen building materials must be addressed within a report prepared by a suitably qualified engineer to qualify the outcomes under condition 8(c) of this permit;*
  - d) *Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, glazing, window detail and any special features which are important to the building's presentation;*
  - e) *Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material;*
  - f) *Information about how the façade will be accessed and maintained and cleaned, including planting where proposed;*



**9.1.1**  
(cont)

- g) Example prototypes and/or precedents that demonstrate the intended design outcome indicated on plans and perspective images to produce a high quality built outcome in accordance with the design concept.*

**Sustainability Management Plan**

- 9. Prior to the endorsement of plans under Condition 1 of this permit, an amended Sustainability Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainability Management Plan must be generally in accordance with the Sustainable Design Assessment prepared by Wood and Grieve Engineers and dated 19/10/2017, but modified to include, show or address:**
- a) Any update required to comply with the façade treatment requirements under condition 8 of this permit;**
  - b) A STORM Rating Report with a score of at least 100% or equivalent;**
  - c) A complete, published BESS Report, with an overall score that legitimately exceeds 50% and exceed the 'pass' marks in the categories of Water, Energy Stormwater and Indoor Environment Quality (IEQ);**
  - d) Include a preliminary sample set of NatHERS scores as per Guide to NatHERS Sample Sizes;**
  - e) Provide a Preliminary BCA Section J Energy Efficiency Report including information regarding artificial lighting, daylighting and ventilation for commercial areas;**
  - f) Control car park ventilation with CO sensors;**
  - g) Control car park lighting (at least 75% of lighting fixtures) with motion sensors;**
  - h) Commit to controlling all common, service and lift area lighting with sensors/timers;**
  - i) Commit to controlling common, service and lift area ventilation with sensors/timers;**
  - j) Commit to the inclusion of energy efficient heating and cooling systems indicating the associated COP and EER values and/or star ratings;**
  - k) Commit to the inclusion of renewable energy technologies including energy efficient solar hot water heaters;**
  - l) Commit to the inclusion of water efficient fixtures and appliances indicating the associated WELS ratings;**
  - m) Connect rainwater tank(s) to a significant amount of toilet flushing services, as well as, irrigation and bin wash-down areas;**
  - n) Commit to diverting at least 80% of construction/demolition waste from landfill;**
  - o) Submit a water balance calculation justifying the rainwater tank capacity, based on long-term average rainfall data, collection areas and expected end uses, which is in compliance with AS/NZS 6400:2016 of 1 full- and 4 half-flushes per person per day (providing 17.5 L/person/day for a 4 star WELS rated toilet). A rainwater tank size should be selected based on calculations ensuring adequate reliability of supply is maintained. It is encouraged to increase the size of the rainwater tank to 150 kL, which would enable a longer period of water security.**

**9.1.1**  
(cont)

- 10. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**

**Wind Impact Assessment**

- 11. Prior to the endorsement of plans under Condition 1 of this permit, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Impact Assessment prepared by VIPAC and dated 9 October, 2017, but modified to include Wind tunnel testing to demonstrate the approved design achieving:**
- a) Walking comfort along Whitehorse Road and Wellington Road;**
  - b) Standing comfort at relevant entrances along Whitehorse Road and Wellington Road;**
  - c) Sitting comfort at where seating is or intended to be provided – particularly at the retail tenancy food and drink area at ground floor;**
  - d) Sitting comfort at communal areas on Levels 4.**
- 12. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.**

**Environmental Audit**

- 13. Before the construction of the development authorised by this permit commences, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:**
- a) A description of previous land uses and activities on the land;**
  - b) An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;**
  - c) Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and**
  - d) Recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.**
- 14. If the assessment required by Condition 13 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.**

**9.1.1**  
(cont)

**15. If the assessment required by Condition 13 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:**

- a) Certificate of Environmental Audit for the land at 843 Whitehorse Road in accordance with section 53Y of the EP Act (Certificate); or**
- b) A Statement of Environmental Audit for the land at 843 Whitehorse Road in accordance with section 53Z of the EP Act (Statement); and the Certificate or Statement must be provided to the satisfaction of the Responsible Authority.**

**If, pursuant to Condition 15, a Statement is issued:**

- a) The development authorised by this permit must not be undertaken unless the Statement clearly states that the land at 837 Whitehorse Road is suitable for the sensitive use for which the land is being developed;**
- b) The development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (pre-commencement conditions);**
- c) Before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the pre-commencement conditions have been complied with must be submitted to the responsible authority;**
- d) If any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (Agreement). The Agreement must:
  - i. Provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and**
  - ii. Be executed before the sensitive use for which the land is being developed commences; and****
- e) The owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).**

**Waste Management Plan**

**16. Before the development commences, but excluding the works detailed in the Early Works Plan, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 1 May, 2019, but modified to include:**

- a) Transportable compactors for general and recycling waste;**

**9.1.1**  
(cont)

**Use conditions**

- 17. Except with the prior written consent of the Responsible Authority the car showroom use authorised by this permit may only operate between the hours of 7:00am to 10:00pm – Monday to Sunday.**
- 18. The amenity of the area must not be detrimentally affected by the use or development, including through:**
  - a) The transport of materials, goods or commodities to or from land;**
  - b) The appearance of any buildings, works or materials;**
  - c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or**
  - d) The presence of vermin;****to the satisfaction of the Responsible Authority.**
- 19. The use must comply at all times with the State Environment Protection Policy – Control of Noise from commercial, Industry and Trade (SEPP N-1).**
- 20. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.**
- 21. The development must be provided with external lighting capable of illuminating access to each the basement ramp and pedestrian areas at ground floor. 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.**
- 22. The Applicant/Owner must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an “Asset Protection Permit” from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**
- 23. Treatments to prevent overlooking must not include ‘Translucent film’ on windows and must be generally in line with the treatments under Standard B22 – Overlooking of Clause 55.**
- 24. Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
- 25. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:**
  - a) At the permit holder's cost; and**
  - b) To the satisfaction of the Responsible Authority.**

**VicRoads conditions**

- 26. Prior to the commencement of the use of the development; hereby approved; all disused or redundant vehicle crossings along Whitehorse Road must be removed and the area reinstated to the satisfaction of the Responsible Authority and at no cost to VicRoads.**

## **9.1.1**

(cont)

- 27. No work must be commenced in; on; under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004; the Road Safety Act 1986; and any other relevant acts or regulations created under those Acts.**

### **General conditions**

- 28. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.**
- 29. Except with the prior written consent of the Responsible Authority, council assets must not be altered in any way.**
- 30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.**
- 31. Existing street trees must not be removed or damaged except with the written consent of the Responsible Authority.**
- 32. The subject land must be drained to the satisfaction of the Responsible Authority.**

### **Early Works Plan**

- 33. Except with the prior written consent of the Responsible Authority, prior to the commencement of any buildings and works, an Early Works Plan must be prepared to the satisfaction of the Responsible Authority. The Early Works Plan must provide details of all works which comprise the 'early works', including but not limited to:**
- a) Piling works (Bored Piers), including Capping Beams;**
  - b) Retention system including structural columns, shotcrete walls and rock anchors;**
  - c) Bulk excavation;**
  - d) Detailed excavation;**
  - e) Excavation and pouring of pad footings, pile caps and basement slabs;**
  - f) Civil drainage retention system; and**
  - g) Crane pad footing system.**

### **Green Travel Plan**

- 34. Before the development commences, but excluding the works detailed in the Early Works Plan, A Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to the following:**
- a) Details for the proposed car share arrangements/operation;**
  - b) Information for residents and visitors about public transport options in the area;**
  - c) Measures to encourage uptake of public transport to and from the approved development.**

### **Construction Management**

- 35. Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner will manage the environmental and construction issues associated with the development, must be submitted to and approved by Council.**

**The Construction Management Plan must be prepared and managed by a suitably qualified person who is experienced in preparing Construction Management Plans in accordance with the City of Whitehorse Construction Management Plan Guidelines.**

**9.1.1**  
(cont)

*When approved the Construction Management Plan will form part of this permit and must be complied with, to the satisfaction of the Responsible Authority, to the extent that this is in the control of the owner of the land. The owner of the land is to be responsible for all costs associated with the works to be undertaken in accordance with the requirements of the Construction Management Plan.*

- 36. The provisions, recommendations and requirements of the endorsed Construction Management Plans must be implemented and complied with to the satisfaction of the Responsible Authority.**

**Expiry**

- 37. This permit will expire if one of the following circumstances applies:**

- a) The development is not commenced within three (3) years from the date of issue of this permit;**
- b) The development is not completed within five (5) years from the date of this permit;**
- c) If the approved use is not commenced within five (5) years from the date of this permit.**

*The Responsible Authority may extend the periods referred to in Condition 35 if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.*

- 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**

<b>For</b>	<b>Against</b>
Cr Barker	Cr Carr
Cr Bennett	Cr Cutts
Cr Davenport	
Cr Ellis	
Cr Liu	
Cr Massoud	
Cr Munroe	
Cr Stennett	

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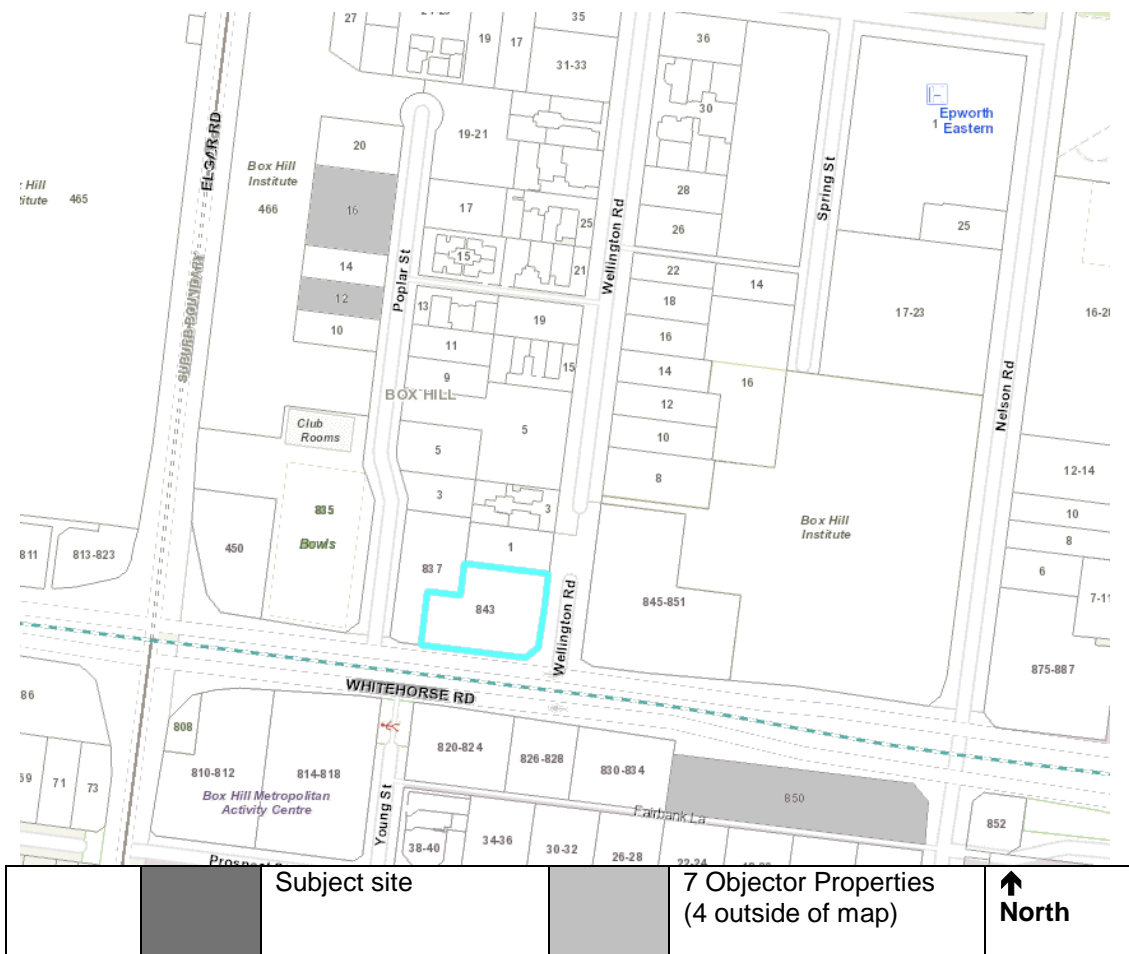
**On the results of the Division the motion was declared CARRIED**

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**9.1.1**  
 (cont)

MELWAYS REFERENCE 47 B9

Applicant:	PLC Consulting Pty Ltd
Zoning:	Commercial 1 Zone
Overlays:	Parking Overlay – Schedule 1 & Environmental Audit Overlay
Relevant Clauses:	
Clause 11	Settlement
Clause 13	Environmental Risks and Amenity
Clause 15	Built Environment and Heritage
Clause 17	Economic development
Clause 18	Integrated Transport
Clause 19	Infrastructure
Clause 21.05	Environment
Clause 21.06	Housing
Clause 22.06	Activity Centres
Clause 22.07	Box Hill Metropolitan Activity Centre
Clause 22.10	Environmental sustainability
Clause 52.06	Car Parking
Clause 52.34	Bicycle Facilities
Clause 58	Apartment development
Clause 65	Decision Guidelines
Ward:	Elgar



## **9.1.1**

(cont)

### **BACKGROUND**

#### **History**

There are no previous planning applications from the subject site which are relevant to the proposed development.

#### **The Site and Surrounds**

##### *Subject site*

The subject site is a corner lot located on the north-western side of the intersection between Wellington and Whitehorse Roads in Box Hill. The lot has a frontage of approximately 49.2m to Whitehorse Road and 34.9m to Wellington Road with a total site area of approximately 1972sqm.

The subject site is currently utilised as a service station with two vehicle access points into Whitehorse Road and a third crossover into Wellington Road, leading onto a concrete apron servicing multiple petrol bowsers.

A convenience shop is located to the rear (northern) end of the subject site with a car wash located on the eastern side of the site.

Topographically, the land falls from North-east to south-west across the site with a total fall of approximately 4m.

A drainage and sewerage easement runs adjacent to the western lot boundary.

No restrictive covenants or Agreements affect the site.

##### *Box Hill Activity Centre*

The Box Hill Metropolitan Activity Centre (MAC) provides retail, education, office, civic, medical, community facilities, entertainment, dining and recreational opportunities for the regional population, as well as a hub for local community activities.

The site is included within the Box Hill Activity Centre Structure Plan Built Form – Precinct F ‘Major Development Precinct’ which currently accommodates a mix of developments including single storey dwellings and more recent multi-level commercial and mixed use developments. This precinct to the west of Nelson Road is geared towards medical uses established around the Box Hill Hospital and education uses associated with the TAFE campus sites between Nelson Road and Elgar Roads.

##### Adjoining lots

###### *West - No.837 Whitehorse Road*

To the west of the subject site is No.837 Whitehorse Road which has recently been issued with Planning Permit WH/2017/313 on 1<sup>st</sup> August, 2019 for construction of a multi-level mixed use development, comprising office, residential hotel and dwellings, removal and variation of easements and associated tree removal.

At the time of writing this report, the site contains a single-storey, brick building which operates as a tyre fitting workshop. The majority of this lot is occupied by the existing building but with a car parking area located to the rear (north).



### **9.1.1**

(cont)

#### *East – No.845-851 Whitehorse Road*

Immediately to the east of the subject site is Wellington Road, beyond which is the former 'Spotlight' site which is currently vacant. This lot has been issued with Planning Permit WH/2014/1223 for the construction of a mixed use building comprising three towers between 19-38 stories, use of the land for accommodation, childcare centre and associated reductions in car parking requirements.

#### *South – Whitehorse Road*

Immediately to the south of the subject site is Whitehorse Road which contains two traffic lanes in either direction and a centrally located tram line. Further south, on the opposite side of Whitehorse Road from the subject site is No.820-824 Whitehorse Road which is currently being developed under Planning Permit WH/2016/68 which approves the use and development of the land for a 29 storey building.

#### *North – No.1 Wellington Road*

To the north of the subject site is a four-storey apartment building established under Planning Permit WH/2007/202 for 'student accommodation'. Conditions under this Planning permit require a Section 173 Agreement to be entered into between the owner and council to ensure these apartments are occupied exclusively by students enrolled in full time study.

Access into this building is via Wellington Road with multiple dwellings having south-facing aspect onto the subject site. At levels 1-3 these south-facing windows are generally located 2m from the boundary with balcony areas extending into this setback. Level 4 is set back 4.5m from the southern boundary.

### **Planning Controls**

#### *Commercial 1 Zone*

Accommodation' is listed as a Section 1 use pursuant to clause 34.01-1 of the Scheme subject to any frontage at ground floor level not exceeding 2m. The residential lobby is in excess of this 2m threshold and therefore a permit is triggered or the 'use' of dwellings under this application.

Pursuant to clause 34.01-4 of the Scheme, a permit is required to construct a building or construct or carry out works.

An apartment development must meet the requirements of clause 58.

#### *Parking Overlay and Clause 52.06 – Car Parking*

The Planning Scheme sets out at Clause 52.06, the car parking rates required for a number of different land uses. These rates apply except where land is covered by a Parking Overlay. If the parking rate is not provided then this requires a waiver in the number of parking spaces to be sought.

This clause also specifies that where a use is not specified in the table of uses, that the number of car parking spaces must be provided to the satisfaction of the responsible authority.

The subject site is affected by the Parking Overlay, which attributes a reduced parking rate to many different uses, including those being sought under this planning application. The exception to this is the Car showroom use, which is not listed in either the Parking Overlay, or in the table of uses under Clause 52.06, and therefore has no specific rate attributed to it.

**9.1.1**  
 (cont)

The table below outlines the uses proposed, the number of car parking spaces specified under the Parking Overlay, and the number of spaces provided 'to the satisfaction of the Responsible Authority' for the car showroom.

<b>Use</b>	<b>Rate</b>	<b>Measure</b>	<b>No./sqm</b>	<b>Parking provided</b>	<b>Rate required</b>
<b>Dwellings</b>	0.75	Resident spaces to each two-bedroom dwelling	164	123	123
	1.0	Resident spaces to each three bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom); plus;	110 (including 2 x four-bedroom dwellings)	110	110
	0.2	Visitor spaces to each dwelling for the first five dwellings.	276 dwellings	28	28
	0.1	Visitor spaces for each dwelling for any subsequent dwelling			
<b>Office</b>	2.0	To each 100sqm of net floor area	2901sqm	59	58
<b>Retail</b>	3.5	Per 100sqm of leasable floor area.	984sqm	34	33
<b>Showroom</b>	N/A	To the satisfaction of the Responsible Authority	1423sqm	18	Council Satisfied
<b>DDA</b>	-	No requirement	-	2	-
<b>Car share</b>	-	No requirement	-	2	-
<b>Total</b>				376	352

Council's Traffic Engineering Unit have supported the applicant's proposed car parking rate associated with the showroom (ie. 18 spaces) and are satisfied it will meet the need for spaces in association with the showroom.

## 9.1.1

(cont)

### *Clause 52.34 – Bicycle Parking*

The total number of bicycle parking spaces required under clause 52.34 of the Scheme is 101 spaces plus end of trip facilities associated with the proposed offices.

The application would provide a total of 148 bicycle parking spaces and the end of trip facilities required.

### *Environmental Audit Overlay*

Pursuant to Clause 45.03-1 it is a requirement of the Scheme that:

- a) *Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:*
  - i. A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
  - ii. An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

These requirements are typically imposed through conditions, and as such have been required through the proposed conditions of approval.

### *Clause 52.29 – Variation to access in a Road Zone Category 1*

Pursuant to clause 52.29-2 of the Scheme, a permit is required to create or alter access to a road in a Road Zone Category 1.

An application to create or alter access to a road declared as a freeway or arterial road under the *Road Management Act 2004*, land owned by the Road Corporation must be referred to the Roads Corporation under Section 55 of the Act.

## **PROPOSAL**

The application proposes a 35-36 storey mixed use tower containing dwellings, offices and car showroom. The facets of the development can be summarised as follows:

### *Dwellings*

A total of 276 dwellings including;

- a) 164 x two-bedroom dwellings;
- b) 110 x three-bedroom dwellings;
- c) 2 x four-bedroom dwellings.

A total of 376 car parking spaces would be provided within 8 levels of basement car parking (plus one half-basement level).

An additional 8 motorcycle parking spaces are also proposed.

276 residential storage cages would be provided between levels 6 to 34 (providing one storage cage for each dwelling).

Two levels of communal/recreational space would be provided for residents at levels 4 & 5. These areas would include a pool, gymnasium, multiple dining and lounge areas, outdoor terrace space, cinema and billiards rooms.

### *Commercial areas*

A total of 2,901sqm of leasable 'office' floor area is proposed.

A total of 2,443sqm of leasable 'retail' floor area is proposed, this includes the car showroom and smaller tenancies at lower/ground levels.

## **9.1.1**

(cont)

### *Development*

The proposed development would provide between 35 to 36 levels (due to slope of the land) with the lower five levels forming a 'podium' arrangement presenting to Whitehorse and Wellington Road.

The two 'recreational' levels above the podium are recessed to provide delineation from the upper portion of the tower which is proposed to reach a maximum height of 141.2m (rooftop plant extending approximately 3.0m above this).

The podium, while being constructed to both street frontages, is set back from the northern boundary and parts of the western boundary to provide physical separation from the student accommodation units within No.1 Wellington Road. Separation is also provided to the adjoining development site at No.837 Whitehorse Road (which is indicatively shown in the development plans).

The 'upper' portion of the tower is generally set back between 4m to 7m from the north, east and western boundaries but with the southern interface holding the street edge to Whitehorse Road.

From Level 31 and up, the tower's setbacks to the northern boundary are increased at various points to form a 'crowning' element to the building.

The residential lobby is accessed via Wellington Road at the south-eastern corner of the proposed building with a separate 'commercial' entrance located further west via Whitehorse Road.

All vehicle access for parking areas, loading/unloading, waste collection and maintenance purposes is located via its own entrance via Wellington Road at the north-eastern corner of the lot.

## **CONSULTATION**

### **Public Notice**

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Whitehorse Road and Wellington Road frontages. Following the advertising period 11 objections were received.

Following the advertising and public forum processes, a total of four objections were withdrawn, resulting in seven objections remaining. These objections were withdrawn following discussions held between the applicant and individual objectors. Officers were not a party to these discussions, however it is understood that objections were withdrawn as issues had been resolved.

### **9.1.1**

(cont)

The issues raised in remaining objections can be summarised as follows:

- Overdevelopment;
- Overshadowing/loss of sunlight;
- Loss of views;
- Loss of privacy;
- Lack of appropriate setbacks to Whitehorse and Wellington Road;
- Wind impacts;
- Impact on street parking;
- Traffic generation;
- Lack of detail on Traffic Assessment;
- Strain on existing services due to increased residential numbers;
- Lack of landscaping;
- Lack of open space;
- Issues with television signals;
- Construction phase impacts;
- Glare issues from building;
- Noise impacts;

#### **Consultation Forum**

A Consultation Forum was held on 8<sup>th</sup> August, 2019. The meeting was chaired by Cr Barker, and attended by the applicant and representatives of their consultants, the planning officer. and two objectors..

The application was discussed in detail but no resolution was reached on the issues discussed.

#### **Referrals**

##### **External**

##### VicRoads

The application has been referred to VicRoads with the following comments received:

*If Council regards the proposed development favourably, VicRoads would require that the following conditions be included in any Notice of Decision to issue a Planning Permit or Planning Permit:*

1. *Prior to the commencement of the use of the development, hereby approved, all disused or redundant vehicle crossings along Whitehorse Road must be removed and the area reinstated to the satisfaction of the Responsible Authority and at no costs to VicRoads.*
2. *No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.*

*Once Council makes its decision, please forward a copy of the decision to VicRoads as required under Section 66 of the Planning and Environment Act 1987.*

##### Public Transport Victoria

The application was referred to Head, Transport for Victoria on 1<sup>st</sup> June, 2019 but no response was received.

## 9.1.1

(cont)

### Internal

#### Engineering and Environmental Services Department

- Transport Engineer

Council's Traffic Engineering Unit raised concerns around the following matters:

- a) Traffic generation;
- b) Allocation of 'tandem' parking spaces and methods for ensuring access;
- c) Absence of 'intercom' details for parking access;
- d) Need for swept path details to be detailed on plan for lift access to showroom;
- e) The need for 'loading operational' detail to be provided for the showroom;

- Waste Engineer

The comments received from council's Waste Management Unit cited the need to provide 'transportable compactors for general and recycling waste' within the basement levels to reduce the number of waste collections required.

- Assets Engineer

The Assets Engineering Unit were generally supportive but cited issues around the location of assets outside of the subject site in proximity to the proposed development which would need to be considered by the developer.

#### ESD Advisor

Council's ESD advisor stated that the proposed development fell short of compliance with council's ESD policy under clause 22.10 of the Scheme but suggested conditions which would address this issue.

#### Urban Design

Council engaged MGS Architects to provide urban design advice on the proposed development at multiple points throughout the application process. While the advice initially received from MGS did not support the proposal, through several meetings and workshops between council's planning officers, the project applicant and architectural team, the amended plans submitted to council over May/June 2019 reflected an outcome which was supported by MGS from an urban design perspective.

## DISCUSSION

### **Consistency with State and Local Planning Policies**

The subject site is zoned Commercial 1 which contains planning objectives geared towards increased built form and use density/activity in areas well serviced by public transport and other services. The proposal complies with this general direction under the purpose of the zone by providing a range of residential and commercial uses for the site in a more intensive form to facilitate greater residential density and employment opportunities in the area. The site is directly connected to the public transport systems and road network supporting efficient uptake of both tram, train, walking and cycling routes to and from the subject site. State policy encourages the intensification of employment generating uses in areas with these locational characteristics close to where people live (clauses 11.03-1S - *Activity Centres* and 15.01-4R - *Healthy Neighborhoods – Metropolitan Melbourne*).

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By reference to State planning policy in general, the subject site represents a significant redevelopment opportunity to deliver higher density residential uses and complementary commercial activity given its location within the Box Hill Metropolitan Activity Centre, its frontages to Whitehorse Road to the south and its proximity to a broad range of urban infrastructure including public transport services, employment opportunities and commercial facilities.

Similarly, local planning policy identifies the vibrant and mixed use nature of activity centres as an important attribute of the municipality and seeks to encourage their long term viability through development and land uses that contribute to their adaptation, redevelopment and economic growth. Clause 21.07 - *Economic Development*, also seeks to increase the number and diversity of employment opportunities, specifically identifying retail and office activities as an area where opportunities have been created, particularly in redevelopment sites. The proposal complies with this policy and achieves these goals through the provision of additional office space within the Activity Centre.

The proposed density of the development is consistent with both State and Local Policies such as clauses 16.01-1S - *Integrated Housing*, 17.01-1R - *Diversified Economy – Metropolitan Melbourne*, 18.01-1S - *Land Use and Transport Planning* which encourages concentration of development and employment opportunities in and around activity centres and intensifying development on sites well connected to public transport. This enables more efficient use of existing infrastructure.

The policy under clause 22.07 – *Box Hill Metropolitan Activity Centre* promotes design excellence in new developments through encouraging built form which provides for increased height which is sensitive to adjoining residential areas and which provides activated and functional interfaces with the public realm to enhance walkability.

Overall, the proposed re-development of the site for a mixed use is considered to have a strong level strategic planning support subject to appropriate contextual design and absence of unreasonable amenity impacts to the surrounding area.

#### **Land uses**

As discussed earlier, the site is located within a Metropolitan Activity Centre (MAC) which is of importance not only to the municipality, but also to the broader metropolitan region given its capacity for change and connections to other Activity Centres, residential areas and multiple public transport options. With the proposed development contributing in excess of 2,400 square metres of commercial floor area, this is seen to be a significant contribution towards furthering the development of the Activity Centre in line with the associated Structure Plan and local policy at clause 22.07 – *Box Hill Metropolitan Activity Centre* of the Scheme.

#### *Ground floor retail areas*

The area supports a growing employment base, and the proposed office tenancies will support this by providing employment opportunities beyond the current offering within the service station occupying the site. The proposed office tenancies will contribute to the mixed use nature of the location which includes other commercial entities along Whitehorse Road and are generally in line with the objectives under the Commercial 1 Zone ‘*to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses*’.

The proposed retail premises tenancy at ground level will not trigger a planning permit being located within the Commercial 1 Zone which again indicates a generally acceptable outcome against the purpose of the zone. These premises will play a legitimate role in

### **9.1.1**

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meeting the needs of the area and providing activation at street level. This will also assist in ensuring the ground floor through-link creates a pedestrian friendly environment.

It is acknowledged that the 'retail' definition will allow for some flexibility between land uses such as 'shop', 'food and drink', 'convenience shop' etc but this is acceptable given the commercial nature of the site and the car parking rates between these uses being the same or less than that considered under this application.

#### *Car showroom*

With regards to the proposed showroom, the use itself is unlikely to generate noise, or other amenity impacts which would be unacceptable in the area or in the building itself which is to be shared with residences.

While this may be the case, it is appropriate to require some level of detail around noise generation and acoustic attenuation to ensure this is the case. An acoustic report will be required to assess the proposed use and to form any recommendations necessary to ensure the showroom does not result in unreasonable impacts.

Another item to be addressed with regards to the showroom is the loading/unloading of vehicles into the building. No detail has been provided with regards to how cars will arrive at the site or how they will be unloaded other than verbal direction provided by the applicant that this is likely to entail 'small flatbed trucks delivering the cars onto the loading area within the building'.

A condition will require that a management plan be provided for this use which demonstrates acceptable outcomes for the loading of vehicles being undertaken wholly within the site and with minimal disruption to the other users of the building.

Other than these particular management details, it is considered that the proposed showroom use is acceptable subject to standard conditions relating to the use.

#### *Dwellings*

The proposed dwellings trigger a 'use' requirement under the Commercial 1 Zone as a result of the residential lobby exceeding a width of 2 metres. While this may be the case, the occupation of the upper levels of the proposed development for residential purposes is compatible with the mixed-use style of the development and the uses of adjoining sites. The introduction of dwellings at the upper levels to the proposed building is generally consistent with the objective under the purpose of the Commercial 1 Zone '*to provide for residential uses at densities complimentary to the role and scale of the commercial centre*' and with the podium areas otherwise being occupied by commercial land uses, the dwellings would not detract from the ability of the building to provide a genuine contribution of commercial floor area within the Activity Centre.

As discussed earlier in this report, a condition will require an acoustic report to be prepared to ensure the proposed dwellings are not subject to unreasonable noise impacts from the lower level commercial uses and/or traffic noise from Whitehorse Road.

Overall, the proposed land uses are considered to be acceptable within the commercial setting of the subject site.

#### **Design and Built Form**

In assessing the appropriateness of the proposed built form, planning officers refer to the decision guidelines of the Commercial 1 Zone, the objectives and strategies outlined under Clause 15.01-1S - *Urban Design* and Clause 15.01-2S - *Building Design* and where relevant



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the policy documents relating to *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017) and *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017).

It should again be acknowledged there is a strong level of policy support for an intensive development of the subject site, subject to an appropriate design response to the site's more sensitive interfaces and an appropriate level of architectural merit to warrant the proposed building's scale.

#### Entries and street interface

The separation of residential and commercial lobby areas is generally supportable with the location of the residential address onto Wellington Road providing a legible connection between residential uses within the site and the residential zoning immediately to the north.

Retaining the Whitehorse Road frontage for commercial uses at the podium levels is also appropriate in terms of interfacing with the neighbouring lots and creation of a (commercial) sense of address clearly identifiable from Wellington Road. This outcome is generally in line with Objective 5.2.3 under the *Urban design guidelines* (DELWP, 2017), with the lobby areas both being appropriate in terms of overall scale and provision of functional spaces to cater for the scale of their associated uses.

The commercial frontages onto Whitehorse Road would accommodate the slope of the land, falling from east to west, with the double-height lobby located in the south-western corner providing a clear entrance point to the building and provision for 'active' interfaces through the provision of primarily glazed frontages for the commercial/retail areas facing the street.

The proposed development has ensured that this south-western corner of the subject site has created a presentation which interfaces with the adjoining lot at No.837 Whitehorse Road to create an 'eroded' street corner. This architectural response will provide pedestrian shelter and access 'through' both sites in a consolidated approach to the wider development of the intersection with Poplar Street further west.

Overall, the creation of entry points and active interfaces with the street have been successfully achieved through the measures detailed above.

#### Podium and building form

The two recessed storeys proposed for communal facilities at levels four and five provide a clear delineation between the podium levels described above and the residential component of the tower above.

The height and set back of these levels from the south, east and western boundaries creates physical 'break' in the building which is appropriate in terms of the scale of the development as a whole and acts to create a high quality design outcome which was supported by council's urban design consultant.

The use of differing materials at the podium levels provides an appropriately scaled building mass to respond to the pedestrian environment along Whitehorse and Wellington Roads. While adopting a robust level of built form to 'hold' the street edge, the podium levels would utilise vertical breaks which continue up through the tower element of the building to ensure the length of this wall is not overbearing.

The utilisation of the podium levels for the proposed commercial uses, including the car showroom will ensure that the building presents these associated activities onto the public realm, creating a level of engagement between the street and the tenancies which is generally supportable.

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While the west-facing podium walls would utilise an unadorned, boundary wall, this approach is considered to be acceptable in light of the neighbouring site having been approved for a tower building form with a similarly located on-boundary wall. While this may be the case, a condition would require this wall to demonstrate a suitable treatment or finish in the event that the neighbouring development is not constructed and this wall is visible within views along Whitehorse Road.

### *Upper level and design quality*

The scale of the proposed building has been underpinned by an appropriate level of design quality to ensure the building presents the standard of design excellence encouraged under the policy direction at clauses 15.01-1S – *Building design* and 22.07-3 – *Built form* of the Scheme.

The decision plans were formed in consultation with council's urban design consultant (MGS Architects) to ensure the vertical rebates through the tower portion of the building were sufficiently dimensioned in both depth and width to provide a 'delineation' of the building in conjunction with an eroded capping element to reflect the scaling down of the building away from the residentially zoned land to the north.

These concepts have been successfully integrated into the decision plans and are clearly legible in the perspective images contained within plans TP802 to TP805 included as attachments to this report.

The proposed building presents a robust level of built form as envisaged under the policy direction outlined earlier in this report but is also balanced with a refined architectural massing and design detail which creates a high quality outcome for the activity centre.

Overall, the proposed development has delivered an outcome which is both appropriate in the context of the commercial 1 zone, while providing appropriate outcomes for residential and commercial entrances and responding to the features of the site in the fall of the land. The finishes are generally to a high quality but will be further investigated through a condition which requires a 'façade strategy' to fully identify all materials and treatments across the building.

The purpose of this 'façade strategy' is to integrate the outcomes sought with regards to glare and wind amelioration, ESD and urban design outcomes into a cohesive package which is able to be endorsed under the permit.

The strategy will ensure that the overarching design intent implemented throughout the planning permit application process is not eroded either through the introduction of additional measures to address the points above or through subsequent amendments to the permit over time.

### **Amenity**

#### *Visual bulk and overlooking*

The proposed development interfaces with residential land to the north which as outlined earlier in this report, contains a 'student accommodation' complex within No.1 Wellington Road. This interface has been clearly detailed in the application drawing TP209 included as an attachment to this report.

This northern interface has been appropriately addressed through the provision of setbacks ranging between 3.0 metres at ground floor and up to 4.5 metres for the remainder of the podium.

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While the proposed building elevates substantially above this neighbouring building, the recessed location of levels 4 & 5 to a distance of 8.7 metres from the northern boundary, create a visual break above the building's podium level (17.2 metres on the northern interface). This provides visual relief to the accommodation units with their aspect to the south over the subject site.

This setback avoids unreasonable visual bulk impacts to the neighbouring accommodation building and with the student accommodation building being located to the north, there would be no unreasonable loss of daylight. These outcomes are generally in line with the objectives and decision guidelines under Standard D14 – *Building setbacks objective* of clause 58 of the Scheme.

With regards to overlooking and the interface with the student accommodation, a condition would require that levels ground to six (inclusive) are managed with window treatments to demonstrate no unreasonable overlooking from the proposed building to the north.

For the western interface, the proposed development has been designed in consultation with the applicant for the approved planning permit WH/2017/313 for the site at 837 Whitehorse Road and 3-5 Poplar Street. This western interface has been addressed within the application material through the provision of setbacks from the boundary generally ranging between 4.5 metres at lower levels and up to 7.6 metres at upper levels.

These setbacks have been coordinated with the development plans for the approved permit within the adjoining site to avoid the need for extensive overlooking screens and/or treatments between the two sites. This will ensure an appropriate standard of amenity is provided to future occupants of both sites and is generally supportable in this regard.

#### *Overshadowing*

The proposed development would not overshadow Key Open Space areas identified in the *Box Hill Transit City Activity Centre Structure Plan (2007)*. This expectation extends to the 'pocket park' located at the northern end of the termination to Young Street which is located on the southern side of Whitehorse Road.

No overshadowing would be cast from the proposed development to private open space areas associated with dwellings within residential areas.

Where shadowing would be cast by the proposed development to public open space areas, it would generally fall onto the road reserve of Whitehorse Road and properties located in the Commercial Zone to the south. Within the context of the Activity Centre where higher order built form is encouraged, the degree of overshadowing falling to the south is not unreasonable.

Overall, the proposed development avoids unreasonable overshadowing impacts, with the areas affected primarily relating to road reserve areas and buildings which are located within commercial areas.

#### Internal amenity

The following section of this report will assess the level of amenity provided within the building itself, for future residents and visitors.

Planning officers have assessed the proposal against the requirements of Clause 58, *Apartment Developments and the Apartment Design Guidelines for Victoria*. The key issues arising from the clause 58 assessment are as follows:

### **9.1.1**

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#### *Standard D7 – Communal spaces*

The provision of communal spaces are over two levels and is supported with regards to the layout and provision of facilities for residents. These areas would be provided with north, east and western aspect and would receive good natural daylight and aspect to the external environment. The provision of communal recreational space within the building is proportional to the scale and intensity of the residential use proposed and is generally supportable in this regard.

While this may be the case, these outdoor areas would be subject to wind impacts as identified in the applicant's Wind Impact Assessment (ViPac, January, 2018). This assessment was undertaken by the applicant to determine the amenity levels of balcony and communal open space within the development and pedestrian environments immediately outside of the development.

As the application was processed, sufficient changes to the design and layout of the building have occurred to warrant a new investigation into the possible wind impacts and this will be addressed through a condition. That said, it is not anticipated that this additional work will raise significant issues, but rather that any fine grain modifications required to protect resident amenity level, can be identified and subsequently factored into the façade strategy if required.

#### *Standard D14 – building setbacks*

This standard requires development to respect the urban context and respond to features of the site. As discussed earlier in this report, the height of the development is not considered a significant issue as the design detail has provided the building with appropriate setbacks that respond to the sensitive interfaces to the north and west of the subject site.

#### *Standard D18 – Building entry and circulation*

The proposed dwelling entries and circulation areas are generally acceptable. Of particular note, the separation of the residential and commercial entrances is an appropriate response to avoid a 'clash' of entry area activity, but more importantly provide a sense of security for residential occupants who will have their own secured entrance.

Corridor widths within the residential levels are generously dimensioned with areas adjacent to lifts providing 2.1m widths and other areas servicing the dwelling entries being at 1.7m but with doorways being recessed further from the hall to provide a sense of transition and ease of manoeuvrability to each dwelling.

#### *Standard D19 – Private Open Space*

The proposed dwellings are generally provided with winter-garden arrangements on the balconies which is considered a suitable design response to the location of the subject site on Whitehorse Road and also to assist with wind amelioration given the height of the building.

These wintergarden areas contain operable louver walls to the external edge of the balconies which will provide residents with an ability to choose to either retain the balconies closed or open as desired (See Drawing TP209 for operation detail).

With the dimensions and total open space for each dwelling being generally in line with the requirements under this Standard (ie between 8 to 12 square metres), the objective is considered to have been met.

### **9.1.1**

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#### *Standard D20 - Storage*

The plans detail the provision of storage cage spaces for each residential level with at least one cage for each dwelling; this achieves an acceptable outcome. Each dwelling would be provided with sufficient cupboard or other storage options within the dwellings to also meet the Standard.

#### **Car Parking and Traffic**

As outlined earlier in this report, the application does not trigger a reduction to car parking requirements under the Whitehorse Planning Scheme and is therefore considered to be acceptable in this regard.

With regards to 'traffic' impacts, it is relevant that the application has been formally referred to VicRoads who has offered no objection to the application subject to standard conditions around the reinstatement of redundant crossovers to the subject site once the development is complete.

The comments received from council's Traffic Engineering Unit have requested the provision of additional traffic analysis including other approved developments in the wider area generally between Nelson Road (east), Elgar Road (west) Prospect Street (south) and Arnold Street to the north. This requirement is considered to be onerous given that it does not relate to the application directly and sufficient material has been provided to satisfy VicRoads as the relevant Roads Authority.

The Traffic Report submitted with the application (Ratio Consultants, April 2019) has undertaken a review of the actual traffic generation from the proposed development with regards to movements into Wellington Road and Whitehorse Road. This report concludes that the likely peak traffic generation which is between 122 and 157 vehicle movements is relatively modest with regards to the site's access onto Whitehorse Road.

The Ratio report (April, 2019) has undertaken a Gap Acceptance Analysis which demonstrates there is sufficient capacity at the Wellington Road/Whitehorse Road intersection to accommodate the additional traffic associated with the proposed development.

Overall, the likely generation of traffic into Whitehorse Road would have minimal impact on the operation of the surrounding street network, with the proposed development not expected to create adverse traffic or parking impacts in the precinct.

#### **Objectors Concerns not Previously Addressed**

The majority of objector's concerns have been addressed within earlier sections of this report. The following section will address any matters raised by objectors which have not been discussed prior:

- *Overdevelopment;*

The proposed development has been assessed against its interface with adjoining lots and amenity impacts to these properties and the wider area earlier in this report and found to achieve an acceptable outcome. Therefore, the proposed development does not pose as an overdevelopment of the subject site.

- *Loss of views;*

Issues around visual bulk have been discussed earlier in this report and found that the building's setbacks are appropriate to protect the amenity of the surrounding area and neighbouring lots.

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(cont)

While this may be the case, the 'loss of views' is not a matter which can be directly addressed through the requirements of the Whitehorse Planning Scheme.

- *Lack of detail on Traffic Assessment;*

Earlier sections of this report have detailed the applicant's provision of traffic engineering advice provided by Ratio Consultants to demonstrate the traffic implications associated with the proposed development.

These details, including SIDRA analysis of the adjoining roads and intersections has found the traffic impacts to be acceptable.

VicRoads have reviewed the Ratio report (April, 2019) as the responsible Roads Authority and have not objected to the application or requested additional information from the applicant to make a determination.

- *Strain on existing services due to increased residential numbers;*

As outlined earlier in this report, the increased intensification of both commercial and residential uses is strongly supported by the relevant policy under the Whitehorse Planning Scheme for the Activity Centre area.

- *Lack of landscaping;*

The subject site is located within a Commercial 1 Zone in an area where landscaping does not play a significant role in the existing or preferred character of the area (beyond street tree planting). To require additional landscaping areas would be onerous and would not contribute to an existing or preferred landscape character and is not required in this instance.

- *Issues with television signals;*

Reception of television signals and possible interference from proposed developments is not an issue which can be directly addressed through the requirements of the Whitehorse Planning Scheme.

- *Construction phase impacts;*

A condition would require a Construction Management Plan to be submitted to and approved by council prior to the commencement of any works.

- *Glare issues from building;*

A condition would require the applicant to provide a detailed façade 'strategy' prior to the endorsement of any plans associated with an approval. This Strategy would require amongst other points, a detailed analysis and justification of the chosen materials and their ability to avoid detrimental glare being generated by the building to the surrounding area.

- *Noise impacts;*

While the proposed uses are not considered likely to generate detrimental noise in their own operation, a acoustic report would be required to demonstrate that the uses were compatible within the building itself to ensure the amenity of residents is adequately provided for.

### **9.1.1**

(cont)

#### **CONCLUSION**

The proposal for use and development of the land for dwellings and car showroom and alteration of access in a Road Zone Category 1 is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the Commercial 1 Zone and Clause 58.

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

It is considered that the application should be approved.

#### **ATTACHMENT**

- 1 Advertised Plans 
- 2 3D Renders 

## Strategic Planning

### 9.1.2 The Vision for Box Hill: Review of consultation about Analysis and Options Report

ATTACHMENT

#### **SUMMARY**

*The Review of Strategic Direction Box Hill Metropolitan Activity Centre Analysis and Options Report (Analysis and Options Report) was on community consultation from 15 July until 2 August 2019. The intention of the consultation was to inform and seek feedback from the community and stakeholders on the substantial work to date and the emerging opportunities for the Box Hill Metropolitan Activity Centre.*

*The consultation included a direct mail-out to owners and occupiers within, and in streets adjacent to, the Box Hill MAC and two drop-in information sessions at the Box Hill Town Hall and the Box Hill Mall. Feedback was received via email, post and Council's online engagement portal, OurSay. Council received 223 responses to the Report.*

*This report summarises the feedback on the Analysis and Options Report and discusses the next phases of the project.*

#### **COUNCIL RESOLUTION**

Moved by Cr Liu, Seconded by Cr Barker

***That Council acknowledges the feedback received about the Box Hill Analysis and Options Report.***

**CARRIED UNANIMOUSLY**

#### **BACKGROUND**

As a major budget initiative in 2018/2019, Council initiated a review of the vision and strategic direction for Box Hill. This is intended to result in an update to the existing 2007 Box Hill Transit City Activity Centre Structure Plan (the Structure Plan) for the activity centre, including an urban design framework.

Box Hill is designated as a Metropolitan Activity Centre (MAC) under current state policy *Plan Melbourne* and is to be the focus of substantial development, growth and investment. The Structure Plan is the current guiding document for Council, stakeholders and the community. The Structure Plan was originally adopted by Council at its meeting on 18 June 2007. Since the Structure Plan was developed, significant land use, growth and demographic change has occurred in Box Hill which means it is time to review and update the Structure Plan to ensure it remains current and relevant.

The project commenced in December 2018 with the appointment of MGS Architects and its project team comprising: TQ Planning, Movement & Place Consulting, SGS Economics & Planning and Mary Papaioannou Landscape Architecture. Appointment of consultants followed careful consideration of the findings of the Independent Panel for Amendment C175 (which was abandoned by Council on 25 June 2018), discussions with State Government, the Victorian Planning Authority and the Box Hill First Group.

Initial community consultation on the project (Phase 1 consultation) with the broader community took place in February 2019 concurrent with background investigation of the MAC by the project team and development of 3D modelling. The work to date was captured in an *Analysis and Options Report* for the MAC, which included a summary of the Phase 1 consultation. The *Analysis and Options Report* was released for Phase 2 consultation by Council at its meeting on 27 May 2019. The Phase 2 consultation was held from 15 July until 2 August 2019.



## 9.1.2

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### DISCUSSION

Council received feedback about the project via post, email and through OurSay, Council's online engagement tool. Comments were also received through the council Facebook page and individual Councillor Facebook pages.

Attachment 1 provides a summary of the community consultation undertaken so far for the project. The Phase 1 summary that was included in the *Analysis and Options Report* has been reproduced in Attachment 1.

The feedback during community consultation for Phase 2 is briefly discussed below.

#### OurSay survey

The Phase 2 community consultation included a survey that was available in English and Mandarin. 155 responses were received to the English version and 34 responses were received to the Mandarin version, being a total of 189 surveys completed. This includes online responses and responses which were received in hard copy and manually entered into *OurSay*.

The survey was structured into six different themes based on the work undertaken so far:

1. Future vision for Box Hill – a draft vision in response to feedback and community consultation
2. Distinctive neighbourhoods – specific vision statements for the different neighbourhoods within the MAC
3. Managing future growth – balancing growth in housing and employment
4. Streets as places for people – the role of streets and improving the quality of streets for pedestrians
5. Managing vehicles and parking – balancing private vehicle use and encouraging access by walking, cycling and public transport
6. Managing development – considering the impacts of taller buildings and how to manage them

#### Submissions

Thirty-four (34) "free-form" responses were received by post or email. There was a diverse range of views expressed, however they can be broadly grouped into the following themes:

- Managing vehicles and car parking
- Lack of open space and loss of trees
- Impacts of taller buildings
- Amenity of key public spaces and facilities
- Diversity of uses
- Cultural diversity
- Specific sites

#### Summary of feedback

##### OurSay survey responses

The survey responses demonstrated broad support for the draft vision and the distinctive neighbourhoods, with 59% of responses either strongly supporting, or supporting most parts, of the draft vision.

The top three parts of the vision that were the most important to survey respondents were:

1. Box Hill as a major transport hub (59% of responses)
2. The provision of ample public spaces (46% of responses)
3. Designing places for people who access Box Hill (43% of responses)

## 9.1.2

(cont)

Survey respondents were strongly supportive of the neighbourhood visions for the Central (34%), Prospect (37%), Garden (55%) and Civic & Cultural (38%) neighbourhoods. There was clear support for the Enterprise neighbourhood (33%), but to a lesser extent, for the vision for the Health & Education neighbourhood (18%) and the Residential Transition neighbourhoods (23%). The latter could reflect concerns about encroachment of development into established residential areas toward the edges of the MAC. On balance, once all scores ranging from 'do not support' to 'strongly support' are aggregated, there was a positive response to all of the neighbourhood visions.

The survey results provided clear support for Box Hill containing a wide range of uses and activities and that these should be prioritised across the different neighbourhoods, with 59% of responses either strongly supporting, or supporting most parts of, this suggestion. There was concern raised that individual neighbourhoods could be dominated by a single use, such as residential or commercial.

The top three roles for streets in Box Hill were selected by respondents as being locations for:

1. Walking (60%)
2. Trees and greenery (52%)
3. Moving between different public transport modes (53%).

Vehicle use of the streets in Box Hill received the lowest level of support.

Managing vehicles and car parking received strong responses. The idea that car parking should be publicly available regardless of its location was strongly supported by 40% of respondents. Consolidating car parking in each neighbourhood received general support with 82% supporting this proposal to varying degrees. Similarly the concept of sharing of car parking by multiple users across the day also received varying levels of support (85%).

Finally, the survey asked about managing development. The survey results identified that there is clear support for built form guidance on future development, particularly taller buildings. There was clear emphasis in the responses on protecting the amenity of the public realm and key public spaces from the impact of taller buildings.

The survey responses generally reinforced the results from the Phase 1 community consultation.

### *Free-form responses*

Many of the free form responses provided views that were consistent with the survey results and ranged from critical to supportive of the *Analysis and Options Report* and the propositions contained within it.

The Phase 2 community consultation intended to verify the work to date on the draft vision and neighbourhoods, as well as seek opinions on the options put forward by the *Analysis and Options Paper*. Some of the responses included suggestions and comments around aspects of built form, such as heights, setbacks, discretionary versus mandatory controls and addressing amenity impacts. Some of the submissions raised site specific issues such as zoning or development controls for particular sites. These are noted. Any responses to built form issues will be considered in the draft structure plan and/or as part of the development of the planning framework. Recommendations on proposed zoning in particular will be provided within the implementation chapter of the draft structure plan. The recommendation will also consider overall proposed planning framework for the centre.

One submission suggested that the activity centre boundary should be modified. The draft structure plan will contain detailed maps indicating neighbourhood boundaries. In broad terms, the principle to be used throughout the centre is that boundaries should follow the rear of the lot or laneway as relevant – streets should be wholly within a given neighbourhood rather than as a boundary.

## 9.1.2

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Approximately 25% of submissions raised concern about the amenity of key public spaces and facilities, such as the transport interchange. The Box Hill Mall was also perceived by some as unsafe and lacking greenery.

The *Analysis and Options Report* has included higher level principles around managing vehicles and car parking and put forward possible opportunities for improving the transport situation in Box Hill. Some submissions raised ideas about car parking and transport that are outside the scope of this project and will be considered more comprehensively through the preparation of the *Box Hill Integrated Transport Strategy* which Council recently commenced. These ideas are noted and will also be used to support any advocacy work that Council undertakes in relation to upgrading the Box Hill transport interchange or regarding the possible location of the Suburban Rail Loop station in Box Hill.

The Report has also included higher level principles about the provision and location of open space. Some submissions raised ideas about providing more open space and possible locations across the MAC, including the former Box Hill Brickworks and the former Box Hill Bowling Club. These will be considered more comprehensively through the preparation of the *Box Hill Open Space Strategy Review*, which Council is currently undertaking.

Some submissions raised issues around cultural diversity in Box Hill, including the view that Box Hill is mono-cultural and signage is largely in Chinese. These are noted and could form additional work outside this project. Other issues outside the scope of the current strategic work undertaken by Council include making Box Hill non-smoking, providing camera surveillance and an information map, and desire for Christmas decorations in the mall.

The *Analysis and Options Report* was a milestone deliverable in the project and provides a synthesis of existing conditions at a particular point in time, not of any future planning controls. It is not intended to re-release the *Analysis and Options Report* but rather the Report together with the community and Stakeholder Reference Group feedback received during Phase 2 will be used to progress into preparation of the draft structure plan and urban design framework.

There will be further consultation on the draft structure plan and draft urban design framework in the next phase of the project which may see the proposed revision of planning controls such as the zoning of sites within the MAC. It is anticipated that implementation of this project may require a planning scheme amendment. Once the draft structure plan is finalised, Council could consider requesting interim planning scheme controls to provide direction in the Box Hill MAC while a full planning scheme amendment is pursued. A full planning scheme amendment would include a statutory exhibition process and potential independent planning panel where feedback can be further considered by Council.

## CONSULTATION

Consultation on the *Analysis and Options Report* took place from Monday 15 July until Friday 2 August 2019. Consultation included the following components:

- A broad mail-out to owners and occupiers of land within the Box Hill Metropolitan Activity Centre, and surrounding streets
- A postcard highlighting the project, where to find information and how to provide feedback
- A bi-lingual survey in English and Mandarin using Our Say and in hard copy which was open for three weeks
- A three-hour drop-in information session at the Box Hill Town Hall (Thursday 18 July from 4 – 7pm) where feedback could be provided via a simplified version of the survey questions on information panels. Approximately 60 people attended and 250 points of feedback (individual dot stickers) were placed on the posters.

## 9.1.2

(cont)

- A three-hour drop-in information session at the Box Hill Mall (Saturday 27 July from 11am – 2pm) which sought to promote the online survey and allow feedback via a simplified version of the survey questions on information panels. At least 50 people passed through the information session and 129 points of feedback (individual dot stickers) were placed on the posters.
- Notices in the Whitehorse Leader and information on Council's corporate website and Facebook page
- A presentation to Elgar Contact on 16 July 2019 at their request
- A meeting with the Stakeholder Reference Group on 30 July 2019, and
- Promotion of the consultation to community networks by members of the Stakeholder Reference Group.

### FINANCIAL IMPLICATIONS

Review of the vision for the Box Hill MAC was a major initiative in the 2018/2019 budget, including project planning, appointment of consultants and key stakeholder consultation.

The additional phase of consultation (Phase 2 consultation) did not form part of the original scope however the consultant's response to the project brief included an optional consultation phase. The consultants provided a proposed budget of \$94,100 for the additional phase of consultation (and related project management and meetings) which was consistent with the hourly rates included in the existing contract with Council.

\$375,000 was included in the 2018/2019 budget. In order to undertake the additional consultation, the project has been extended into the 2019/2020 financial year. Council approved an extension to the project timeframe and the additional budget required for consultation at its meeting on 27 May 2019.

\$160,550 of the overall project budget was allocated to the 2019/2020 budget year to complete the project. This resulted in a negligible increase in the overall project expenditure of \$550.

The potential planning scheme amendment and the associated expert witness costs are also proposed in 2019/2020, subject to completion of the supporting strategic work. Council had already proposed \$50,000 in the 2019/2020 budget to cover expert witness costs at any future independent planning panel, should the amendment progress through to exhibition. Planning scheme amendment statutory fees and Planning Panels Victoria costs are typically accommodated in the 2019/2020 operational budget.

### POLICY IMPLICATIONS

This project seeks to review the vision for Box Hill and update the Structure Plan to ensure it is relevant and current. This supports Strategic Direction 2 and Strategic Direction 5 within the current Council Plan.

Strategic Direction 2 is to "*Maintain and enhance the built environment to ensure a liveable and sustainable city*" and Strategic Direction 5 is to "*Support a healthy local economy*".

The project looks to achieve Goal 2.1: A well connected City with a balanced approach to growth supported by infrastructure and development that respects our neighbourhood character" as well as Goal 5.1 which is to "*...support a strong, active local economic environment that attracts investment and provides economic opportunities for businesses and employment for people*".

*Plan Melbourne* has designated Box Hill as a Metropolitan Activity Centre and a Health and Education precinct. The project therefore seeks to ensure Box Hill continues to perform its role as a major centre for health, education, commercial, retail and residential opportunities and development by providing current and relevant guidance and policy for development.

## 9.1.2

(cont)

The additional consultation has allowed for greater consideration of the issues affecting all stakeholders within Box Hill and therefore will assist in addressing the Strategic Direction and Goals in the Council Plan, as well as supporting the implementation of *Plan Melbourne*.

### CONCLUSION


The synthesis of information contained in the *Analysis and Options Report* and the possible directions that Box Hill could take was the subject of consultation with the broader community. This involved presenting the significant work that has been assembled in the Report to the community to verify if the project is progressing in line with community expectations.

The consultation concluded that there is broad support for the vision and propositions presented in the Report. The consultation also found that there is clear support for providing more guidance about future development in the Box Hill MAC. Some of the feedback raised issues that will be addressed at later stages of the project or by other work that Council is currently undertaking such as the Box Hill Integrated Transport Strategy and Box Hill Open Space Strategy Review.

The findings from the Phase 2 consultation will be used by the consultant team to determine the appropriate planning framework for the Box Hill MAC, including how to manage future residential growth and balance it with future employment requirements. The consultation outcomes will also assist to define and respond to the distinct character of each neighbourhood within the MAC.

It is recommended that Council acknowledge the feedback received during the consultation period about the *Analysis and Options Report* and provide support to the project as it progresses.

### ATTACHMENT

- 1 Box Hill MAC Consultation Summary Report 

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## Engineering and Environmental

### 9.1.3 Council Approval to amend maximum expenditure threshold for Contract 15043 (MAV Contract PP4924-2016) Panel of Providers for the Provision of Open Space, Play Space and Related Infrastructure Products and Services

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#### SUMMARY

*The purpose of this report is to seek approval to amend the maximum expenditure threshold available against Contract 15043 (MAV Contract PP4924-2016) – Panel of Providers for the Provision of Open Space, Play Space and Related Infrastructure Products and Services. The approval amends the previous maximum expenditure threshold contained in the tender evaluation report submitted to Council on 18 September 2017 to \$7,700,000 (including GST).*

#### COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Cutts

***That Council approve an amended maximum expenditure threshold of \$7,700,000 (including GST) for Contract 15043 (MAV Contract PP4924-2016) – Panel of Providers for the Provision of Open Space, Play Space and Related Infrastructure Products and Services.***

**CARRIED UNANIMOUSLY**

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#### BACKGROUND

Council is committed to providing high quality, public realm infrastructure as part of our built environment to support healthy, active and inclusive lifestyles within the City of Whitehorse.

The Municipal Association of Victoria, trading as MAV Procurement (MAV) previously undertook a tender process to facilitate a contract that would provide participating Councils with access to high quality infrastructure for open space, play space and recreational infrastructure related products and services.

This Contract assists the City of Whitehorse with the procurement and delivery of play spaces and associated open space infrastructure for Contract 15043 (MAV Contract PP4924-2016) - Panel of Providers for the Provision of Open Space, Play Space and Related Infrastructure Products and Services.

#### DISCUSSION

On 18 September 2017, Council accepted Contract 15043 (MAV Contract PP4924-2016) - Panel of Providers for the Provision of Open Space, Play Space and Related Infrastructure Products and Services. The Contract is a Schedule of Rates contract and had a three year initial contract term, with a further two optional periods, each of one (1) year extension.

Since the original contract approval in 2017, Council resolved during the 2019/2020 Capital Works budget process, to increase the funding allocation for play space renewal / upgrade across the municipality from \$1m to \$1.95m per annum over the next 10 years. As such, the MAV contract will now be utilised more by Council in order to deliver the required play space upgrade / renewal program resulting in a higher than expected initial expenditure against this contract.

### **9.1.3**

(cont)

The initial estimate of expenditure under this contract over the full contract term (5 years) was \$960,000 (including GST). This report seeks an amended maximum expenditure threshold of \$7,700,000 (including GST) for the full term of the contract, given the expected annual expenditure of \$1.95m each year by Council.

#### **CONSULTATION**

Staff from Council's Procurement team have assisted with providing current contract expenditure details and advice on this process in line with Council's adopted Procurement Policy.

#### **FINANCIAL IMPLICATIONS**

The anticipated expenditure to be incurred against this contract will be funded from relevant adopted Capital Works budgets.

## 9.2 INFRASTRUCTURE

### 9.2.1 Heatherdale Reserve Pavilion Development

ATTACHMENT

#### **SUMMARY**

*Whitehorse City Council is the primary provider of community infrastructure, including pavilions. Due to the significant investment, it is crucial that facilities are planned and managed to ensure maximum benefit and usage for the whole community.*

*The redevelopment of the Heatherdale Reserve Pavilion is listed in Council's 10 year Capital Works Program commencing in financial year 2023/24.*

*The Federal Government has committed to provide up to \$2 million to Whitehorse City Council for the Heatherdale Reserve New Pavilion project through the Community Development Grants Programme.*

*In September 2018, officers received a submission from the Heatherdale Reserve Pavilion Action Team outlining their vision for a new pavilion development. The Heatherdale Reserve Pavilion Action Team formalised this submission and requested funding during the 2019/20 Annual Budget consultation process.*

*The Heatherdale Reserve Pavilion Action Team proposal features an indicative two storey design and proposal.*

*Officers from Major Projects and Buildings in collaboration with Leisure and Recreation Services have reviewed the Club's proposal and associated cost plan against Council's endorsed Pavilion Development Policy including the completion of preliminary site investigations and statutory compliance reviews.*

*A review of the Club's design revealed a number of design elements that are not in alignment with Council's Pavilion Development Policy and statutory requirements.*

*As part of the review process, officers have prepared a single storey concept design that aligns with the Pavilion Development Policy and statutory requirements. A concept design of the single storey option along with a cost comparison is tabled for Council's consideration.*

*No consultation has been undertaken with the Heatherdale Reserve Pavilion Action Team on a single storey concept. Post Council direction, officers will commence the concept design process with the Heatherdale Reserve Pavilion Action Team to further develop the single storey concept design. Officers will communicate the approved concept design to the community including the Heatherdale Action Group and Parklands Committee at the appropriate time.*

#### **RECOMMENDATION**

##### ***That Council:***

- 1. Approve the expenditure from the allocated 'Funding future designs' (Government Grants) budget to commence, in financial year 2019/20, the consultation and detailed design of the single storey concept prepared by Council Officers for the redevelopment of the Heatherdale Reserve Pavilion to an estimated total cost of \$5,740,000 excluding GST, with a net cost to Council of \$3,740,000 excluding GST.***
- 2. Note that the \$2 million budget offset is subject to meeting all funding conditions and requirements of the Community Development Grants Programme.***
- 3. Refer this project to the 2020/21 budget process for consideration of funding allocations of \$4,840,000 in 2020/21 and \$900,000 in 2021/22 to allow construction of the Pavilion to proceed.***



## 9.2.1

(cont)

### COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Stennett

#### ***That Council:***

- 1. Approve the expenditure from the allocated 'Funding future designs' (Government Grants) budget to commence in financial year 2019/20, the consultation and detailed design of the single storey concept prepared by Council Officers in line with the adopted Pavilion Development Policy for the redevelopment of the Heatherdale Reserve Pavilion to an estimated cost of \$5,740,000 excluding GST, with a net cost to Council of \$3,740,000 excluding GST.***
- 2. Commence immediate consultation with the Heatherdale Reserve Pavilion Action Team so that the Clubs can review the concept plan prepared by Council officers and any feedback considered as part of the budget process.***
- 3. Note that the \$2 million budget offset is to be used to offset the overall pavilion project cost and is subject to meeting all funding conditions and requirements of the Community Development Grants Programme.***
- 4. Refer this project to the 2020/21 budget process for consideration of funding allocations of \$4,840,000 in 2020/21 and \$900,000 in 2021/22 to allow construction of the Pavilion to proceed.***

**CARRIED UNANIMOUSLY**

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### BACKGROUND

The pavilion is located within Heatherdale Reserve at 116-124 Heatherdale Road Mitcham. Heatherdale Reserve is classified as 'open space' and is within a Public Park and Recreation Zone (PPRZ) which is bordered by Purches Street, Heatherdale Road, residential properties and part of the Somers Trail.

Heatherdale Reserve is a highly utilised and popular site and well developed providing a number of opportunities for sport and recreation. The reserve features include a playground, two sports ovals, pavilion, cricket nets, tennis courts, wetlands, BMX Pump track, Mountain Bike Skills Loop, walking trails, bushland and trees. A third junior sports field across the road at Heatherdale Retarding Basin. (Refer Attachment 1 – Existing Aerial Plan).

Over the last ten years, Council has invested over \$580,000 with \$170,000 into the sportsground lighting upgrade, \$150,000 into a new cricket practice facility and \$70,000 into carpark and drainage works. In 2003, there was a pavilion extension and construction of a new verandah with a total cost of works of \$220,000. The pavilion extension and construction of a new verandah project included a club contribution of \$96,000.

The seasonally allocated football and cricket clubs at Heatherdale Reserve have 650 playing members. Both sports ovals are used five nights of the week for training and Saturday and Sunday for competition.

In September 2018, officers received a submission from the Heatherdale Reserve Pavilion Action Team outlining their vision for a new pavilion development, including costings.

The Heatherdale Reserve Pavilion Action Team proposal outlined that the existing Heatherdale Pavilion is not functional for the number of teams that use the facility, with limited toilets, undersized kitchen and joint change rooms / multi-purpose area. A building audit identified areas of the existing pavilion which are non-compliant to current codes and legislative standards.

## 9.2.1

(cont)

### DISCUSSION

This project is listed on the Council's long term Capital Works Program with the pavilion redevelopment to be documented in the financial year 2022/2023 and constructed in financial years 2023/2024 and 2024/2025.

The Federal Government has committed to provide up to \$2 million to Whitehorse City Council for the Heatherdale Reserve New Pavilion project through the Community Development Grants Programme.

Officers have completed a peer review of the Heatherdale Reserve Pavilion Action Team proposed design and cost plan, and determined that the clubs double storey proposal did not fully comply with the Building Code and legislative standards and elements of the design did not align with Council's Pavilion Development Policy. In addition, there are design inefficiencies in relation to optimal room locations.

A summary list of the identified issues with the Heatherdale Reserve Pavilion Action Team design proposal and cost plan is listed below.

#### Non-compliant items from a Building Code and legislative standards perspective not included in club scheme and costings:

- No ambulant toilets provided in Umpire's Rooms, Public or Participants Amenities;
- No Change Room provision for persons with a disability for participants (players) which is a Building Code requirement;
- Access to ground floor will require ramps and steps due to the lower floor level required to be raised approximately 600mm above flood level;
- Insufficient showers / toilets in Change Rooms to comply with the Building Code. Public amenities are insufficient for the sq. m area of the Multi-purpose room;
- No Canteen / Kitchen grease trap allowance;
- No DDA car parking allocation in the design or cost plan.

#### Council Pavilion Development Policy standard components not included in club scheme or not aligned with the Policy:

- Wall hung urinals to be replaced with toilet pans to ensure unisex change facilities;
- Additional rooms over and above the Pavilion Redevelopment Policy requirements: such as Dance floor, duplication of public amenities to ground and first floors, meeting room, and multipurpose room in excess of the 100 sq.m. Pavilion Development Policy;
- Undersized kitchen facilities;
- Duplication of kitchen facilities to ground and first floor;
- No provision for a kitchenette (separate to the kitchen/canteen) as required under Pavilion Development Policy for use by Community Groups using the facility outside allocated tenant club times;
- Swipe card system as required under the Pavilion Development Policy;
- Total Storage Area in general and for community use is less than required under the Pavilion Development Policy;
- Club proposed change room sizes are at 34 - 40 sq. m. and less than the Pavilion Development Policy requirement at 45 sq. m;
- Standalone bin enclosure as per the Pavilion Development Policy / waste management guidelines;
- Environmental Sustainable Design items (ESD) - solar panels as per the Pavilion Development Policy;
- Temporary facilities for the club use for the duration of the construction;
- Lack on external undercover spectator area.

As part of the peer review undertaken by Council officers, consultants were engaged to explore an alternate concept plan as a single storey redevelopment. This design adheres to

## 9.2.1

(cont)

the Building Code of Australia (BCA) guidelines, the Pavilion Development Policy and fits within the available site footprint.

This single storey concept design fits within the site constraints, and conforms with Council's Pavilion Development Policy, July 2019. (Refer Attachments 2-4 – Concept Site Plan, Concept Plan and 3d images). In addition, the plan offers the following advantages:

- The concept design meets the functionality requirements providing a view to both ovals from the multi-purpose and covered viewing areas;
- The new pavilion is designed to be raised a minimum of 600mm which will improve viewing from the pavilion;
- Simplified access and egress for all users;
- Cohesive split between sporting functions and multi-purpose activities;
- Co-located food storage and handling facilities, therefore no duplication of kitchen and canteen as required in a double storey facility;
- The single storey concept design is more economical to build and has lower on-going maintenance costs for Council.

### CONSULTATION

It should be noted that no consultation has been undertaken with the Heatherdale Reserve Pavilion Action Team on the single storey proposal.

Officers have emailed the Heatherdale Reserve Pavilion Action Team outlining that scoping and Council capital planning will continue over the coming months and that officers will be in contact following direction from Council.

Post Council direction, officers will commence the consultation process and further develop the concept plans. A project working group will be formed with club representatives from the Heatherdale Cricket Club, Heathmont Jets Junior Football Club and the Donvale Crusaders Football Club. Clubs will be advised that the concept design will need to align with the Council Pavilion Development Policy.

Officers will communicate the approved concept design to the community including the Heatherdale Action Group and Parklands Committee at the appropriate time.

### FINANCIAL IMPLICATIONS

The Heatherdale Reserve Pavilion Action Team cost plan for the two storey option was reviewed and adjusted to reflect all design, statutory and delivery costs normally considered as part of Council process for pavilion construction. (Refer Attachment 5 – Cost Summary).

The table below compares the adjusted cost of the two storey Heatherdale Reserve Pavilion Action Team proposal and the single storey concept.

The Federal Government has committed to provide up to \$2 million to Whitehorse City Council for the Heatherdale Reserve New Pavilion project through the Community Development Grants Programme. This funding is subject to funding conditions which requires the project to be completed by 2026.

Table 1

	<b>Project Cost Estimate (ex GST)</b>	<b>Federal Grant</b>	<b>Council Funding Required (ex GST)</b>
<b>Single Storey</b>	\$ 5,740,000	\$2,000,000	\$ 3,740,000
<b>Double Storey</b> <i>Club Proposal*</i>	\$6,793,000	\$2,000,000	\$4,793,000

## 9.2.1 (cont)

*\*Club proposal costings amended with inclusions as listed to bring the design in line with the building code and standards, in line with Council's Pavilion Development Policy and to include escalation costs.*

The above figures are GST exclusive based on 2019 cost estimates with escalation to July 2020. If the project construction commences after July 2020 an additional 4.5% escalation per year will be added to the project cost. Cost escalations beyond 2021/22 would need to be determined by a Quantity Surveyor closer to this time.

The total estimated project costs includes:






- Construction of a new facility;
- External hard surfaces, ramps, steps and covered spectator areas;
- Design and Construction contingencies;
- Consultancy Fees;
- Authority Fees and Permits;
- Ancillary Costs;
- Temporary Accommodation for Clubs.

### **POLICY IMPLICATIONS**

Heatherdale Reserve is within a Public Park and Recreation Zone (PPRZ) and a partial Special Building Overlay (SBO) under the Whitehorse Planning Scheme. Council's engineering department classify this site as a 'land liable to inundation' and requires the pavilion to be raised a minimum 600mm.

For the reconstruction of the sports pavilion a planning permit for the building and works would not be required in accordance with Clause 36.02-2 (Public Park and Recreation Zone) of the Whitehorse Planning Scheme, providing the proposed building and works is carried out by or on behalf of a public land manager, under the Local Government Act 1989. The Special Building Overlay and Engineering's site classification liable to flooding will require Planning approval.

### **ATTACHMENT**

- 1 Existing Aerial Plan 
- 2 Concept Site Plan 
- 3 Concept Plan 
- 4 3D Image 
- 5 Cost Summary 

## **9.2.2 Contract Extension (Contract 15035) Provision of Mechanical Services**

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### **SUMMARY**

*The purpose of this report is to recommend that Council exercise its option to extend Contract 15035 Provision of Mechanical Services for a two year period at a total estimated cost of \$1,600,000 GST inclusive.*

*The initial three year contract term for the provision of Mechanical Services is due to expire on 30 November 2019. The two current contractors have successfully delivered the required services to Council over the initial term.*

*As a result of efforts to consolidate a number of procurement activities under this one central contract, approval is sought to amend the maximum expenditure threshold available against the full term of the contract to \$4,000,000.*

### **COUNCIL RESOLUTION**

Moved by Cr Massoud, Seconded by Cr Munroe

#### **That Council:**

- 1. Exercise its option to extend (Contract 15035) Provision of Mechanical Services with:**  
  
**Part 1 - Illingworth Industries Pty Ltd trading as RKH Air Conditioning Services, (ABN 68 604 055 503), Factory 2, 31 Peel Street, Eltham 3095; and**  
  
**Part 2 – Total Air Services (Vic) Pty Ltd, (ABN 75 106 506 101), Factory 2, 256 Bolton Street, Eltham Victoria 3095;**  
  
**for a period of two years to commence on 1 December 2019, at the previously tendered rates (annually adjusted for CPI) with an estimated cost per year of \$800,000 GST inclusive.**
- 2. Approve an amended maximum expenditure threshold of \$4,000,000 including GST for (Contract 15035) Provision of Mechanical Services across the full term of the contract.**

**CARRIED UNANIMOUSLY**

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### **BACKGROUND**

Council manages 375 buildings and structures and 95 of these include mechanical plant. The supply of ongoing services to inspect service and maintain all mechanical plant and associated items in buildings fitted with air conditioning services is critical to ensure buildings are safe and fit for use.

The initial three year contract term was entered into following a publicly advertised tender process culminating in the awarding of a contract by Council with a panel of two contractors to service the various parts of the contract. The contract commenced on the 1 December 2016. The contract has provision for Council to exercise an option to extend the contract for a further two year period.

The initial contract expenditure approved by Council for the initial three year term was \$2,190,785 including GST.

The contract extension will enable Council to continue to ensure optimum asset life and acceptable service levels are achieved and to ensure Council meets its Asset Management obligations by satisfying Australian Standards- AS 3666, 1668, 5601 and National Construction Codes (NCC) requirements for management of mechanical plant.

**9.2.2**  
(cont)

**DISCUSSION**

The two contractors providing the provision of Mechanical Services have delivered a high standard of service and have met all the requirements of the contract over the initial three year term. Performance monitoring, regular contract meetings and random work audits have confirmed they have met Council's customer service quality and safe work expectations.

Contractor representatives have confirmed that they both have the capacity and willingness to meet the requirements of the contract for the proposed extension period.

**CONSULTATION**

The decision to request an extension to the current contract has been discussed with relevant Council services such as the Aqualink's and Box Hill Town Hall Gallery who critically rely on the services as outlined in the contract.

**FINANCIAL IMPLICATIONS**

Contract 15035 for the Provision of Mechanical Services is based on an agreed schedule of rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

The expenditure under this contract at the conclusion of the initial three year contract term is expected to be \$2,400,000 including GST. The estimated value of the two year extension to this contract is \$1,600,000 including GST.

An amended maximum expenditure threshold of \$4,000,000 for the full term of the contract is being sought.

Expenditure under this the two year contract extension will be from adopted operational and capital works budgets.

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### **9.2.3 Council Approval to Amend Maximum Expenditure Threshold for (Contract 20019) Drainage Repair and Minor Civil Works**

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#### **SUMMARY**

*The purpose of this report is to seek approval to amend the maximum expenditure threshold available against Contract 20019 – Drainage Repair and Minor Civil Works.*

*The approval amends the previous maximum expenditure threshold contained in the tender evaluation report submitted to Council on 18 April 2017 to \$8,000,000.*

#### **COUNCIL RESOLUTION**

Moved by Cr Munroe, Seconded by Cr Massoud

***That Council approve an amended maximum expenditure threshold of \$8,000,000 including GST for Contract 20019 – Drainage Repair and Minor Civil Works.***

**CARRIED UNANIMOUSLY**

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#### **BACKGROUND**

Whitehorse City Council maintains civil infrastructure assets including 1,176 kilometres of footpaths, 1,185 kilometres of kerb and channel, 605 kilometres of roads, 32 kilometres of laneways, 855 kilometres of drains and over 35,000 pits. This infrastructure is maintained in accordance with Council's Road Management Plan, Asset Management Policy, Road Asset Management Plan and Drainage Asset Management Plan. This contract secures a panel of contractors to provide general drainage repairs and minor civil works for these infrastructure assets.

#### **DISCUSSION**

On 18 April 2017 Council awarded Contract 20019 – Drainage Repair and Minor Civil Works. The contract is a Schedule of Rates contract and had a three year initial contract term with a further two year option to be exercised under CEO Delegation.

Since the original contract approval, there has been additional investment in maintenance, upgrade and renewal of Council's infrastructure assets. In addition, the contract is being used more widely throughout various departments of Council for drainage and minor civil works, improving Council oversight of expenditure on these works. As a result there has been a higher than expected expenditure against the contract.

The initial estimate of expenditure under this contract over the full contract term was \$4,000,000, including GST. This report seeks an amended maximum expenditure threshold of \$8,000,000 for the initial contract term of three years. The contract will not be extended beyond the initial contract completion date of 21 April 2020.

A tender is currently being prepared for a new contract for drainage and civil works. A new contract will be in place to replace the current Contract 20019.

#### **CONSULTATION**

Staff from Council's Procurement team have assisted with providing current contract expenditure details and advice on this process in line with Council's adopted Procurement Policy.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report. All expenditure incurred against this contract is funded from relevant adopted budgets.

## **9.3 CORPORATE**

### **9.3.1 Annual Report 2018-19**

FILE NUMBER: 19/182925  
ATTACHMENT

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#### **SUMMARY**

*Council's Annual Report for the 2018-19 financial year was presented to the Minister for Local Government in accordance with section 133 of the Local Government Act 1989 on Thursday 26 September 2019. The Annual Report 2018-19 is to be presented to Council at the Ordinary Meeting of Council on Monday 21 October 2019 in accordance with section 134 of the Local Government Act 1989.*

#### **COUNCIL RESOLUTION**

Moved by Cr Stennett, Seconded by Cr Ellis

***That Council approve the Annual Report 2018-19.***

**CARRIED UNANIMOUSLY**

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#### **BACKGROUND**

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

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

Council, at its meeting held on Monday 26 August 2019, approved in principle the year-end financial statements and the performance statement in advance of the Auditor-General's consideration.

Final audit reports on the financial statements and performance statement were received from the Auditor-General on Wednesday 11 September 2019 and the Annual Report was submitted to the Minister for Local Government on Thursday 26 September 2019, in accordance with requirements of the Act.

Once submitted to the Minister for Local Government, section 134 of the Act requires Council to consider the Annual Report at a meeting of Council as soon as practicable. The Annual Report will be presented to Council at the Ordinary Meeting of Council on Monday 21 October 2019 for consideration.

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



### **9.3.1**

(cont)

#### **DISCUSSION**

In addition to fulfilling statutory obligations, the report of Council's performance for 2018-19 provides an opportunity to report to the Whitehorse community about Council's services and initiatives during the year. The Annual Report is structured in several sections:

- Introduction: includes CEO's Message, Mayor's Message, highlights for 2018-19 and opportunities for 2019-20; Council's vision, mission and values, financial year in review and information about Council, Councillors and the organisation.
- Our Performance: describes Whitehorse City Council's integrated planning and reporting framework, and outlines the Annual Plan 2018-19 major initiatives and initiatives and Council services. Results against Council's Measures of Success outlined in the Council Plan 2017-2021 are displayed in infographic format.
- Local Government Performance Reporting Framework - The service performance indicators of the Local Government Performance Reporting Framework are included in this section in accordance with section 131 of the Act.
- Governance and Statutory Information: captures the annual statutory reporting requirements, including reporting against various acts and regulations, Councillor meeting attendance, documents available for inspection, audit operations and the governance and management checklist.
- Performance Statement: is the statement prepared under section 132 and section 133 of the Act and reports on the Local Government Performance Reporting Framework. The regulations require an explanation of any material variations for all relevant indicators. The performance statement has received an unqualified report from the Auditor-General's office.
- Annual Financial Report 2018-19: contains the financial statements as well as a guide to assist readers to understand their nature and content. These statements have received an unqualified report from the Auditor-General's office.

#### **CONSULTATION**

Under sections 131 and 134 of the *Local Government Act 1989*, Council is required to advertise that the Annual Report 2018-19 will be considered at an Ordinary Meeting of Council after the report has been submitted to the Minister of Local Government. This was publicised in *The Age* newspaper on Saturday 5 October 2019 and the *Whitehorse Leader* on Monday 7 October 2019. The Annual Report 2018-19 is available at Council's customer service centres, libraries, and on Council's corporate website.

#### **FINANCIAL IMPLICATIONS**

An overview of Council's financial performance is presented in the Annual Report 2018-19. In the Annual Report, there is a guide for the reader on how to understand the detailed financial report which includes audited financial and standard statements. The financial position of Council is strong and the audit has been passed without qualification by the Victorian Auditor-General's office.

#### **ATTACHMENT**

- 1 Annual Report 2018-19 

## 9.3.2 Social Media Guide: Councillors

ATTACHMENT

### SUMMARY

*The adopted 2017 Whitehorse City Council Digital Strategy recommended a three phase approach to strengthening Council's social media operations. A key task from Phase 1: Foundations, was to update the Social Media Policy. The current policy has been split into two new documents: the Social Media Guide: Councillors and the Social Media Policy: Employees and Volunteers which was approved by Executive Management Team (EMT) on 10 September 2019. The Social Media Guide: Councillors has been developed to promote and guide the use of social media by the elected Councillors of Whitehorse City Council.*

### RECOMMENDATION

***That Council endorse the Social Media Guide: Councillors as another medium of building communities and to encourage online conversation and deliver views, thoughts and information.***

### COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Barker

#### ***That Council:***

- 1. Endorse the Social Media Guide as another medium of building communities and to encourage online conversation and deliver views, thoughts and information;***
- 2. Note that the Social Media Guide is not an incorporated document in the Councillor Code of Conduct.***

**CARRIED UNANIMOUSLY**

### BACKGROUND

Council adopted the 4 year Digital Strategy in June 2017, with the vision 'By embracing digital technology, Whitehorse City Council aims to provide the community the best possible service, quick access to relevant information and the ability to connect and engage online.'

Social media was identified as one of the key pillars to support this vision. With the *Digital Strategy* driving an increased focus on social media, it was essential to review and update the existing *Social Media Policy*.

The current Social Media Policy covers Councillors, staff and volunteers, this was reviewed after feedback from Councillors and two documents were created, a *Social Media Guide: Councillors* and a *Social Media Policy: Employees and Volunteers*. The *Social Media Policy: Employees and Volunteers* was approved by EMT on 10 September 2019 and will be circulated to all employees and volunteers.

### DISCUSSION

Seeking a broad range of inputs to guide the drafting of updates to the *Social Media Guide: Councillors*, subject matter experts within the Digital Team worked closely with the Strategic Marketing and Communications Team, internal Social Media Champions and the Executive Management Team to shape a new and updated draft Guide. In addition, themes and clauses were reviewed from other Councils' Social Media Policies, while Local Government Association best practise and external legal advice were considered.

### **9.3.2**

(cont)

#### ***Benefits of having a Councillor Guide***

To assist Councillors to undertake their roles, the *Social Media Guide: Councillors* supports Councillor use of social media in a way that is aligned with the *Councillor Code of Conduct* and *Local Government Act 1989*. It also incorporates the most up to date advice on using social media in a way that minimises exposure to legal and reputational risk.

#### ***Benchmarking***

In addition to the original research completed for the review of the existing *Social Media Policy*, a scan of similar policies published by metro Councils on their websites was undertaken in late August 2019. There were eight Councils that published their policy referring to social media on their website, with three more referencing documents available on internal systems.

Of those publicly available, there was a wide range of policies on the spectrum from very high level statements with no particular reference to Councillors, to whole of Council policies that included Councillors to a stand-alone social media policy for Councillors.

#### **CONSULTATION**

An initial consultation took place with Councillors on 2 September 2019, and this feedback was reflected in a re-drafted *Social Media Policy: Councillors* which was sent to all Councillors for comment on 12 September 2019.

Feedback was received from five Councillors and all comments and edits have been reviewed and discussed by officers. Legal advice was sought on the draft guide and this is reflected in the document.

#### **FINANCIAL IMPLICATIONS**

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

#### **POLICY IMPLICATIONS**

In the preparation of this report, due regard has been given to relevant policies and key organisational documents.

#### **ATTACHMENT**

- 1 Social Media Guide: Councillors 

### 9.3.3 Meeting Cycle January to December 2020

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#### **SUMMARY**

*This report is to set meeting dates for the period January to December 2020. It is recommended that Council adopt the 2020 Meeting Cycle which provides for meetings to take place on Monday nights.*

#### **COUNCIL RESOLUTION**

Moved by Cr Carr, Seconded by Cr Ellis

#### **That:**

- 1. Council receive and note the report and adopt the Meeting Cycle for the period January to December 2020 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.**

**CARRIED UNANIMOUSLY**

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#### **BACKGROUND**

This report is to set meeting dates for the period January to December 2020 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 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 - 7 December. Special Committee of Council meetings are held in the Council Chamber, 379 Whitehorse Road Nunawading and commence at 7.00pm.
- 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 28 January.
  - Council meetings for March, April, July, September and October will be held on the third Monday of the month, the dates are 16 March, 20 April, 20 July, 21 September and 19 October.
  - Council meetings for February, May, June, August and November will be held on the fourth Monday of the month, the dates are 24 February, 25 May, 22 June, 24 August and 23 November.
  - During November following the Council Election, the meeting to swear in Councillors and Elect the Mayor will be held on Monday 9 November. *(Note: the City of Whitehorse General Election will be conducted by postal voting during October with Election Day being Saturday 24 October 2020.)*
  - The December Council meeting will be held on Monday 14 December.
- All meetings will be conducted in accordance with the Charters and Council's Meeting Procedure and Common Seal Local Law 2013.

**9.3.3**  
(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.

**9.3.3**  
 (cont)

**WHITEHORSE CITY COUNCIL – PUBLIC MEETING CYCLE 2020**

<b>January</b>	
Ordinary Council Meeting	28 (Tues)
<b>February</b>	
Special Committee of Council Meeting	10
Ordinary Council Meeting	24
<b>March</b>	
Special Committee of Council Meeting	10 (Tues)
Ordinary Council Meeting	16
<b>April</b>	
Special Committee of Council Meeting	14 (Tues)
Ordinary Council Meeting	20
<b>May</b>	
Special Committee of Council Meeting	11
Ordinary Council Meeting	25
<b>June</b>	
Special Committee of Council Meeting	9 (Tues)
Ordinary Council Meeting	22
<b>July</b>	
Special Committee of Council Meeting	13
Ordinary Council Meeting	20
<b>August</b>	
Special Committee of Council Meeting	10
Ordinary Council Meeting	24
<b>September</b>	
Special Committee of Council Meeting	14
Ordinary Council Meeting	21
<b>October</b>	
Special Committee of Council Meeting	12
Ordinary Council Meeting	19
- Election Day -	<b>24 (Sat)</b>
<b>November</b>	
Special Statutory Council meeting to swear in New Councillors and to Elect Mayor	9
Special Committee of Council Meeting	16
Ordinary Council Meeting	23
<b>December</b>	
Special Committee of Council Meeting	7
Ordinary Council Meeting	14

- 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; meetings subject to change as necessary, changes to the meeting cycle will be advised by public notice as appropriate.
- 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'

**Attendance**

Cr Liu left the Chamber at 8:16pm, returning at 8:17pm.

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### **9.3.4 Appointment of Authorised Officers under the Planning and Environment Act 1987**

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#### **SUMMARY**

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

#### **COUNCIL RESOLUTION**

Moved by Cr Ellis, Seconded by Cr Barker

***That Council resolve to appoint Craig Neville and Werner Zaske as Authorised Officers 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, Manager Planning and Building and Team Leader Statutory Planning Enforcement has been undertaken in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

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

#### **POLICY IMPLICATIONS**

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

**9.3.4**  
(cont)

**APPENDIX 1**

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

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

**Craig Neville and Werner Zaske**

**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 **21 October 2019**

**THE COMMON SEAL OF THE** )  
**WHITEHORSE CITY COUNCIL** )  
was hereunto affixed this \_\_\_\_ **day of** )  
**October 2019** in the presence of )

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Chief Executive Officer

Date: \_\_\_\_/\_\_\_\_/2019



### 9.3.5 Delegated Decisions August 2019

#### SUMMARY

The following activity was undertaken by officers under delegated authority during August 2019.

#### COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Carr

***That the report of decisions made by officers under Instruments of Delegation for the month of August 2019 be noted.***

**CARRIED UNANIMOUSLY**

DELEGATION	FUNCTION	Number for August 2018	Number for August 2019
Planning and Environment Act 1987	Delegated Decisions	167	161
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		31	24
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	82	71
Liquor Control Reform Act 1998	Objections and Prosecutions	Nil	Nil
Food Act 1984	Food Act Orders	3	1
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	Nil	1
Local Government Act 1989	Temporary Rd. Closures	11	3
Other Delegations	CEO Signed Contracts between \$150,000 - \$750,000	1	2
	Property Sales and Leases	3	16
	Documents to which Council seal affixed	Nil	Nil
	Vendor Payments	1257	1301
	Parking Amendments	1	11
	Parking Infringements Withdrawn	355	324

### 9.3.5

(cont)

#### DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS AUGUST 2019

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

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2017/790/A	27/08/19	Application Lapsed	10 Everglade Avenue Forest Hill Vic 3131	Morack	Development of three, two storey dwellings	Permit Amendment
WH/2018/1407	6/08/19	Application Lapsed	20 Ceylon Street Nunawading Vic 3131	Central	2 lot subdivision	Subdivision
WH/2018/888	23/08/19	Application Lapsed	2 Cameron Road Box Hill North Vic 3129	Elgar	Construction of two new double storey dwellings	Multiple Dwellings
WH/2019/136	27/08/19	Application Lapsed	15 Market Street Box Hill Vic 3128	Elgar	Construct and display an electronic sign and business identification sign	Business
WH/2019/423	8/08/19	Application Lapsed	2 Woodhouse Grove Box Hill North Vic 3129	Elgar	2 lot subdivision	Subdivision
WH/2019/437	15/08/19	Application Lapsed	2 Rowern Court Box Hill North Vic 3129	Elgar	Use and development for construction of two warehouses, removal of street tree, two lot subdivision (realignment of common boundary) and reduction in carparking	Other
WH/2019/472	13/08/19	Application Lapsed	33 Bright Place Blackburn South Vic 3130	Central	Buildings and works on a lot under 300 square metres	Single Dwelling < 300m2
WH/2019/530	27/08/19	Application Lapsed	28 Clota Avenue Box Hill Vic 3128	Elgar	Construction of two (2) double story dwellings on a lot with vegetation removal	Multiple Dwellings
WH/2019/603	28/08/19	Application Lapsed	150 Central Road Nunawading Vic 3131	Springfield	Two lot subdivision	Subdivision

**9.3.5**  
 (cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2011/804/A	13/08/19	Delegate Approval - S72 Amendment	29-31 Carrington Road Box Hill Vic 3128	Elgar	Construct buildings and works for extension to existing restaurant and reduction in car parking	Permit Amendment
WH/2013/869/A	13/08/19	Delegate Approval - S72 Amendment	9 Sevenoaks Road Burwood East Vic 3151	Morack	Buildings and works for the construction of a first floor addition to the existing building, a garage and a reduction in the standard car parking requirement	Permit Amendment
WH/2014/1145/A	12/08/19	Delegate Approval - S72 Amendment	60 Relowe Crescent Mont Albert North Vic 3129	Elgar	The development of the land for the construction of four double storey dwellings including associated buildings and works within 4 metres of trees and tree removal	Permit Amendment
WH/2014/761/C	12/08/19	Delegate Approval - S72 Amendment	3/647 Canterbury Road Vermont Vic 3133	Springfield	Construction of five dwellings comprising four double storey dwellings and one single storey dwelling	Permit Amendment
WH/2014/816/B	20/08/19	Delegate Approval - S72 Amendment	36-38 Diosma Crescent Nunawading Vic 3131	Springfield	Construction of seven double storey dwellings and vegetation removal	Permit Amendment

**9.3.5**  
 (cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2015/715/E	15/08/19	Delegate Approval - S72 Amendment	12-14 Nelson Road Box Hill Vic 3128	Elgar	Construction of a Part 19, Part 20 storey building, comprising dwellings, retail space and offices, with basement car park, use of the building for accommodation (dwellings), and reduction of the parking requirements of Clause 52.06 of the Whitehorse Planning Scheme to alter configuration of apartments and parking layout.	Permit Amendment
WH/2015/891/B	15/08/19	Delegate Approval - S72 Amendment	14 Peter Street Box Hill North Vic 3129	Elgar	Construction of two (2) double-storey, side by side dwellings and works within 4 metres of a protected tree	Permit Amendment
WH/2016/1088/A	29/08/19	Delegate Approval - S72 Amendment	80 Dorking Road Box Hill North Vic 3129	Elgar	Change of use to existing dwelling for two (2) practitioner medical centre	Permit Amendment
WH/2016/456/I	29/08/19	Delegate Approval - S72 Amendment	28/31-37 Norcal Road Nunawading Vic 3131	Springfield	Buildings and works for a warehouse development, use of the land for a food and drink premises and offices, internally illuminated signage, reduction in the standard car parking requirement and native vegetation removal	Permit Amendment

**9.3.5**  
 (cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2016/456/J	29/08/19	Delegate Approval - S72 Amendment	45/31-37 Norcal Road Nunawading Vic 3131	Springfield	Buildings and works for a warehouse development, use of the land for a food and drink premises and offices, internally illuminated signage, reduction in the standard car parking requirement and native vegetation removal	Permit Amendment
WH/2016/794/A	2/08/19	Delegate Approval - S72 Amendment	2/19 Peter Avenue Blackburn North Vic 3130	Central	Development of an additional double storey dwelling at the rear of the existing dwelling, alterations to the existing dwelling, and building and works within 4 metres of protected trees	Permit Amendment
WH/2016/998/A	13/08/19	Delegate Approval - S72 Amendment	2/51 Springfield Road Box Hill North Vic 3129	Elgar	Construction of two double storey dwellings on a lot including associated buildings and works within 4 metres of protected SLO9 trees	Permit Amendment
WH/2017/324/B	2/08/19	Delegate Approval - S72 Amendment	19 Rostrevor Parade Mont Albert North Vic 3129	Elgar	Construction of three double storey dwellings and works within 4 metres of protected trees	Permit Amendment
WH/2017/425/A	28/08/19	Delegate Approval - S72 Amendment	9 Taylor Avenue Burwood East Vic 3151	Riversdale	Construction of two double storey dwellings	Permit Amendment

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2017/455/B	31/08/19	Delegate Approval - S72 Amendment	8 Hardwood Court Mitcham Vic 3132	Springfield	Construction of two double storey dwellings Construction of two double storey dwellings and buildings and works within SLO9	Permit Amendment
WH/2018/409/A	23/08/19	Delegate Approval - S72 Amendment	21 Aspinall Road Box Hill North Vic 3129	Elgar	Development of the land for two new dwellings, including associated tree removal.	Permit Amendment
WH/2018/622/A	16/08/19	Delegate Approval - S72 Amendment	545-563 Station Street Box Hill Vic 3128	Elgar	Staged subdivision of land, generally in accordance with the endorsed plans and subject to the following conditions	Permit Amendment
WH/2018/695/A	29/08/19	Delegate Approval - S72 Amendment	78 Middleborough Road Burwood East Vic 3151	Riversdale	The staged subdivision and development of land for the purpose of 70 dwellings and tree removal	Permit Amendment
WH/2018/780/A	6/08/19	Delegate Approval - S72 Amendment	78 Middleborough Road Burwood East Vic 3151	Riversdale	Use of the land for licensed premises (two tenancies: packaged liquor sales and eleven tenancies: sale and consumption of liquor in association with a cafe/restaurant/cinema)	Permit Amendment
WH/2018/892/A	22/08/19	Delegate Approval - S72 Amendment	1 Ngumby Court Vermont South Vic 3133	Morack	Removal of protected trees (SLO9)	Permit Amendment
WH/2019/435/A	16/08/19	Delegate Approval - S72 Amendment	36 Haines Street Mitcham Vic 3132	Springfield	Buildings and works in HO45 and within 4m of protected tree	Permit Amendment

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2018/1371	16/08/19	Delegate NOD Issued	11 Maculata Walk Vermont South Vic 3133	Morack	Buildings and works in a Heritage Overlay (demolition and construction of carport) and buildings and works within 4m of protected trees	Heritage
WH/2018/1380	13/08/19	Delegate NOD Issued	3 Charlton Street Blackburn North Vic 3130	Central	Development of the land for two (2) double storey dwellings including associated buildings and works within 4 metres of protected SLO9 tree and tree removal	Multiple Dwellings
WH/2018/1385	30/08/19	Delegate NOD Issued	111 Koonung Road Blackburn North Vic 3130	Central	Construction of two double storey dwellings and buildings and works within 4m of protected trees	Multiple Dwellings
WH/2019/17	30/08/19	Delegate NOD Issued	7 Baranbali Drive Vermont South Vic 3133	Morack	Construction of two double storey dwellings and tree removal	Multiple Dwellings
WH/2019/176	13/08/19	Delegate NOD Issued	19 Dudley Street Mitcham Vic 3132	Springfield	Development of the land for three (3) double storey dwellings including associated buildings and works within 4 metres of trees and SLO9 tree removal	Multiple Dwellings
WH/2019/182	13/08/19	Delegate NOD Issued	423 Mont Albert Road Mont Albert Vic 3127	Elgar	Additions and alterations to a dwelling in a heritage overlay and buildings and works within 4 metres of protected trees	Heritage

**9.3.5**  
 (cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/210	13/08/19	Delegate NOD Issued	26 Winchester Road Nunawading Vic 3131	Springfield	Buildings and works to existing dwelling and construction of a new double storey dwelling to the rear including associated buildings and works within 4 metres of protected SLO9 trees and tree removal	Multiple Dwellings
WH/2019/234	23/08/19	Delegate NOD Issued	3 Mccubbin Street BURWOOD VIC 3125	Riversdale	Development of Four (4) Double Storey Dwellings	Multiple Dwellings
WH/2019/285	22/08/19	Delegate NOD Issued	493-503 Canterbury Road Vermont Vic 3133	Springfield	Proposed consolidation of lots and two lot subdivision	Subdivision
WH/2019/360	27/08/19	Delegate NOD Issued	7 Alwyn Street Mitcham Vic 3132	Springfield	Development of One (1) Double Storey Dwelling at Rear of an Existing Dwelling and Removal of Vegetation	Multiple Dwellings
WH/2019/446	30/08/19	Delegate NOD Issued	169 Whitehorse Road Blackburn Vic 3130	Central	Restricted recreation facility (gym) and carparking to satisfaction of Responsible Authority	Change of Use
WH/2019/454	13/08/19	Delegate NOD Issued	4 Course Close Forest Hill Vic 3131	Morack	Removal of two protected trees in the Significant Landscape Overlay 9	Special Landscape Area
WH/2018/1152	29/08/19	Delegate Permit Issued	563 Whitehorse Road Mitcham Vic 3132	Springfield	Buildings and works (including demolition), tree removal and buildings and works in the Significant Landscape Overlay, Schedule 9	Multiple Dwellings



**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2018/1262	15/08/19	Delegate Permit Issued	116 Dorking Road Box Hill North Vic 3129	Elgar	Construction of Four (4) Double Storey Dwellings on a Lot and Removal of Vegetation	Multiple Dwellings
WH/2018/1281	6/08/19	Delegate Permit Issued	131-173 Central Road Nunawading Vic 3131	Springfield	Buildings and works for installation of portable school classrooms	Other
WH/2018/1288	19/08/19	Delegate Permit Issued	39 Roslyn Street Burwood Vic 3125	Riversdale	Construction of two double storey dwellings on a lot, buildings and works within 4m and removal of protected trees	Multiple Dwellings
WH/2018/1310	6/08/19	Delegate Permit Issued	449 Highbury Road Burwood East Vic 3151	Riversdale	Construction of two double storey dwellings and alteration of access to a road zone 1	Multiple Dwellings
WH/2018/1417	30/08/19	Delegate Permit Issued	16 The Ridge Blackburn Vic 3130	Central	Buildings and works to extend the existing dwelling and remove one tree	Special Landscape Area
WH/2018/585	23/08/19	Delegate Permit Issued	3 Harcourt Street Blackburn North Vic 3130	Central	Construction of two double storey dwellings and associated tree removal	Multiple Dwellings
WH/2018/932	23/08/19	Delegate Permit Issued	17 Barcelona Street Box Hill Vic 3128	Elgar	Construction of Five (5) Double Storey Dwellings and Removal of Vegetation	Multiple Dwellings
WH/2019/107	5/08/19	Delegate Permit Issued	76 Winfield Road Balwyn North Vic 3104	Elgar	7 lot subdivision based on development permit	Subdivision
WH/2019/173	23/08/19	Delegate Permit Issued	1 Bamba Court Vermont Vic 3133	Morack	Buildings and works (front fencing and dwelling extension) within 4m and removal of protected trees	Special Landscape Area
WH/2019/196	2/08/19	Delegate Permit Issued	19 Susanne Avenue Nunawading Vic 3131	Springfield	Removal of trees	Single Dwelling < 300m2

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/228	16/08/19	Delegate Permit Issued	34 Orient Avenue Mitcham Vic 3132	Springfield	Removal of trees and buildings and works within 4 metres of protected trees	Special Landscape Area
WH/2019/253	15/08/19	Delegate Permit Issued	211-245 Middleborough Road Box Hill South Vic 3128	Riversdale	Illuminated Signage (advertising)	Advertising Sign
WH/2019/268	21/08/19	Delegate Permit Issued	47 Moselle Street Mont Albert North Vic 3129	Elgar	Removal of two (2) SLO9 trees	Special Landscape Area
WH/2019/286	13/08/19	Delegate Permit Issued	54 Scott Street Vermont Vic 3133	Springfield	Buildings and works to construct one (1) double storey dwelling, including associated buildings and works within 4 metres of protected SLO7 trees and SLO7 tree removal	Special Landscape Area
WH/2019/294	13/08/19	Delegate Permit Issued	1/20 Forster Street Mitcham Vic 3132	Springfield	Buildings and works to extend dwellings (carport) within the lots and on common property	Other
WH/2019/335	20/08/19	Delegate Permit Issued	28 Dobell Street Blackburn South Vic 3130	Central	Buildings and works to existing dwelling and construction of one (1) double storey dwelling to the rear	Multiple Dwellings
WH/2019/351	30/08/19	Delegate Permit Issued	33 Centre Road Vermont Vic 3133	Morack	Restricted recreational facility (pilates studio) and car parking to the satisfaction of the Responsible Authority	Change of Use
WH/2019/392	1/08/19	Delegate Permit Issued	38 Stradella Avenue Vermont South Vic 3133	Morack	Removal of 4 trees and demolish driveway within 4 meters of trees	Single Dwelling < 300m2

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/399	21/08/19	Delegate Permit Issued	8 Bruce Street Mitcham Vic 3132	Springfield	Four lot subdivision with common property	Subdivision
WH/2019/415	1/08/19	Delegate Permit Issued	63 Alwyn Street Mitcham Vic 3132	Springfield	Removal of two (2) trees	Special Landscape Area
WH/2019/428	22/08/19	Delegate Permit Issued	28 Roslyn Street Burwood Vic 3125	Riversdale	Buildings and Works within 4 metres of trees	Special Landscape Area
WH/2019/433	13/08/19	Delegate Permit Issued	19 Pearce Street Burwood Vic 3125	Riversdale	Removal of seven (7) trees	Special Landscape Area
WH/2019/448	27/08/19	Delegate Permit Issued	98 Lake Road Blackburn Vic 3130	Central	Tree removal and lopping	Single Dwelling < 300m2
WH/2019/466	5/08/19	Delegate Permit Issued	2 Begonia Court Blackburn North Vic 3130	Central	Removal of one (1) tree	VicSmart - Tree
WH/2019/473	15/08/19	Delegate Permit Issued	52 Zetland Road Mont Albert Vic 3127	Elgar	Buildings and works (verandah extension) within 4 metres of a protected tree	VicSmart - General Application
WH/2019/496	12/08/19	Delegate Permit Issued	2/25 Churinga Avenue Mitcham Vic 3132	Springfield	2 Lot Subdivision	Subdivision
WH/2019/500	20/08/19	Delegate Permit Issued	21 Hawkins Avenue Mont Albert North Vic 3129	Elgar	Buildings and works within four (4) metres of protected trees.	VicSmart - General Application
WH/2019/504	12/08/19	Delegate Permit Issued	532 Whitehorse Road Mitcham Vic 3132	Springfield	Buildings and Works (Alteration to Existing Shopfront)	Change of Use
WH/2019/505	16/08/19	Delegate Permit Issued	262 Burwood Highway Burwood Vic 3125	Riversdale	44 lot subdivision	Subdivision
WH/2019/514	30/08/19	Delegate Permit Issued	1/9-11 New Street Surrey Hills Vic 3127	Riversdale	Buildings and works to extend one (1) dwelling on a land lot size of less than 300 square metres	Single Dwelling < 300m2
WH/2019/517	15/08/19	Delegate Permit Issued	6/28 Springvale Road Nunawading Vic 3131	Springfield	Construction of a single storey extension to an existing dwelling on a land lot size of less than 300 square metres	Single Dwelling < 300m2

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/521	6/08/19	Delegate Permit Issued	2 Begonia Court Blackburn North Vic 3130	Central	Buildings and works within 4 metres of protected vegetation	VicSmart - General Application
WH/2019/524	22/08/19	Delegate Permit Issued	19 Morloc Street Forest Hill Vic 3131	Springfield	Buildings and works within 4 metres of protected SLO9 trees and SLO9 tree removal	Single Dwelling < 300m2
WH/2019/544	2/08/19	Delegate Permit Issued	33/661-699 Highbury Road Burwood East Vic 3151	Morack	Buildings and works including the installation of a louvered verandah	Single Dwelling < 300m2
WH/2019/547	20/08/19	Delegate Permit Issued	133 Windsor Crescent Mont Albert Vic 3127	Elgar	New front fence	VicSmart - General Application
WH/2019/548	1/08/19	Delegate Permit Issued	17 Verbena Street Blackburn North Vic 3130	Central	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/552	26/08/19	Delegate Permit Issued	387 Station Street Box Hill South Vic 3128	Riversdale	Tree Removal	Special Landscape Area
WH/2019/559	20/08/19	Delegate Permit Issued	447 Canterbury Road Vermont Vic 3133	Springfield	Removal of SLO9 trees	Single Dwelling < 300m2
WH/2019/578	22/08/19	Delegate Permit Issued	2/265 Springvale Road Nunawading Vic 3131	Springfield	Construction of a single storey extension to an existing dwelling on a land lot size of less than 500 square metres	Single Dwelling < 300m2
WH/2019/586	7/08/19	Delegate Permit Issued	45 Burwood Highway Burwood East Vic 3151	Riversdale	Display of business identification and promotion signs	Advertising Sign
WH/2019/588	26/08/19	Delegate Permit Issued	20-22 Ailsa Street Box Hill South Vic 3128	Riversdale	subdivide an existing building into two lots	Subdivision
WH/2019/589	9/08/19	Delegate Permit Issued	18 Murray Drive Burwood Vic 3125	Riversdale	Removal of easement	Subdivision
WH/2019/590	9/08/19	Delegate Permit Issued	7 Inverness Avenue Burwood Vic 3125	Riversdale	Four lot subdivision	Subdivision
WH/2019/593	2/08/19	Delegate Permit Issued	173-175 Whitehorse Road Blackburn Vic 3130	Central	38 Lot Subdivision	Subdivision

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/601	21/08/19	Delegate Permit Issued	48 Blackburn Road Blackburn Vic 3130	Central	Removal of two (2) trees	Special Landscape Area
WH/2019/613	26/08/19	Delegate Permit Issued	2 Newbiggin Street Burwood Vic 3125	Riversdale	Four lot subdivision	Subdivision
WH/2019/625	12/08/19	Delegate Permit Issued	20 Broughton Road Surrey Hills Vic 3127	Riversdale	Two lot subdivision	Subdivision
WH/2019/627	22/08/19	Delegate Permit Issued	3 Melaleuca Way Box Hill South Vic 3128	Riversdale	Tree Removal	VicSmart - Tree
WH/2019/642	12/08/19	Delegate Permit Issued	41 Quarry Road Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/662	2/08/19	Delegate Permit Issued	23 Box Hill Crescent Mont Albert North Vic 3129	Elgar	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/673	30/08/19	Delegate Permit Issued	3a Forster Street Mitcham Vic 3132	Springfield	Four lot Subdivision	Subdivision
WH/2019/675	2/08/19	Delegate Permit Issued	9 Goodwin Street Blackburn Vic 3130	Central	removal of one tree	VicSmart - Tree
WH/2019/676	2/08/19	Delegate Permit Issued	9 Goodwin Street Blackburn Vic 3130	Central	Removal of one tree (Tree 3)	VicSmart - Tree
WH/2019/682	8/08/19	Delegate Permit Issued	46 Myrtle Grove Blackburn Vic 3130	Central	Removal of one Corymbia citriodora aka Lemon scented Gum tree	VicSmart - Tree
WH/2019/686	29/08/19	Delegate Permit Issued	76a Foch Street Box Hill South Vic 3128	Riversdale	Removal of a tree	VicSmart - Tree
WH/2019/688	2/08/19	Delegate Permit Issued	103 Central Road Blackburn Vic 3130	Central	Removal of one (1) SLO9 tree	VicSmart - Tree
WH/2019/695	15/08/19	Delegate Permit Issued	91 Eley Road Box Hill South Vic 3128	Riversdale	Three lot subdivision	Subdivision
WH/2019/699	1/08/19	Delegate Permit Issued	170 Station Street Box Hill South Vic 3128	Riversdale	Removal of one (Eucalyptus Radiata) protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/701	26/08/19	Delegate Permit Issued	253 Springvale Road Nunawading Vic 3131	Springfield	Three lot subdivision	Subdivision

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/703	20/08/19	Delegate Permit Issued	47 Shepherd Street Surrey Hills Vic 3127	Riversdale	Removal of one Eucalyptus nicholii aka Narrow leaved Black Peppermint tree	VicSmart - Tree
WH/2019/704	6/08/19	Delegate Permit Issued	440 Belmore Road Mont Albert North Vic 3129	Elgar	Removal of one tree (tree 4)	VicSmart - Tree
WH/2019/705	6/08/19	Delegate Permit Issued	440 Belmore Road Mont Albert North Vic 3129	Elgar	Removal of one tree (tree 12)	VicSmart - Tree
WH/2019/708	12/08/19	Delegate Permit Issued	25 Kerr Street Blackburn Vic 3130	Central	Three lot subdivision	Subdivision
WH/2019/711	5/08/19	Delegate Permit Issued	Cntre Mang 17-21 Market Street Box Hill Vic 3128	Elgar	Buildings and Works & Display of Advertising Signage within a Commercial 1 Zone	VicSmart - General Application
WH/2019/712	14/08/19	Delegate Permit Issued	207/1 Charlnet Drive Vermont South Vic 3133	Morack	Re-subdivision of the land into 5 lots	Subdivision
WH/2019/716	23/08/19	Delegate Permit Issued	270 Canterbury Road Forest Hill Vic 3131	Central	Buildings and works including the installation of windows	VicSmart - General Application
WH/2019/719	2/08/19	Delegate Permit Issued	14 Wooddale Grove Mitcham Vic 3132	Springfield	Five lot subdivision	Subdivision
WH/2019/726	15/08/19	Delegate Permit Issued	532 Whitehorse Road Mitcham Vic 3132	Springfield	Buildings and Works (installation of an ATM) within the Design and Development Overlay 5 (DDO5).	VicSmart - General Application
WH/2019/731	27/08/19	Delegate Permit Issued	6 Tiller Street Burwood East Vic 3151	Riversdale	Three lot subdivision	Subdivision
WH/2019/734	12/08/19	Delegate Permit Issued	506 Mitcham Road Mitcham Vic 3132	Springfield	Removal of one tree	VicSmart - Tree
WH/2019/740	5/08/19	Delegate Permit Issued	530 Burwood Highway Vermont South Vic 3133	Morack	Removal of Vegetation within Significant Landscape Overlay - Schedule 9	VicSmart - Tree

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/741	2/08/19	Delegate Permit Issued	530 Burwood Highway Vermont South Vic 3133	Morack	Removal of Vegetation within Significant Landscape Overlay - Schedule 9	VicSmart - Tree
WH/2019/745	12/08/19	Delegate Permit Issued	30 Malabar Road Blackburn Vic 3130	Central	Removal of one tree (tree 2)	VicSmart - Tree
WH/2019/746	12/08/19	Delegate Permit Issued	30 Malabar Road Blackburn Vic 3130	Central	Removal of one tree (tree 3)	VicSmart - Tree
WH/2019/747	15/08/19	Delegate Permit Issued	52 Gillard Street Burwood Vic 3125	Riversdale	Six lot subdivision	Subdivision
WH/2019/749	22/08/19	Delegate Permit Issued	11 Lexton Road Box Hill North Vic 3129	Elgar	Five lot subdivision	Subdivision
WH/2019/759	22/08/19	Delegate Permit Issued	27 Aberdeen Road Blackburn South Vic 3130	Central	Three lot subdivision	Subdivision
WH/2019/769	12/08/19	Delegate Permit Issued	63 Kerrimuir Street Box Hill North Vic 3129	Elgar	Remove 1 tree	VicSmart - Tree
WH/2019/774	15/08/19	Delegate Permit Issued	25 Byron Street Box Hill South Vic 3128	Riversdale	Two lot subdivision	Subdivision
WH/2019/778	15/08/19	Delegate Permit Issued	14 Hillside Parade Box Hill North Vic 3129	Elgar	Removal of one tree (Tree 1)	VicSmart - Tree
WH/2019/78	5/08/19	Delegate Permit Issued	24 Highfield Avenue Blackburn South Vic 3130	Central	Subdivision comprising resubdivision of 5 lots (Lots 79 to 83) and part of the common property to create new 7 lots (Lots 79A to 83A, 92-98) comprising carparking spaces and community centre .	Subdivision
WH/2019/782	12/08/19	Delegate Permit Issued	25 Grove Street Vermont Vic 3133	Springfield	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/787	23/08/19	Delegate Permit Issued	3 Edith Avenue Nunawading Vic 3131	Springfield	Removal of one (1) Fraxinus excelsior tree.	VicSmart - Tree

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/790	21/08/19	Delegate Permit Issued	11 Evans Court Vermont Vic 3133	Morack	Removal of one (1) protected tree (Liquidambar styraciflua – Liquidambar/Sweet Gum - Tree 2) within Schedule 9 to the Significant Landscape Overlay	VicSmart - Tree
WH/2019/797	20/08/19	Delegate Permit Issued	13 Harold Street Blackburn Vic 3130	Central	Buildings and Works (Construction of a Fence) within the Significant Landscape Overlay - Schedule 9	VicSmart - General Application
WH/2019/798	20/08/19	Delegate Permit Issued	18 Werder Street Box Hill North Vic 3129	Elgar	Removal of one tree	VicSmart - Tree
WH/2019/800	22/08/19	Delegate Permit Issued	18 Nandina Street Forest Hill Vic 3131	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2019/81	15/08/19	Delegate Permit Issued	4 Hayward Court Vermont Vic 3133	Morack	Buildings and works for alterations and a two storey extension to the existing dwelling	Special Landscape Area
WH/2019/814	15/08/19	Delegate Permit Issued	7 Karen Street Box Hill North Vic 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/822	16/08/19	Delegate Permit Issued	Shop 39 Carrington Road Box Hill Vic 3128	Elgar	Illuminated signage and external alterations	Business
WH/2019/826	26/08/19	Delegate Permit Issued	142 Station Street Burwood Vic 3125	Riversdale	Two lot subdivision	VicSmart - Subdivision
WH/2019/829	26/08/19	Delegate Permit Issued	65a Packham Street Box Hill North Vic 3129	Elgar	Two lot subdivision	Subdivision
WH/2019/838	23/08/19	Delegate Permit Issued	5 Wandin Court Forest Hill Vic 3131	Morack	Two lot subdivision	VicSmart - Subdivision
WH/2019/840	22/08/19	Delegate Permit Issued	137 Woodhouse Grove Box Hill North Vic 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2019/843	21/08/19	Delegate Permit Issued	2 Thomas Street Box Hill South Vic 3128	Riversdale	Two lot subdivision	VicSmart - Subdivision
WH/2019/848	23/08/19	Delegate Permit Issued	214 Dorking Road Box Hill North Vic 3129	Elgar	Removal of one (1) tree	VicSmart - Tree



**9.3.5**  
 (cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/862	29/08/19	Delegate Permit Issued	20 Penrose Street Box Hill South Vic 3128	Riversdale	Removal of one (1) tree	VicSmart - Tree
WH/2019/864	26/08/19	Delegate Permit Issued	17 Gibson Street Box Hill South Vic 3128	Riversdale	Two lot subdivision	VicSmart - Subdivision
WH/2019/865	26/08/19	Delegate Permit Issued	58 Melrose Street Mont Albert North Vic 3129	Elgar	Two lot subdivision	VicSmart - Subdivision
WH/2018/1193	2/08/19	Delegate Refusal Issued	50 Kenmare Street Mont Albert Vic 3127	Elgar	Construction of Twelve (12) Double Storey Dwellings including basement Car Park and Removal of Vegetation	Multiple Dwellings
WH/2019/702	2/08/19	Delegate Refusal Issued	5 Forest Glen Avenue Blackburn South Vic 3130	Central	Removal of one protected tree in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/744	12/08/19	Delegate Refusal Issued	30 Malabar Road Blackburn Vic 3130	Central	Removal of one tree (tree 1)	VicSmart - Tree
WH/2019/755	21/08/19	Delegate Refusal Issued	97-123 Hawthorn Road Forest Hill Vic 3131	Morack	Removal of one protected tree for Tree 1 Eucalyptus nicholii Narrow leaved Black Peppermint in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/756	21/08/19	Delegate Refusal Issued	97-123 Hawthorn Road Forest Hill Vic 3131	Morack	Removal of one protected tree for Tree 2 Eucalyptus nicholii aka Narrow leaved Black Peppermint in the Significant Landscape Overlay Schedule 9	VicSmart - Tree

**9.3.5**  
 (cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2019/757	21/08/19	Delegate Refusal Issued	97-123 Hawthorn Road Forest Hill Vic 3131	Morack	Removal of one protected tree for Tree 3 Eucalyptus sideroxylon aka Ironbark in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/758	21/08/19	Delegate Refusal Issued	97-123 Hawthorn Road Forest Hill Vic 3131	Morack	Removal of one protected tree for Tree 4, Eucalyptus sideroxylon Ironbark in the Significant Landscape Overlay Schedule 9	VicSmart - Tree
WH/2019/762	15/08/19	Delegate Refusal Issued	53 Rosalind Crescent Blackburn Vic 3130	Central	Removal of one (1) Corymbia citriodora - Lemon Scented Gum, protected under the Significant Landscape Overlay, Schedule 2 (SLO2).	VicSmart - Tree
WH/2019/764	13/08/19	Delegate Refusal Issued	19 Cumberland Court Forest Hill Vic 3131	Springfield	Removal of Vegetation (Eucalyptus leucoxylon - Yellow Gum) within a Vegetation Protection Overlay - Schedule 1 and Significant Landscape Overlay - Schedule 9	VicSmart - Tree

**9.3.5**  
(cont)

<b>Appl No.</b>	<b>Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
WH/2017/974/B	30/08/19	Withdrawn	677 Whitehorse Road Mont Albert Vic 3127	Elgar	Amendment to Planning Permit WH/2017/974 (issued for Buildings and works to existing building, use of land for restaurant in the food and drink premises including the sale and consumption of liquor, display of business identification signage and reduction of car parking) to delete Condition 1a.	Permit Amendment
WH/2018/1354	23/08/19	Withdrawn	7/2-4 Joseph Street Blackburn North Vic 3130	Central	Use of land as a restricted recreation facility (Calisthenics)	Industrial
WH/2018/1370	12/08/19	Withdrawn	21 Parer Street Burwood Vic 3125	Riversdale	Construction of Four (4) Double Storey Dwellings and Removal of Vegetation	Multi Dwelling and Use
WH/2019/591	7/08/19	Withdrawn	Shop 39 Carrington Road Box Hill Vic 3128	Elgar	The display of a business identification sign	VicSmart - General Application
WH/2019/629	28/08/19	Withdrawn	9-17 Broughton Road Surrey Hills Vic 3127	Riversdale	Buildings and works in relation to kitchen upgrade at Broughtonlea Residential Aged Care facility	VicSmart - General Application
WH/2019/668	5/08/19	Withdrawn	358 Mitcham Road Mitcham Vic 3132	Springfield	Removal of one (1) Fraxinus angustifolia aka Desert Ash tree	VicSmart - General Application
WH/2019/729	12/08/19	Withdrawn	41 Marchiori Road Blackburn North Vic 3130	Central	Retrospective front fence in a SLO (located within 4 metres of a street tree)	VicSmart - General Application
WH/2019/765	29/08/19	Withdrawn	Roof 3/270 Canterbury Road Forest Hill Vic 3131	Central	Martial arts & Fitness	Change of Use

**9.3.5**  
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/770	8/08/19	Withdrawn	97-123 Hawthorn Road Forest Hill Vic 3131	Morack	Removal of one protected tree in the Significant Landscape Overlay Schedule 9 - lodged in error	VicSmart - Tree
WH/2019/808	9/08/19	Withdrawn	5 Merle Street Blackburn North Vic 3130	Central	Two lot subdivision	Subdivision

**BUILDING DISPENSATIONS/APPLICATIONS AUGUST 2019**

Address	Date	Ward	Result
1/27 Glen Ebor Avenue, Blackburn	15-08-19	Central	Consent Granted 77,76
137 Springfield Road, Blackburn North	08-08-19	Central	Consent Granted 89, 92
2 Begonia Court, Blackburn North	29-08-19	Central	Consent Granted 79
22-24 Blackburn Road, Blackburn	08-08-19	Central	Consent Granted
23 Edinburgh Road, Blackburn South	05-08-19	Central	Consent Granted 89
26 Aldinga Street, Blackburn South	13-08-19	Central	Consent Granted 89
16 Polydor Place, Blackburn North	15-08-19	Central	Consent Refused 74
116 Windsor Crescent, Surrey Hills	01-08-19	Elgar	Consent Granted 89
162 Dorking Road, Box Hill North	30-08-19	Elgar	Consent Granted 80, 74
2 Loraine Avenue, Box Hill North	01-08-19	Elgar	Consent Granted 79
2 Springfield Road, Box Hill North	30-08-19	Elgar	Consent Granted 97
6 Corlett Street, Mont Albert North	07-08-19	Elgar	Consent Granted 74, 79
8 Strabane Avenue, Mont Albert North	19-08-19	Elgar	Consent Granted 89
874-878 Whitehorse Road, Box Hill	15-08-19	Elgar	Consent Granted 116
91 Harrison Street, Box Hill North	12-08-19	Elgar	Consent Granted 79
91 Harrison Street, Box Hill North	12-08-19	Elgar	Consent Granted 86
Shop 1/36 Main Street, Box Hill	14-08-19	Elgar	Consent Granted 116
12 St Georges Avenue, Mont Albert	20-08-19	Elgar	Consent Refused 89
14 Theodore Street, Surrey Hills	20-08-19	Elgar	Consent Refused 74
15 Chessell Street, Mont Albert North	09-08-19	Elgar	Consent Refused 74
2 Loraine Avenue, Box Hill North	01-08-19	Elgar	Consent Refused 74
91 Harrison Street, Box Hill North	14-08-19 12-08-19	Elgar	Consent Refused 89, 74
11 Evans Court, Vermont	22-08-19	Morack	Consent Granted 79,74
12 Salsburg Court, Vermont South	20-08-19	Morack	Consent Granted 85
24 Sevenoaks Road, Burwood East	09-08-19	Morack	Consent Granted 74
39 Robinlee Avenue, Burwood East	09-08-19	Morack	Consent Granted 89, 92
482 Canterbury Road, Forest Hill	27-08-19	Morack	Consent Granted 97
56 Philip Street, Vermont	30-08-19	Morack	Consent Granted 79
67 Vanbrook Street, Forest Hill	15-08-19	Morack	Consent Granted 76
1 Gardner Street, Box Hill South	20-08-19	Riversdale	Consent Granted 89
12 Devon Street, Box Hill South	19-08-19	Riversdale	Consent Granted 89
20 Brook Crescent, Box Hill South	15-08-19	Riversdale	Consent Granted 89
38 Lorraine Drive, Burwood East	29-08-19	Riversdale	Consent Granted 89
4 Wallace Road, Burwood	27-08-19	Riversdale	Consent Granted

### 9.3.5

(cont)

Address	Date	Ward	Result
7 Taylor Avenue, Burwood East	19-08-19	Riversdale	Consent Granted 79
1160 Riversdale Road, Box Hill South	08-08-19	Riversdale	Consent Refused 79
187 Holland Road, Burwood East	14-08-19	Riversdale	Consent Refused 86
23 Wellard Road, Box Hill South	20-08-19	Riversdale	Consent Refused 74, 83
59 Roslyn Street, Burwood	05-08-19	Riversdale	Consent Refused 82, 81
8 Richardson Street, Box Hill South	30-08-19	Riversdale	Consent Refused 74
850 Canterbury Road, Box Hill South	21-08-19	Riversdale	Consent Refused 91
9 Meldan Street, Burwood	01-08-19	Riversdale	Consent Refused 89
1 Willow Avenue, Mitcham	12-08-19	Springfield	Consent Granted 80
10 Mcdowall Street, MITCHAM	08-08-19	Springfield	Consent Granted 76
12 Sunnyside Avenue, Nunawading	08-08-19	Springfield	Consent Granted 74
2 Susanne Avenue, Nunawading	02-08-19	Springfield	Consent Granted 76
22 Alwyn Street, Mitcham	15-08-19	Springfield	Consent Granted 85, 74, 76, 80
27 High Street, Nunawading	23-08-19	Springfield	Consent Granted 79
36 Creek Road, Mitcham	30-08-19	Springfield	Consent Granted 76,79
4 Haddon Court, Mitcham	30-08-19	Springfield	Consent Granted 74
7 Evandale Avenue, Nunawading	08-08-19	Springfield	Consent Granted 74
7 Hardwood Court, Mitcham	01-08-19	Springfield	Consent Granted 74
1 Lower Court, Nunawading	12-08-19	Springfield	Consent Refused 89,92
23 High Street, Nunawading	19-08-19	Springfield	Consent Refused 80
36 Creek Road, Mitcham	30-08-19	Springfield	Consent Refused 82, 80
6 Grevillea Court, Forest Hill	06-08-19	Springfield	Consent Refused 74

#### DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS AUGUST 2019

Under the Planning and Environment Act 1987 – Nil

#### REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION AUGUST 2019

Contract Number	Service
30164	Provision of Maintenance Trade Services
30142	Lead Design Consultancy Services – Whitehorse Centre

**9.3.5**

(cont)

**REGISTER OF PROPERTY DOCUMENTS EXECUTED AUGUST 2019**

<b>Property Address</b>	<b>Document Type</b>	<b>Document Detail</b>
<b>Leases</b>		
10 Koonung Road, Blackburn North	Lease	New Lease to incumbent
85 Eley Road Blackburn North	Lease	New Lease to incumbent
32 Alexander Street, Box Hill	Lease	New Lease to incumbent
31 Tyne Street, Box Hill North	Lease	New Lease to incumbent
1228A Riversdale Road, Box Hill South	Lease	New Lease to incumbent
21 Station Street, Burwood	Lease	New Lease to incumbent
15 Sapphire Street, Forest Hill	Lease	New Lease to incumbent
148 Mahoneys Road, Forest Hill	Lease	New Lease to incumbent
34 Purches Street, Mitcham	Lease	New Lease to incumbent
23 Boondara Road, Mont Albert North	Lease	New Lease to incumbent
5 Mark Place, Nunawading	Lease	New Lease to incumbent
43A Springvale Road, Nunawading	Lease	New Lease to incumbent
13 Nunkeri Street, Vermont	Lease	New Lease to incumbent
8 Lane Street, Nunawading	Lease	New Lease to incumbent
<b>Land Transfers</b>		
Silver Grove, Nunawading	Land Transfer	Land Exchange Agreement
<b>Fire Services Property Levy (FSPL)</b>		
1/41-43 Carrington Road, Box Hill	Not applicable	Land use changed from 'Commercial' to 'Public Benefit'

**REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL AUGUST 2019**

Nil

### 9.3.5

(cont)

#### PARKING RESTRICTIONS APPROVED BY DELEGATION AUGUST 2019

**Address:** **John Street, Box Hill:** Harrow Street to southern boundary of Harrow Street Car Park – south side

**Previously:** 11 'Unrestricted' parking spaces

**Now:** 11 'No Stopping' parking spaces

**Address:** **Harrow Street, Box Hill:** John Street to ROW off Harrow Street – west side

**Previously:** 5 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Now:** 5 'No Stopping' parking spaces

**Address:** **Whitehorse Road, Box Hill:** from 20m east of Court Street to 46m east of Court Street – north side

**Previously:** 1 'Bus Zone' parking space

**Now:** 1 temporary 'No Stopping' parking space

**Address:** **Whitehorse Road, Box Hill:** from 18m east of the eastern boundary of 997 Whitehorse Road to 24m east of the eastern boundary of 997 Whitehorse Road – north side

**Previously:** 1 '1-Hour, Ticket, 8.30am to 6pm, Monday to Saturday' parking space

**Now:** 1 temporary '1-Hour, Disabled, 8.30am to 6pm, Monday to Saturday' parking space

**Address:** **Whitehorse Road, Box Hill:** from 24m east of the eastern boundary of 997 Whitehorse Road to 44m east of the eastern boundary of 997 Whitehorse Road – north side

**Previously:** 3 '1-Hour, Ticket, 8.30am to 6pm, Monday to Saturday' parking spaces

**Now:** 3 temporary '1-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** **Irving Avenue, Box Hill:** from 158m west of Station Street to 164m west of Station Street – north side

**Previously:** 1 'P Ticket, 8am to 6pm, Monday to Saturday' parking space

**Now:** 1 'No Stopping' parking space

**Address:** **Nelson Road Box Hill:** from 60m north of Thames Street to 65m north of Thames Street – west side

**Previously:** 1 '2-Hour Ticket, 8:30am to 9pm, Monday to Saturday' parking spaces

**Now:** 1 'No Stopping' parking spaces

**Address:** **Whitehorse Road, Mitcham:** from Elizabeth Street to McGlone Street – north side

**Previously:** 12 'Unrestricted' parking spaces

**Now:** 12 '1-Hour, 6-9am, Monday to Friday' parking spaces

**Address:** **Orion Street, Vermont:** from Mitcham Road to Alcon Court – north side

**Previously:** 4 'Unrestricted' parking space

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

**Address:** **Alcon Court, Vermont:** from Orion Street to 5m south of northern boundary of 4 Alcon Court – east side

**Previously:** 8 'Unrestricted' parking spaces

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

**Address:** **John Street, Box Hill:** from 14m south of southern boundary of 3 John Street to Harrow Street – east side

**Previously:** 10 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces

**Now:** 10 '2-Hour, 7.30am to 7.30pm, Monday to Saturday' parking spaces

**9.3.5**

(cont)

**VENDOR PAYMENT SUMMARY – SUMS PAID DURING AUGUST 2019**

<b>Date</b>	<b>Total Issued</b>	<b>Payments (direct debit, cheques or electronic funds transfer)</b>	<b>Transaction Type EFT/CHQ/DD</b>
01/08/2019	\$8,278.33	8	EFC
01/08/2019	\$102,490.50	77	CHQ
01/08/2019	\$121.90	1	CHQ
01/08/2019	\$540,343.90	135	EFT
06/08/2019	\$2,200.00	1	EFC
06/08/2019	\$11,000.00	1	EFT
08/08/2019	\$9,799.39	7	EFC
08/08/2019	\$16,442.14	10	CHQ
08/08/2019	\$863,610.86	201	EFT
08/08/2019	\$8,035.36	1	EFC
15/08/2019	\$11,141.84	13	EFC
15/08/2019	\$78,876.72	50	CHQ
15/08/2019	\$1,003,953.60	108	EFT
15/08/2019	\$477,101.96	124	EFT
22/08/2019	\$2,051.78	11	EFC
22/08/2019	\$181,926.34	45	CHQ
22/08/2019	\$1,439,866.06	228	EFT
29/08/2019	\$11,457.78	16	EFC
29/08/2019	\$124,834.26	56	CHQ
29/08/2019	\$2,847,984.56	269	EFT
<b>GROSS</b>	<b>\$7,741,517.28</b>	<b>1362</b>	
<b>Monthly Lease Payments</b>	<b>\$35,146.03</b>		
<b>Direct Debit Payments</b>	<b>\$226,000.53</b>		
<b>CANCELLED PAYMENTS</b>	<b>-\$190,583.14</b>	<b>-61</b>	
<b>NETT</b>	<b>\$7,812,080.70</b>	<b>1301</b>	

**Attendance**

Cr Munroe left the Chamber at 8:22pm, returning at 8:25pm.



## **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)

- 10.1.1 Cr Carr reported on her attendance at the Domestic Animal Management Plan Advisory Committee meeting held on the 16 October 2019.
- 10.1.2 Cr Ellis reported on her attendance at the Eastern Region Group meeting held on the 4 October 2019.
- 10.1.3 Cr Davenport reported on his attendance at:
- Major Projects Councillor Reference Group meeting held on 23 September 2019
  - The Heritage Steering Committee meeting held on 14 October 2019
- 10.1.4 Cr Barker reported on his attendance at the Domestic Animal Management Plan Advisory Committee meeting held on 16 October 2019.
- 10.1.5 Cr Liu reported on her attendance at:
- Whitehorse Business Group meeting held on 8 October 2019
  - Whitehorse Manningham Regional Library Corporation meeting held on 16 October 2019.
- 10.1.6 Cr Massoud reported on her attendance at the Whitehorse Disability Advisory Committee meeting held on 2 October 2019.
- 10.1.7 Cr Cutts reported on her attendance at:
- Heritage Steering Committee on 14 October 2019
  - Whitehorse Business Group meeting held on 8 October 2019
- 10.1.8 Cr Bennett reported on his attendance at:
- Whitehorse Sports & Recreation Network meeting held on the 19 September 2019
  - MAV Eastern Regional meeting held on the 25 September 2019
  - Eastern Region Group meeting held on the 4 October 2019
  - Local Government Waste Management Forum held on the 10 October 2019

### **COUNCIL RESOLUTION**

Moved by Cr Munroe, Seconded by Cr Cutts

***That the reports from delegates be received and noted.***

**CARRIED UNANIMOUSLY**

## **10.2 Recommendation from the Special Committee of Council Meeting of 14 October 2019**

### **10.2.1 Rotary Overseas Recycled Playgrounds Program**

#### **SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION**

**Moved by Cr Stennett, Seconded by Cr Ellis**

***That Council request an officer report on the feasibility, benefits and cost of Council supporting and participating in the initiative of the Rotary Overseas Recycled Playgrounds program, which is to donate play equipment to play spaces in overseas countries.***

### **10.2.2 City Of Whitehorse Post Heritage 1945 Heritage Study**

#### **SPECIAL COMMITTEE OF COUNCIL RECOMMENDATION**

**Moved by Cr Davenport, Seconded by Cr Barker**

**That Council:**

- 1. Notes that the City of Whitehorse Post 1945 Heritage Study dated June 2016 contains a number of properties not acted upon in the last 3 years.***
- 2. Notes that the Whitehorse Heritage Review 2012 contains a number of properties not acted upon in the last 7 years.***
- 3. Receives a report on the proposed approach to reviewing the potential heritage properties from the Whitehorse Heritage Review 2012 and the Post 1945 Heritage Study.***

#### **COUNCIL RESOLUTION**

**Moved by Cr Munroe, Seconded by Cr Davenport**

***That the recommendations from the Special Committee of Council Meeting of 14 October 2019 Items 10.2.1 – 10.2.2 (inclusive) be received and adopted.***

**CARRIED UNANIMOUSLY**

### 10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
16.09.19 6:15-7:00pm	<b>Councillor Informal Briefing Session</b> <ul style="list-style-type: none"> <li>408 &amp; 410 Burwood Highway Vermont South</li> <li>2 Sergeant Street Blackburn</li> <li>Amendment C219: Permanent Significant Landscape Overlay, Schedule 9, Review of Submissions</li> <li>Electoral Representation Review 2019: Council's Response Submission</li> <li>Proposal to Name unnamed right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent Blackburn</li> </ul>	Cr Bennett (Mayor & Chair) Cr Barker Cr Cutts Cr Carr Cr Davenport Cr Ellis Cr Liu Cr Massoud Cr Munroe	S McMillan J Green N Brown T Wilkinson P Smith A De Fazio J Russell H Rowlands	Nil	Nil
23.09.19 6:30-8:15pm	<b>Major Projects Councillor Reference Group: Capital Works</b>	Cr Bennett (Mayor & Chair) Cr Davenport Cr Barker Cr Cutts Cr Ellis Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green N Brown T Wilkinson P Smith A De Fazio S Belmore M Ackland C Gipps	Nil	Nil
07.10.19 6:30-8:00pm	<b>Strategic Planning Session</b> <ul style="list-style-type: none"> <li>Privately Constructed Community Buildings on Council Land</li> <li>Financial Report as at 31 August 2019</li> <li>Media Relations</li> </ul>	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green N Brown T Wilkinson P Smith A De Fazio S Cann G Loftus	Nil	Nil
14.10.19 4:00-6:00pm	<b>Heritage Steering Committee Meeting</b> <ul style="list-style-type: none"> <li>Heritage Assistance Fund (HAF) applications and allocation of funds</li> <li>Post 1945 Heritage Study</li> <li>Other minor heritage matters</li> </ul>	Cr Cutts Cr Davenport	A Egan A North I Coleman	Nil	Nil

**10.3**  
 (cont)

<b>Meeting Date</b>	<b>Matter/s Discussed</b>	<b>Councillors Present</b>	<b>Officers Present</b>	<b>Disclosures of Conflict of Interest</b>	<b>Councillor /Officer attendance following disclosure</b>
14.10.19 6:30-10:00pm	<b>Councillor Briefing Session</b> <ul style="list-style-type: none"> <li>• Special Committee Agenda /Other Business Motions</li> <li>• Heatherdale Reserve Pavilion Development</li> <li>• Social Media Guide: Councillors</li> <li>• Draft Agenda 21 October 2019</li> <li>• Councillor Budget Arrangements</li> </ul>	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	S McMillan J Green N Brown T Wilkinson P Smith A De Fazio J Russell A Egan V McLean P Sutton S Belmore K Sinclair R Morrow D Seddon T Peak	Cr Carr disclosed an indirect conflict of interest in Draft Agenda item 12.3 Contractual Matter as she is a member on the board	Cr Carr having declared an indirect Conflict of interest in Draft Agenda item 12.3 Contractual Matter left the meeting at 9:25pm prior to discussion on the Item, returning at 9:45pm.

**COUNCIL RESOLUTION**

Moved by Cr Liu, Seconded by Cr Massoud

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

**CARRIED UNANIMOUSLY**

## 11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Cr Cutts reported on her attendance at the Youth Mental Health Forum held on the 14 October 2019.
- 11.2 Cr Massoud reported on her attendance at the MAV State Conference held on 17 October 2019 and 18 October 2019.
- 11.3 Cr Davenport reported on his attendance at the MAV State Conference held on 17 October 2019 and 18 October 2019.
- 11.4 Cr Bennett reported on his attendance at:
- National Local Government Mental Health Conference held on 11 October 2019
  - Eastern Metropolitan Health Forum held on 14 October 2019
  - MAV State Conference held on 17 October 2019 and 18 October 2019.

### COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Liu

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

**CARRIED UNANIMOUSLY**

## 12 CONFIDENTIAL REPORTS

### COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Massoud

***That in accordance with Section 89(2) (d), (e) and (h) of the Local Government Act 1989 the Council should resolve to go into camera and close the meeting to the public as the matters to be dealt with relate to contractual matters, proposed developments and any other matter which the Council or special committee considers would prejudice the Council or any person.***

**CARRIED UNANIMOUSLY**

The meeting was closed to the public at 8:54pm.

### Attendance

Cr Munroe left the Chamber at 8:55pm, returning at 8:57pm.

### COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Munroe

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

**CARRIED UNANIMOUSLY**

The meeting was reopened to the public at 9.52pm.

**9.1.3**  
(cont)

**13 CLOSE MEETING**

Meeting closed at 9:53pm

**Confirmed this 25<sup>th</sup> day of November 2019**

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**CHAIRPERSON**