WHITEHORSE
CITY COUNCIL

Whitehorse City Council

AGENDA

Council Meeting

on

Monday 30 March 2026 at 7:00 PM

To be held in the
Council Chamber
Nunawading Civic Centre

Members:	Cr Kirsten Langford	Mayor
	Cr Kieran Simpson	Deputy Mayor
	Cr Peter Allan	
	Cr Blair Barker	
	Cr Prue Cutts	
	Cr Andrew Davenport	
	Cr Daniel Griffiths	
	Cr Jarrod Gunn	
	Cr Jason Martin	
	Cr Ben Stennett	
	Cr Hayley Weller	

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AGENDA

1 Welcome

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.

Acknowledgement of Country

Whitehorse City Council acknowledges the Wurundjeri Woi-wurrung people of the Kulin Nation as the Traditional Owners of the land we are meeting on and we pay our respects to their Elders past, present and emerging and Aboriginal and Torres Strait Islanders from communities who may be present today.

2 Apologies

3 Disclosure of Conflicts of Interest

4 Confirmation of Minutes of Previous Meeting

Minutes of the Council and Confidential Council Meeting 16 March 2026

RECOMMENDATION

That the minutes of the Council and Confidential Council Meeting 16 March 2026 be confirmed.

5 Urgent Business

6 Requests to Speak

7 Public Question Time

8 Petitions

9 Notices of Motion

10 Council Reports

10.1 490-500 Burwood Highway, VERMONT SOUTH (LOT 1 PS 518296N) – Use and Development of the land for a Retirement Village, Remove, Destroy or lop vegetation and alteration of access to a Transport Zone 2 pursuant to Cause 52.29.

Department	City Planning and Development Director City Development

WH/2025/2
Attachment

SUMMARY

This report provides Council with an assessment of Planning Application WH/2025/2 at 490-500 Burwood Highway, Vermont South, which seeks the approval for the use and development of the land for a Retirement Village, removal of vegetation and alteration of access to a road in a Transport 2 Zone.

The key considerations for the report include whether the proposed development achieves an acceptable built form outcome in relation to the 'Residential Growth' zoning, in balance with policy and character objectives for both the surrounding area and the applicable decision guidelines of the Design and Development Overlay Schedule 6 and Heritage Overlay Schedule 23. Consideration must also be afforded to car parking and road safety requirements and whether the proposed development of the subject site would avoid unacceptable offsite amenity impacts for nearby residences.

As part of the planning permit application process, notice was given to adjoining properties and through placement of signs along the Burwood Highway frontage. A total of 51 objections were received. The objections raised issues relating to building bulk and excessive scale of form, overshadowing, overlooking and concerns around increased traffic impacts. A consultation forum was held on 13 November 2025, chaired by Councillor Gunn, where the issues were explored, however, no specific resolution was reached between the parties. Objector concerns have been addressed in further detail throughout this report.

The application was referred externally to Transport for Victoria for changes of vehicle access into Burwood Highway and the Department of Energy, Environment and Climate Action with regards to vegetation removal. Both referral authorities have supported the application subject to conditions.

This report assess the application against the relevant provisions of the Whitehorse Planning Scheme, including the purpose and decision guidelines of the Residential Growth Zone, Development Contributions Plan Overlay Schedule 1, Design and Development Overlay Schedule 6, Environmental Audit Overlay, Heritage Overlay Schedule 23, Significant Landscape Overlay Schedule 10, Vegetation Protection Overlay Schedule 5, Clause 52.06 (Car Parking), Clause 52.17 (Native Vegetation), Clause 52.29 (Land adjacent to

10.1 (cont)

the Principal Road Network) and Clause 65 (Decision Guidelines) and concludes that the proposal is acceptable subject to conditions.

RECOMMENDATION

That Council:

1. Being the Responsible Authority, having caused Application WH/2025/2 for 490-500 Burwood Highway, VERMONT SOUTH (LOTS 1 PS 518296N) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the Use and Development of the land for a Retirement Village in Residential Growth Zone Schedule 3, buildings and works within Heritage Overlay Schedule 23 and Design and Development Overlay Schedule 6, Remove, Destroy or lop vegetation in Vegetation Protection Overlay Schedule 5 and Significant Landscape Overlay Schedule 10, removal of native vegetation pursuant to Clause 52.17 and alteration of access to a Transport Zone 2 pursuant to Cause 52.29 is acceptable and should not unreasonably impact the amenity of adjacent properties.
2. Resolves to Grant a Planning Permit under the Whitehorse Planning Scheme for Planning Permit Application WH/2025/2 at 490-500 Burwood Highway, VERMONT SOUTH (LOTS 1 PS 518296N), and authorises the issue of a Notice of Decision to Grant a Permit in accordance with the *Planning and Environment Act 1987,* subject to conditions set out in Attachment 1 to the report.
3. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the *Planning and Environment Act 1987.*

10.1 (cont)

MELWAYS REFERENCE MAP 62 REF H8

Applicant:	Vermont Hill Pty Ltd T/A Vermont Hill
Zoning:	Residential Growth Zone Schedule 3
Overlays:	Development Contributions Plan Overlay Schedule 1
	Design and Development Overlay Schedule 6
	Environmental Audit Overlay
	Heritage Overlay Schedule 23
	Significant Landscape Overlay Schedule 10
	Vegetation Protection Overlay Schedule 5
Relevant Clauses:	
Clause 11	Settlement
Clause 12	Environment and Landscape Values
Clause 15	Built Environment and Heritage
Clause 16	Housing
Clause 17	Economic Development
Clause 18	Transport
Clause 32.07	Residential Growth Zone
Clause 42.02	Vegetation Protection Overlay Schedule 5
Clause 42.03	Significant Landscape Overlay Schedule 10
Clause 43.01	Heritage Overlay Schedule 23
Clause 43.02	Design and Development Overlay Schedule 6
Clause 45.03	Environmental Audit Overlay
Clause 45.06	Development Contributions Overlay Schedule 1
Clause 52.06	Car Parking
Clause 52.17	Native Vegetation
Clause 52.29	Land adjacent to the Principal Road Network
Clause 52.34	Bicycle Facilities
Clause 53.18	Stormwater Management in Urban Development
Clause 55	Two or More Dwellings on a Lot or Residential Buildings
Clause 65	Decision Guidelines
Ward:	Terrara Ward



Locality Plan

10.1 (cont)

BACKGROUND

The Site

The subject site is located on the southern side of Burwood Highway in Vermont South, 1.25km metres east of the intersection with Springvale Road and 1.33km west of the Dandenong Creek/edge of the municipality. The site has a frontage of 121 metres to Burwood Highway, and a depth of 191 metres, and a total site area of 2.59 hectares. The site has a slope of 112 metres from northern boundary to 105 metres to the south boundary. A 10 metre wide easement is located om the north-east section of the site for powerline clearance purposes.

The site has historically been used as the head office of the Australian Road Research Board (ARRB), with the buildings on the site established between 1970-1975 (according to Council aerial imagery). The site historically contained multiple buildings associated with this use, however several have recently been demolished under separately issued planning permits (see permit history in following section). Of note is the main 'administration building', a multi storey, brick building, which has been retained through demolition and is significant to the heritage overlay that applies to the site. Two dwellings previously located on the north-west corner of the site have also recently been demolished. At present, the site, including the existing building is vacant, which has been subject to vandalism and fire damage over recent years.

Two S173 Agreements apply to the site, as follows:

- Instrument W826669M – Between WCC and ARRB relating to the provision of drainage works and easement service the buildings.

The S173 agreements will be breached by approval of the proposed development.

10.1 (cont)



Figure 1 – Aerial view of the subject site (5 December 2024) showing historic conditions of the site

Schedule 23 of the Heritage Overlay is a site-specific Schedule, applying to this site only. The statement of significance of this site outlines the heritage significant aspects of this site, which include the administration building, as well as the landscaped setting around it, with the open space and surviving trees to the north and west in the front setback and courtyards. The statement of significance is as follows:

> *The former Australian Road Research Board represents the move of institutions and organisations from the inner suburbs Melbourne in the post-war period, taking advantage of undeveloped rural land in the outer fringe of Melbourne.*
>
> *Constructed in 1971-72 to a design by Mockridge Stahle & Mitchell, the Administration Building of the former Australian Roads Research Board complex is a fine and highly intact representative example of a Post-war Modernist commercial building. Through its simple massing and composition, particularly the repetitive fenestration and assured use of face brickwork, the building is a confident example of the type of building which typified institutional, and to a lesser extent commercial, architecture in the late 1960s and early 1970s. The Administration Building demonstrates typical characteristics of later post-war structures including the rhythmic façade of regularly spaced, deep set windows with distinctive, sloping brick sills, and a strong horizontal emphasis.*

10.1 (cont)

The site planning of the ARRB complex is an accomplished example of modular design allowing for flexibility and expansion that was in keeping with established principles of modernist architecture. The 'finger plan' layout provided the potential to expand the complex to the south and the courtyards separating the research laboratory 'modules' allow for light into the buildings on three sides, and an outlook into the landscaped spaces for the occupants.

The former Australian Road Research Board complex is enhanced by its large, landscaped front setback and the landscaped courtyards separating the research wings, designed by noted landscape architect Beryl Mann. Although partially compromised by the loss of the eastern part of the site in the 1990s, the combination of 3 open, grassed spaces, the retention of pre-existing eucalypts within the site, and the now-mature native perimeter planting to the northern and western boundaries, demonstrate the movement in the late 1960s and early 1970s to incorporate native trees and plants in landscape design for institutional complexes.

Site history

Planning Scheme Amendment C230whse

Planning Scheme Amendment C230whse was gazetted and came into operation on Wednesday the 27th of March, 2024 making the following changes:

- Rezone the land from the Transport Zone - Schedule 4 (TRZ4) to the Residential Growth Zone - Schedule 3 (RGZ3).
- Applied the Design and Development Overlay - Schedule 6 (DDO6) to the subject site.
- Applied the Significant Landscape Overlay - Schedule 10 (SLO10) to the subject site.
- Applied the Environmental Audit Overlay (EAO) to the site.
- Applied the Vegetation Protection Overlay - Schedule 5 (VPO5) to the site.
- Incorporated two statements of significance (heritage significance and Statement of tree significance) at Clause 72.04.

Amendment C230whse was a site specific amendment which rezoned the land from the historic 'Transport Zone', which reflected the former office use of the site for the Australian Road Research Board (ARRB). Given the site was no longer operating as the ARRB and was to be sold, the zoning was required to change as the Transport Zone cannot be applied to land in private ownership. The rezoning to 'Residential Growth' allowed for a repurposing of the site more consistent with the adjoining residential uses to its east and west.

As part of the amendment process, amendment C230whse was exhibited to surrounding residents and was subject to a Planning Panel hearing, which

10.1 (cont)

saw submissions from various residents, stakeholders and Council to address issues and concerns of the strategic directions on the site.

Through the implementation of the DDO and SLO controls as part of this amendment, it is ensured that the development of the site aligns with the identified character and landscaped context of the area, while the VPO and heritage controls ensure that the unique features of the site are retained and protected.

The new suite of planning controls implemented as part of the amendment provide a guide for the transition of the site from a redundant TRZ4 to a residential use, better aligning with the surrounding residential context and capturing opportunities for increased residential density for a site with good proximity to shops, services and transport options. The suite of controls now in place on the subject site provide a transparent set of expectations for guiding the development of the subject site and form the basis of the assessment throughout this report.

Previous planning permits

The site has been subject to a number planning applications and permits. The relevant recent applications are as follows:

- WH/1999/11158 was issued on the 11 April 2000 for a 2 lot subdivision.
    - This permit subdivided off land originally part of the site to the east and south, which now forms the Victoria Grange Retirement Village
- WH/2024/609 was issued on the 6 January 2025 for the Demolition of buildings on land under Heritage Overlay
    - It is to be noted that this permit granted the demolition of all the buildings on site excluding the ‘Administration Building’ which must be retained.

Other applications and permits on the site are for construction of storage shed, removal of native vegetation and installation of the electrical substation. These have no bearing on the application.

Section 57A amendment to WH/2025/2 (current application)

A Section 57A amendment was lodged on 7 November, 2025 to address vehicle access issues raised by council officers and objections relating to proposed use via Moondani Drive, which is privately owned land associated with the neighbouring lot and which the subject site does not enjoy right of access over. The S57A amendment altered the north-eastern vehicle access point to allow ‘exit only’ for residents of the proposed retirement village, with all vehicles entering the site via the north-west crossover directly into Burwood Highway.

The 57A plans made available to objectors and the plans were discussed at the consultation meeting held on the 13th of November 2025.

10.1 (cont)

Due to the modest nature of the change as would be perceived by persons outside of the proposed development itself, the change of access is determined to have no further material detriment beyond the arrangement included within the advertised documents. The amended plans were also subject to referral to Transport for Victoria and internally to Councils Transport Engineer.

These plans now form the determination material.

Surrounding area

The surrounding properties are primarily accommodation, containing a mix of private residential dwellings and a residential aged care facility. The immediate surrounding context can be described as follows:

North

To the immediate north of the subject site is Burwood Highway, beyond which are residential lots located within the Neighbourhood Residential Zone. These properties are typically 650sqm in area and contain detached dwellings orientated south towards Burwood Highway, with a mix of single and double storeys, in a design typical of a 1970's-1980's housing stock.

To the north-west of the subject site, west of Hanover Road is a single level, commercial building on a site of 27,179sqm containing the Vermont South Shopping Centre. The centre provides for a range of retail options, including supermarket (Coles and Aldi) and a range of other services. This property is located within the Commercial 1 Zone and is located directly north of the termination for Tram Route 76 which follows Burwood Highway to the west.

East and South

Land to the east and south of the subject site constitutes land forming a site of 3.9ha, containing the Victoria Grange Retirement Village.

To the east of the subject site is a three-storey building that contains the higher level care portion of the Retirement Village. Immediately interfacing are west-facing windows and balconies for the use of residents and staff. The north-east of the site contains 4 individual units as part of the retirement village with backyards of these units directly adjoining the shared boundary with the subject site.

To the south of the subject site is the 'village' portion of Victoria Grange, with the immediate interface providing for one apartment building and a community garden/outdoor bowling green, for use by Victoria Grange residents. Both of these are separated from the subject site by a landscape buffer.

West

To the west of the site are eleven detached dwellings (1 fronting Burwood Highway and 10 fronting Hartland Drive) with a mix of single and double storey dwellings. These properties generally have private open space areas directly adjoining the shared boundary with the subject site.

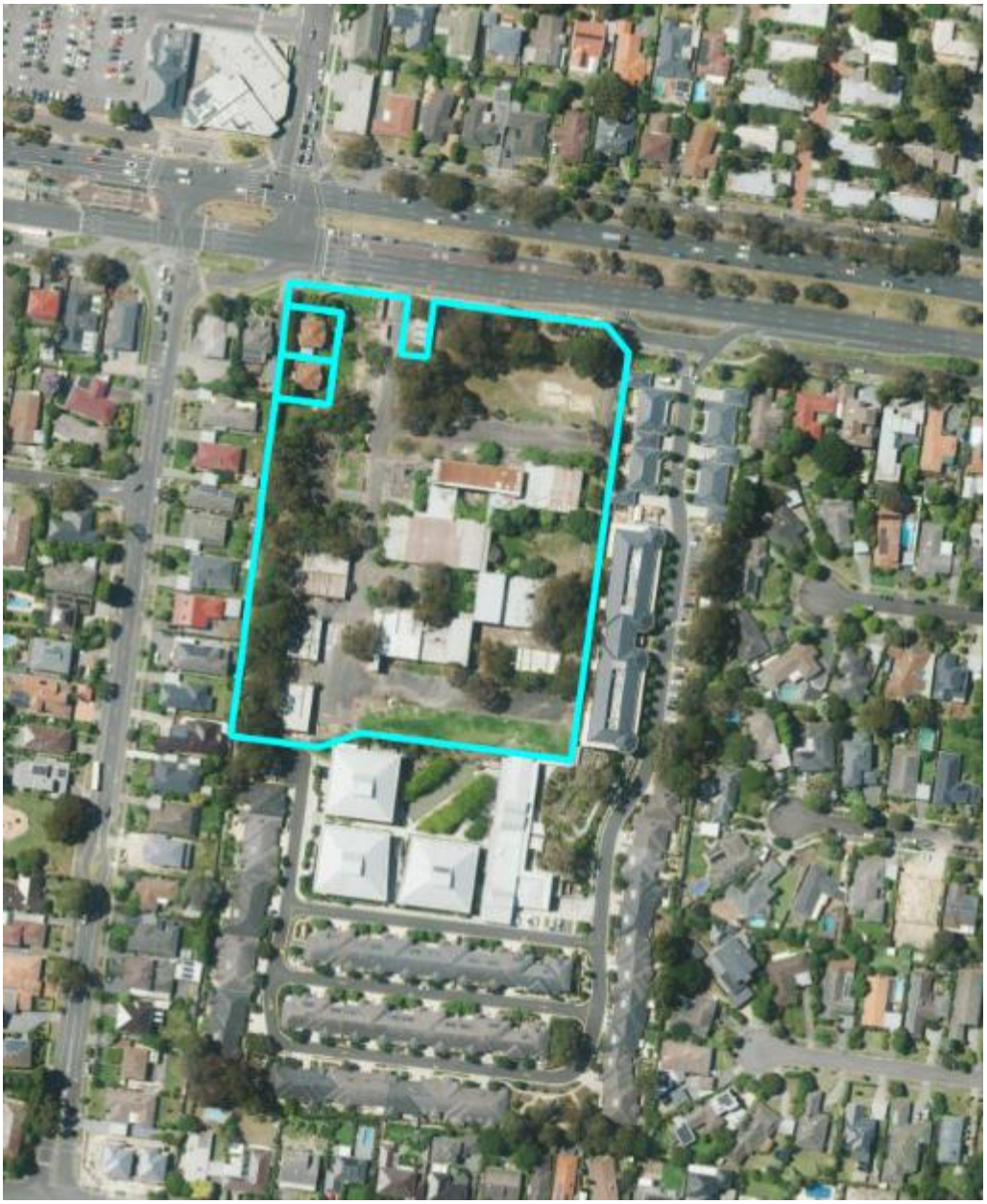


Figure 2 – Aerial view of the immediate surrounding area

Planning Controls

Clause 32.07 – Residential Growth Zone – Schedule 3

A planning permit is required for the proposed development under the Residential Growth Zone as follows:

- Pursuant to Clause 32.07-2 a permit is required to use land for a Retirement Village (nested under accommodation).
- Pursuant to Clause 32.07-9 a permit is required to construct a building or construct or vary out works associated with a Section 2 use (Retirement Village).

10.1 (cont)

Clause 42.02 – Vegetation Protection Overlay Schedule 5

Pursuant to Clause 42.02-2 a permit is required to remove, destroy or lop any vegetation specified in a schedule to the overlay.

Under Schedule 5 to the overlay a permit is required to remove, destroy or lop vegetation included in:

- Incorporated Document No. 13 City of Whitehorse Significance Tree Study, 2016.
- Incorporated Document: Statement of Tree Significance, 490-500 Burwood Highway, Vermont South (Whitehorse City Council, June 2023).

Schedule 5 to the VPO applies specifically to a single 'Yellow Box' tree, which is located on the eastern boundary of the site (identified as Tree No.124 in the arborist report) which is proposed to be retained. Lopping of Tree No.124 is proposed to ensure it remains a safe and key aspect of the proposed landscaping outcome, a permit is required for the lopping of this tree under the VPO.

Clause 42.03 – Significant Landscape Overlay Schedule 10

Under the SLO10, a permit is required to remove, destroy or lop a tree, however, this does not apply to:

- *A tree that has both:*
  - *A height of less than 5 metres; and*
  - *A single trunk circumference of less than 1.0 metres at a height of 1.0 metre above ground level.*
- *Any species listed as exempt from a permit requirement in the Table to this schedule.*
- *The pruning of a tree for regeneration or ornamental shaping.*
- *A tree which is dead or dying or has become dangerous to the satisfaction of the responsible authority.*
- *The removal, destruction, or lopping of a tree to the minimum extent necessary:*
  - *To maintain the safe and efficient function of an existing Utility Installation to the satisfaction of the responsible authority or the utility service provider; or*
  - *By or on behalf of a utility service provider to maintain or construct a Utility Installation in accordance with the written agreement of the Secretary to the Department of Environment, Energy and Climate Action (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).*

10.1 (cont)

A permit is required under the SLO10 to remove 84 of the trees on site, the specific trees requiring a permit for removal are outlined in the arboricultural table in attachment 5.

Clause 43.02-2 – Design and Development Overlay Schedule 6

Pursuant to Clause 43.02-2 a permit is required to construct a building or construct or carry out works.

Under Schedule 6, all buildings and works 'should be generally in accordance with Figure 1 – Concept Plan', with mandatory building heights, minimum setbacks and locations of buildings and works being outlined within 'Figure 1 – Concept Plan'.

A discussion on the applications response to the DDO6 is undertaken in further detail in the discussion section of this report below, which outlines the buildings compliance with the DDO-6, particularly with respect to the mandatory heights and setback controls.

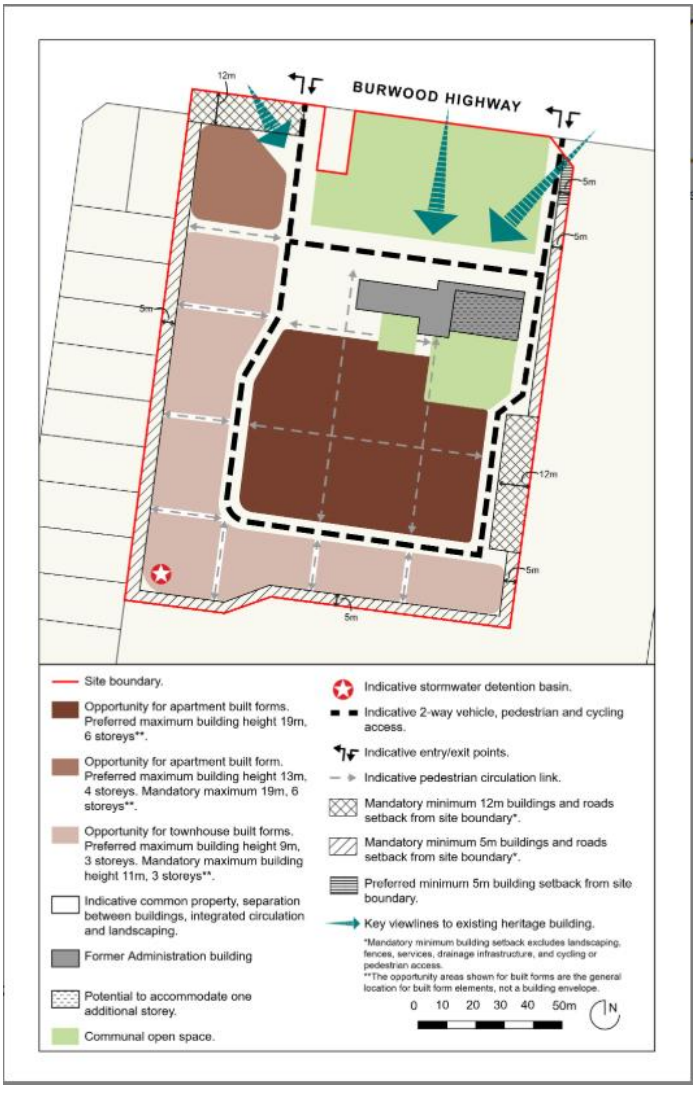


Figure 3 – Concept Plan from Design and Development Overlay Schedule 6.

10.1 (cont)

Clause 43.01-1 – Heritage Overlay Schedule 23

Pursuant to Clause 43.01-1 a permit is required to construct a building or construct or carry out works (including demolition).

Clause 45.03 – Environmental Audit Overlay

While the Environmental Audit Overlay (EAO) does not trigger a permit in itself, an environmental audit is required before a sensitive use (such as the proposed residential use) is undertaken or before the construction and carrying out of buildings and works in association with the use.

This will be addressed by way of permit conditions for the requirements of the EAO to be met prior to construction commencing.

Clause 45.06 – Development Contributions Plan Overlay

The Development Contributions Plan Overlay does not trigger the need for a planning permit but requires development contributions to be paid as part of the development. This will be addressed by way of permit conditions.

Clause 52.06 – Car Parking

Under Clause 52.06-5, the site falls both within Category 1 and Category 2 of the Car Parking Requirement Maps, as such, the rate of the higher Category (2) is taken. The table below outlines the uses proposed, the number of car parking spaces required under 52.06-5 and the number of car parking spaces proposed.

Land Use	**Rate**	**Measure**	**No.**	**Parking Required**	**Parking Provided**	**Difference**
Residential	1	To each dwelling	218	218	302	+84
Visitor	N/A	N/A	N/A	N/A	39	+39
Staff	N/A	N/A	N/A	N/A	5	+5
Total				218	346	+128

There is no requirement under the clause 52.06 to provide visitor parking associated with a retirement village, however thirty-nine visitor spaces would be provided on site. Similarly, there is no requirement for staff parking, but five spaces would also be provided. Overall, the development provides for a surplus of one hundred and twenty-eight parking spaces above the rate required under the planning scheme.

Access and traffic provisions of the development are assessed in further detail in the assessment section of this report.

10.1 (cont)

Clause 52.34 – Bicycle Parking

Under clause 52.34, Retirement Village is an unlisted use, meaning that the development does not trigger a requirement of bicycle parking under the scheme. Sixty-six bicycle parking spaces are provided. This is discussed in further detail in the assessment section below.

Clause 52.17 – Native Vegetation

Pursuant to Clause 52.17-1 a permit is required to remove, destroy or lop native vegetation, including dead, native vegetation which relates to six individual trees proposed for removal.

Clause 52.29 – Land adjacent to the Principal Road Network

Pursuant to Clause 52.29-2 a permit is required to create or alter access to a road in a Transport Zone 2. As part of an application under this Clause, any application must be referred to Head, Transport for Victoria for approval.

This application was referred to Head, Transport for Victoria who have supported the application subject to conditions.

Proposal

Land use

The application proposes the use of the land for a retirement village, which is defined under the planning scheme as '*Land used to provide accommodation for retired people or the aged and may include communal, recreation or medical facilities for residents of the village'.*

The proposed retirement village is to consist of 218 units split across 8 separate buildings, with the following mix of apartment numbers:

- 14 X 1 bedroom units
- 134 X 2 bedroom units
- 70 X 3 bedroom units

All dwellings will consist of kitchen, meals and living area, minimum 1 bathroom and amenity facilities, and an outdoor balcony or courtyard area. A high number of the units of 2 or more bedrooms will consist of more than 1 bathroom with an additional separate study area,

Other communal uses on the site for the residents will include a Cinema, sports bar/lounge area, workshop, art studio, gym/fitness studio, pool/spa/sauna area and a communal kitchen with a dining lounge space.

Ground level will also consist of several courtyards and gardens for various outdoor recreational needs of the residents, including passive outdoor seating areas, community gardens and an outdoor events space.

10.1 (cont)

Built form

The application proposes the construction of 8 separate buildings on site, consisting of 7 new buildings, and an alteration/expansion to an existing building which has been retained on the site.

The building features are as follows:

Building	Maximum building height	Minimum Setbacks and Building Separation
Building A (part existing building)	9.4m / 2 storeys	North: 60.7m to Burwood Highway East: 12.3m to Site Boundary South: 4.6m to Building B and 4.8m to Building C West: 5.6m to Building C
Building B	26.7m / 7-8 storeys	North: 4.6m to Building A East: 28.6m to the Site Boundary South: 9.8m to Building D West: 18.75m to Building C
Building C	26.95m / 7-8 storeys	North: 74.3m to Burwood Highway East: 18.75m to Building B South: 9.7m to Building E West: 16.6m to Building G
Building D	10.43m / 3 storeys	North: 9.8m to Building B East: 6.1m to the Site Boundary South: 5m to the Site Boundary West: 9.25m to Building E
Building E	10.9m / 3 storeys	North: 9.7m to Building C East: 9.25m to Building D South: 5m to south boundary West: 9.1m to Building F
Building F	11m / 3 storeys	North: 8.65m to Building G East: 9.1m to Building E South: 8.55m to site boundary West: 6.2m to site boundary
Building G	10.93m / 3 storeys	North: 12.25 to Building H East: 16.6m to Building C South: 8.55m to Building F West: 15.5m to site boundary
Building H	16.99m / 5-6 storeys	North: 12m to site boundary East: 12.35m to Building C South: 16.2m to Building G West: 5.15m to site boundary

10.1 (cont)

Car parking and access

Vehicle access and egress is proposed via two existing vehicle access points, one from Burwood Highway and the other from Moondani Drive, a privately owned service lane primarily servicing Australian Unity Victoria Grange Retirement Community. The existing north-western access point is proposed to be increased in width to provide an entry and exit lane separated by a 2m wide median strip. The north-eastern access point from Moondani Drive is proposed to be maintained and used as a secondary vehicle access point.

The internal road network will run from these access points to congregate at an internal roundabout which will provide access to the two basement entry ramps as well as to the southern portion of the site.

Car parking is to be provided within two basement forms, with one in the north-western section of the site, accessed off a vehicle ramp from the internal road access from Burwood Highway, and the main basement in the southern half of the site, accessed via a ramp running off the internal road near the north eastern internal road network of the site.

The plans indicate a total of 346 parking spaces broken down into the following allocations:

- Five (5) staff parking spaces;
- Thirty-nine (39) visitor parking spaces;
- Three-hundred and two (302) resident parking spaces.

Tree removal and landscaping

As part of the application, 91 trees which are scattered across the site are proposed to be removed to allow for the development, with 139 trees in total being retained.

Attachment 5 provides the tree assessment table, outlining all trees on site

Consultation

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Burwood Highway frontage. Following the advertising period 51 objections were received.

The issues raised can be summarised as follows:

- Building bulk and design response and impact on the interface to the neighbouring properties
- Height of building exceeding discretionary DDO limits
- Off site amenity impacts through overshadowing and overlooking.
- Increase in traffic and impact on surrounding road network

10.1 (cont)

- Use of Moondani Drive for vehicular access on the eastern entrance of the site.

The objections are responded to in more detail within the assessment section of this report.

Consultation Forum

A Consultation Forum was held on 13 November 2025, chaired by Councillor Gunn and attended by planning officers, the permit applicant and approximately 40 objectors. At the consultation meeting, the issues were discussed at length in relation to the plans amended post advertising, however no resolution was reached. All objections remain outstanding.

Referrals

External

Referral Authority	Type	Response
Transport for Victoria	Section 55 (Determining)	No objection to original or S57A Amendment, subject to conditions.
Department of Energy, Environment and Climate Action.	Section 52 (Recommending)	No objection and no conditions required.

Internal

Internal Department	Response
Transport Engineer	Council's Transport Engineer reviewed the application and the S57A amendment and has supported the proposal subject to conditions. Of note is a condition to be included to provide dimensions and widths of internal roads, footpaths and the internal 'on street parking' to ensure compliance with the requirements of the planning scheme.
Waste	Council's Waste Management officer is generally supportive of the proposed development subject to conditions.
Assets Engineer	Council's Asset engineer reviewed the application and was generally supportive of the proposal subject to conditions.
ESD Advisor	Council's ESD Advisor reviewed the application and supports the proposal subject to conditions.
Strategic Planning	The application (first rendition of plans) was referred to Strategic Planning, who raised the following comments: • *The location of building C which sits forward of the designated area for apartment forms, concerns are raised regarding the potential impact this may have on*

	the administration building which should read as standalone from Burwood Highway. • *The layout of Building H interrupts one of the three key viewlines to the existing heritage building. Coupled with the location of Building C, it is considered that the current design is not consistent with the DDO6 objectives. The administration building is intended to be read as standalone, and any proposed buildings and work should respect its mass, form and detail.* • *Any increases in height beyond the prescribed limits should be reconsidered. During the panel process for the amendment, Council's concerns with overall height were raised, noting that mandatory building heights seek to provide a suitable transition for adjoining NRZ5 land. Further justification must be provided to clearly demonstrate that excesses in height beyond the DDO6 requirements are acceptable.* The current application plans have been amended to address the above comments, which form part of the assessment/discussion in this report further below.
Heritage Advisor	The application was referred to Council's Heritage Advisor who has provided support for the proposal. In summary, the heritage advisor's comments are as follows: • *In conclusion, while some of the inherent issues associated with the sheer scale of the proposed development in relation to their impact on the form and setting of the former Administration building and the broader ARRB site are significant, it is considered that the most important aspects of the significance of the former Administration Building, while affected, will still be able to be readily recognised.* *These include: its representation of the move of institutions and organisations from the inner suburbs of Melbourne; the fine and largely intact representative example of a Post-war Modernist commercial building; and the large landscaped front setback.* • *The redevelopment of the site will unfortunately result in the loss of the landscaped courtyards separating the research wings, and much of the open space and landscaping that demonstrated the movement in the late 1960s and 1970s to incorporate native trees and plants in landscape design for institutional complexes.* *On balance however, it is considered that the proposal will not adversely affect the significance of the former Administration building itself, and its immediate setting.* A response to the development with respect to the Heritage Overlay and policy, taking into account the

	heritage comments is undertaken in further detail in the assessment section below.
Urban Design	External advice was sought from Urban Design Consultants (Blades Studio) who reviewed the initial application package and provided comments on the plans and made the following 6 recommendations: Recommendation 01 – Revise the floorplate of Building C • Increase in northern setback to retain the emphasis on the importance of the AARB administration building. • Increase western setback from the shared accessway to reduce building intensity where visible from the north. Recommendation 02 – Introduce a more-legible four storey podium to all elevations of Buildings B and C • Largely applied to the northern elevation of both buildings and to the internal central courtyard Recommendation 03 – Revise the siting of taller height in Building B • Further southern setbacks to reduce visual bulk. Recommendation 04 – Further refine the architecture of the proposal. • Greater diversity in hues and tones for buildings D-H, particularly along the southern boundary • Introduction of greater tonal diversity in podium finishes of Buildings B, C and H. • Reduction in visibility of all height above DDO6's preferred height for building's B and C Recommendation 05 – Revise the design of the shared space accessway to enhance pedestrian safety. • Setback of pedestrian pathways 1m from accessway • Access gates provided for ground floor dwellings • Reduction in extent of subterranean dwellings. • Greater passive surveillance to pedestrian link to Victoria Grange to the south. Recommendation 06 – Further reduce proposed offsite amenity impacts. • Ensure neighbouring secluded private open space will receive sufficient solar access. • Provide treatments to Building F to achieve overlooking compliance measures. The above recommendations were relayed to the applicant and workshopped through a series of meetings between the applicant, planning officers and Blades Studio prior to public notice of the application. As a result of these initial meetings an amended design was provided in response to

	the above recommendations, forming the advertised set of plans. The amended design was referred to Blades Studio again for comment who, with their latest advice (dated 13 August 2025), were generally supportive of the proposed development. The comments from Blades Studio on the advertised plans can be summarised as: • Improvement in architectural resolution has been achieved against the initial suite of comments provided. • Siting and setback amendments to the northern elevations are now more comfortable in response to heritage fabric buildings. • Improvement of southern viewlines along the internal accessway. • Western overlooking from Building F remains unresolved. The comments and recommendations from Council's Urban Design advice are discussed in the assessment section of this report below.

DISCUSSION

Zoning and Planning Policy Framework

Residential Growth Zone

Use of the land for retirement village

The use of the land falls under the definition of 'Retirement Village' which is defined within the planning scheme as:

- *Land used to provide permanent accommodation for retired people or the aged and may include communal recreation or medical facilities for residents of the village*

Decision Guidelines to consider for a Section 2 use include:

- *Whether the use or development is compatible with residential uses.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*

The proposal is considered an acceptable use of the land within the context of the surrounding area which is largely residential. While a retirement village is not a 'residential building' under the nesting diagrams of Clause 73.04-1, the use is a form of residential accommodation and as such is compatible with a 'residential area'. This use provides independent living to retirees in the form of apartments which is a form of housing consistent with a standard apartment or dwelling use. The proposed use will allow people to downgrade in dwelling size as their lifestyle and needs changs, within an area that

10.1 (cont)

provides for good access to services, such as shops, medical facilities and public transport. Further to this, the Victoria Grange development to the west and south is a similar use to the proposed retirement village, (albeit with a residential aged care facility component), and as such is compatible with this neighbouring property.

The use of a retirement village, being on the lower scale of aged care and more independent living, is considered an appropriate use and development of the site in the context of the area. The use of the site for a retirement village generally serves a need of 'ageing in place' and provides older people with the opportunity to remain living within their communities while downgrading to smaller dwellings. These outcomes are generally in line with the purpose of the Residential Growth Zone: to encourage a diversity of housing types in locations offering good access to services and transport including activity centre and town centres.

The Victorian Planning Policy Framework seeks to direct new development to existing urban areas that have access to public transport and facilities. The creation of 20 minute neighbourhoods within a 20 minute walk, is a key objective of the Victorian Planning System. *Plan Melbourne: Metropolitan Planning Strategy* is the state level metropolitan planning strategy to manage growth and change to 2050. This encourages redevelopment of underutilised land, particularly in urban renewal areas within close proximity to employment, various services and public transport infrastructure.

Policy context

As discussed above, the purpose of the RGZ is to encourage an increased density of housing while encouraging a diversity of housing types in locations offering good access to services and transport including activity centres and town centres. The zone also seeks to provide housing at increased densities, and at a scale that provides a transition between areas of more intensive use and development and other residential areas. While the proposed development exceeds the preferred height controls of the DDO6 with respect to buildings B and C, the site is an anomaly for the locality, in that it is capable of supporting a variety of building heights and built form outcomes and where higher than the suggested DDO heights, impacts can be absorbed within the site in light of increased setbacks and landscaping provisions. Of note, the proposed buildings are within the mandatory height limits form of the DDO and overall will ensure that the design response is consistent with the principles of the Design and Development Overlay and associated policy framework within the PPF and MSS.

While the proposed development would present a taller/larger visual presence than immediate surrounding sites, the surrounding residential environment has been addressed through positioning lower buildings toward the south and western interfaces, where there is lower scale residential development, whilst keeping the higher and bulkier buildings toward the centre of the site or at the Burwood Highway frontage. Siting each of the buildings to reflect these principles enables more sensitive interfaces to be respected, whilst still offering increased dwelling density through higher built form.

10.1 (cont)

Clause 11 - Settlement

The proposal responds to the objective of Clause 11.01-1S (Settlement) offering a range in housing choices, being located within an area with access to services, infrastructure and community facilities. The proposed retirement village would provide a differing range of housing choice for the community looking to downsize while remaining within the locale, and encouraging newer retiree residents to the area. This is further supported by the sites' access to public transport infrastructure, including bus and tram lines, as well the local shopping centre of Vermont South. Further out but still proximate are other more prominent shopping areas, including Burwood One, Forest Hill Chase and Westfield Knox for additional shopping and service's needs.

Clause 12 – Environment and Landscape Values

Clause 12 (Environment and Landscape Values) requires developments to *'conserve areas with identified environmental and landscape values'*, while Clause 12.01-1L (Protection of Biodiversity) and Clause 12.05-2S (Landscapes) seeks to protect and enhance significant landscapes while retaining biodiversity values with canopy tree replanting.

The site provides for an exceptional level of landscaping with planting of new trees, while retaining existing significant trees on the site. Of particular importance is the retention of the trees for the landscape area at the front of the site, which will assist in reducing built form from Burwood Highway and provide an integrated garden setting to the publicly viewable areas of the subject site. The proposed landscaping would ensure that the development will successfully blend with the landscaping character of the area inclusive of 127 new trees and an abundance of shrub planting throughout, which will ensure acceptable replacement planting for the vegetation that is being removed to make way for the development.

Clause 15 – Built Environment and Heritage

Clause 15 (Built Environment and Heritage) states that planning is to recognise the role of urban design, being design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods while ensuring all land use and development responds appropriately to the surrounding landscape, character, built form and cultural context.

In terms of built form, Clauses 15.01-1S (Urban Design) and Clause 15.01-1R (Urban Design – Metropolitan Melbourne) seek to create safe, functional and good quality urban environments with a sense of place and cultural identity coupled with a liveable city with quality design and amenity. More specifically, Clauses 15.01-2S (Building Design) and 15.01-5S (Neighbourhood Character) aim to achieve building and siting outcomes that contribute positively to the local context while enhancing the public realm, protecting cultural identity and neighbourhood character, and creating a sense of place.

The design of the buildings across the site aligns with this policy setting by providing a campus-style built form and layout, with buildings separated by

10.1 (cont)

generous landscaping areas and open space that balances the height of the proposed buildings against the public realm along Burwood Highway. In doing so, this retains the neighbourhood character and sense of place by continuing to provide open views and minimal built form along boundaries of the site. The design response is further enhanced by the materials selection and brickwork which is responsive to not only the character of the area, but the fabric of the traditional materiality of the former ARRB building on the site as supported within the Blades Studio urban design advice.

As outlined within Council's urban design referral response, the development provides for a strong architectural resolution through the following:

- Delineation of a four-storey base to both building B and C in all elevations and defines a clear four storey wall proportion to the internal street through architectural treatment and material variations.
- The 'warm coloured' brickwork within the lower levels of Buildings B and C is a direct reference to the Former Administration Building fabric and successfully integrates buildings with a common language expressed through the choice of materials across the site.
- The revised massing and expression of lower scale perimeter buildings (D-H) provide for a distinct sense of individual but related building identity.
- All elevations of the development are of high quality.

As evidenced above, the development provides a design that successfully provides for a good quality urban environment with a sense of place and cultural identity. Buildings will blend in with the character of the immediate surrounding neighbourhood, which is supported by Council's Urban Design advisor and consistent with policy under clause 15.01-1S.

Locally, Clause 15.01-5L (Preferred Neighbourhood Character) identifies the site within the Garden Suburban 7 Precinct, which includes the following Neighbourhood Character Strategy:

- *Site contemporary-designed development on larger lots with spacious, established gardens that contain substantial vegetation and trees.*
- *Set development back from side boundaries with sufficient space to provide vegetation and maintain a sense of spacing when viewed from the street, with buildings occasionally being built to one side boundary.*
- *Provide low and unobtrusive fencing, or leave front setbacks unfenced with well-landscaped settings to reinforce the informal streetscape character.*
- *Provide vegetation in private gardens, including large native and indigenous canopy trees, to enhance the existing landscape character of the Dandenong Creek corridor.*

10.1 (cont)

- *Accommodate more dwellings with slightly more compact siting than the remaining residential areas, but with space for large trees and gardens, in areas close to trams along Burwood Highway.*
- *Provide for medium density development with more compact siting while retaining space for landscaping, including trees, in areas identified for Substantial Change.*

The development is situated away from site boundaries to provide for substantial planting opportunities including both lower-level shrubs and canopy trees to ensure integration with established gardens on neighbouring sites. Substantial setbacks and vegetation will also be provided within the front setback, to ensure a large space being preserved at the front of the site with existing trees supplemented with new planting. This will ensure a generous sense of space is afforded when viewing the subject site from the public realm of Burwood Highway.

Further to this, Clause 15.01-2L (Environmentally Sustainable Development seeks to achieve best practice in sustainable development. The application was accompanied by a Sustainable Management Plan, as well as supporting reports that indicate the development will meet council's ESD Standards. This was supported by Council's ESD officer through referral and as such, the development meets this policy direction.

Clauses 15.03-1S (Heritage Conservation) and 15.03-1L (Heritage Conservation) seek to ensure the conservation of places of heritage significance while avoiding the demolition and removal of a heritage building. The site has historically had multiple buildings on the site in association with its former use as the Australian Road Research Board, however these have all been removed with the former administration building being retained. The development successfully conserves the former administration building whilst still achieving an outcome that provides for additional housing options, contextually appropriate landscaping and respect for the lower scale residential areas around it. The development will ensure that the significance of the heritage building within its prominent Burwood Highway location is retained and complemented through preservation of not only the heritage features and fabric but also the open setting that helps define its heritage significance. A detailed response to the Heritage Overlay is undertaken below in further detail.

Clause 16 - Housing

Clause 16 (Housing) seeks to provide housing diversity while ensuring long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space. Clause 16.01-1S (Housing Supply) aims for the facilitation of well-located, integrated and diverse housing that meets community needs, while Clause 16.01-1R (Housing Supply – Metropolitan Melbourne) seeks to manage the supply of new housing to meet population growth and create a sustainable city.

The proposal achieves the objectives of Clauses 16, 16.01-1S and 16.01-1R by providing alternative residential options in the form of retirement community living, allowing for a diverse housing options. The proposed

10.1 (cont)

development would provide for a range of apartment typologies, which will balance urban density, respect the local neighbourhood character and the heritage significance of the former administration building, while revitalising an underutilised strategic site. Further, the site is located within proximity to several services including several local activity centres, transport, recreational and other services. As such, the proposal meets the objectives of Clause 16.

Clause 17 – Economic Development

Clause 17 (Economic Development) requires planning to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential. Further, clause 17.01-1S (Diversified economy) seeks to strengthen and diversify the economy.

The proposal will provide a level of contribution to this policy, by providing for employment opportunities through the administration of the retirement village, maintenance of the buildings and landscaping, cleaning of communal areas such as the pool and gym and staff for the sports bar, lounge and dining area. This will ensure that the proposal will provide a contribution to the local economy, meeting this policy.

Clause 18 – Transport

Clause 18 (Transport) identifies that planning outcomes should ensure an integrated and sustainable transport system which provides access to social and economic opportunities, economic prosperity, contributes to environmental sustainability, and coordinates a safe and reliable movement of people and goods. More specifically, Clauses 18.01-3S (Sustainable and Safe Transport), 18.02-1S (Walking) and Clause 18.02-2S (Cycling) seeks to facilitate safe and efficient walking and bicycle networks and increase the proportion of trips made by these modes of transport while facilitating an environmentally sustainable transport system that is safe and supports health and wellbeing. Further, Clause 18.02-3R (Principal Public Transport Network) aims to maximise the use of existing infrastructure and increase the diversity and the density of development along the Principal Public Transport Network, particularly at interchanges (where public transport routes intersect) and activity centres.

The site is within an area that is well serviced by public transport options and close to existing services and amenities. The site is a 200m walk from the Route 75 Tram Vermont South terminus, which provides public transport access to Burwood, Camberwell, Richmond and the Melbourne CBD. Further public transport options include bus stops at the terminus, along Burwood Highway and Hartland Road, which provide access to the Routes 732 (Box Hill to Upper Ferntree Gully), 742 (Ringwood to Chadstone Shopping Centre) and 967 (Glen Waverley to Croydon Station via Knox City). This allows the site to have exceptional access to public transport options for future residents in accordance with Clause 18.02-3R. Further to this, the proposal allows for bike parking exceeding the required rate, with

10.1 (cont)

the internal street network providing for a pedestrian centric design promoting active transport not only within the site, but the wider neighbourhood. Due to this, the site meets the objectives of Clause 18.

Heritage

The subject site currently contains the former Australian Road Research Board administration building, which is individually listed on the Schedule to the Heritage Overlay of the Whitehorse Planning Scheme as HO23.

The site has significance as it represents the move of institutions and organisations from Melbourne's inner suburbs in the post-war period, to take advantage of undeveloped rural land in the then outer fringe of Melbourne. While the Overlay applies to the whole site, the most significant aspect of the heritage area is the former Administration Building, which is the only building on site following approved removal of all other non-contributory buildings.

The building was constructed between 1971-1972 and is an example of a highly intact post-war modernist commercial building, with simple massing and composition with repetitive fenestration. The building is a confident example of the type of building which typified institutional, and to a lesser extent commercial, architecture in the late 1960's and early 1970's. The building demonstrates typical characteristics of later post-war structures including rhythmic façade, deep set windows and a strong horizontal emphasis. Of note are the extensive landscaped front setback and courtyards throughout the site with a mature planting perimeter along the north and western boundaries demonstrating a classic 1960's-1970's institutional landscape design of native trees and plants.

While acknowledging that the new buildings proposed within the site, will represent a significant change and a departure from some of the heritage values, the new design will ensure a celebration of the existing administration building, the most significant and prominent part of the site, and still maintain its significance.

Buildings and works

It is evident within the plans and render material that the proposed development, in particular buildings B, C and H and to a lesser extent buildings D – G would provide a 'shift' in the heritage landscape and context of the administration building. It is therefore important to consider the impact the new buildings will have as they seek to blend into the background of the administration building, lessen any impact, and maintain the building's prominence when viewed from the public realm.

Through materiality and design, and building refinement through the application process, Buildings B and C achieve a successful integration in response to the administration building. Through the use of face brick work at the lower levels, which match the warm tones of the administration building, until just above the roof, the materiality and colour will ensure these buildings 'blend in' to the background behind it. The upper levels provide for a lighter tone concrete wall. This, combined with the setbacks from the administration building, will enhance the prominence of the significance of

10.1 (cont)

this building, providing for a defined visual hierarchy. This in turn places emphasis on the retained Administration Building, celebrating its significance.

In terms of the Building H footprint and maintenance of views to the Administration building, the applicant's viewline analysis has been reviewed and generally supported by council's heritage advisor. who has stated:

The main entry towards the western end of the Burwood Highway boundary is to be retained in a modified form but will continue to allow views to the Administration Building when entering the site to be retained..

While the design is not a 'splayed' outlined as depicted in the DDO6 concept plan, the viewline analysis demonstrates that that the desired sightlines would remain satisfactorily and can be supported on this basis of the northern frontage of the site otherwise having retained the emphasis on landscaping provision tied to the original design concept which is geared towards emphasising the Administration Building.

In terms of buildings D – G (Inclusive) these will be located toward the rear of the site, behind the more significant buildings B, C & H, and provide minimal visibility, from the street, thereby avoiding any significant impact on the heritage significance of the site.

The points above generally coincide with the outcomes sought under DDO-6 for protection of the Administration building with the requirements of the Design and Development Overlay Schedule 6 stipulating:

- *The former Administration Building should read as a standalone building from Burwood Highway.*
- *No buildings, except for landscaping, fences, services, drainage infrastructure, at-grade car parking and access, are to be constructed between Burwood Highway and the north façade of the former Administration Building. A planning permit cannot be granted to vary this requirement.*
- *Any car parking between Burwood Highway and the former Administration Building should be subservient to the landscape setting.*
- *Any proposed buildings and works at the rear of the former Administration Building should be respectful of the mass, form and detail of the former Administration Building.*
- *Any proposed buildings or works to extend above the former Administration Building should be:*
    - *Limited to one additional level above the eastern end of the building.*
    - *Setback at least 2 metres from the north façade.*
    - *Designed with a simple form and complementary materials to appear visually recessive relative to the existing building.*

10.1 (cont)

- *Any proposed buildings or works to extend the footprint of the former Administration Building should:*
  - *Be to the rear (south) of the former Administration Building.*
  - *Not exceed the height of the former Administration Building.*



Figure 4 – Massing architectural render viewed from Burwood Highway

The former administration building, which has been retained as part of the demolition works that occurred on the site, has been afforded prominence within the design as shown above in figure 4 when viewed from Burwood Highway. While other buildings can be seen within the background, the former administration building is read as a standalone building, achieved through setbacks and differing materials striking the contrast of the vibrant tones of the existing building and neutral tones of the buildings behind it. This will ensure the Administration Building will be provided with a thoughtfully constructed level of physical and visual separation when viewed from the public realm and prominent entrance points to the subject site itself.

The above is also enhanced with the at grade car parking and general absence of built form located in front of the building between Burwood Highway, with the landscaping proposed to assist in providing visibility to this building from Burwood Highway.

All works proposed to the former administration building are largely internal, considered ‘cosmetic’ to the existing façade and minor in nature (lift overrun, stairs to the rear etc.).

As such, it is considered that the development of the land is consistent with the design objectives and decision guidelines of the Design and Development Overlay Schedule 6 and heritage protection outcomes sought under the Heritage Overlay.

10.1 (cont)

Partial demolition and alterations/additions to administration building

No buildings are proposed to be wholly demolished as part of this application. Several outbuildings and part of the administration building were previously located on the site, however these have been removed, under approval of previous planning permit (WH/2024/609).

The existing administration building on site, which has significance under the Heritage Overlay, is proposed to be partially demolished to allow for the internal works and alterations to facilitate the proposed shared facilities, ancillary offices and apartments that will be within this building, post development. The partial demolition works consist of removal of existing window frames, removal of fire escape stairs at the south-east corner, the central portion of the building including internal fabric/floor slabs, roof and projecting rear wing, part of the rear wall of the single storey wing and the external stairs at the main entrance.

The demolition of these areas is to remove fire damaged aspects of the building within the roof and deteriorated window frames to ensure habitability within the building for future occupiers, and which will be replaced in a similar design as the existing. Other partial demolition is required to ensure adequate DDA access to the building and services with the parts being removed (stairs and rear walls) do not provide an important contribution to the building.

The remainder of the building, most notable the façade being the crucial part of the heritage fabric, is being retained, and are not part of the demolition works to this building. The demolition works are considered modest in the context of the whole building and will ensure that the existing significance of the heritage building will be retained and fit for repurpose. As such, the partial demolition to this building is appropriate in response to Heritage guidelines.

Overall, the proposal will provide for a successful heritage response in terms of new buildings, alterations to the existing building and from a landscape setting.

Built Form

As discussed earlier within this report, the Design and Development Overlay - Schedule 6 (DDO6) is a site-specific overlay geared towards supporting the adaptive reuse of the former Administration building on site. It guides how development for the remainder of the site is to occur while ensure high quality architectural, urban design and landscape outcomes responsive to the features and interfaces of the site.

Overall, the design is considered responsive to the Design and Development Overlay Schedule 6, with some areas of variation required where Buildings B and C (Central buildings behind administration building) sit above the preferred building height. As outlined below, the remainder of the development sits comfortably within the mandatory building heights and setbacks as required by the DDO6.

10.1 (cont)

The discussion below outlines the proposed development's response to the DDO6.

Building Heights

'Mandatory' heights under the DDO cannot be exceeded, while 'preferred' building heights can be exceeded (in both height and number of storey's) where an appropriate design response is achieved. The proposed building heights are listed in the table below:

Building	Proposed maximum building height	Mandatory or preferred building height under the DDO6	Compliant?
Building A (part existing building)	Built form located within existing building.		
Building B	26.7m / 7-8 storeys	19m and 6 storeys (preferred)	Variation sought
Building C	26.95m / 7-8 storeys	19m and 6 storeys (preferred)	Variation sought
Building D	10.43m / 3 storeys	11m and 3 storeys (mandatory)	Yes
Building E	10.9m / 3 storeys	11m and 3 storeys (mandatory)	Yes
Building F	11m / 3 storeys	11m and 3 storeys (mandatory)	Yes
Building G	10.93m / 3 storeys	11m and 3 storeys (mandatory)	Yes
Building H	16.99m / 5-6 storeys	19m and 6 storeys (mandatory)	Yes

The mandatory building heights which apply to Buildings D, E, F, G & H are compliant with the requirements and as such, meet the purpose of the DDO6 with respect to height.

Buildings B and C are listed with 'preferred' building heights, with both buildings exceeding the preferred building heights by 7m and 8m respectively. In considering the balance of strict compliance with the DDO, careful consideration must be afforded to the interplay between the additional height sought for Buildings B and C and additional open space arrangements afforded to the proposed development and how these interfaces are best managed with regards to neighbouring residences' amenity. In considering this additional height within the centre of the subject site, it should also be acknowledged that in many instances, the proposed development provides setback distances from boundaries which far exceed what could be sought under the DDO. The following section of this report will examine the building forms against the interfaces across the wider site in more detail.

10.1 (cont)

Built Form and interface management

With regards to built form under the Design and Development Overlay Schedule 6, all buildings and works should be generally in accordance with *Figure 1 – Concept Plan* outlined in the DDO (Attachment No xyz).

The Design and Development Overlay Schedule 6 dictates mandatory setbacks with the plan as shown in Figure 3 above. This requires a setback of 5m from the western and southern boundary, a 12m northern setback for the medium brown built form area and a 5m-12m setback from the eastern boundary.

The table below outlines the different sections of the proposed built form in relation to the required setbacks.

Building	Setback orientation	Required setback from boundary	Minimum provided Setback	Difference in setback	Compliant?
Building A	Eastern	5m	12.3m-28.6m	7.3m-23.6m	Yes
Building B	Eastern	5m-12m	13.55m	8.55m-1.55m	Yes
Building D	Eastern	5m	6.1m	1.1m	Yes
Building D	Southern	5m	5m	0m	Yes
Building E	Southern	5m	5m	0m	Yes
Building F	Southern	5m	5m	0m	Yes
Building F	Western	5m	6.2m	1.2m	Yes
Building G	Western	5m	15.5m	10.5m	Yes
Building H	Western	5m	5.15m-10.55m	0.15m-5.55m	Yes
Building H	Northern	12m	12m	0m	Yes

As evidenced above, the proposed development meets the minimum setback requirements of the Design and Development Overlay Schedule 6. While compliant with the setback metrics, the following section of this report examines the particular interfaces in more detail given the residential and sensitive nature of these interfaces.

The development proposes eight buildings (one existing and seven new) ranging in height between eight storeys at the centre of the site, 6 storeys

10.1 (cont)

within the north-west corner and curtailing down to three storeys along the more sensitive west and southern boundaries.

As outlined in the DDO6 the opportunities provided within the areas of preferred maximum height (buildings B and C) the design of this area should include:

- *At least two separate building footprints*
- *Generous separation between buildings to provide for landscaping, retention and/or planting of trees, communal open space and circulation*
- *Pedestrian links that are clear to the sky*
- *Articulation at each elevation (both in style and through urban design features) to avoid long, sheer, blank walls.*

Internal to the site, Buildings B and C provide for a separation by approximately 18m of an open landscaped area used for an uncovered communal outdoor space and pedestrian throughfare through the site. This is coupled with articulation across the levels, including varying setbacks and differing materials across the lower and upper levels, providing for a high level of visual separation and reduction in bulk and built form. This would primarily be appreciated from within the development site itself.

Buildings D-G (inclusive) which run along the outer edges of the site are required under DDO-6 to achieve a mandatory building height of 3 storeys and maximum height of 11m. While the DDO schedule contemplates ‘townhouse’ forms in relation to these boundaries, the typology is not a requirement (as opposed to the height and setback requirements). More critically, the proposed apartments provide for a height of 11m and 3 storeys that are within the mandatory requirements. The proposed apartments readily meet the required side and rear setbacks of the DDO-6 and in some instances provide up to 23.6m more than the setback requirements to achieve a generous provision of landscaping and open space along these boundaries. These setbacks in turn, soften the impact of the taller buildings, where any potential impacts of a higher building form are ameliorated through separation and landscape opportunities.

Northern interface – Burwood Highway

Building C presents northwards towards the Burwood Highway interface, with a proposed maximum height of 17m and 6 storeys, with the southern portion to the rear dropping in height to 10.97m and 3 storeys, transitioning down to the lower scale residential areas further south. Coupled with the generous retention of landscaping space across the site’s frontage, this allows for the landscaped presentation to Burwood Highway to remain the prominent feature of the site as viewed from the Highway.

Combined, Buildings A, B and C, being setback behind the former Administration Building providing a high level of visual recession, which, along with the fenestration, difference of materials, muted colour tones and high level of landscaping along the front boundary, will assist in minimising the presence of the two taller towers when viewed from Burwood Highway.

10.1 (cont)

The independent urban design comments from Blades Studio support the design response in its current form, with specific regard to retaining the prominence of the administration building within the prominent views from Burwood Highway, citing the following outcomes:

- Strong delineation of a four storey 'base' to Building B and C at all elevations, combined with the warm coloured brickwork provides an effective reference to the former Administration Building fabric.
- The massing and expression of the 'lower scale perimeter buildings (buildings D-H) all provide for a distinct sense of individual, but related, building identity generally consistent with the theme for built form arrangement previously on site.

Conditions were recommended to address certain aspects that remain outstanding but are able to be managed through minor modification, and which have been included within the recommendation.

This, coupled with the strong strategic support from the relevant clauses of the Planning Policy Framework, shows the design of the building will be a tasteful addition to the area, providing for a celebration of the Former Administration Building, an appropriate response to the character of the neighbourhood and will minimise off site amenity impacts to surrounding residences.

Southern interface

The DDO-6 requires that the 'townhouse development along the western and southern boundaries should each include a minimum of three physical breaks' which has been specified to avoid continuous built form and unacceptable bulk impacts to adjoining open space areas for neighbouring dwellings. This is achieved by the proposed design response along the southern boundary with the three buildings along the southern boundary (D, E & F) providing three distinct building forms with circulation and landscaping opportunities between. These breaks also protect the north facing open space areas of these residential properties to the north, enabling natural light and minimal overshadowing.

Western interface

To the west, the proposed development presents three distinct building forms (Buildings F, G and H) with two, three-storey buildings in the south-west and central west boundaries and a 4-6 storey building along the northern portion of this boundary.

Building H in the north-west corner, exceeds the preferred heights identified under the DDO but complies with the maximum height of 19m and 6 storeys. The DDO suggested built form outcome consists of two separate building footprints, with generous separation for landscaping and articulation at each level in an attempt to avoid sheer, blank walls. While Building H technically forms a single building footprint, the presentation of this building to its western neighbours achieves two clearly distinct building masses arranged one behind the other, with the higher form located to the Burwood Hwy frontage. The buildings are linked by a glazed internal corridor which provides a substantial contrast and lighter weight appearance than the

10.1 (cont)

adjoining brick buildings and effectively presenting a separation of forms in conjunction with the reduced height corresponding with the glazed bridging element.

Buildings G and F both readily comply with the setback and height requirements under the DDO-6. Of note Building F provides a 6.0m setback to the western building, while Building G further exceeds the mandatory 5.0m setback with a 15.5m landscaped setback to the west.

External amenity impacts on neighbouring sites

Overshadowing

No's 488 Burwood Highway and 1 Hartland Road

Under the planning scheme, assessment of overshadowing impacts does not apply to use and development for a retirement village, however, in assessment of appropriate outcomes and impact on the amenity on surrounding residential uses, it is considered that a discussion of the impacts is warranted to address policy direction and clause 65 Decision Guidelines.

To the west, an increase of overshadowing to secluded private open space (SPOS) would impact two residential properties at 488 Burwood Highway and 1 Hartland Road. While acknowledging this impact, the additional shadowing would be limited in its extent and occurs within the context of the building footprints, setbacks and mandatory height restrictions as expressly considered as acceptable under the DDO-6. The shadowing cast by the proposed development would largely dissipate by 10:00am (measured on September Equinox) which is reflective of the timeframes in which overshadowing controls are applied under a typical clause 55 (ResCode) assessment. While not strictly applicable, ResCode is a useful guide in this regard as to what constitutes an acceptable outcome.

Planning Officers are satisfied that these two properties which would be affected by the morning shadowing cast by the proposed development would not be unreasonably impacted. Given the extent of shadowing cast would cease shortly after 10:00am on the September Equinox, and remain out of shadow from the buildings throughout the remainder of the day, these SPOS areas would receive well in excess of the twenty-five square meters of sunlight access as suggested under a 'ResCode' assessment for a dwelling.

South and East – Victoria Grange

To the south of the subject site at the existing Victoria Grange Retirement community, the proposed development would create additional shadows to this property at all hours between 9am-3pm on September 22nd. Of note, the open space areas for passive and outdoor recreation, such as the outdoor bowling green and individual balcony and outdoor areas do not receive additional overshadowing. Any shadowing would only fall onto landscaping areas which sit adjacent to the common boundary between the two sites. As such this level of overshadowing is considered acceptable.

To the east, a limited amount of overshadowing occurs to one section of first floor balcony at Victoria Grange, at 3:00pm on September 22nd. This area is one of two groups of balconies at all levels, with another unshadowed

10.1 (cont)

balcony provided to the north with ground level being a non-trafficable/landscape buffer area. The shadowing of the balconies is modest given the limited impact time and is only for a minimal portion of the property. As such, this level of overshadowing is considered acceptable

Overlooking

There are a number of SPOS areas of neighbouring dwellings and at the Victoria Grange Retirement Village, which interface with the subject site and areas of built form. As with overshadowing, assessment of overlooking does not strictly apply to use and development for a retirement village, however, it is appropriate to take some guidance from Standard B4-4 (overlooking) to ensure the privacy of neighbouring properties is reasonably addressed.

To the west and eastern boundary, the majority of the proposed windows are located in excess of 9m from the boundary (which would reflect an acceptable outcome for overlooking were clause 55 (ResCode) applicable). Where setbacks are less than 9m, at building F and northern part of Building H at terraces and balconies, the applicant has been made aware that apartments will need to provide screening to ensure overlooking will not occur. This is currently not provided on the plans and is recommended to be included as a permit condition to be shown.

To the south, the plans indicate that overlooking largely is to the garden or communal areas of Victoria Grange and not within sensitive or habitable areas. Where there is potential for overlooking, from apartment E-0G03, screening has been provided, which is shown on the plans (pages TP09.01 & TP09.02). This demonstrates the screening measures and how it achieves the overlooking requirements.

As such, overlooking measures are provided to an acceptable level subject to conditions.

Internal Amenity

Quality of the dwellings

The retirement village proposes a total of two hundred and eighteen (218) dwellings across the eight buildings, with a mix of fourteen (14) one-bedroom, one hundred and thirty-four (134) two-bedroom and seventy (70) three-bedroom dwellings. This will include various floor layouts, providing a mix of dwelling sizes and diversity for the various needs of future residents.

All dwellings would provide for sufficient sizes for both master bedrooms and secondary bedrooms with living areas achieving sufficient dimensions and total areas to ensure that all habitable areas of the dwellings are useable and functional for future resident needs.

In terms of Secluded Private Open Space areas, each dwelling provides for a balcony or ground level terrace’s ranging in size from 11sqm-21sqm for balconies and up to 129sqm for the terraces. The size of each SPOS area is suitable for the individual dwellings to allow for the passive outdoor needs of the future residents.

10.1 (cont)

Due to the above, it is considered that the proposed development will provide for a high level of internal amenity of the apartments to enhance liveability of future residents.

Common Areas

The proposal includes a large amount of high-quality common areas with varying uses and purposes. It includes a sports bar, lounge and shared dining area in Building A, workshop, gym, pool and group fitness studio in Building C and an art studio in Building H.

The proposal also incorporates a large number of communal outdoor areas, including vegie garden, 'nature play' playground and events lawn in the northern section. Several courtyards with outdoor seating, lawn spaces and walking paths to the east and through the centre of buildings B and C. Lastly, a 'Forest Walk' is located on the western boundary behind Building G for more passive outdoor use. This adds to the variety of common spaces available to the future occupants, to enable recreational, social and passive activity allowing for a sense of community and activity within the development.

Noise and vibration

The development is adjacent to Burwood Highway, a major arterial road through eastern Melbourne which can generate the potential for noise and vibration impacts from this road reserve by way of vehicular movements from cars, busses and freight. No acoustic report was submitted to accompany the application, however, this can be addressed by way of permit conditions to provide an acoustic report of the proposed dwellings, to ensure that measurements are taken (such as double-glazed windows) to ensure that EPA noise protocols are adhered to given the extent of traffic noise generated from Burwood Highway onto the site. It is also noted however that the retention of the heritage building along the frontage of the site will act in part to mitigate noise from Burwood Hwy.

Sustainability

The application was accompanied by a Sustainability Management Plan prepared by ARUP and a Stormwater Management Plan prepared by Reeds Consulting which were referred to Council's ESD advisor who confirmed it met Councils ESD Standards for a development of this size and potential. This coupled with the compliance of the development with Clause 15.01-2L (Environmentally Sustainable Development) as refenced above, will ensure that the development meets best practice sustainable design measures in Water Management, Energy, Stormwater, Indoor Environment Quality, Transport, Waste, Urban Ecology and Innovation.

Noise

Noise levels from the development are not expected to exceed noise levels to other residential developments nearby, with noise emissions from the development expected to comply with the acoustic criteria outlined within the Australia Standards. All noise generating uses (i.e. garden areas, communal congregation areas, gym and swimming pool are located central to the site

10.1 (cont)

and largely internal, ensuring that any noise generated will not impact upon the amenity of surrounding properties.

Landscaping, Open space and Tree removal

Proposed landscaping

A significant aspect of the development is the high-level landscaping proposed, which accompanies, and has been designed to work in conjunction with, the proposed built form.

While a large portion of the existing trees are proposed to be removed from the site as part of this application, appropriate replacement planting is occurring with a large portion of native species and other canopy trees. Of specific note, trees which are being removed from the subject site have generally been limited to areas specifically contemplated for building footprints under the DDO-6.

As outlined below, 4 separate courtyards, while providing a level of interconnectedness, to provide open space for the residents are located throughout the site which will provide for a contributory landscaping outcome. This landscape theme includes canopy trees which interconnect to each other and will allow for an enhanced outcome to ensure that the existing landscaping character of the site is maintained, and the strong landscaping presence at the front of the site is carried through the rest of the development.

Toward the front of the site, a high level of landscaping will be provided between Burwood Highway and the bulk of the built form, including an open space area for use of the residents and canopy tree coverage. New landscaping includes provision of native canopy trees throughout the courtyards and along residentially zoned land at its interfaces.

The interfaces to residentially zoned land to the west and south will provide for a landscaped courtyard (western forest walk below), which provides a high level landscape interface to these residential properties.

As outlined in further detail below, the removal of the trees of the site and proposed landscaping response is compliant with other assessment areas of the planning scheme, including the SLO10, VPO5, Clause 52.17 – Native Vegetation and local policy of Clause 15.01-5L (Preferred Neighbourhood Character).

Open Space

The proposed development would provide a generous level of open space split into three separate ‘Zones’ as follows:

- An ‘Active/Social Zone’ (red in figure 6) in the form of an events lawn, shared produce garden, nature play and central courtyard, to allow for more active and socially centred outdoor activities for the residents.
- A ‘Passive/Reflective Zone’ (blue in figure 6) in the form of gardens, courtyards and a ‘nature forest walk’ to allow for a quieter and more relaxed outdoor use.

10.1 (cont)

- A ‘Circulation and Incidental Interaction Zone’ (orange in figure 6) which allows for circulation between the buildings and outdoor areas for residents.



Figure 5 – Open space areas with the respective zones as above (Private Open Spaces areas in Green).

There are several areas of note within these spaces which will enhance the user experience and attractiveness of the outdoor areas not just individually but for the development as a whole:

- The events lawn to the north of the site, which will provide for a space with an outdoor congregation focus, hosting different activities (i.e. movie nights, bocce games and such) for future residents. This space also includes a ‘nature play area’ for children visiting residents of the site and a communal garden for use of residents.
- The Western Forest Walk to the west of the site, with retention of existing trees, and establishment of infill planting, to provide a place of tranquillity for quiet outdoor recreation.
- The Eastern Courtyard and Bush Garden, a quiet area with timber decking for outdoor dining and a gravel path with a retained yellow gum, one of the significant trees on site, for more quiet outdoor activities.
- The central courtyard, which provides an outdoor area adjacent to the internal shared uses, including the sports bar, fitness studio and gym, with a lower courtyard and accessible activated ramps and stairs connecting the two.

10.1 (cont)

In terms of amount provided, as a guide, Clause 58 (apartment developments) requires 2.5sqm of open space per dwelling, which would equate to 595sqm for this development. The proposed open space far exceeds this with approximately 1,100sqm provided in the central courtyard, 1,073sqm in the eastern courtyard, 1066sqm in the western courtyard and 2,735sqm in the events lawn for a total of 5,974sqm of communal open space (23.06% of the total site area).

Overall, it is considered that the level and design of the open space will meet the outdoor needs of future residents, far exceeding basic standards.

Tree removal

The application includes the removal of 91 trees on site (while retaining 139) to facilitate the development. The tree impact report provided with the application indicates that the majority of the trees being removed hold a 'very low' to 'moderate' arboricultural rating in terms of health, structural integrity and overall value. One (1) tree is proposed for removal which holds a 'high' retention value, being Tree 101 (a brittle gum of 16m high with a DBH located in the rear area of proposed Building C) with a second 'high retention' tree being retained east of Building B.

The decision guidelines of Schedule 10 to the Significant Landscape Overlay state that the following must be considered:

- *The contribution of the tree to the landscape character of the site.*
- *Whether it can be clearly shown to the satisfaction of the responsible authority that the removal of trees has been minimised.*
- *Whether there is an existing encroachment into the TPZ of the tree by an existing building or sealed accessway, and whether the proposed works increase the extent of encroachment.*
- *The location of new and existing footings and impervious areas in relation to the calculated TPZ of established trees.*
- *The compatibility of buildings and works within the TPZ of any tree protected under the provisions of this schedule.*
- *The effect of any proposed lopping on the significance, health or appearance of the tree.*

The trees proposed to be removed are scattered throughout the site and as such, are considered to have a minimal collective contribution to the landscape character of the site. That said, the one high retention value tree being removed from the rear the existing Administration Building, will not have a significant impact on the landscape character when viewed from the public realm. It is acknowledged that loss of a high retention tree is not an optimal outcome. Officers and the applicant have worked hard to provide an outcome that appropriately balances tree and landscape retention with the desired outcomes of the DDO6, and on balance the loss of this tree is an acceptable outcome. Further, in considering that over 50% of trees on the site are being retained, with two high retention value trees, which will be incorporated into the landscape design, Planning Officers are satisfied that

10.1 (cont)

tree removal have on balance been minimised as a result of the development.

Tree retention and protection

Of the 139 trees being retained, 44 have encroachments into their Tree Protection Zones from buildings, basements or driveways as a result of the works. In many of the cases, this is considered only a minor encroachment under the Australian Standard. The Tree Impact Assessment, prepared by Tree Logic and dated 10 July 2025 indicates that the remainder of the trees, despite the major encroachment, are expected to remain viable as a result of the works, due to existing buildings and ground level surfacing existing in these areas, retention of some buildings on site and use of above grade surfacing can mitigate existing root loss. This, combined with the extra spacing around the high value trees that are being retained is in excess of the protection requirements of the DDO and as such, is considered acceptable on that basis.

There is a single Yellow Box tree covered by the Vegetation Protection Overlay Schedule 10 (Tree 124 on the eastern boundary of the site) which has had lopping occur on the central and lower western crown due to past limb failures. Despite this, this tree is being retained as it is still worthy of retention within the context of the site.

Conditions have been included in the recommendation for Tree Protection Management Plan and Tree Protection works to ensure that the trees will remain viable during construction.

Native Vegetation

Under Clause 52.17 (Native Vegetation) planning must consider the '*Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025)' which requires consideration of:

- Efforts to avoid the removal and impacts on native vegetation
- The role of the native vegetation to be removed in:
    - Protection of water quality, waterways and riparian ecosystems.
    - Preventing land degradation
    - Preventing adverse effects on groundwater quality
- The need to manage vegetation to preserve landscape values identified in the local planning scheme.
- Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.

Overall, the removal of the native vegetation under Clause 52.17 for this application is considered to meet the Guidelines above. As the site has been established with buildings and works for a number of years, the native vegetation being removed do not currently prevent land degradation or

10.1 (cont)

groundwater quality and do not contribute to the protection of water quality or riparian ecosystems, as evidenced by the site not being located near significant waterways). Further, the site is not one identified in an Area of Aboriginal Cultural Heritage Sensitivity ensuring that none of the vegetation is protected under the *Aboriginal Heritage Act 2006*.

The site has long been subject to a Strategic Planning process, which envisaged the extent of development as proposed to be within the areas where native vegetation exists. As such, it is considered that the proposed tree removal is unavoidable in balance with reasonable development opportunities for the site. It is to be noted that the majority of the trees being removed are either self-sown or planted within the last 50 years (with aerial imagery showing the site completely devoid of vegetation in 1975.

The application was referred to DEECA who had no objection to the removal of the trees. Conditions as required under the Guidelines will be included on the permit including offset planting offsite.

As such, the removal of the trees is considered to meet the decision guidelines of the scheme with respect to Clause 52.17.

Car Parking and traffic

Car Parking

As the site is located within the Principal Public Transport Network area, the rate in column B of Clause 52.06-5 applies. This provides an planning scheme requirement for 218 parking spaces. With 346 spaces being provided (an excess of 128) across the site this satisfies the car parking requirements under clause 52.06. As such, this parking requirement is met and is considered an acceptable outcome.

Vehicle access arrangement and car park layout

Vehicular access is proposed from Burwood Highway from the northwest of the site via an existing crossover for both access and egress, and an egress point for residents' vehicles only via an existing crossover to the northeast from Moondani Drive. Both of these arrangements were acceptable to Council's traffic engineer and Head, Transport for Victoria as confirmed through referral.

In terms of the basement layout and function, the proposal is considered to satisfactorily meet the design standards as outlined in Clause 52.06-9 including car space dimensions, access ways and gradients.

Traffic generation and surrounding road/transport network

Given the size and nature of the development, it is a given that there will be an increase in traffic volumes and impact on the local road network. The proposed use however, being a retirement village, is considered to generate a significantly lower amount of traffic than a regular residential development during an AM and PM peak and is likely to be consistent throughout the day.

10.1 (cont)

The Traffic Impact Assessment submitted with the application suggests the following traffic generation for the proposal:

Period	Outbound	Inbound	Total
AM Peak	70	22	92
PM Peak	40	52	92
Daily	441	441	882

As outlined above, it is estimated that the development will generate a total of 882 vehicle movements a day with the traffic distribution estimated to be as follows:

Peak Hour	Direction	Traffic distribution			
		North	South	East	West
AM Peak	Inbound	7%	7%	56%	30%
	Outbound	6%	7%	32%	55%
PM Peak	Inbound	10%	7%	36%	47%
	Outbound	8%	5%	50%	37%

This increase and percentage of distribution across the road network is considered acceptable within the context of Burwood Highway, a major arterial road, which will be able to accommodate this increase in traffic.

This analysis, combined with mitigating works on the surrounding road network, was not raised as a concern following referral to the DTP/TfV and as such, is considered an acceptable outcome.

Traffic and Transport response to the DDO6

The Design and Development Overlay Schedule 6 outlines the following requirements around Traffic and Transport:

- *Provide safe and appropriate access to Burwood Highway.*
- *Provide a permeable network of streets and open spaces to support safe and convenient vehicular, pedestrian and cycling movements.*
- *Provide appropriate road width to ensure practical and safe vehicle movements and to facilitate on-street parking.*
- *Car parking for apartment developments should be located at basement or semi-basement level.*
- *Any proposed streets and on-street parking should allow sufficient space for driveways, canopy tree planting in any proposed road reserves, utility services and emergency vehicle access.*

The development provides for two access/egress points, one from the north-west corner for vehicles to enter and exit the site, and the other from the north-east off Moondani Drive for vehicle egress only (consistent with the DDO6 plan in figure 3 above). Both Council's traffic engineer and Head, Transport for Victoria generally support this arrangement and as such,

10.1 (cont)

subject to conditions for clearway markings and removal of redundant crossovers included within the recommendation, this is considered safe and appropriate access to Burwood Highway.

The internal road network provides for 'on street' parking with pedestrian footpaths and widths of the roads to allow for cycling movements within the site. No works will occur to create impact to any on street parking externally along Burwood Highway, nor will they impact on pedestrian and cycling movements outside the site. Lastly, while not an apartment development, the proposed parking is located within two basement forms, which is in accordance with the requirements of the Design and Development Overlay Schedule 6. As such, it is considered that the development meets the DDO6 with regards to Traffic and Transport matters.

Bicycle Facilities

As a retirement village is an unlisted use under Clause 52.34, bicycle parking must be provided to Council's satisfaction.

The site provides for sixty-six bicycle parking spaces, split between forty-four for residents in basement and twenty-two for visitors at ground level. In considering context for other residential types (such as dwelling) a 218 apartment development would require 66 bicycle spaces (44 residents and 22 visitors) which would align with the proposed retirement village. Further to this, it is considered a reasonable assumption that residents who own a bicycle are likely to store internally within their dwelling or individual storage cages leaving more spaces for visitors and staff throughout. As such, the bicycle parking arrangement for the site is considered acceptable.

Environmental Audit Overlay

The use of the land for a residential building (retirement village) is deemed a sensitive land use. Under the Environmental Audit Overlay, before sensitive land uses can commence, preliminary environmental audits and assessments must be carried out by a qualified professional to ensure that no contamination of the land will impact upon the sensitive land uses.

A condition of permit will require the assessment and associated recommendations (from a suitably qualified contractor) for treatment/remediation works to occur prior to the commencement of works and occupation.

Response to Objections

The majority of topics of objection raised by objectors to the application have been discussed throughout the assessment section of this report above.

A number of objections received requested implementing a 'Keep Clear' section on Burwood Highway adjacent to Moondani Drive as well potential signalised intersection at this point of Burwood Highway. This was assessed by Department of Transport and Planning, who requested a condition of keep clear marking adjacent to the Moondani Drive intersection on Burwood Highway addressing these points of objection. The Department of Transport and Planning did not request for a signalised intersection of this point. As

10.1 (cont)

Burwood Highway is not a Council managed road, this can not be conditioned without request from the DOT.

CONCLUSION

The proposal for the *Use and Development of the land for a Retirement Village in Residential Growth Zone Schedule 3, buildings and works within Heritage Overlay Schedule 23 and Design and Development Overlay schedule 6, Remove, Destroy or lop vegetation in Vegetation Protection Overlay Schedule 5 and Significant Landscape Overlay Schedule 10, removal of native vegetation pursuant to Clause 52.17 and alteration of access pursuant to Clause 52.29* is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the Residential Growth Zone, applicable Overlays and Particular Provisions and the General Decision Guidelines of Clause 65.

The proposal is an acceptable redevelopment of underutilised residential land and will provide for increased housing options within the City of Whitehorse in the form of retirement units, for those wishing to downsize while remaining within their local community The development will provide options for people seeking retirement village living to relocate into the community of Vermont South and the wider City of Whitehorse. The development of the site will provide for a quality design with high level landscaping to ensure that it will integrate well with the existing character of the area.

The development has successfully integrated retention of a heritage building and its landscaped gardens into a contemporary form of retirement living, providing a positive contribution to housing options whilst respecting landscape character of the area.

A total of 51 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 subject to the recommended conditions.

ATTACHMENT

1 Attachment 1 - Conditions
2 Attachment 2 - Decision Plans
3 Attachment 3 - Landscape Plans
4 Attachment 4 - Figures from report
5 Attachment 5 - Arborist Report Tree Table

10.2 Contract 30651 - Demolition of Gowanlea, located at 1049 Whitehorse Road, Box Hill

Department	Project Delivery and Assets Director Infrastructure

Attachment

SUMMARY

The purpose of this report is to seek Council approval for the budget allocation and contract award for the demolition of the vacated Gowanlea Senior Accommodation building located at 1049 Whitehorse Road, Box Hill.

The building is no longer required for Council purposes and presents safety and security risks, including unauthorised access, vandalism and anti-social behaviour. Demolition will return the site to a safe and manageable condition, allowing Council to consider future options for long-term use.

A selective tender process was conducted via the State Government's Construction Supplier Register (CSR). Five submissions were received and evaluated against the approved weighted criteria. City Circle Demolition & Excavation Pty Ltd (City Circle) achieved the highest score and is the preferred tenderer.

The recommendation is to accept City Circle's tender for a lump sum amount of $834,404 (excluding GST) and allocate a total project budget of $1,165,000 (excluding GST).

RECOMMENDATION

That Council:

1. Approves the unbudgeted operating expenditure of $1,165,000 (excluding GST) for the Demolition of Gowanlea project to be funded from the current operating surplus, and to be incorporated into the 2025/26 full year forecast.
2. Accept the tender and authorise the Chief Executive Officer or delegate to sign the formal contract document for Contract 30651 for the Demolition of Gowanlea received from City Circle Demolition and Excavation Pty Ltd (ABN 27 006 399 766), of 2/50 Upper Heidelberg Road, Ivanhoe Victoria 3079, for the tendered amount of $834,404 (excluding GST), as part of the total expected project expenditure of $1,165,000 (excluding GST).

KEY MATTERS

The following key matters summarise the principal considerations relevant to Council's decision.

10.2 (cont)

Purpose of the works – The Gowanlea Senior Accommodation building has been vacated and is no longer required for Council purposes. Council has not yet decided on the future of this site. Demolition is recommended to mitigate safety and security risks (including unauthorised access, vandalism, squatting and anti-social behaviour) and return the site to a safe and manageable condition pending future use assessment.

Procurement process and market response – A selective tender process was conducted by inviting six pre-qualified contractors from the State Government's Construction Supplier Register (CSR). The tender was advertised via Council's e-Tender portal on 10 December 2025, with submissions closing on 30 January 2026. Total market engagement resulted in five formal submissions.

Evaluation approach – Submissions were evaluated in accordance with the approved *Procurement Plan* using a weighted attribute framework: Financial Offer (45%), Capability (25%), Credibility (20%), Local Content (5%), and Social and Environmental Sustainability (5%).

Preferred tenderer – City Circle Demolition and Excavation Pty Ltd (City Circle) achieved the highest overall weighted score and was assessed as providing the most advantageous outcome for Council. This reflected experience in comparable multi-storey residential demolitions, full ownership of specialised plant and machinery and the strongest sustainability approach of all tenderers. The site work is expected to take 10 weeks to complete, with a significant amount of hand work to be completed for the removal of asbestos containing mastic and brick expansion joints. Additionally, all material sorting will be undertaken on site as material is salvaged for recycling.

Financial impact – There is currently no allocated budget for these works; funding is proposed to be drawn from the 2025/26 operating surplus, subject to Council approval. The contract lump sum amount is $834,404 (excluding GST). A total project budget of $1,165,000 (excluding GST) is recommended and includes costs associated with the planning, procurement, project management and contingency.

Risk considerations – Key risks include public safety impacts, amenity impacts (noise and dust), hazardous material exposure, and protection of retained trees. These risks are considered manageable through contractual controls, a site-specific Traffic Management Plan (including restricted heavy vehicle movements during school peak periods), dust suppression measures, independent air monitoring where required, and arborist supervision for works within Tree Protection Zones.

Community impact – Short-term disruption (noise, dust and vehicle movements) is expected during demolition. Targeted communications will be undertaken with the adjacent college and residents prior to commencement, with controls in place to minimise impacts during school peak times.

10.2 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

The evaluation focused on identifying a contractor capable of delivering structural demolition and hazardous material removal in a constrained urban environment. City Circle was assessed as providing the most advantageous overall outcome, combining a competitive financial offer with the strongest sustainability performance of all submissions.

The alternative option of not proceeding with demolition would require Council to continue funding security and maintenance for a vacant building that remains vulnerable to unauthorised access, vandalism, and anti-social behaviour.

Consultation

Council's Procurement team have been consulted extensively to ensure that the procurement is compliant with the *Procurement Policy*.

Internal consultation was undertaken with Procurement, Project Delivery and Assets, Strategic Property, Property and Leasing, City Services, Communications, and Finance to support compliance, delivery planning, and alignment Council requirements.

Specialist advice was obtained to inform technical scope and controls, including input from architects, hazardous material specialists, arborists, and quantity surveyors. Service authorities have been engaged regarding required utility disconnections and abolishment's.

Targeted communications will be undertaken with the adjacent college and residents prior to works commencing.

Financial and Resource Implications

Contract 30651 for the Demolition of Gowanlea is a Lump Sum Contract.

The contract value is $834,404 (excluding GST), with a total expected project expenditure to $1,165,000 (excluding GST).

The project is proposed to be funded from the current operating surplus, subject to Council's approval.

	Budget	Expenditure
Total Budget	**$Nil**	
Preferred tenderer's lump sum offer (excluding GST)		$834,404
Project costs including consultant, project management and risk based contingency		$278,430
Authority fees, charges, permits, levies and utility services		$25,000
Other fees and costs, including; meter abolishment's, Fire Indicator Panel decommissioning, Section 29A Report and Consent, Hydroseeding		$27,166
Total Expenditure		**$1,165,000**

10.2 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	The project supports Strategic Direction 2 – Built of the *Integrated Council Plan 2025-2029* by removing a deteriorating asset and returning the site to a safe and manageable condition.
Financial and Resource Implications	The total expected project expenditure is $1,165,000 (excluding GST), which includes the preferred contract sum of $834,404 (excluding GST), and associated project costs and risk based contingency. Funding is sought from the current operating surplus and will be incorporated into the 2025/26 full-year forecast.
Legislative and Risk Implications	This procurement has been conducted in accordance with the *Local Government Act 2020* and *Council's Procurement Policy*. Failure to proceed with the demolition would result in continued exposure to safety and security risks, including unauthorised access, vandalism and anti-social behaviour.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	Broad community engagement was not required. Targeted communications will be undertaken with adjacent stakeholders prior to commencement of works.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	Internal collaboration was undertaken with Project Delivery and Assets, Strategic Property, Property and Leasing, City Services, Communications, and Finance to ensure alignment with project requirements and Council objectives. Specialist advice was obtained from architects, hazardous materials specialists, arborists and quantity surveyors. Relevant utility authorities have been engaged regarding required service disconnections and abolishment's.

10.2 (cont)

Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Confidential attachment: Contract#30651 Demolition of Gowanlea

Whitehorse City Council designates this attachment and the information contained in it as Confidential Information pursuant to Section 3 (1) g(ii) of the *Local Government Act 2020.This ground applies because the matter concerns This ground applies because the matter concerns commercially sensitive information.*

10.3 Chinese Cultural Centre Advocacy

Department	Communities, Engagement and Integrated Planning Director Community Services

Attachment

SUMMARY

At the 24 November 2025 Council meeting, Council resolved to receive a report from Council officers regarding the establishment of a Chinese Community and Cultural Centre in the Box Hill precinct. The report to:

a. Identify potential funding options from Council, State and Federal Governments and any alternate funding from the Chinese community and associated organisations;

b. Provide options for location within Box Hill and any appropriate management models;

c. Advise how best for Council to consult with the local Chinese community and organisations on the establishment of Chinese Community and Cultural Centre.

d. Include the submissions made to Council requesting the establishment of the Community and Cultural Centre.

e. Consider adding a Chinese Community Cultural Centre to Councils advocacy program.

This report responds to the resolution and makes a number of recommendations in support of continued advocacy for a Chinese Cultural Centre in Whitehorse, ideally Box Hill.

RECOMMENDATION

That Council:

1. Note this report.
2. Continue to support the Chinese Community of Whitehorse in their pursuit of a Chinese Culture Centre and endorse this project as Council advocacy priority.
3. Include the Chinese Culture Centre in Council's Advocacy Priorities Booklet and support the Chinese Community in their advocacy.
4. Write to Minster for Foreign Affairs, the Premier of Victoria and all relevant State and Federal Minsters and opposition leaders seeking support for this project and funding for a feasibility plan.
5. Allocate $50,000 in the 2026/27 Budget, contingent upon securing external funding of at least an equivalent amount to support the development of a feasibility study, and incorporate this allocation into the final 2026/27 Budget to be considered for adoption in June 2026.

10.3 (cont)

KEY MATTERS

The Chinese Community of Whitehorse have called on Council to support their Vision for the development and establishment of a Chinese Cultural Centre that serves as a dedicated space for the preservation, continuation and celebration of Chinese Culture in Whitehorse and Victoria.

To support the community, Council has hosted early stakeholder engagement and developed simple collateral to promote the project and assess whole of community sentiment.

This report provides insights and findings from preliminary exploration in support of this project; however a detailed feasibility plan is required to provide detailed assessment of options including potential site identification.

DISCUSSION, OPTIONS AND ANALYSIS

Demographics

City of Whitehorse

- Whitehorse is one of the largest Chinese communities in Victoria by absolute number of residents with Chinese ancestry (around 44,445 people), second only to the City of Monash (about 47,238).
- In the 2021 Census, about 26 per cent of the total population of Whitehorse reported Chinese ancestry. This is significantly higher than Greater Melbourne (about 8 per cent) and Australia-wide (about 5.5 per cent).
- Residents born in China numbered about 21,962, roughly 13 per cent of Whitehorse residents.

Box Hill

- Chinese ancestry is dominant in Box Hill, with around 46.6 per cent of residents identifying as having Chinese ancestry at the 2021 Census.
- Box Hill is widely recognised as one of Melbourne's most visible Chinese Australian communities and holds the highest proportion of Chinese ancestry in a Melbourne suburb.
- The proportion of Chinese born residents living in Box Hill is around 29.5 per cent, with high Mandarin and Cantonese language use (33.9 per cent and 8.5 per cent respectively).

  (Source i.d. consulting www.profile.id.com.au/whitehorse)

Site Options and Management Model

Stakeholder engagement confirmed community desire for the centre to be located in Box Hill with strong connection to the SRL (Suburban Rail Loop) to promote visibility and access.

Whilst Box Hill is a desired location being the heart of the Whitehorse Chinese Community, land availability is limited and costly. The Community have expressed some appetite to broaden the focus area for land acquisition

10.3 (cont)

including towards Glen Waverley which has the largest Chinese Community in Victoria.

Council will work proactively with the Chinese Community and other levels of Government to help the community identify and secure a suitable site. Council does not propose to allocate its land for the purposes of this project. Council land is managed in accordance with strategic planning principles designed to meet the evolving needs of community while safeguarding long-term sustainability and value. Currently there are no parcels of land or properties identified for this use.

The proposed built form and governance arrangement for this community centre are more inline with a private development with such examples being Millennium House Community owned and operated by Australian Multicultural Community Services through mixed funding including private donations.

Consultation

Preliminary stakeholder engagement has been undertaken to assess the need, desire and aspiration for a Chinese Cultural Centre. Over 70 people joined Council officers on 5 February 2026 to discuss the project and share their ideas. The main themes from the workshop are below with more detail provided in attachment 1.

Theme One – Activities and Use

Stakeholders want a vibrant, multipurpose hub that supports all ages, combining cultural activities, education programs, and social support services such as settlement help and women's career development. There are mixed views on daily use, with some favouring social leisure activities while others prefer a stronger focus on formal events and service delivery.

Theme Two – Building and Spaces

Stakeholders envision a centre that blends traditional Chinese cultural elements with modern design, incorporating features such as symbolic colours, feng shui principles, and flexible spaces ranging from large halls to quiet rooms and outdoor community areas. Box Hill was widely preferred for its cultural significance and transport access, with linkages to the Suburban Rail Loop widely preferred together with suggestions to improve connectivity to nearby areas like Glen Waverley and Balwyn.

Theme Three – Community and Culture

Stakeholders expressed the need to provide a culturally safe space that strengthens identity and belonging for Chinese Australians, with a strong focus on engaging younger generations and remaining neutral and non-political. A key difference on views expressed in the room was those wanting an exclusive community space for Chinese Australians and those preferring an open, inclusive model that promotes cultural sharing with the wider Australian community.

10.3 (cont)

Stakeholders stressed the need to reflect the diversity of Chinese backgrounds, including communities connected to Hong Kong, Vietnam, and Singapore.

Theme Four: Management Model

The governance of the centre was discussed as a point of importance, with stakeholders calling for a transparent, democratic management structure. Suggested models include a professional Board of Directors or an elected committee composed of community leaders and diverse representatives, including a mix of older and younger generations. There was some desire expressed for the group involved in the planning and design to be different to the management committee responsible for day to day operations to manage potential or perceived conflicts of interest in the planning stage.

Financial sustainability was a recurring concern, with suggestions to generate revenue through a membership base, social enterprises, or tiered rental rates where commercial users pay more than community groups.

Further community engagement

The Mayor and Council Officers convened a small group of proponents for the centre. This group will continue to partner with Council in the design of an advocacy campaign and future culturally appropriate consultation and engagement.

If this project gains funding for a feasibility study, Council will conduct a formal community engagement process to inform the project. The design of the engagement will be developed with the Chinese community to ensure it is culturally appropriate and attracts feedback from broad community representation.

Submissions received by Council advocating for the Chinese Cultural Centre are attached to this report. These provide further insights into the need and potential of the centre as a hub for connecting community and celebrating and preserving the Chinese culture in Victoria.

Funding Options

The Council resolution sought the identification of potential funding options from Council, State and Federal Governments and any alternate funding from the Chinese community and associated organisations.

Current State Government funding opportunity – Chinese Community Hall Hire Program

The Victorian Government have released funding for Chinese Community Organisations towards venue hire costs when a venue is hired for the purpose of their community or organisations activities that celebrate and share their history and traditions; build Chinese community connections, capacity and networks to participate in society and to access social and cultural opportunities. The Chinese Community Hall Hire Program provides small grants of up to $10,000 and larger grants of between $10,001 and $40,000 are available at the time of report preparation.

10.3 (cont)

This grant may be useful for a Chinese community group should they require dedicated space for their future planning related to this project and demonstrates the State Government commitment to support the Chinese community through exclusive access to this program.

Previous State Government funding opportunities include:

- 2024-25 Chinese Community Infrastructure Fund that provided up to $400,000 to Chinese Community Organisations for eligible projects including pre-construction activities such as feasibility studies or business plans.
- Expression of Interest for a Chinese Community Centre in Melbourne's East offering $2.4M. The EOI required matched funds from the applicant and be for the extension of an existing facility owned by the applicant organisation, or construction of a new facility on land already owned by the applicant organisation. The EOI closed in December 2025.

Potential Upcoming funding opportunities:

A forecast Federal Funding opportunity is promoted on the Department of Home Affairs website - Modernised Multicultural Grants Program. This program funds multicultural communities to connect and commune in a designated physical environment. It will target construction, upgrade or extension of infrastructure that provides demonstrated benefits to multicultural communities. According to the website new and emerging and rural communities will be prioritised for this $41 million program.

Council Funding:

Whitehorse City Council does not currently have an allocation in its current or long-term financial plan for a contribution to this project.

Other options for investment in the infrastructure planning include a Chinese Community Organisation making a co-contribution to leverage State and or Federal Funding as required by past funding streams and sponsorship arrangements from private or philanthropic parties.

Ongoing operational sustainability was raised in stakeholder consultation as a risk with options including diversified income streams such as obtaining Deductable Gift Recipient (DGR) status to allow the receipt of donations for the capital infrastructure and centre operational management, provision of ticketed events and/or commercial facility hire to generate operational revenue.

Advocacy

This report recommends including this project as part of Councils advocacy program and endorsed advocacy priorities. By doing so Council is able to actively support the Chinese community in progressing their Vision for a Chinese Cultural Centre.

10.3 (cont)

Council's Advocacy Priorities booklet identifies key priorities that require third party support to deliver significant projects and in turn positive outcomes for the community now and into the future.

Advocacy to the State Government should draw on the alignment with *"Victoria's China Strategy for a New Golden Era"* particularly noting the alignment and for the project to positively contribute to the following pillars:

> Community – Victoria's Chinese Communities feel represented, included, safe, empowered and understood.
>
> Cultural Exchange – Victoria and China share greater mutual understanding and appreciation of each other's cultures, histories and societies.
>
> Literacy and Capability – Victoria is recognised as a national leader in Chinese language capability.

As the project is still in the initiation (concept) phase, there are many details required to create a deeper understanding of the feasibility of the centre from capital development through to operational purpose and sustainability. It is proposed that the next step towards this project becoming a reality is for the development of a comprehensive feasibility study. It is proposed that the focus of advocacy at this stage is for the development of such a study.

Early Vision for Advocacy Purposes

Whilst substantial community consultation would be required to shape and confirm a vision for the centre, an early vision for a Chinese Community Cultural Centre has been shaped by stakeholder engagement for the purposes of advocacy:

> *A place where culture is lived, language is shared, and connections flourish. It will support learning, settlement, wellbeing, and belonging, while proudly preserving and celebrating the richness of Chinese heritage in Whitehorse and far beyond.*

Feasibility Study

A next step in bringing this vision to reality is the development of a comprehensive feasibility study. The scope of the study should address needs assessment, site requirements and identification and assessment of suitable land, facility concept plans, financial viability including capital and operating costs and sustainability, management and governance models and community engagement. The feasibility study is likely to cost $150k-$250k depending on the level of detail and extent of community engagement as an important artefact to leverage future capital funding,

Advocacy should focus on attracting funds to undertake the feasibility study in the first instance. Council may choose to contribute to this study as funding often requires a co-contribution.

10.3 (cont)

Advocacy Options:

1. Update Council's Advocacy Priorities booklet to seek Local, State and Federal Government and Philanthropic support to fund a feasibility study as the first stage of a Chinese Community Centre consideration within Whitehorse. The feasibility would detail (amongst other things)
    a. Program to achieve appropriate level of detail such as site, design, and use.
    b. Funding opportunities.
    c. Governance arrangements; and
    d. Land acquisition options.
2. Council undertakes further consultation with interested Members of Parliament to inform them of opportunities of a Chinese Community Centre in Whitehorse and seek a commitment for shared funding for feasibility study.
3. Council partner with key stakeholders to develop an advocacy plan that identifies the proposal, key themes, funding options and land acquisition options,
4. Council Officers proactively seek grant opportunities which exist or may be upcoming at a State and Federal level to fund a feasibility study.

Case Studies

A benchmarking exercise was undertaken to explore the existence of other like cultural centres across Melbourne and further afield, to understand how they were funded and how they operate. The findings of this research will be provided to Councillors with three case studies provided below.

The following case studies have been prepared to inform Council's consideration of the potential establishment of a Chinese Cultural Centre. The case studies provide benchmarking insights into facilities, including their scale, functions, governance models and funding approaches.

Information has been sourced from publicly available material and, where possible, supplemented by telephone discussions with representatives of selected facilities. In most instances, facility size has been estimated using satellite imagery and measurement tools (Nearmap) and should therefore be regarded as indicative only. Due to many of the facilities being established in the 1990s or earlier, detailed information regarding original capital costs, funding contributions and government grants is limited or unavailable.

The **Chung Wah Bentley Community Centre** in Western Australia is a planned multipurpose cultural and community facility with a projected opening around 2027. While the built facility represents a contemporary

10.3 (cont)

investment, it is institutionally anchored in the much longer history of Chung Wah Association, established in 1909 and representing Chinese communities in Western Australia.

Development has been enabled through the provision of land by State Government and approximately $6.75 million in combined State and Federal funding, supplemented by community fundraising contributions.

Financial sustainability appears to be aligned with the association's existing operational model, which includes diversified revenue streams such as memberships, fundraising, donations, program fees including education services, and delivery of community and aged care services.

The **Chinese Association of Victoria Inc.** provides an example of a suburban community facility centred on culturally specific programming delivered within a flexible, multi-use facility in Wantirna. A comparatively modest building footprint of around 865 m² on a large site of 19,700m². Established in 1992, the physical configuration is functional adaptability rather than featuring symbolic architecture, with a central hall and classrooms, kitchen facilities, and activity rooms enabling concurrent program delivery. Ownership of the land and facility, along with any historic capital funding or government contributions, cannot be confirmed through accessible records.

The Association operates under a charitable not-for-profit governance model and maintains sustainability through a combination of membership fees and venue hire revenue. Its stated purpose includes cultural preservation, welfare support, and facilitating integration within wider Australian society. Current programming is heavily focused on cultural education and social recreation, including a Chinese language school, Tai Chi, ballroom dancing, table tennis, and karaoke.

The centre is accessible to the public, with programs and services open to both association members and the broader community, fostering an inclusive environment for local participants.

The **Vietnamese Museum Australia** in Brimbank is another example of a community driven initiative. According to online research capital funding was provided by the Federal Government (approx.$9.7M) and State Government ($8.7) and almost $1M of community contributions while Brimbank Council entered into a private sale for the land in Sunshine at market value.

The Vietnamese Museum's vision aims towards "honouring the journey of freedom and the contributions of the Vietnamese community to the fabric of Australia".

10.3 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	The Whitehorse Community Vision 2040 and Council Plan 2025-2029 emphasise the importance of, and a commitment to, fostering inclusive, connected and healthy communities where people feel welcome and respected.
Financial and Resource Implications	The cost of preparing this report and proposed advocacy approach will be managed within existing resources. Council may choose to allocate a contribution to the cost of a Feasibility Study noting that many grant opportunities require a co-contribution. As the feasibility study has not been scoped an estimated cost is in the order of $150,000 to $250,000. It is recommended that Council allocate $50,000 in the draft 2026/27 budget as a contribution to a feasibility study subject to external funding of at least $50,000 being received. This approach demonstrates Council's commitment to working in partnership with others on the development of a feasibility study to progress this project. Council does not currently have an allocation in its current or long-term financial plan for a contribution to this project.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report.
Equity, Inclusion, and Human Rights Considerations	Section 19 of the Human Rights Charter requires public authorities, including local governments to adopt measures that protect and promote cultural diversity and inclusion. This could include measures and programs to support people from First Nations communities, or multicultural or multifaith communities, to engage freely in their cultural practices so they can preserve their cultures. The subject of this report is consistent with the requirement.
Community Engagement	Community Engagement has commenced as outlined in the report. As this is a community led initiative engagement with the Chinese community in particular will be important to ensure their unique needs and aspirations are best considered.

10.3 (cont)

Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	Officers have been provided with a White Paper "Proposal for a Chinese Cultural and Community Centre in Whitehorse" dated 9 February 2026 which outlines the need and aspirations outlined in this report. Several meetings with key proponents of the Project have occurred in the preparation of this report.
Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Insights from the Chinese Cultural Centre Stakeholder Workshop
2 ABAW Chinese Community Centre Concept BRIEF ONLY
3 White Paper

10.4 Tender Evaluation Report - Contract 30728 - Redevelopment of East Burwood Reserve South Pavilion

Department	Project Delivery and Assets Director Infrastructure

Attachment

SUMMARY

This report is to consider Tenders received for the redevelopment of East Burwood Reserve South Pavilion Contract 30728 and recommend the acceptance of the Tender received from Melbcon Pty Ltd, for the amount of $10,070,500 including GST and to consider the overall project expenditure.

The Tender Evaluation Report is provided in Confidential Attachment 1.

Following the Tender and the completion of a comprehensive evaluation and assessment process, a suitable qualified company is recommended for appointment to deliver the East Burwood Reserve South Pavilion Redevelopment.

RECOMMENDATION

That Council:

1. Accept the Tender and sign the formal Contract document for Contract 30728 for the East Burwood Reserve South Redevelopment, Civil works and Multicourt Nets received from Melbcon Pty Ltd (ABN 89 094 370 457), of 333 Maroondah Highway, Croydon North, Victoria, 3136, trading as Melbcon Pty Ltd, for the Tendered amount of $10,070,500.00, including GST; as part of the total expected project expenditure of $13,780,705.40, including GST.
2. Authorises the Chief Executive Officer or delegate to sign the necessary Contract documentation for Contract 30728.

KEY MATTERS

East Burwood Reserve is classified as a Municipal level open space and is approximately 16 hectares in size. The reserve is an important recreational destination for the local community, community groups and sporting clubs. The site supports a diverse range of active and passive recreation activities within the municipality.

The project location is East Burwood Reserve South Pavilion, 298 – 336 Burwood Highway, Burwood East, VIC 3151. This project delivers part of the overall East Burwood Reserve Master Plan which was endorsed by Council in October 2023.

The existing pavilion is an ageing facility and no longer meets the growing needs of the tenant sporting clubs or the community. It also does not meet

10.4 (cont)

current accessibility compliance standards, fails to meet contemporary standards for organised sports competition and does not provide equitable space, particularly for female participants.

The pavilion currently services the East Burwood Football Netball Club and the East Burwood Cricket Club. Both clubs have experienced increased participation in recent years, particularly growing in female participation. The existing facilities limit the ability to manage change-over between games and does not support the requirements of the Fair Access Policy, which promotes equitable access to sporting facilities.

The East Burwood Reserve Redevelopment Project proposes demolition of the existing South Pavilion and construction of a new pavilion facility supported by associated civil works and a renewed multicourt training net facility. The project will deliver improved sporting infrastructure and community facilities that support the long-term needs of the reserve. The scope of works is displayed in Figure 1.

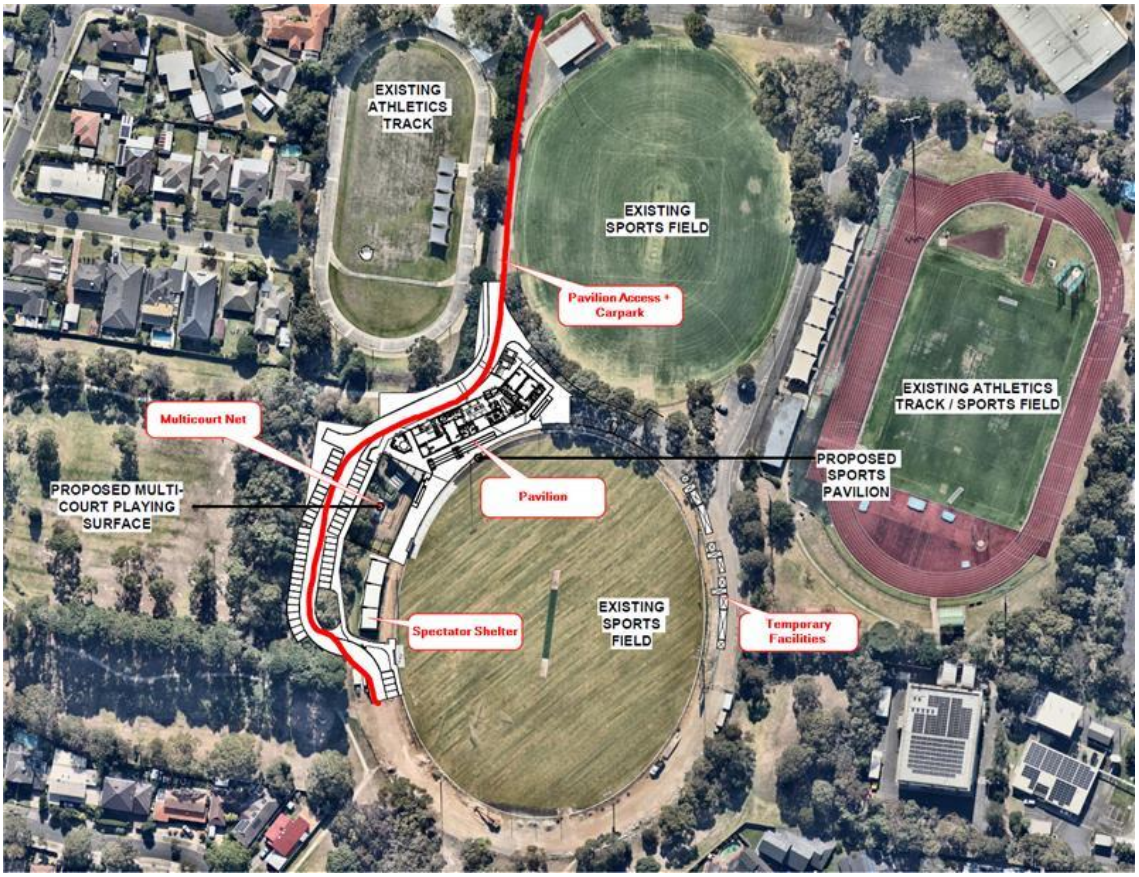


Figure 1. East Burwood Reserve Project Site Plan

The project is identified within Council's 10-Year Capital Works Plan and will support the continued growth of the sporting clubs while improving the amenity and functionality of the reserve. As mentioned above, the design is in accordance with the East Burwood Reserve Master Plan.

The current project consolidates three previously separate capital works projects, including the pavilion redevelopment, multicourt net upgrades and

10.4 (cont)

associated civil works (access and car parking). These projects have been combined and will be delivered under a single construction contract to improve coordination, reduce procurement duplication, minimise disruption to sporting clubs and reserve users and ensure quality standards are maintained across the build.

Delivering the works concurrently also provides cost efficiencies through contractor mobilisation, site establishment and coordinated construction sequencing. This approach reduces overall project costs, improves construction sequencing and minimises disruption to reserve users compared with delivering the works separately.

Contract 30728 will be delivered as a Lump Sum construction Contract and is not subject to rise and fall provisions.

DISCUSSION, OPTIONS AND ANALYSIS

Council Officers recommend that the Tender for Contract 30728 – East Burwood Reserve Pavilion Redevelopment be awarded to Melbcon Pty Ltd following completion of the competitive tender process.

The recommended contractor has demonstrated the capability, experience and capacity required to deliver a project of this scale and complexity. Following evaluation against the approved Tender criteria, including financial offer, capability, credibility and sustainability considerations, the recommended Tender represents best value for money to Council.

Proceeding with the recommended Tender will enable Council to deliver the pavilion redevelopment and associated civil works within the approved project budget and funding framework. The project is supported by external funding of $5.534M through the Federal Government's, Thriving Suburbs Program, which contributes significantly towards delivery of the project. Progressing the project will ensure Council meets the requirements associated with this external funding.

The redevelopment will deliver modern, accessible and inclusive sporting facilities that support the needs of current and future users of East Burwood Reserve. The new pavilion will provide contemporary change rooms and amenities that support equitable participation in sport and align with the objectives of the Fair Access Policy.

In addition to improving accessibility and gender equity outcomes, the new pavilion will provide improved community amenity and flexible spaces that can be used by community groups for meetings, functions and community activities. These spaces support increased community use of the reserve.

From an asset management perspective, replacing the ageing pavilion will reduce ongoing maintenance and repair costs, improve building performance and lower utility operating costs compared with the existing facility.

An alternative option would be to defer or not proceed with the project. However, this would result in the continued use of an ageing facility that does not meet current accessibility, participation or sporting standards. It also places risk on the external funding contribution with Thriving Suburbs

10.4 (cont)

Program and would delay implementation of key elements of the East Burwood Reserve Masterplan.

Council could choose not to deliver all of the projects displayed in Figure 1 to reduce the project budget. However, this would not reduce Council's contribution as external funding would need to be returned.

For these reasons, Officers recommend that Council proceed with awarding the Contract and delivering the project as proposed.

Background

Council undertook a select tender process for Contract 30728 – East Burwood Reserve Pavilion Redevelopment, inviting pre-qualified contractors listed on the State Government Infrastructure Construction Supplier Register (CSR) with demonstrated capability to deliver projects of similar scale and complexity.

The Tender was advertised through Council's electronic Tendering portal on 9 December 2025, with submissions closing on 6 February 2026.

A total of six Tender submissions were received and evaluated by a Tender Evaluation Panel comprising Council Officers and project consultants. The Tenders were assessed against the approved evaluation criteria, including Financial Offer, Capability, Credibility, Local Content, and Social and Environmental Sustainability.

Following the evaluation process, clarification requests and interviews with shortlisted tenderers, Melbcon Pty Ltd was identified as the preferred tenderer. The submission demonstrated a strong understanding of the project requirements, a capable project team and delivery methodology, and provided best value for money for Council when assessed against the evaluation criteria.

The detailed Tender evaluation is provided in the Tender Evaluation Report (Confidential Attachment 1).

Options

The Tender included several separately priced Tender Options. These items were identified during the design development stage as works necessary to achieve the preferred project outcome and to deliver the broader precinct improvements identified in the East Burwood Reserve Masterplan. The options were separated at Tender stage as a risk management measure to allow Council flexibility should tender prices exceed the available project budget.

Following evaluation of the Tender submissions, the recommended Tender including the Tender Options remains within the available project funding. Officers therefore recommend that all Tender Options be included in the contract to ensure the project delivers a complete and integrated precinct outcome.

While excluding the options is an option for Council, this would result in elements of the preferred design and Masterplan outcomes not being

10.4 (cont)

delivered as part of the current project and would reduce the overall functionality and amenity of the reserve. It would also limit the project's ability to fully align with the objectives of the Council Plan, which seeks to provide high quality, accessible and inclusive community infrastructure.

Delivering these works as part of the current project ensures the precinct is completed to the intended standard while avoiding the need for future standalone projects that would incur additional procurement, contractor mobilisation and construction costs, as well as further disruption to reserve users.

Consultation

Council Officers have undertaken consultation with relevant internal departments and external stakeholders throughout the development of the project.

External consultation was undertaken with the East Burwood Football Netball Club, Blackburn Cycling Club and the East Burwood Cricket Club, who are the primary tenants of the pavilion. Feedback from the clubs highlighted the need for improved changeroom facilities, increased amenity and spaces that support growing participation, including female participation in sport.

The project also aligns with the East Burwood Reserve Masterplan, which was endorsed by Council in October 2023 following community engagement undertaken as part of the master planning process.

Internal consultation was undertaken with Council departments including Leisure and Recreation Services, Infrastructure, Procurement and Finance, as well as the appointed project consultants. These discussions informed the project scope, design development and procurement approach.

Council's Procurement Team has been consulted throughout the Tender process to ensure that the procurement process is compliant with Council's Procurement Policy and legislative requirements.

Contract 30728 will be delivered as a Lump Sum Contract, with the contractor responsible for delivering the works in accordance with the contract drawings, specifications and tendered scope.

The Contract value for the construction works is $10,070,500 including GST ($9,155,000 excluding GST). The Contract is not subject to rise and fall provisions.

Works undertaken as part of this Contract will be delivered in accordance with the project documentation prepared by Council's appointed consultants, including the project architect, engineering consultants and quantity surveyor, who will continue to provide design and contract administration services during the delivery phase.

Funding for the project will be from the approved Capital Works Program and external funding secured through the Federal Government's Thriving

10.4 (cont)

Suburbs Program. The Contract will be administered and managed by Council's Project Delivery and Asset team.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Strategic Direction 1: Community Objective 1.3: A healthy and active community The redevelopment provides modern facilities that support participation in sport and recreation, encouraging physical activity and contributing to improved community health and wellbeing. Strategic Direction 2: Built Objective 2.1: Safe and accessible public places The project improves accessibility and safety through improved circulation areas and a new pavilion designed to meet current accessibility standards. Objective 2.2: Community facilities and shared spaces are well used The project involves constructing a new pavilion, road works, and multicourt nets, all designed to enhance community use. Objective 2.4: A desirable and well-presented City The delivery of a new pavilion, access road and multicourt nets will enhance the functionality of the reserve and support increased community use. Strategic Direction 4: Natural Objective 4.2: An environmentally sustainable and climate resilient city The pavilion incorporates sustainable design principles to improve building performance and reduce long term operational impacts. Alignment with Whitehorse Community Vision 2040 Theme 1: Diverse and Inclusive Community The new pavilion provides accessible and inclusive facilities for people of all abilities, including modern change rooms that support increased participation in sport and promote gender equity for women and girls. Theme 2: Movement and Public Spaces The project enhances public space through the delivery of modern community facilities and supporting infrastructure, including the access road

10.4 (cont)

<table>
<tr><td></td><td>and multicourt nets, improving connectivity and functionality across the reserve.

Theme 5: Sustainable Climate and Environmental Care

The project incorporates sustainable design principles that improve building performance and support Council's sustainability objectives, contributing to a more environmentally responsible and climate resilient community facility.

Theme 7: Health and Wellbeing

The project delivers modern facilities that support community sport and active lifestyles, contributing to improved health and wellbeing outcomes.</td></tr>
<tr><td>Financial and Resource Implications</td><td>All financial or resource implications arising from the recommendation contained in this report are included in the confidential Tender Information Report.

The Tender process included a Best and Final Offer process.

The recommended tendered amount of $9,155,000 excluding GST; as part of the total expected project expenditure of $12,572,914 excluding GST can be delivered within the available budget of $12,748,041, excluding GST. This recommendation maximises use of the external funding.

The budget comprises:

<table><tr><td>Council Funding</td><td>$7,213,490</td></tr><tr><td>Federal Government Grant</td><td>$5,534,551</td></tr><tr><td>Total Budget (excl. GST)</td><td>$12,748,041</td></tr></table></td></tr>
<tr><td>Legislative and Risk Implications</td><td>There are no legal or risk implications arising from the recommendation contained in this report.</td></tr>
<tr><td>Equity, Inclusion, and Human Rights Considerations</td><td>It is considered that the subject matter does not raise any human rights issues.</td></tr>
</table>

10.4 (cont)

Community Engagement	Community Engagement for the East Burwood Reserve Masterplan was undertaken in two phases (2022–2023) and included consultation with reserve user groups, sporting organisations and the broader community. Engagement involved one-on-one meetings with clubs, discussions with peak sporting bodies, community surveys and on-site engagement, followed by further consultation on the draft masterplan. This process helped identify the adequacy of existing pavilion and supporting facilities, gather feedback from user groups, and inform future pavilion improvements to ensure they respond to the needs of clubs and the broader community. Over 3,000 total responses were received across two phases. Community members were further informed via Council's Your say page for East Burwood masterplan early 2026 to provide further information on pavilion, road and multicourt net project. This included communication on the construction timeline, and scope of works for ongoing and upcoming projects. In addition, there has been ongoing engagement with the key pavilion user groups throughout the design phases, including East Burwood Football Netball Club, East Burwood Cricket Club and Blackburn Cycling Club.
Innovation and Continuous Improvement	A significant innovation in this project is the decision to cluster the delivery of the pavilion, road realignment, and multicourt net projects through a single Head Contractor. This consolidated construction approach is expected to deliver financial and time efficiencies by reducing duplication in project establishment, construction management, and contract administration costs. It will also support improved coordination of works and scheduling, reduce potential construction impacts and conflicts, and enable risk to be managed through a single contracting entity. This approach represents a notable shift in the project delivery strategy.
Collaboration	No collaboration was required for this report.

10.4 (cont)

Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 C07 Tender Evaluation Report - 30728 - EBR South Pavilion

Whitehorse City Council designates this attachment and the information contained in it as Confidential Information pursuant to Section 3 (1) g(ii) of the *Local Government Act 2020.This ground applies because the matter concerns commercially sensitive financial information relating to Council's internal budget allocations, contingencies and cost assumptions.*

10.5 S5 Instrument of Delegation from Council to the Chief Executive Officer

Department	Governance and Integrity Director Corporate Services

Attachment

SUMMARY

The purpose of this report is to present the *s5 Instrument of Delegation from Council to the Chief Executive Officer* (the Instrument) for adoption.

Section 11(1)(b) of the *Local Government Act 2020* (the Act) enables Council to delegate powers, duties and functions to the Chief Executive Officer (CEO).

The Instrument is presented as a matter of good governance with no amendments proposed. Regularly reviewing and updating delegations ensures Council's powers are exercised lawfully, reflect current legislative requirements, and maintain appropriate accountability and oversight.

The Instrument is provided at Attachment 1.

RECOMMENDATION

In the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), Whitehorse City Council (Council) resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

10.7 (cont)

KEY MATTERS

Section 11(1)(b) of the Act enables Council to delegate powers, duties and functions to the CEO.

This delegation is subject to a range of conditions and limitations. Specifically, the delegate must not make a decision or take any action that involves, but not limited to:

- Awarding a contract or incurring expenditure exceeding $1,000,000 (excluding GST);
- Appointing an Acting Chief Executive Officer for a period longer than 28 days;
- Electing the Mayor or Deputy Mayor;
- Granting a reasonable request for leave under section 35 of the Act;
- Making any decision relating to the employment, dismissal, or removal of the Chief Executive Officer;
- Approving or amending the Council Plan.

This review has been prompted by the recent organisational restructure to ensure Council's delegation framework remains aligned, current and reflective of updated responsibilities. No amendments to the Instrument are proposed as a result of this review.

DISCUSSION, OPTIONS AND ANALYSIS

Adoption of the Instrument is necessary to:

1. Enable the Chief Executive Officer to execute the s6 Instrument of Delegation to staff;
2. Ensure statutory powers are exercised lawfully and within required timeframes; and
3. Maintain clear governance and accountability under the Act.

Failure to review and update Instruments of Delegation could impact the organisation's ability to meet statutory obligations.

10.7 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	Council is not a natural person and therefore, on a practical level, must undertake its responsibilities through others, usually through Council officers. Delegation of a Council power enables a member of Council staff to act on behalf of Council and allows for the effective day-to-day functioning of Council. Reviewing Council's Delegations ensures Council continues to comply with its obligations under various Acts and Regulations and enables the business of Council to be carried out efficiently. Updating and managing instruments of delegation ensures compliance with s11 of the Act. Councils are required to maintain a register of all instruments of delegation that are in force in accordance with s11 of the Act.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 s5 Instrument of Delegation - Council to Chief Executive Officer (CEO) - 30 March 2026

10.7 (cont)

10.6 S6 Instrument of Delegation from Council to Members of Council Staff

Department	Governance and Integrity Director Corporate Services

Attachment

SUMMARY

The purpose of this report is to present the *s6 Instrument of Delegation from Council to Member of Council Staff* (the Instrument) for adoption.

The Instrument sets out the legislative powers Council may delegate directly to staff that cannot be sub-delegated by the Chief Executive Officer (CEO).

Council subscribes to the Maddocks Delegations and Authorisations Service, which takes into consideration all legislative amendments up until January 2026. The Instrument has been reviewed and updated to ensure alignment with current legislative requirements and includes amendments to reflect the recent internal organisational review.

The Instrument is provided at Attachment 1.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Whitehorse City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer.
3. On the coming into force of the instrument all previous s6 delegations to members of Council staff are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

10.7 (cont)

KEY MATTERS

Delegations are made to positions within the organisation, not to individual persons. In exercising delegated powers, staff must act in accordance with Council's policies and procedures.

The Instrument allows Council to delegate powers to staff that are provided for in specific legislation which includes a delegation power but does not include a power of sub-delegation. This means such powers cannot be delegated by the CEO and must be directly delegated by Council.

Relevant legislation covered by the Instrument includes, but is not limited to:

- *Cemeteries and Crematoria Regulations 2025*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024*
- *Domestic Animals Act 1994*
- *Food Act 1984*
- *Heritage Act 2017*
- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Road Management Act 2004*
- *Planning and Environment Regulations 2015*
- *Planning and Environment (Fees) Regulations 2016*
- *Road Management (General) Regulations 2016*
- *Road Management (Works and Infrastructure) Regulations 2015*

Where the powers under legislation are not required to be delegated, the column 'delegate' is populated with 'not delegated'. Legislation not applicable to the operations of Whitehorse City Council the column 'delegate' is populated with 'not applicable'.

During the January 2026 Maddocks update, the s6 Instrument was reviewed and revised. Council previously adopted a separate s6A Instrument of Delegation on 2 February 2026 to ensure compliance with amendments to the *Planning and Environment Act 1987*. Those amendments have now been incorporated into the regular s6 Instrument of Delegation, and as a result the standalone s6A Instrument is no longer required and will be absorbed into the consolidated s6 framework.

In addition, Maddocks recommend that the CEO be expressly listed as a delegate in the s6 Instrument of Delegation where it is intended that those powers be conferred.

Further key changes to the Instrument include updates to position titles to reflect the recent organisational review.

10.7 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

Adoption of the Instrument is necessary to:

1. Ensure statutory powers are exercised lawfully and within required timeframes; and
2. Maintain clear governance and accountability under the Act.

Failure to review and update these instruments would impact the organisation's ability to meet statutory obligations.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 S6 Instrument of Delegation from Council to Members of Council Staff

10.7 (cont)

10.7 S18 Instrument of Sub-Delegation under the Environment Protection Act 2017 and S11B Appointment of Authorised Officers under the Environment Protection Act 2017

Department	Governance and Integrity
	Director Corporate Services

Attachment

SUMMARY

The purpose of this report is to present the Instrument of Sub-Delegation under the *Environment Protection Act 2017* (known as s18) and the s11B Appointment of Authorised Officers under the *Environment Protection Act 2017* for adoption.

These instruments have been updated to reflect revised position titles following the recent organisational review.

The delegation of powers and appointment of authorised officers enables appropriate staff within the organisation to administer and enforce various Acts, Regulations or Council local laws in accordance with the powers granted under legislation or a local law.

The s18 Instrument is provided at Attachment 1 and the s11B is provided at Attachment 2.

RECOMMENDATION

That

1. In the exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Whitehorse City Council (Council) resolves that -

    a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached s18 Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.

    b. The instrument comes into force immediately the common seal of Council is affixed to the to the instrument.

    c. On coming into force all previous s18 delegations delegations to members of Council staff are revoked.

    d. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be

10.7 (cont)

executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

2. In the exercise of the power conferred by s 242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Whitehorse City Council resolves that:

    a. The members of Council staff referred to in the attached s11B instrument be appointed and authorised as set out in the instrument.

    b. The instrument comes into force immediately upon this resolution being made and is to be signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

KEY MATTERS

S18 Instrument of Sub-Delegation under the Environment Protection Act 2017

The *Environment Protection Act 2017* and *Environment Protection Regulations 2021* commenced on 1 July 2021 and allow the Environment Protection Authority Victoria (EPA) to delegate powers directly to councils under s437(1).

Council may sub-delegate those EPA powers to staff under s437(2), but only for regulating onsite wastewater systems (≤5000L/day) and residential construction, demolition or removal noise.

Staff exercising these powers must be appointed as authorised officers under s242(2) of the Act and act in accordance with the EPA's Instrument of Direction.

Council previously adopted the s18 Instrument of Delegation (February 2024), however some position titles have changed as a result of the organisational review, and enforcement powers can only be exercised by properly authorised officers.

S11B Appointment of Authorised Officers under the Environment Protection Act 2017

Where Council has sub-delegated EPA powers and functions under s437(2) of the Act, the members of Council staff must be authorised officers under s242(2) of the Act.

As such, an updated s11B Instrument of Appointment and Authorisation is included at Attachment 2 of this report.

DISCUSSION, OPTIONS AND ANALYSIS

The attached s18 Instrument of Sub-Delegation and s11B Instrument of Appointment and Authorisation are recommended for the effective and

10.7 (cont)

efficient operations of Council's activities. They also facilitate the execution of routine and administrative tasks with consistency and certainty.

Failure to review and update Instruments of Delegation could impact the organisation's ability to meet statutory obligations.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	This report has been prepared in line with the *Environment Protection Act 2017* and *Environment Protection Regulations 2021.* Failure to adopt and update these instruments will impact the ability of the organisation to fulfil its statutory responsibilities.
Equity, Inclusion, and Human Rights Considerations	In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*. It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

10.7 (cont)

ATTACHMENT

1 S18 Instrument of Delegation of Powers and Functions of the EPA under the Environment Protection Act 2017 - 30 March 2026
2 S11B Instrument of Appointment and Authorisation under the Environment Protection Act 2017

10.8 Statutory Planning Report February 2026

Department	City Development
	Director City Development

Attachment

SUMMARY

At the 25 August 2025 Council Meeting, Council adopted a Motion which requires:

That Council:

…

2. Receives a noting report each month at Council Meetings on town planning applications lodged, dealt with under delegation by Council officers and under consideration by VCAT (or other authority i.e. State Planning Minister)

This report includes the following for noting by Council:

Report	
Applications lodged (for the month)	107
Applications determined under officer delegation (for the month)	80
Matters currently under consideration by VCAT	11
Other Matters under consideration by the state government within Whitehorse	2

RECOMMENDATION

That:

1. Council Receives and notes the Statutory Planning report for the month of February 2026.
2. The Statutory Planning reports be published on Council's Transparency Hub monthly with future reports no longer presented to Council for noting.

Council has since launched the Transparency Hub on Council's website since Council adopted this matter in August. Going forward the reports can be published on Council's Transparency Hub and Councillors notified when the report is available.

ATTACHMENT

1 Councillor Reporting - Lodgements - February
2 Councillor Reporting - Delegated Decisions - February
3 Councillor Reporting - VCAT Permits - February
4 Councillor Reporting - Ministerial Permits - February

10.9 (cont)

10.9 Records of Informal Meetings of Councillors

Department	Governance and Integrity Director Corporate Services

Attachment

SUMMARY

This report presents the Records of Informal Meetings of Councillors held since the last Council Meeting. In line with the *Local Government Act 2020* and Council's Governance Rules, noting these Records promotes transparency, supports informed decision-making and ensures any conflicts of interest are publicly disclosed.

Records of Informal Meetings of Councillors are non-decision-making briefings used to share information and discuss matters that may later come before Council. Reporting these Records is standard governance practice and forms part of Council's public accountability framework.

RECOMMENDATION

That Council notes the Records of Informal Meetings of Councillors attached to the report.

ATTACHMENT

1 Pre Council Meeting Briefing - 16 March 2026
2 Strategy Meeting - 23 March 2026

11 Councillor Delegate and Conference / Seminar Reports

11.1 Reports by Delegates and Reports on Conferences / Seminars Attendance

Department Governance and Integrity
Director Corporate Services

Verbal reports from Councillors appointed as delegates to community organisations/committees/groups and attendance at conferences and seminars related to Council Business.

RECOMMENDATION

That Council receives and notes the:

1. Reports from delegates, and;
2. Reports on conferences/seminars attendance.

CLOSURE OF THE MEETING TO THE PUBLIC

12 Confidential Reports

RECOMMENDATION

That in accordance with Section 61(1) and 66(2)(a) of the *Local Government Act 2020*, Council closes the Meeting to members of the public and adjourns for five minutes to consider the following items:

12.1 Notice of Recission – 2026/2027 Whitehorse Sport and Recreation Advisory Committee Recruitment

12.2 Notice of Motion – 2026/2027 Whitehorse Sport and Recreation Advisory Committee Recruitment

12.3 Multicultural Advisory Committee - Membership Endorsement

These reports are designated as Confidential Information in accordance with Section 3(1)(f) of the *Local Government Act 2020, because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. This ground applies because the matter concerns disclosure of personal information*

13 Close Meeting