Minutes

Ordinary Council Meeting

of the

WHITEHORSE CITY COUNCIL

Held in the
Council Chamber
Nunawading Civic Suite

379 Whitehorse Road
Nunawading

on

Monday 21 October 2013

at 7:00 p.m.

Members:  Cr Andrew Muntee (Mayor), Cr Bill Bennett, Cr Raylene Carr,
Cr Robert Chong AM, Cr Andrew Davenport, Cr Philip Daw,
Cr Sharon Ellis, Cr Helen Harris OAM, Cr Denise Massoud, Cr Ben Stennett

Ms Noeline Duff
Chief Executive Officer
TABLE OF CONTENTS

1 PRAYER ................................................................................................................................. 2
2 WELCOME AND APOLOGIES .............................................................................................. 2
3 DISCLOSURE OF CONFLICT OF INTERESTS ..................................................................... 2
4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS ............................................... 2
5 RESPONSES TO QUESTIONS .............................................................................................. 2
6 NOTICES OF MOTION .......................................................................................................... 3
7 PETITIONS ............................................................................................................................. 3
8 URGENT BUSINESS .............................................................................................................. 4
9 COUNCIL REPORTS ............................................................................................................. 4

9.1 HUMAN SERVICES ...................................................................................................... 5
9.1.1 WHITEHORSE MUNICIPAL PUBLIC HEALTH & WELLBEING PLAN 2013-2017 ....................... 5
9.1.2 TENDER EVALUATION REPORT – CLEANING OF COMMUNITY CENTRES .................. 8

9.2 CITY DEVELOPMENT ...................................................................................................... 10

9.2.1 225 WARRIGAL ROAD, BURWOOD (WATTLE PARK PRIMARY SCHOOL) – USE OF SCHOOL FACILITIES AS AN INDOOR RECREATION FACILITY ................................................................................................................................. 10
9.2.2 851-855 CANTERBURY ROAD, BOX HILL – USE OF LAND TO SELL PACKAGED LIQUOR, BUILDINGS AND WORKS AND DISPLAY OF SIGNAGE .......................................................................................... 23
9.2.3 22-26 JOSEPH STREET, BLACKBURN NORTH – USE OF LAND AS A RESTRICTED RECREATION FACILITY (TRAMPOLINE VENUE) AND ASSOCIATED BUILDINGS AND WORKS .......................................................... 35
9.2.4 37 FOWLER STREET BOX HILL SOUTH – CONSTRUCTION OF FIVE DOUBLE STOREY DWELLINGS ..... 71

9.3 INFRASTRUCTURE ........................................................................................................... 97
9.3.1 TENDER EVALUATION REPORT – CONSTRUCTION OF A NEW PAVILION AT MONT ALBERT RESERVE .............................. 97

9.4 CORPORATE REPORTS .................................................................................................. 100
9.4.1 REVIEW OF AUDIT ADVISORY COMMITTEE CHARTER ...................................................... 100
9.4.2 MEETING PROCEDURES AND COMMON SEAL LOCAL LAW 2013 ........................................ 101
9.4.3 NAMING OF FOUR SEPARATE LANEWAYS ..................................................................... 102
9.4.4 MAJOR COMMUNITY INFRASTRUCTURE PROJECTS – BUSINESS CASE POLICY .................. 108
9.4.5 PRESENTATION OF THE 2012/13 ANNUAL REPORT INCORPORATING THE REPORT ON OPERATIONS, FINANCIAL STATEMENTS, STANDARD STATEMENTS AND PERFORMANCE STATEMENT .................. 111
9.4.6 DELEGATED DECISIONS – AUGUST 2013 ...................................................................... 112

10 REPORTS FROM DELEGATES, SPECIAL COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORDS ......................................................................................................................... 123
10.1 REPORTS BY DELEGATES .............................................................................................. 123
10.2 RECOMMENDATIONS FROM THE SPECIAL COMMITTEE OF COUNCIL MEETING OF 14 OCTOBER 2013 ........................................................................... 125
10.3 RECORD OF ASSEMBLY OF COUNCILLORS .................................................................. 127

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE ............................................. 129
12 CONFIDENTIAL REPORTS ................................................................................................. 130
12.1 RECOMMENDATION FROM THE SPECIAL COMMITTEE OF COUNCIL MEETING OF 14 OCTOBER 2013 .............................................................. 130

13 CLOSE MEETING .................................................................................................................. 130
Meeting opened at 7.00pm

Present: Cr Munroe (Mayor & Chairperson), Cr Bennett, Cr Carr, Cr Chong AM, Cr Davenport, Cr Daw, Cr Ellis, Cr Harris OAM, Cr Massoud, Cr Stennett

1 PRAYER

1a Prayer for Council

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

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

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

Amen.

1b Aboriginal Reconciliation Statement

“In the spirit of reconciliation we acknowledge the Wurundjeri as the traditional owners of the land on which we are gathered.”

2 WELCOME AND APOLOGIES

The Mayor welcomed all.

APOLOGIES: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved by Cr Bennett, Seconded by Cr Ellis

That the Minutes of the Ordinary Council Meeting 16 September 2013 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

5.1 Mr Charles Blakeman, Blackburn North
Re traffic concerns - 22-26 Joseph Street Blackburn North – Use of land as a restricted recreation facility (trampoline venue)

5.2 Mrs Hilary Blakeman, Blackburn North
Re parking concerns - 22-26 Joseph Street Blackburn North – Use of land as a restricted recreation facility (trampoline venue)

The Chief Executive Officer Ms Noelene Duff advised the matter was listed on the agenda for tonight (item 9.2.3) and the matters raised would be considered by Council as part of its deliberation on the report.
6  NOTICES OF MOTION

6.1  Notice of Motion No 71 – Cr Chong

Deferred from Council Meeting 16 September 2013

That Council:

Dismantles the 4" high concrete blocks surrounding the garden beds protecting the trees on the pavement of Carrington Road Box Hill and replace them with either a 2 feet high concrete block to surround the garden beds or a grated metal framework, level with the pavement for protection of the garden beds.

Cr Chong withdrew his Notice of Motion

6.2  Notice of Motion No 72 - Cr Davenport

That Council:

1. Prepare a report reviewing the residential car parking permit system in particular:
   a. Review neighbouring councils’ approach to the issue;
   b. Indicate the amount of take-up of permits by residents;
   c. Indicate the amount of fees received by council since the introduction of the current scheme;
   d. Indicate the cost to administer the current scheme in terms of monetary cost and number of hours;
   e. Present the number of objections of proposed areas to be made limited parking due to permit fees proposed.

2. Request the report to be submitted at the Councillor briefing meeting to be held on 2 December 2013.

Moved by Cr Davenport, Seconded by Cr Daw

That Notice of Motion No. 72 be deferred to the next Ordinary Meeting of Council.

CARRIED UNANIMOUSLY

7  PETITIONS

Nil
8 URGENT BUSINESS

Moved by Cr Stennett, Seconded by Cr Daw

That Council accept an item of Urgent Business in relation to the Housing and Neighbourhood Character Study.

CARRIED

8.1 Housing and Neighbourhood Character Study

Moved by Cr Stennett, Seconded by Cr Daw

That Council as part of and prior to the planned phase 3 of consultation early in 2014 for the Housing and Neighbourhood Character Study, write to affected residents in areas that is proposed to be in a residential growth zone or general residential with access and alert them to the proposed changes and information about how they can make comment during the consultation period.

CARRIED

A Division was called

For   Against
Cr Bennett  Cr Davenport
Cr Chong  Cr Harris
Cr Carr  Cr Munroe
Cr Daw
Cr Ellis
Cr Massoud
Cr Stennett

On the results of the Division the motion was declared CARRIED

9 COUNCIL REPORTS
9.1 HUMAN SERVICES

9.1.1 Whitehorse Municipal Public Health & Wellbeing Plan 2013-2017

FILE NUMBER: SF12/835
ATTACHMENT

SUMMARY

This Report presents the Health and Wellbeing in Whitehorse Plan 2013-2017 (Municipal Public Health & Wellbeing Plan) for Council adoption.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Stennett


CARRIED UNANIMOUSLY

BACKGROUND

Council previously endorsed the draft Whitehorse Health and Wellbeing in Whitehorse Plan 2013-2017 (the Plan) for the purpose of undertaking further community consultation through a public exhibition process.

DISCUSSION

The Plan, which is a legislative requirement, is based on a social model of health that utilises the State Government’s Municipal Public Health Planning Framework Environments for Health – Promoting Health and Well Being through Built, Social, Economic and Natural Environments as the underpinning model for the development of the Plan. It provides a strategic planning focus and framework, promotes partnerships and networks, highlights local health issues, involves all divisions of Council, enables the integration of wellbeing priorities and articulates links to regional, state and national health priorities.

As previously articulated, the Plan has been developed utilising an integrated planning process that also encompassed the development of Council’s long term vision and the Whitehorse Council Plan.

Key themes for the Plan emerged from the consultation process, available data and the State, Federal and Local Government policy context, these are:

- Creating safe environments
- Reducing alcohol and other drug-related harm
- Increasing active living
- Supporting healthy eating
- Promoting mental wellbeing

The five key priority areas mentioned above will inform and guide the development of annual action plans. These yearly Plans, developed in partnership with key stakeholders, will guide Council’s and other organisations efforts in enhancing health and wellbeing in the municipality. The development of annual action plans will respond to the issues and priorities in each of the five areas identified using the environments for health framework, as well as being able to respond to new and emerging priorities.
9.1.1
(cont)

Complementing the annual action plans will be the implementation of the many Strategic Plans that sit beneath the Plan- Diversity, Positive Ageing, Volunteers and Civic Participation, Disability, Reconciliation and so on.

CONSULTATION

The Plan has been developed following extensive consultation with Councillors, residents, service providers, State Government departments and Whitehorse City Council staff. In addition, two reference groups were established to steer the development of the Plan, with representatives from Council departments, State Government departments and local service providers.

A pictorial community survey was received by each of the approximately 65,000 households and other rateable properties in the City of Whitehorse, as an insert in the Whitehorse Leader, so as to gain an understanding of the priorities of the Whitehorse community in relation to their health and wellbeing. It was a deliberate strategy to gain maximum input from residents into the development of the Plan. More than 2000 surveys were returned to Council. This number is a statistically relevant sample and is considered an excellent rate of return.

In addition:
- Councillors participated in a number of workshops
- 439 people engaged via Your Say Whitehorse with 123 people completing online surveys, quick polls and discussions
- 66 children drew pictures representing “what living in Whitehorse means” at the Whitehorse Spring Festival 2012
- 70 Council Officers attended two workshops
- 73 community members and agencies attended two workshops
- 41 senior Council Officers attended an additional workshop
- 20 responses were received in regard to an additional survey to test identified health and wellbeing priorities
- Over 2000 picture surveys completed with 500 of those containing written comments

Additional information and ideas received from consultations in the development of other recently developed Strategic Plans such as the Diversity, Disability and Positive Ageing Plans has also been included in the overall consultation data for the Health and Wellbeing in Whitehorse Plan 2013-2017.

During the public exhibition period, seventeen submissions (two late submissions) were received from community members, local service providers and Council Officers. The response to the feedback is detailed in Attachment 1 Appendix C.

FINANCIAL IMPLICATIONS

The financial cost to Council, in regards to the development of the Plan is estimated at $20,000. Council also commits considerable financial resources to its implementation and evaluation across Council over a four year period. This is in addition to the financial resources allocated to the employment of the Social Health Officer, whose role it is to develop the Plan and to coordinate its implementation.
9.1.1 (cont)

In addition, the Community Development Unit will:

- Explore all external funding opportunities to progress any projects that address priorities and issues.
- Identify priorities/issues that may fall into the responsibility of an external service or agency
- Identify priorities/issues that may be the current or planned responsibilities of other Council Service Areas

POLICY IMPLICATIONS

9.1.2 Tender Evaluation Report – Cleaning of Community Centres

FILE NUMBER: SF12/2319

SUMMARY

To consider tenders received for the Cleaning of Community Centres and to recommend the acceptance of the tender received from The Pickwick Cleaning Services Unit Trust, trading as The Pickwick Group – Cleaning and Security Services, for the amount of $284,019.49 per annum, including GST for a period of 3 years.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

That Council:

1. Accept the tender and sign the formal contract document for Contract 12031 for the Cleaning of Community Centres received from The Pickwick Cleaning Services Unit Trust (ABN 74 089 708 818), of 2 Westside Avenue, Port Melbourne, Victoria 3207, trading as The Pickwick Group – Cleaning and Security Services, for the tendered amount of $284,019.49 per annum, including GST for a period of 3 years.

2. Authorise the Chief Executive Officer to award an extension of this contract, subject to a review of the Contractor’s performance and Council’s business needs, at the conclusion of the initial 3 year contract term.

CARRIED UNANIMOUSLY

BACKGROUND

Whitehorse City Council operates a large number of community venues. The cleaning of these venues is currently carried out under individual contracts.

In 2009 the Box Hill Town Hall Coordinator and Procurement Manager had discussions on creating one cleaning contract for a number of identified council venues. Since many venues had contracts in place at the time, the idea of a broader contract was placed on hold. Now in 2013 most of the contracts are expiring and a contract covering all centres was deemed to be the best method for approaching the market. The main objective was to maximise savings by leveraging economies of scale.

The new contract will cover the following areas:

- Community Halls
- Senior Citizens Centres
- Meals on Wheels dining areas
- Box Hill Community Arts Centre
- Box Hill Town Hall Hub
- Children’s Services Centres
- Forest Hill Customer Service Centre
- Mountain View Cottage.

This contract covers the cleaning of a total of 27 Council facilities for a period of 3 years. The contract can be extended by a further four years (2 years + 2 years) at council’s discretion.
9.1.2 (cont)

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 13 April, 2013 and were closed on Wednesday, 8 May 2013. Thirty Three tenders were received.

The tenders were evaluated against the following criteria:

- Tender Offer;
- The Tenderer’s recent experience in provision of similar service;
- The number of buildings that the Tenderer is offering to clean (as per tender schedule 1) and the Tenderer’s capacity to provide the Service;
- The qualifications and experience of key individuals; and

The Pickwick Group Cleaning and Security Services is an Australia wide company operating since 1983 and have extensive experience in providing cleaning services to many councils’ and other industries. The company has been cleaning Council’s minor halls since February 2009 and has demonstrated an ability to provide a high quality cleaning services to council. The tender process identified the industry reputation of the Pickwick Group for quality cleaning services and their capacity to deliver the full scope of services required under this Contract.

The consolidation of a number of cleaning contracts into one larger contract with a centralised management provides cost and time savings to Council. Centralising the tender process instead of individual tenders has already delivered this outcome. The management of the contract in this consolidated form will result in a consistent standard of cleaning services across all centres.

The Pickwick Group in their tender submission provided a detailed assessment of the hours cleaners will be in attendance at each centre. Their allocation demonstrates a clear understanding of the scope of works and their commitment to the successful delivery of this contract.

The tender received from The Pickwick Group Cleaning and Security Services is considered to provide the best value for this Contract.

CONSULTATION

The tender panel carried out extensive consultation with centre managers and centre staff. The discussions included cleaning schedules, quality of cleaning, management of the contract including reports, management of consumables and financial responsibility.

The preferred tenderer’s business viability has been considered.

FINANCIAL IMPLICATIONS

The cleaning services to be provided under this contract will cost $284,019.49 per annum. The annual lump sum tendered is subject to annual CPI increases. Consumables for each Centre (toilet paper, hand towels etc) will be supplied by the contractor at a rate of 10% above cost price.

The centres to be cleaned are managed by six Council Departments. An allowance will be made in the recurrent budgets for each of these Departments to reflect their respective savings and cover the anticipated CPI costs.
9.2 CITY DEVELOPMENT

9.2.1 225 Warrigal Road, Burwood (Wattle Park Primary School) – Use of school facilities as an indoor recreation facility

FILE NUMBER: WH/2012/366
ATTACHMENT

SUMMARY

This application was advertised and twenty (20) objections from seventeen (17) objector properties were received. The objections raised concerns with car parking and amenity. A Consultation Forum was held on 27 February 2013, chaired by an independent facilitator with Councillors Ellis and Davenport in attendance, at which no consensus was reached. This report assesses the application against the relevant planning policies and Clause 52.06 of the Whitehorse Planning Scheme, as well as the objector concerns, and recommends that the application be supported, subject to conditions.

RECOMMENDATION

That Council:

A Being the Responsible Authority, having caused Application WH/2012/366 for 225 Warrigal Road, Burwood to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the use of school facilities as an indoor recreation facility is acceptable and should not cause unreasonable impact to the amenity of adjacent properties and the streetscape, subject to conditions.

B Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 225 Warrigal Road, Burwood for the use of school facilities as an indoor recreation facility, subject to the following conditions:

1. Within three (3) months of the issue date of this permit, amended plans (three copies at A1 size and one copy at A3 size) and documents shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:

   a) An amended activity timetable demonstrating the revised activity times in accordance with Condition 9 of this permit.

   b) Provision of low level lighting to the car park and along the pathway to the sports hall.

   c) A Lighting Engineer Report demonstrating that the intensity of lights to the car park and along the pathway will not result in detrimental impact to any persons or the streetscape.

   d) Reallocation of an existing car parking space as a turning bay.

   e) Provision of a minimum of 36 car parking spaces within the school carpark.

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

Once approved these plans become the endorsed plans of this permit.
9.2.1 (cont)

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

3. The activity hours and the number of patrons must be reduced in accordance with Conditions 9 and 11 within one (1) month of the issue date of this permit.

4. Within one (1) month of the issue date of this permit, a prominent notice must be erected at all exit points of the hall requesting that patrons leave the premises quietly to the satisfaction of the Responsible Authority.

5. Within six (6) month of the issue date of this permit, a Site Management Plan for the operation of the use of the hall that is approved by this permit must be prepared and submitted to the satisfaction of the Responsible Authority. This Plan must be adhered to by all hall users operating under this permit. The Site Management Plan must require all users of the hall to:

   **Patron Management:**
   - Ensure hall doors are kept closed at all times, except for the purposes of access and egress.
   - To enter and leave the site quietly and respect the amenity of adjoining residential properties. In particular, users must not bounce balls outside the hall.
   - Dispose of all litter appropriately.
   - Notification of the surrounding residential properties prior to activities which more than 30 people will attend the site, as well as car parking and patron management on those events.
   - At all times, a person above the age of 18 years who is responsible for the good conduct of all of the people using the hall must be present and readily accessible to members of the public and officers of the City of Whitehorse.

   **Car Park Management:**
   - Ensure car parking is primarily within the School grounds.
   - Discourage on-street car parking in the streets adjoining the school.
   - Gates of school car park to remain open at all times of the activities.
   - Proposed activities must have a staggered arrangement (by 15 minutes) to ensure that the overlap period is managed appropriately and there is minimal impact to the surrounding area.

   This Site Management Plan must be agreed to by all hall users and a copy of the Site Management Plan and a plan of on-site car and bicycle parking locations provided to all users. This Site Management Plan must also be made available to other parties upon request.

6. Within twelve (12) months of the issue date of this permit, the low level lighting for the car park and pathway to the sports hall must be installed and in operation to the satisfaction of the Responsible Authority.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.
7. The lights to car park must be installed with a cut-off switch or similar to ensure the lights are automatically switched off no later than 9:30pm.

8. All external lights must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.

9. The use of the land by the community group may operate only between 5pm and 9pm three (3) selected weekdays each week and Saturdays between 8am and 9pm. Each activity within the above hours must have a staggered arrangement of a minimum of 15 minutes to ensure the overlap period is managed appropriately.

10. The use permitted shall provide a minimum of 36 car spaces on the site.

11. Without further written consent from the Responsible Authority, not more than 30 persons shall be present on the premises at any one time for training or practice games. The number of persons within the hall may be increased to 80 for finals.

12. Persons using or attending the sports hall as allowed by this permit must be advised by the operator that they are required to enter and leave quietly and respect the amenity of the adjoining residential properties.

13. All litter generated by persons associated with the permitted use must be disposed of appropriately.

14. The development and use of the site by the community use shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard the emission of noise shall comply with the provisions of the Environment Protection Act 1970 (as amended) and the policies of the Environment Protection Authority.

15. An amplified public address system must not be used on the subject site in association with the permitted use.

Permit Note:

As this is a retrospective permit, no time expiry condition is required.

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

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Ellis

That Council:

A Being the Responsible Authority, having caused Application WH/2012/366 for 225 Warrigal Road, Burwood to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the use of school facilities as an indoor recreation facility is acceptable and should not cause unreasonable impact to the amenity of adjacent properties and the streetscape, subject to conditions.
9.2.1

B Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 225 Warrigal Road, Burwood for the use of school facilities as an indoor recreation facility, subject to the following conditions:

1. Within three (3) months of the issue date of this permit, amended plans (three copies at A1 size and one copy at A3 size) and documents shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
   a) An amended activity timetable demonstrating the revised activity times in accordance with Condition 9 of this permit.
   b) Provision of low level lighting to the car park and along the pathway to the sports hall.
   c) A Lighting Engineer Report demonstrating that the intensity of lights to the car park and along the pathway will not result in detrimental impact to any persons or the streetscape.
   d) Reallocation of an existing car parking space as a turning bay.
   e) Provision of a minimum of 36 car parking spaces within the school carpark.

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

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

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

3. The activity hours and the number of patrons must be reduced in accordance with Conditions 9 and 11 within one (1) month of the issue date of this permit.

4. Within one (1) month of the issue date of this permit, a prominent notice must be erected at all exit points of the hall requesting that patrons leave the premises quietly to the satisfaction of the Responsible Authority.

5. Within six (6) month of the issue date of this permit, a Site Management Plan for the operation of the use of the hall that is approved by this permit must be prepared and submitted to the satisfaction of the Responsible Authority. This Plan must be adhered to by all hall users operating under this permit. The Site Management Plan must require all users of the hall to:

   Patron Management:
   - Ensure hall doors are kept closed at all times, except for the purposes of access and egress.
   - To enter and leave the site quietly and respect the amenity of adjoining residential properties. In particular, users must not bounce balls outside the hall.
   - Dispose of all litter appropriately.
   - Notification of the surrounding residential properties prior to activities which more than 30 people will attend the site, as well as car parking and patron management on those events.
9.2.1 (cont)

- At all times, a person above the age of 18 years who is responsible for the good conduct of all of the people using the hall must be present and readily accessible to members of the public and officers of the City of Whitehorse.

**Car Park Management:**

- Ensure car parking is primarily within the School grounds.
- Discourage on-street car parking in the streets adjoining the school.
- Gates of school car park to remain open at all times of the activities.
- Proposed activities must have a staggered arrangement (by 15 minutes) to ensure that the overlap period is managed appropriately and there is minimal impact to the surrounding area.

This Site Management Plan must be agreed to by all hall users and a copy of the Site Management Plan and a plan of on-site car and bicycle parking locations provided to all users. This Site Management Plan must also be made available to other parties upon request.

6. Within twelve (12) months of the issue date of this permit, the low level lighting for the car park and pathway to the sports hall must be installed and in operation to the satisfaction of the Responsible Authority.

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

7. The lights to car park must be installed with a cut-off switch or similar to ensure the lights are automatically switched off no later than 9:30pm.

8. All external lights must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.

9. The use of the land by the community group may operate only between 5pm and 9pm three (3) selected weekdays each week and Saturdays between 8am and 9pm. Each activity within the above hours must have a staggered arrangement of a minimum of 15 minutes to ensure the overlap period is managed appropriately.

10. The use permitted shall provide a minimum of 36 car spaces on the site.

11. Without further written consent from the Responsible Authority, not more than 30 persons shall be present on the premises at any one time. The number of persons within the hall may be increased to 80 for finals.

12. Persons using or attending the sports hall as allowed by this permit must be advised by the operator that they are required to enter and leave quietly and respect the amenity of the adjoining residential properties.

13. All litter generated by persons associated with the permitted use must be disposed of appropriately.

14. The development and use of the site by the community use shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard the emission of noise shall comply with the provisions of the Environment Protection Act 1970 (as amended) and the policies of the Environment Protection Authority.

15. An amplified public address system must not be used on the subject site in association with the permitted use.
9.2.1
(cont)

Permit Note:

As this is a retrospective permit, no time expiry condition is required.

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

CARRIED UNANIMOUSLY
9.2.1 (cont)

BACKGROUND

History

The subject site has no previous planning applications.

The Site and Surrounds

The subject site is located on the northeast corner of Warrigal Road and Banksia Street, known as the Wattle Park Primary School. The school can be accessed by pedestrians via gates on Warrigal Road, adjacent to the bus stop or via Banksia Street adjacent to 9 Banksia Street. Vehicles can access the school car park which is located to the east of the campus accessed via Somers Street.

In 2010, the school constructed a 1,212 square metres sports hall as part of the Federal Government Building Education Revolution. The hall is constructed at the southwest corner of the school campus, setback 5 metres from Warrigal Road and 45 metres from Banksia Street.

The subject site is surrounded by residential uses, that includes a Residential Aged Care Facility to the north, residential uses facing Banksia Street to the south and residential properties facing Somers Street to the east. To the west of the subject site is Warrigal Road, and residential properties within the City of Boroondara are located on the opposite side of the road.

There are three commercial properties located on the south side of Banksia Street, which are occupied by a café, a dance studio and a medical centre.

Planning Controls

The State Planning Policies at Clauses 11 (Settlement) aims to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. While Clause 13.04-1 (Noise abatement) aims to ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Pursuant to Clause 22.03, the Residential Development Policy includes the subject site within an Area of Natural Change, Garden Suburban.

Pursuant to Clause 36.01 (Public Use Zone) of the Whitehorse Planning Scheme, the use of the sports hall as indoor recreation facility requires a Planning Permit.

The site is not covered by any overlays and there are no overlays on adjoining properties.

Clause 65 provides guidelines that must be considered before deciding on an application to ensure the proposal will produce acceptable outcomes. These guidelines include the State and Local Planning Policy Framework, the purpose of the zone, the orderly planning of the area and the effect on the amenity of the area.
9.2.1 (cont)

PROPOSAL

It is proposed seek retrospective approval to use school facilities for an indoor recreation facility. Activities proposed include basketball, futsal and dancing. The daily hours of operation are as follows:

<table>
<thead>
<tr>
<th>Day</th>
<th>Proposed Activity Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>5pm to 9:30pm</td>
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<tr>
<td>Tuesday</td>
<td>7pm to 8pm</td>
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<td>Wednesday</td>
<td>6pm to 8pm</td>
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<td>Thursday</td>
<td>5:45pm to 9:30pm</td>
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<td>Friday</td>
<td>4pm to 7pm</td>
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<tr>
<td>Saturday</td>
<td>8am to 6pm</td>
</tr>
<tr>
<td>Sunday</td>
<td>9am to 11am; 5pm to 9pm</td>
</tr>
</tbody>
</table>

CONSULTATION

Public Notice

Pursuant to Sections 52 of the Planning & Environment Act 1987 the application was advertised by sending notices to surrounding owners and occupiers and by requiring three notices to be erected on the land for a period of 14 days.

Notice of application has been satisfactorily carried out and the statutory declaration form submitted by the applicant confirms that the signs were displayed for 14 days. At the writing of this report twenty (20) objections, from seventeen (17) objector properties, to the application have been received. The issues and recommendations raised by the objectors are summarised as follows:

Amenity
- Activities result in inconvenience and frustration to local residents.
- Control the number of people, start and finishing times.
- Noise level (yelling, car horns) til late at night.
- People congregate outside school til 11pm.
- Increase in anti-social behaviour.
- Increased rubbish and empty bottles on nature strips.

Traffic and Parking
- Increased traffic flow through Banksia, Somers and Waratah Streets, which is currently being used as a shortcut between Elgar and Warrigal Roads.
- Street with vehicles parked on both sides is too narrow for emergency vehicles.
- There are already limited parking spaces on Banksia Street due to the dance studio and café on the street. This proposal will make the situation even worse.
- There is insufficient parking spaces on site.
- Current parking restrictions are being completely ignored, restrictions should be extended.
- Residents cannot reverse out of their driveways.
- The number of offsite parking spaces provided by the school is insufficient.
- The school makes no effort to encourage participants to use the on-site car park.
9.2.1 (cont)

- Parking restrictions are not enforced by Council Officers.
- Double parking during school pickup times.
- Cars doing U-turns by accessing residential properties’ driveways.

Other

- Activities are currently being carried out without Planning Approval and causing unreasonable impact to nearby residents.

Suggested Recommendations by Objectors:

- Council to enforce parking restrictions.
- Set a limit on number of patrons.
- No activities on Sundays.
- Allow participants of the proposed activities to use the on-site car park.

Consultation Forum

A planning consultation forum was held on 27 February 2013, at the Box Hill Town Hall to which all stakeholders were invited to discuss the planning permit application. This meeting was chaired by an independent facilitator, and attended by the two Ward Councillors.

At the forum, the school Principal explained that the school is of the opinion that the number of patrons attending those afterhours activities are low and will not exceed 25 people normally. The patron number may increase during finals, as the hall has a capacity of 500 people. The hall manager ensures that activities finish on or before the booking time and that all patrons leave the school property as soon as possible. However, it is admitted that it is difficult for the school to police behaviours after patrons leave the school premises.

The objectors pointed out that the school is still benefiting from renting the sports hall out to the community groups, while this application is under consideration by Council. Residents also concerned about the amenity impact caused by the use of the hall by community groups, in terms of noise when people are leaving as they congregate on Banksia Street. Residents also pointed out that the school car park, off Somers Street, is underutilised and participants should be encouraged to utilise the school car park prior to taking up on-street parking.

A number of objectors also pointed out that the car parking spaces directly outside the school on Banksia Street are commonly used because it is closest to the sports hall and a lot of people will jump the fence or enter the school through the gate on Banksia Street. Those car spaces have no parking restrictions. The objectors recommended that higher fences be built along the Banksia Street boundary and have the pedestrian gate closed after normal school hours. The school agrees that this could be a solution, however, will be subject to funding from the Department of Education.

No other agreements were made at the forum.

Referrals

Transport Engineer, Engineering and Environmental Services Department

This application has been reviewed by Council’s Transport Engineer, who raised no objection to the proposal, provided that the following conditions are included in any permit issued:
9.2.1 (cont)

- Limit the maximum number of patrons to 30 at any one time, with the exception of finals time.
- The proposed activities must provide a minimum of 36 car parking spaces within the subject site.
- A turning bay must be provided within the site to ensure vehicles can exit the site in a forward direction in a safe manner.
- Gates of the school car park must remain open at all times of the activities.
- The proposed activities must have a staggered arrangement (by 15 minutes) to ensure that the overlap period is managed appropriately and there is minimal impact to the surrounding area.
- Lighting within the site must be provided to encourage the use of the car park.
- A Car Park Management Plan is required to support the above.

PLANNING SCHEME

State Planning Policy Framework

Clause 15.05 Noise Abatement

Has the objective of controlling noise effects on sensitive land uses by ensuring development is not prejudiced but community amenity is not reduced by noise emissions by using urban design and land use separation techniques appropriate to the function and character of the area.

Local Planning Policy Framework

Clause 21.06 - Housing

It is an objective to ensure that non-residential uses in residential areas respect the character and amenity of the area and do not jeopardise the conduct of existing operations.

Clause 22.05 – Non-Residential Uses in Residential Areas Policy

Aims to ensure that non-residential uses in residential areas provide a net community benefit, integrate into the residential environment and have a minimal impact on residential amenity.

Zoning

Public Use Zone 2

Pursuant to Clause 36.01 of the Planning Scheme, the Public Use Zone 2 identifies land set aside for education purposes carried out by or on behalf of the public land manager (Department of Education and Training). However, as the proposed use and activities are not associated within the function of the school, and are operated by external parties, the use of the sports hall as an indoor recreation facility requires a Planning Permit.

Particular Provisions

Car Parking

In accordance with Clause 52.06-1, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.
9.2.1
(cont)

Bicycle Facilities

Pursuant to Clause 52.34, a new use must not commence until the required bicycle facilities and associated signage have been provided on the land, however a planning permit may be granted to reduce or waive this requirement.

The proposed use of the existing Primary School sports hall by community groups is defined as indoor recreation facility, which is included within the definition of a minor sports and recreation facility under Clause 74 (Definition) of the Whitehorse Planning Scheme. This use is required to provide 1 bicycle space per 200m² of floor area, equating to 6 bicycle spaces for the sports hall area, with a total area of 1,212 square metres.

DISCUSSION

The application proposes the use of the sports hall by a community group for the hours ranging between 5pm and 8pm or 9:30pm on weekdays, 8am to 6pm on Saturdays and 9am to 11am, 5pm to 9pm on Sundays. Objectors have also expressed concern that the hall could be used past the proposed time without effective enforcement measures and unruly patron behaviour within and outside the school campus after activities.

It is noted that most residents accept that living within close proximity to a school will in some way be affected by school related activities during and after normal school hours and during weekends. However, Council need to consider whether the extent of use by community groups is excessive resulting in unreasonable impact to the amenity of residents.

It is noted that Clause 22.05 (Non-residential Uses in Residential Areas) of the Whitehorse Planning Scheme is only applicable to land in a residential zone, however as the school is partly zoned Residential 1 and is surrounded by land in a residential zone, it is considered appropriate to make reference to this provision.

The relevant objectives under the above provision includes:

- Make provision for services and facilities demanded by local communities in a way that does not detract from the amenity of the area
- To avoid the concentration of non-residential uses where it would:
  - Have off-site effects which are detrimental to residential amenity.
  - Create a defacto commercial area.
  - Isolate residential properties between non-residential uses.
- To ensure that the location of the use is appropriate to the role and function of the road network and that adequate provision is made for on site car parking.

While relevant policies under the provision includes:

- Amenity
  - Non-residential uses are discouraged if they will cause nuisance to nearby residential properties by way of noise, traffic, lighting or loss of security.
- Car parking and access
  - Adequate provision is encouraged for on-site staff and visitor parking.
  - Parking areas are encouraged to maximise usage and to minimise on-street parking.
9.2.1 (cont)

Car Parking

Council Planning Officers have conducted further site inspections prior to preparing this report. Inspection dates and times includes 6:30 to 8:15pm on Thursday 5 September 2013, and 12:45 to 1:45pm and 3:30 to 4:30pm on Saturday 7 September 2013. On those occasions, it was noted that most participants (including parents) attending activities within the school sports hall would generally park directly outside the school along the north side of Banksia Street, and once the north side is filled, they start parking on the south side of the road, and enter the school from the pedestrian gate on Banksia Street. In those inspections, Council officers also observed that the school’s car park accessed from Somers Street was largely unused. The car park is located slightly further away from the hall to the east, is not lit and the entrance gate to the car park was half closed and locked, which discourages the use of the car park, especially at night.

As indicated in the submitted plans, the car park is capable of accommodating a total of 37 cars, with 21 dedicated car spaces and an additional 16 cars that can be parked along one side of the accessway. It is considered that if the car park is utilised by the participants of the activities, the car parking condition on Banksia Street should improve significantly. In order to encourage the use of the car park by participants of those activities, it is recommended that the following be required as permit conditions should a permit be issued:

- A minimum of 36 car parking spaces be provided within the subject site and the vehicle access gate must remain open at the time of activities.
- Provision of a turning bay within the car park to ensure vehicles can exit the site in a forward direction.
- Submission and endorsement of a Car Park Management Plan.
- Installation of low level lighting within the car park and along the footpath between the car park and the sports hall to ensure the car park is illuminated at times of activities, and a Lighting Engineer Report demonstrating that the intensity of those lights will not result in unreasonable amenity impact to the adjoining properties.

Based on the number of car parking spaces available, Council’s Transport Engineer recommended that the number of patrons allowed on site at any one time must not exceed 30, with the exception of finals time, which may be increased to 80. It is also a requirement to ensure that all activities must have a staggered arrangement (at least 15 minutes) to ensure that the overlap period is managed appropriately and there is minimal impact to the surrounding area.

Noise

As mentioned above, the objections to the application raised noise as a significant issue. It is noted that the objectors are not concerned about noise coming from the hall during training, but when people are congregating at Banksia Street after the activities, which causes noise impacts to the residents along Banksia Street. It is therefore considered that it will be appropriate to include a permit condition requiring a prominent notice to be displayed at all exits of the sports hall requesting patrons to respect the local residents and keep noise to a minimum when leaving the premises at night. The submission of a Site Management Plan which discuss patron management policy is also considered necessary to ensure school staff or responsible persons of the activities make sure that the amenity of the area is not affected in an unreasonable way.

Hours of Use

Objectors and residents are concerned that patrons congregate Banksia Street after the activities.
9.2.1 (cont)

It is considered that the extent of the proposed hours is excessive and has limited regard to residential amenity. The proposed use includes 7 days of activities that run late into the evening on most nights.

Therefore, it is recommended that a permit condition require the hours of use to be limited to 3 weekdays and Saturdays only and that all activities must be concluded by 9pm.

As indicated, it will be a permit condition requiring the installation of low level lighting within the car park and along the path between the car park and the sports hall, to ensure that the impact of those lights are kept to minimum. This lighting must be switched off by 9:30pm.

The objectors have requested the frequency of activities to be reduced to have at least one day without activities during the weekend. Council is aware that the school hall is a popular venue for a lot of community groups, however based upon the comments made in the forum and further site inspections, it is agreed that the proposed frequency of the activity is excessive. Therefore, should a permit issue, it must limit the use of the sports hall to three (3) weekdays and Saturdays only, in order to provide a greater degree of certainty and reduce impacts to residents, without unreasonably limiting the use of the sports hall.

Litter

The potential for the community use to cause litter was a concern raised by objectors. Littering is an offence that is policed by the Environmental Protection Authority Victoria, however in light of the objectors’ concerns a condition of any approval must be that all litter generated by the community use is disposed of appropriately as part of the Site Management Plan.

Lights to car park

As mentioned above, it will be a permit condition requiring low level lighting be installed at the car park and along the pedestrian path to the sports hall, however it is important to make sure that those lights will not result in unreasonable light spill to residents.

It is considered that in the context of the school grounds, which are developed with institutional buildings and facilities, the low light poles will not be out of place. They would have minimal visual impact on the overall institutional appearance of the school facilities. The condition will also require the submission of a Lighting Engineer Report to ensure that new lighting complies with a code of practice and lights are appropriately directed and do not spill on to adjoining properties.

Bicycle Facilities

Wattle Park Primary School contains ample bicycle parking facilities on site for its students, and the community use of the sports hall after school hours can share these facilities.

CONCLUSION

The proposed after hours use of the Wattle Park Primacy School Sports Hall by community groups will, subject to conditions, comply with the purpose of the Public Use Zone to provide for community services and facilities and comply with the relevant planning controls and policy provisions of the Whitehorse Planning Scheme. The use will not unreasonably impact on the amenity of the adjoining lots, subject to the conditions outlined above.

All concerns raised by the objectors has been addressed in this report.

It is therefore recommended that a Notice of Decision to Grant a Permit be issued.
9.2.2 851-855 Canterbury Road, Box Hill – Use of land to sell packaged liquor, buildings and works and display of signage

FILE NUMBER: WH/2013/334
ATTACHMENT

SUMMARY

This application was advertised, and a total of 138 objections were received. The objections raised issues with amenity impacts, excessive signage, traffic generation, car parking, impacts on the existing commercial environment and the impact of the sale of liquor on the surrounding area. A Consultation Forum was held on 10 September 2013, chaired by Councillor Harris, at which a number of resolutions were reached between the parties. It is recommended that the application be supported, subject to conditions.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Chong

That Council:

A Being the Responsible Authority, having caused application WH/2013/334 to the land at 851-855 Canterbury Road Box Hill, to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the use of the site to sell packaged liquor, buildings and works and display of signage is acceptable and should not cause unreasonable impact to adjacent properties.

B Issue a Notice of Decision to Grant Planning Permit WH/2013/334 under the Whitehorse Planning Scheme to the land described as 851-855 Canterbury Road Box Hill for the use of the site to sell packaged liquor, buildings and works and display of signage, subject to the following conditions:

1. Before the use and development starts, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:

   a) The reduction in the height of the bulkhead above the west facing building facade so that it there is no structural protrusion above the roofline of the building.
   b) The internally illuminated above verandah sign on the west building elevation to be a maximum of 1 metre in height and 8 metres in length.
   c) Details of sign content, colours and layout.
   d) Erection of traffic directional signs encouraging vehicles to exit towards Canterbury Road.
   e) Construction of a new acoustic fence on the north side boundary at a height of at least 1.9 metres, with a taper at the western end to allow for vehicle sight lines.

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

   Once approved these plans become the endorsed plans.

2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.
9.2.2

(cont)

3. **Prior to the commencement of the use submission and approval of a Code of Practice for on-site management addressing the following:**

- Security in the car park and procedures to address any public disturbance by customers of the approved use.
- Procedures for customers to vacate the premises after 9 pm.
- Details of installation and operation of CCTV equipment, if proposed.
- Management of rubbish.
- Erection and maintenance of directional signs.

4. Once the use is commenced it shall only be used for the above purpose to the satisfaction of the Responsible Authority.

5. No liquor may be consumed within the subject site at any time.

6. Unless with the further written consent of the Responsible Authority, packaged liquor may only be sold between the hours of:

- Monday to Saturday: 9:00am to 9:00pm
- Sunday: 10:00am to 9:00pm
- ANZAC Day: 12:00pm to 9:00pm
- Good Friday and Christmas Day: No trading

7. Provision shall be made for the storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view, shall not obstruct vehicles accessways, use of car parking spaces, maintenance of landscape areas or result in odour detriment to any abutting residential uses.

8. Delivery of goods shall be limited to business hours.

9. No form of public address system shall be installed so as to be audible from outside the building.

10. The location and details of the signs shown on the endorsed plan must not be altered without the written consent of the Responsible Authority.

11. The advertising signs and panels must be constructed and maintained to the satisfaction of Responsible Authority. Any sign in a state of disrepair must, at the direction of the Responsible Authority, be removed from the site.

12. The intensity of the light in the advertising signs permitted must be limited so as not to cause distraction of motorists in adjoining streets or loss of amenity in the surrounding area.

13. Hours of signage illumination shall be limited to no later than 9:30pm.

14. The signs must not contain any flashing light.

15. The signs must not alter its message or move in part or whole.

16. No bunting, streamers and festooning is to be displayed.

17. The signs must only contain an advertisement which provides or supplies information relating to the business conducted on the abovementioned land.
18. This permit will expire if one of the following circumstances applies:

- the development and use is not commenced within two (2) years from the date of issue of this permit;
- the development is not completed within four (4) years from the date of this permit.

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

Planning Note:

All petroleum product is encouraged to be removed from underground storage tanks. A Waste Transfer Certificate by a licensed contractor is encouraged to be provided as part of this process, in accordance with EPA Guidelines 888.2, that these works have been completed and that the land over the tanks is capped so there is no opportunity for direct contact to any potentially affected ground from unrestricted public access to the site.

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

CARRIED UNANIMOUSLY
9.2.2 (cont)

**MELWAYS REFERENCE 47 C12**

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<th>Applicant</th>
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<td>Overlay</td>
<td>Public Acquisition Overlay (PAO, VicRoads, road widening)</td>
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<td>Relevant Clauses</td>
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<td>Clause 15 Built Environment and Heritage</td>
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<td>Clause 52.06 Car Parking</td>
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<td>Clause 52.27 Licensed Premises</td>
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<td>Elgar</td>
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Subject site

138 objections received (131 not shown on map)

North
9.2.2 (cont)

BACKGROUND

History

The following applications have been considered for the subject site:

- Permit 2831 issued on 3 March 1958 for buildings and works for use as a petrol filling station.
- Permit 47932 was issued for building and works (for BP Australia) on 18 September 1962.
- Permit BH/75/1126 was issued for a non illuminated sign on 27 May 1975.
- Permit BH/80/1861 was issued for four internally illuminated signs on 18 April 1980.
- Permit BH/80/1909 for buildings and works to demolish all existing buildings and erect a new building to be used as a combined petrol filling station and service premises (Food Plus) on 26 March 1981. The applicant appealed to the Town Planning Appeals Tribunal against the time limit for commencement, limits to hours of operation to 7 am to 11.30 pm and installation of an external public address systems. The appeal was allowed in part, deleting the limit to hours of operation and varying the external public address requirements, with an amended permit issued on 23 September 1981.
- TP 101020 was issued for works for access, driveways and landscaping on 7 May 1981.
- Permit TP 100620 was issued for an internally illuminated pole sign on 12 May 1981.
- Permit BH/81/2076 was issued for an internally illuminated mansard roof sign on 28 May 1981.
- Permit TP 13941 was issued for a floodlit business sign on 6 September 1982.
- Permit BH/85/3502 was issued for an advertising sign board on 13 May 1985.
- Application BH/86/3791 proposed reconstruction of the existing service station was objected to by the Road Construction Authority on a basis that some of the proposed works were within the Canterbury Road widening reservation. This application was subsequently withdrawn.

The Site and Surrounds

The subject site is located on the northern side of Canterbury Road and eastern side of Bass Street, approximately 45 metres west of the intersection of Canterbury Road and Station Street. The site is square in shape with a frontage of 33.38 metres to Canterbury Road, a frontage of 37.27 metres to Bass Street and an overall total site area of 1244m².

The site is currently occupied by a single storey brick building located in the north-east corner of the site. The site is currently used as a convenience store and petrol station and includes 12 car parking spaces and a range of existing advertising signs.

Adjoining the site to the north is a single width laneway. There are a number of single storey residential properties on the north side of the laneway with vehicular and pedestrian access. To the south of the site, across Canterbury Road, are a number of double storey commercial properties. To the west, across Bass Street, is a single storey commercial building currently used for motor vehicle repairs, and to the east is a commercial car wash.

PERMIT TRIGGER

Pursuant to Clause 34.01-4 (Commercial 1 Zone) a permit is required to construct a building, construct or carry out works. A permit is not required to change the use of the site from ‘convenience shop’ to ‘shop’.
9.2.2
(cont)

Pursuant to Clause 52.05 (Advertising Signage), a permit is required to display signage with a total advertising area greater than 8m$^2$, and internally illuminated signage with a total advertising area greater than 1.5m$^2$.

Pursuant to Clause 52.27 (Licensed Premises), a permit is required to sell packaged liquor.

PROPOSAL

The planning application seeks approval for the use of land to sell packaged liquor, buildings and works and display of signage. Details of the application are as follows:

- The existing building will be retained and modified to include a new facade to remove the mansard roof and plaster over exposed brick, and to replace it with a new bulkhead structure at the top of the wall and over the roof edge.
- A new roller door to access the store room at the northern end of the building.
- Works including the removal of petrol bowser and increase number of car parking spaces from 12 to 20. No changes are proposed to existing vehicle crossings.
- Replacement of all existing signage, with the exception of the above verandah sign, with new business logos.
- Replace the existing 2.0 by 2.5 metre internally illuminated above verandah sign with a new internally illuminated above verandah sign with a length of 14.0 metres and a height of 2.5 metres.
- Change of use from convenience store to shop, including the selling of packaged liquor. Proposed hours will be:
  - 9am-11pm Monday to Saturday
  - 10am-11pm Sunday
  - 12pm-11pm Anzac Day
  - Closed Christmas Day and Good Friday

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent property owners and occupiers and by erecting a notice on front of the site. Following the advertising period, 138 objections were received. The issues raised in the objections can be summarised as follows:

Amenity
- The proposed packaged liquor use will encourage people to loiter near the adjacent laneway.
- The proposed use will adversely affect the amenity of Bass Street and the surrounding area.
- The proposed sign above the building entry is excessive and will impact visual amenity when entering Bass Street, is not sensitive to the residential character of Bass Street and is not in proportion to the building and will dominate the built form.
- The proposed use will result in increased rubbish.

Traffic/car parking
- The proposed use will increase traffic along Bass Street.
- The proposed use will create a potential traffic hazard.
- Loss of available car parking.
9.2.2 (cont)

**Impact on existing commercial environment**
- There are a number of shops selling liquor in the vicinity of the site and on this basis there is no need for another.
- Loss of commercial diversity in this area of Box Hill.
- A large chain packaged liquor shop will impact the viability of nearby small businesses and create a monopoly.
- Small businesses are preferred to major chain businesses.
- Another shop selling alcohol is not wanted.

**Impact of the sale of liquor**
- Alcohol should not be so readily available due to its contribution to violence in the community.
- The increased availability of alcohol will increase the risk of underage drinking, noting that Kingswood College is less than 1km away.
- The proposed use of the site has not acknowledged the ‘dry’ status of the area.

**Consultation Forum**

A consultation forum was attended by the applicant, objectors, Councillor Harris and a Council officer. No consensus was reached, however the applicant was agreeable to making some changes to the plans. These changes, including reduction to the size of the internally illuminated sign above the western building elevation, inclusion of a new fence along the northern boundary and signs directing vehicles to exit to Canterbury Road rather than to the north along Bass Street are reviewed in this report and listed in conditions for any approval granted as required.

**Referrals**

No referrals were required.

No Transport Engineering referral was required as the nature of the use is not changing, the existing car park and vehicle ingress/egress is not changing and the overall number of car parking spaces is more than that required by Clause 52.06-5.

**DISCUSSION**

**Clause 11 Settlement:**

The application is consistent with the purposes and objectives of this Clause as it will provide a high standard of urban design, provides the opportunity for economic viability for the occupants of the site and is consistent with the zoning of the land while providing diversity of choice. The use of the land is consistent with the activity centre as a whole at this intersection as the existing commercial use of the site is to be maintained.

**Clause 15 Built Environment and Heritage:**

The proposal adequately responds to the purposes and objectives of this Clause as, with amendments, it is considered the revised building facade will provide a contemporary, high quality urban design and architecture, while utilising an existing building which will minimise any amenity impacts on surrounding uses.
9.2.2
(cont)

Clause 21.07 – Economic Development

This Clause has objectives to:

- *Increase investment and employment opportunities that enhance the local economy, natural environment and quality of life for existing and future residents; and*
- *Enable appropriate growth of existing and future businesses in order to achieve economic well-being.*

It is considered that the proposed sale of liquor within the shop will support further economic development of the shopping strip along Canterbury Road in Box Hill.

The use is also in accordance with the purposes of the Commercial 1 Zone that seeks to create a vibrant mix of commercial centres for retail, office, business, entertainment and community uses. The use of the shop for the sale of liquor will complement the range of uses already provided in the shopping strip.

Clause 34.01 Commercial 1 Zone

*Change of use:*

The site is currently used for the purposes of a ‘convenience shop’. This use includes the sale of petrol. The proposal will involve a change of use to a ‘shop’ as packaged liquor is not considered a ‘convenience good’.

Both uses are ‘Section 1’ uses within the Commercial 1 Zone, and as such a permit is not required to change the existing use of the land to a shop.

*Buildings and works:*

The proposed buildings and works include the alteration to the building facade to delete the mansard roof and replace it with a more modern bulkhead and to modify the entry to the existing store room at the north end of the building from a regular doorway to a wider entry with roller door.

The changes to the mansard roof above the entry is a positive outcome as it will improve the external appearance of the building with a more contemporary facade. However, it is considered the height of the bulkhead is excessive, will result in an unreasonably bulky appearance of the building and will permit signage that will be an excessively dominant feature as viewed from Canterbury Road and the residential area to the north and west. It is recommended the bulkhead height above the building roofline be reduced so that no part of the bulkhead is above the roofline.

Clause 52.05 Advertising Signage

The proposal will utilise all the existing signage currently located within the site, namely a 1.0 metre by 3.0 metre sign on the southern facade of the building, a pylon sign located in the south west corner of the site and an illuminated above verandah sign located above the entry to the building.

The internally illuminated above verandah sign is to be modified in line with the deletion of the mansard roof and will be significantly increased in size from 2.5 metres by 2.0 metres (5m² total area) to 14.0 metres by 2.5 metres (35m² total area).
9.2.2 (cont)

It is considered that the overall size of the proposed western internally illuminated sign is excessive and requires reduction in size. It is recommended that the length of the proposed sign be reduced from 14 metres to 8 metres and, consistent with the recommended changes to the building facade detailed above, the reduction in the bulkhead element will facilitate a reduction in the width of the sign from 2.5 metres to 1 metre (8m² total area). The reduced size will ensure the sign is more in proportion with the building it is to be placed on, will be consistent with Clause 22.02, Council’s Visual Amenity and Advertising Signs Policy, and will have regard to the more sensitive residential interface to the north of the site. In the context of supporting a range of new signs, including a replacement pole sign in the south west corner of the frontage of Bass Street and Canterbury Road, and given that the subject land being adjacent to a residential setting, it is concluded that it is reasonable to reduce the extent of signage. It is considered that less signage will still provide for reasonable business identification of the proposed use.

Clause 52.06 Car Parking

The site currently provides 12 on-site car parking spaces. With the removal of the petrol bowser, the car parking provision will increase to 20 spaces. A convenience shop does not have a statutory car parking rate. A shop, pursuant to Clause 52.06-5 of the Whitehorse Planning Scheme must provide four spaces for every 100m² of leasable floor area. The shop has a leasable floor area of 220m² and therefore has a statutory requirement of 9 spaces.

The revised site layout will provide 20 car parking spaces which will be well above the required 9 car spaces and is an acceptable response that will minimise the need for any customer or staff car parking in the surrounding streets.

The existing vehicular access points are to be maintained. This, combined with the fact the nature, size or intensity of the use (220m² of commercial) is not to be changed, will ensure that the proposal will not result in any further amenity impacts due to changes to the existing traffic network. Conditions to any approval granted requiring new traffic directional signs, encouraging vehicles to turn on to Canterbury Road, is seen as appropriate to assist in the management of impacts of vehicle movements on residential amenity.

Clause 52.27 Licensed Premises

The decision guidelines for Clause 52.27 require consideration of the following:

- *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*

It is considered the use will not result in any significant amenity impacts on the surrounding area as no liquor will be consumed on site and it is considered unlikely that patrons purchasing liquor will be immediately consuming alcohol outside the subject site.

The submitted plans indicate that 180m² retail floor area is to be allocated for the sale of packaged liquor.

It is not considered that the liquor licence will significantly increase customer numbers in the centre and therefore the impacts of the use on the amenity of the area will be not be a significant change from existing circumstances.
Customers of the site will be required to comply with all relevant legislation in relation to the sale of alcohol. Conditions are listed for any approval granted to appropriately manage the use of the subject site for retailing of liquor. It is noted that a Code of Conduct is required by the Victorian Commission for Gambling and Liquor Regulation, which may include CCTV security to provide clear images of patrons entering and leaving the site, and proof of age checks will be undertaken to ensure underage patrons are not served.

- **The impact of the hours of operation on the amenity of the surrounding area.**

The applicant has advised that the proposed trading hours include:
- 9am-11pm Monday to Saturday
- 10am-11pm Sunday
- 12pm-11pm Anzac Day
- Closed Christmas Day and Good Friday

It is recommended that these hours be varied, limiting the sale of liquor to no later than 9:00pm in order to minimise the impact the use will have on the amenity of the surrounding area.

The site is located within an activity centre that includes few uses likely to attract extensive late night trading and is also located directly adjacent to a residential area to the north. On this basis, it is considered the site and the surrounding area have an intensity of use that is lower than that seen in more robust commercial areas, such as Box Hill Shopping Centre to the north. Additionally, these hours would be generally consistent with nearby packaged liquor shops at 395 and 318 Station Street Box Hill.

- **The impact of the number of patrons on the amenity of the surrounding area.**

Customers visiting this activity centre will be undertaking everyday shopping requirements. The shop will utilise the on-site car park and spill over into off-site parking in the surrounding area is unlikely. It is considered that the change of use is unlikely to significantly increase the number of customers attending the site beyond that expected in a commercial area as the building size is not increasing. It is considered that new acoustic fencing on the north side boundary is appropriate to assist with managing potential noise/visual impacts from surrounding residential uses. This is listed in conditions to any approval granted.

- **The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.**

It is not considered that the sale of packaged liquor from within the shop, subject to conditions, will have adverse impact on the amenity of the surrounding area more than existing circumstances, given the minimal floor area to be allocated for that purpose, and that the shop will sell packaged liquor for consumption off-site.

It is acknowledged that there are a number of bottle shops and restaurants and cafés with liquor licences within the vicinity of the site. It is considered that because of this, and the fact the proposal will not allow alcohol to be consumed on the site, the additional impact on the surrounding area will be minimal.

**Issues Raised in Objections Not Previously Addressed**

Many of the issues raised in the objections have already been addressed in this report. Outstanding issues include:
9.2.2 (cont)

Amenity

- The proposed use will result in increased rubbish.

Conditions requiring a Code of Practice, including rubbish management is listed in conditions for any approval granted.

Impact on existing commercial environment

- There are a number of shops selling liquor in the vicinity of the site and on this basis there is no need for another.
- Loss of commercial diversity in this area of Box Hill.
- A large chain packaged liquor shop will impact the viability of nearby small businesses and create a monopoly.
- Small businesses are preferred to major chain businesses.
- Another shop selling alcohol is not wanted.

Issues relating to competition and the commercial environment are not relevant planning matters and cannot be considered as part of this application. The proposed use of the site as a shop is consistent with the zoning of the land and is therefore supported.

Impact of the sale of liquor

- Alcohol should not be so readily available due to its contribution to violence in the community.

It is acknowledged that violence caused by alcohol is a concern for the community at large. However, the Decision Guidelines of Clause 52.27 (Licensed Premises) deal specifically with the impact on the amenity of the surrounding area. The impact of the consumption of alcohol on the wider community is consequently not a relevant consideration for this proposal.

- The proposed use of the site has not acknowledged the ‘dry’ status of the area.

The ‘dry area’ relates to a prohibition on general on-premises licenses (hotels, bars) or full club licenses in the area of Whitehorse west of Middleborough Road and north of Riversdale Road without a successful referendum as conducted by the Victorian Electoral Commission. The ‘dry area’ has been in force since 1906 and is controlled by Schedule 3 of the Liquor Reform Act 1998.

Packaged liquor licenses do not fall within the category of either an ‘on-premises’ or ‘full club’ license and as such are not prohibited by the dry area status of Box Hill.

CONCLUSION

The proposed use and development of the site for use of land to sell packaged liquor, buildings and works and display of signage is consistent with the relevant planning controls and policies, including the State and Local Planning Policies as well as the decision guidelines of Clause 52.27 Licensed Premises of the Whitehorse Planning Scheme.
9.2.2
(cont)

The proposed use is appropriately sited and designed so that, with further amendment, will not create any unacceptable adverse amenity impacts to adjoining properties, as well as being visually compatible with the existing built form. Conditions requiring variation to the hours of operation, modification to the building design, in particular the bulkhead dimensions, new acoustic fencing on the north boundary, reduction in the extent of new signage and a Code of Practice for on-site operation, will sufficiently address amenity concerns to adjoining properties, Canterbury Road and Bass Street.

The objections received to the proposed development have been considered throughout this report.

It is recommended that the application should be approved.
9.2.3 22-26 Joseph Street, Blackburn North – Use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements

FILE NUMBER: WH/2013/226
ATTACHMENT

SUMMARY

This application was advertised, and a total of 48 objections were received. The objections raised issues with car parking provision, traffic, amenity impacts, patron behaviour, site operation, bicycle facilities and display of advertising signs. A Consultation Forum was held on 27 August, 2013, chaired by Councillor Munroe, at which the issues were explored, however no resolution was reached between the parties. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. It is recommended that the application be supported, subject to conditions.

RECOMMENDATION

That Council:

A Being the Responsible Authority, having caused application WH/2013/226 to the land at 22-26 Joseph Street, Blackburn North, to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements is acceptable and should not cause unreasonable impact to adjacent properties.

B Issue a Notice of Decision to Grant Planning Permit WH/2013/226 under the Whitehorse Planning Scheme to the land described as 22-26 Joseph Street, Blackburn North for the use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements, subject to the following conditions:

1. Before the commencement of the use and/or development, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:

   a. A full and complete set of plans and elevations showing:

      i. The site and common property boundaries and accessways.

      ii. The internal layout of all levels, including no more than three function/party rooms.

      iii. Location and line marking for all car spaces.

      iv. All advertising and direction signs.

      v. Bicycle racks.

      vi. Landscape areas.
9.2.3 (cont)

b. The direction signage prohibiting “Bounce” patrons from parking on the accessway to the west to be amended to include direction for public parking in the disabled car space.

c. Additional signage indicating the access door for disabled people, located beside the disabled parking space.

d. Twenty-four bicycle spaces to be shown on the plans, including provision of at least seven bicycle hoops (comprising 14 bicycle spaces) within the front setback, and demonstrating compliance with the requirements of Clause 52.34-4.

e. Provision of one unisex shower for staff usage.

f. Provision of bicycle direction signs in accordance with Clause 52.34-5.

g. All amendments to the plans required by the Waste Management Plan in accordance with Condition 16.

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

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

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

Site Operation

3. Once the use is commenced it shall only be used for the above purpose, to the satisfaction of the Responsible Authority.

4. The use of the land as a Restricted Recreation Facility approved by this permit must not commence until all of the buildings and works hereby approved are completed, the first Acoustic Report has been satisfactorily submitted, and the Parking and Waste Management Plans approved, to the satisfaction of the Responsible Authority.

5. No more than the following maximum participant numbers may be utilising the site facilities at any time:

i. Monday to Friday before 5pm: 120 participants in the trampoline area and 30 party participants.

ii. At all other operating times: 120 participants in the trampoline area and 60 party participants.

No more than 30 employees (except for administrative staff) shall be on site at any one time.

6. The restricted recreation facility must only operate:

• 9am-9pm Monday to Thursday
• 9am-11pm Friday and Saturday
• 9am-9pm Sunday

Patrons may be allowed into the building 15 minutes prior to the commencement of operation each day to allow participants to be checked in and get ready for the commencement of the use.
9.2.3
(cont)

7. Trampoline session times must be set to allow a minimum 10 minute break between sessions, to allow for patrons to leave and arrive.

8. The building, internal facilities and car parking are to be designed having particular regard to the accessibility and convenience of disabled people in accordance with the provisions of the Victoria Building Regulations 2006, Building Code of Australia Part D, Disability and Discrimination Act 1992 and Australian Standards AS 1428.1 and AS NZS 2890.6 unless otherwise agreed to in writing by the Responsible Authority.

Amenity

9. No form of public address system shall be installed so as to be audible from outside the buildings.

10. Alarms must be directly connected to a security service and must not produce noise beyond the premises.

11. All external lighting must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles so that no direct light or glare is emitted outside the site.

12. The doors and window to the trampoline area must not be opened during operating hours, except for safety reasons.

13. A daily litter collection must be undertaken by staff within 220 metres to the east, west and south of building.

14. In order to have a baseline against which to measure ambient background noise at nearby residential properties, prior to the commencement of the site operation, an acoustic report by a qualified Acoustic Engineer, or similar, detailing baseline ambient noise levels over the period of the proposed operation hours for the site must be submitted to the satisfaction of the Responsible Authority.

Three months after the commencement of the approved use, a second report detailing the measured noise emissions from the site during operation to nearby residential properties must be submitted to Council, assessing noise emissions against the requirements of the relevant SEPP. If the noise emissions are not compliant with the SEPP, the report must detail measures to achieve compliance with the SEPP, and these must be implemented to the satisfaction of the Responsible Authority within six months of the commencement of the use.

15. The development and use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard the emission of noise shall comply with the provisions of the Environment Protection Act 1970 (as amended) and the policies of the Environment Protection Authority.

Waste

16. Prior to the commencement of the use, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority. The Waste Management Plan must provide details in relation to:

a) Private collection of all wastes generated on the site.
9.2.3  (cont)

b) On-site waste storage capacity: including justification based on similar uses that the on-site waste storage capacity will be sufficient, and options to increase capacity if required.

c) Bin storage areas: their location, accessibility and number, size and capacity of bins that can be accommodated, All garbage storage areas must be screened from public view and not be located in landscape areas, car parking spaces or vehicle accessways.

d) An on-going commitment to recycling, including separate collections by waste contractors, and processes to ensure that separation of recyclables is facilitated and not hindered by the site layout.

e) Delivery of bins to waste collection points and retrieval of bins to nominated storage areas within the building: including access to secure basement areas and management of potential conflicts between vehicles accessing the site and waste collection arrangements.

f) Waste collection arrangements: including collection frequency, collection location, collection vehicle access arrangements, including clearance and turning movements, appropriate collection standards including collection cleanliness and spill management, hours of access, noise impacts and other amenity related issues, and any signage required to facilitate these arrangements.

g) Litter management within 220 metres of the building to the east, west and south.

The requirements of the Waste Management Plan must be demonstrated on the plans and elevations submitted for endorsement.

Once submitted to and approved by the Responsible Authority, the Waste Management Plan must form part of the documents endorsed as part of this planning permit.

The requirements of the Waste Management Plan must be implemented by the building manager, owners and occupiers of the site for the duration of the building’s operation in accordance with this permit, to the satisfaction of the Responsible Authority.

Car Parking

17. The fifty-nine car parking spaces on the subject site must remain available for that purpose at all times.

18. The car parking areas and accessways as shown on the endorsed plans shall be formed to such levels so that they may be used in accordance with the plan, and shall be properly constructed, surfaced, drained and line-marked (where applicable). The car park and driveways shall be maintained to the satisfaction of the Responsible Authority.

19. Parking areas and access lanes must be kept available for these purposes at all times.

20. Prior to the commencement of the site operation, bus parking facilities must be available for use by patrons, to the satisfaction of the Responsible Authority.
21. Before occupation of the building, a Parking Management Plan must be submitted and approved by the Responsible Authority. The Parking Management Plan must include (but not be limited to) the following:

   a) With the exception of the disabled space, car spaces on the accessway to the west of the building are only to be used by staff.

   b) Procedures to:
      
      i. Encourage patrons to use the basement parking area.
      
      ii. Direct on-street staff and customer car parking away from residential frontages.
      
      iii. Notify customers of the availability of bicycle parking on site and the proximity of the Koonung Creek Trail and bus services on Middleborough Road in order to encourage sustainable transport usage.

        Measures to direct patron parking should include instructing customers to not park in front of residences via information sheets, promotional material and their email booking confirmation.

   c) Seeking separate approvals for:
      
      i. A ten minute bus parking zone in front of 6-16 Joseph Street.
      
      ii. A five minute drop off/pick up zone along the site frontage.
      
      iii. Removal of no stopping restrictions beside the reserve on the north side of Joseph Street to the east of the site.

   d) Location and management of bus parking area.

   e) Management of pedestrians travelling along Joseph Street between the bus parking area and the subject site.

   f) Direction signage and line marking for dedicated staff and customer parking.

When approved, the Parking Management Plan will be endorsed and form part of this permit. The Parking Management Plan must be implemented to the satisfaction of the Responsible Authority. The plan must not be modified unless with the further written consent of the Responsible Authority.

22. A minimum of one (1) car space is to be provided for the exclusive use of disabled people. It shall be marked clearly with a sign to indicate its intended use, to the satisfaction of the Responsible Authority.

Advertising Signs

23. The approved illuminated signs may only be illuminated during the hours of the site operation as allowed by Condition 6.

24. The intensity of the light in the advertising signs permitted shall be limited so as not to cause distraction of motorists in adjoining streets or loss of amenity in the surrounding area.

25. The advertising signs must be constructed and maintained to the satisfaction of Responsible Authority. Any sign in a state of disrepair shall, at the direction of the Responsible Authority, be removed from the site.
26. Except where no permit is required under the provisions of Clause 52.05 of the Planning Scheme, no additional advertisement or sign other than that already permitted shall be erected or established on the site without the prior written consent of the Responsible Authority. In this context it is noted an advertisement includes painted on advertising media, flags, bunting, streamers or similar devices used for advertising, and the control extends to an advertisement inside a building which can ordinarily be seen by a person who is outside the building.

27. The signs permitted must not contain any flashing light or be animated.

Expiry

28. This permit, as it relates to advertising signs, expires fifteen years after the date it is issued.

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

- the use is not commenced within two (2) years from the date of issue of this permit;
- the development and use is not commenced within two (2) years from the date of issue of this permit,
- the development is not completed within four (4) years from the date of this permit.

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

Permit Notes:

a) Separate application to Council’s Engineering and Environmental Services Department must be made for the following parking management improvements in Joseph Street to facilitate bus movements and short term parking associated with the proposed use, including:

- A ten minute bus parking zone on the north side of Joseph Street in front of No. 6-16 Joseph Street to facilitate bus movements.
- A five minute drop off/pick up zone along the site frontage.
- Removal of no stopping restrictions beside the reserve on the north side of Joseph Street to the east of the site.

b) All disabled access and disabled car parking requirements are to comply with Part D3 of the Building Code of Australia, Australian Standards 1428.1 and AS2890.6-2009 (disabled) and the Australian Disability Discrimination Act 1992.

c) The cafe and kitchen must be registered for separate approval by Council’s Health Department. Detailed plans for the kitchen are to be submitted to the Health Department.

C Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.
9.2.3
(cont)

MOTION

Moved by Cr Massoud, Seconded by Cr Carr

\textit{That Council:}

\begin{itemize}
  \item[A] \textit{Being the Responsible Authority, having caused Application WH/2013/226 at 22-26 Joseph Street, Blackburn North, to be advertised and having received and noted the objections is of the opinion no Planning Permit be granted for the use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements as it will cause unreasonable impacts with regard to traffic, car parking and the amenity of the nearby residential lots.}
  \item[B] \textit{Issue a Refusal to Grant a Permit under the Whitehorse Planning Scheme to the land described as 22-26 Joseph Street, Blackburn North, for the use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements, on the following grounds:}
    \begin{enumerate}
      \item There is insufficient car parking available on site to cater for the proposed numbers of staff and patrons.
      \item The increased vehicular traffic and overspill of car parking onto surrounding streets would impact on the amenity of nearby residential lots.
      \item The increased vehicular and pedestrian traffic associated with the proposed use would impact on the safety of road users.
      \item The hours of operation would impact on the amenity of nearby residential lots at sensitive times, such as late evening.
    \end{enumerate}
  \item[C] \textit{Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.}
\end{itemize}

The motion was LOST on the casting vote of the Mayor

A Division was called

\begin{tabular}{ll}
For & Against \\
Cr Bennett & Cr Chong \\
Cr Carr & Cr Davenport \\
Cr Daw & Cr Harris \\
Cr Ellis & Cr Munroe \\
Cr Massoud & Cr Stennett \\
\end{tabular}

On the results of the division the motion was LOST on the casting vote of the Mayor
9.2.3 (cont)

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Carr

That Council:

A Being the Responsible Authority, having caused application WH/2013/226 to the land at 22-26 Joseph Street, Blackburn North, to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements is acceptable and should not cause unreasonable impact to adjacent properties.

B Issue a Notice of Decision to Grant Planning Permit WH/2013/226 under the Whitehorse Planning Scheme to the land described as 22-26 Joseph Street, Blackburn North for the use of land as a restricted recreation facility (trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements, subject to the following conditions:

1. Before the commencement of the use and/or development, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
   a. The removal of Dodge Ball Arena 2 at the north-west corner of the site and reinstated the six car spaces and accessway on the common property.
   b. A full and complete set of plans and elevations showing:
      i. The site and common property boundaries and accessways, in accordance with condition 1.a).
      ii. The internal layout of all levels, including no more than three function/party rooms.
      iii. Location and line marking for all car spaces.
      iv. All advertising and direction signs.
      v. Bicycle racks.
      vi. Landscape areas.
   c. The direction signage prohibiting “Bounce” patrons from parking on the accessway to the west to be amended to include direction for public parking in the disabled car space.
   d. Additional signage indicating the access door for disabled people, located beside the disabled parking space.
   e. Twenty-four bicycle spaces to be shown on the plans, including provision of at least seven bicycle hoops (comprising 14 bicycle spaces) within the front setback, and demonstrating compliance with the requirements of Clause 52.34-4.
9.2.3 (cont)

f. Provision of one unisex shower for staff usage.

g. Provision of bicycle direction signs in accordance with Clause 52.34-5.

h. All amendments to the plans required by the Waste Management Plan in accordance with Condition 16.

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

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

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

Site Operation

3. Once the use is commenced it shall only be used for the above purpose, to the satisfaction of the Responsible Authority.

4. The use of the land as a Restricted Recreation Facility approved by this permit must not commence until all of the buildings and works hereby approved are completed, the first Acoustic Report has been satisfactorily submitted, and the Parking and Waste Management Plans approved, to the satisfaction of the Responsible Authority.

5. No more than the following maximum participant numbers may be utilising the site facilities at any time:

i. Monday to Friday before 5pm: 120 participants in the trampoline area and 30 party participants.

ii. At all other operating times: 120 participants in the trampoline area and 60 party participants.

No more than 30 employees (except for administrative staff) shall be on site at any one time.

6. The restricted recreation facility must only operate:

- 9am-9pm Monday to Thursday
- 9am-11pm Friday and Saturday
- 9am-9pm Sunday

Patrons may be allowed into the building 15 minutes prior to the commencement of operation each day to allow participants to be checked in and get ready for the commencement of the use.

7. Trampoline session times must be set to allow a minimum 10 minute break between sessions, to allow for patrons to leave and arrive.

8. The building, internal facilities and car parking are to be designed having particular regard to the accessibility and convenience of disabled people in accordance with the provisions of the Victoria Building Regulations 2006, Building Code of Australia Part D, Disability and Discrimination Act 1992 and Australian Standards AS 1428.1 and AS NZS 2890.6 unless otherwise agreed to in writing by the Responsible Authority.
9.2.3 (cont)

**Amenity**

9. No form of public address system shall be installed so as to be audible from outside the buildings.

10. Alarms must be directly connected to a security service and must not produce noise beyond the premises.

11. All external lighting must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles so that no direct light or glare is emitted outside the site.

12. The doors and window to the trampoline area must not be opened during operating hours, except for safety reasons.

13. A daily litter collection must be undertaken by staff within 220 metres to the east, west and south of building.

14. In order to have a baseline against which to measure ambient background noise at nearby residential properties, prior to the commencement of the site operation, an acoustic report by a qualified Acoustic Engineer, or similar, detailing baseline ambient noise levels over the period of the proposed operation hours for the site must be submitted to the satisfaction of the Responsible Authority.

Three months after the commencement of the approved use, a second report detailing the measured noise emissions from the site during operation to nearby residential properties must be submitted to Council, assessing noise emissions against the requirements of the relevant SEPP. If the noise emissions are not compliant with the SEPP, the report must detail measures to achieve compliance with the SEPP, and these must be implemented to the satisfaction of the Responsible Authority within six months of the commencement of the use.

15. The development and use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard the emission of noise shall comply with the provisions of the Environment Protection Act 1970 (as amended) and the policies of the Environment Protection Authority.

**Waste**

16. Prior to the commencement of the use, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority. The Waste Management Plan must provide details in relation to:

   a) Private collection of all wastes generated on the site.

   b) On-site waste storage capacity: including justification based on similar uses that the on-site waste storage capacity will be sufficient, and options to increase capacity if required.

   c) Bin storage areas: their location, accessibility and number, size and capacity of bins that can be accommodated. All garbage storage areas must be screened from public view and not be located in landscape areas, car parking spaces or vehicle accessways.
9.2.3 (cont)

d) An on-going commitment to recycling, including separate collections by waste contractors, and processes to ensure that separation of recyclables is facilitated and not hindered by the site layout.

e) Delivery of bins to waste collection points and retrieval of bins to nominated storage areas within the building: including access to secure basement areas and management of potential conflicts between vehicles accessing the site and waste collection arrangements.

f) Waste collection arrangements: including collection frequency, collection location, collection vehicle access arrangements, including clearance and turning movements, appropriate collection standards including collection cleanliness and spill management, hours of access, noise impacts and other amenity related issues, and any signage required to facilitate these arrangements.

g) Litter management within 220 metres of the building to the east, west and south.

The requirements of the Waste Management Plan must be demonstrated on the plans and elevations submitted for endorsement.

Once submitted to and approved by the Responsible Authority, the Waste Management Plan must form part of the documents endorsed as part of this planning permit.

The requirements of the Waste Management Plan must be implemented by the building manager, owners and occupiers of the site for the duration of the building’s operation in accordance with this permit, to the satisfaction of the Responsible Authority.

Car Parking

17. The sixty-five car parking spaces on the subject site must remain available for that purpose at all times.

18. The car parking areas and accessways as shown on the endorsed plans shall be formed to such levels so that they may be used in accordance with the plan, and shall be properly constructed, surfaced, drained and line-marked (where applicable). The car park and driveways shall be maintained to the satisfaction of the Responsible Authority.

19. Parking areas and access lanes must be kept available for these purposes at all times.

20. Prior to the commencement of the site operation, bus parking facilities must be available for use by patrons, to the satisfaction of the Responsible Authority.

21. Before occupation of the building, a Parking Management Plan must be submitted and approved by the Responsible Authority. The Parking Management Plan must include (but not be limited to) the following:

a) Procedures to direct staff parking as follows:

i. With the exception of the disabled space, car spaces on the accessway to the north and west of the building are only to be used by staff, and are to be first car spaces utilised by staff.
9.2.3
(cont)

ii. Direct on-street staff car parking away from residential frontages.

iii. Notify patrons of the availability of bicycle parking on site and the proximity of the Koonung Creek Trail and bus services on Middleborough Road in order to encourage sustainable transport usage.

b) Procedures to direct patron parking as follows:

i. Encourage patrons to use the basement parking area.

ii. Direct on-street patron car parking away from residential frontages.

iii. Notify patrons of the availability of bicycle parking on site and the proximity of the Koonung Creek Trail and bus services on Middleborough Road in order to encourage sustainable transport usage.

Measures to direct patron parking should include instructing customers to not park in front of residences via information sheets, promotional material and their email booking confirmation.

c) Seeking separate approvals for:

i. A ten minute bus parking zone in front of 6-16 Joseph Street.

ii. A five minute drop off/pick up zone along the site frontage.

iii. Change the “No Stopping” restrictions beside the reserve on the north side of Joseph Street to the east of the site to “No Standing Mon-Fri 7am-5pm and Sat 9am-12noon”.

d) Location and management of bus parking area.

e) Management of pedestrians travelling along Joseph Street between the bus parking area and the subject site. This must include, but is not limited to, requirements for all children to be escorted by adult attendants or staff from bus stop to venue entrance across all intervening driveways.

f) Direction signage and line marking for dedicated staff and customer parking.

When approved, the Parking Management Plan will be endorsed and form part of this permit. The Parking Management Plan must be implemented to the satisfaction of the Responsible Authority. The plan must not be modified unless with the further written consent of the Responsible Authority.

22. A minimum of one (1) car space is to be provided for the exclusive use of disabled people. It shall be marked clearly with a sign to indicate its intended use, to the satisfaction of the Responsible Authority.

Advertising Signs

23. The approved illuminated signs may only be illuminated during the hours of the site operation as allowed by Condition 6.

24. The intensity of the light in the advertising signs permitted shall be limited so as not to cause distraction of motorists in adjoining streets or loss of amenity in the surrounding area.

25. The advertising signs must be constructed and maintained to the satisfaction of Responsible Authority. Any sign in a state of disrepair shall, at the direction of the Responsible Authority, be removed from the site.
9.2.3
(cont)

26. Except where no permit is required under the provisions of Clause 52.05 of the Planning Scheme, no additional advertisement or sign other than that already permitted shall be erected or established on the site without the prior written consent of the Responsible Authority. In this context it is noted an advertisement includes painted on advertising media, flags, bunting, streamers or similar devices used for advertising, and the control extends to an advertisement inside a building which can ordinarily be seen by a person who is outside the building.

27. The signs permitted must not contain any flashing light or be animated.

Expiry

28. This permit, as it relates to advertising signs, expires fifteen years after the date it is issued.

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

- the use is not commenced within two (2) years from the date of issue of this permit;
- the development and use is not commenced within two (2) years from the date of issue of this permit,
- the development is not completed within four (4) years from the date of this permit.

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

Permit Notes:

a) Separate application to Council’s Engineering and Environmental Services Department must be made for the following parking management improvements in Joseph Street to facilitate bus movements and short term parking associated with the proposed use, including:

- A ten minute bus parking zone on the north side of Joseph Street in front of No. 6-16 Joseph Street to facilitate bus movements.
- A five minute drop off/pick up zone along the site frontage.
- Reduction of no stopping time restrictions beside the reserve on the north side of Joseph Street to the east of the site.

b) All disabled access and disabled car parking requirements are to comply with Part D3 of the Building Code of Australia, Australian Standards 1428.1 and AS2890.6-2009 (disabled) and the Australian Disability Discrimination Act 1992.

c) The cafe and kitchen must be registered for separate approval by Council’s Health Department. Detailed plans for the kitchen are to be submitted to the Health Department.

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

CARRIED
9.2.3 (cont)

A division was called

<table>
<thead>
<tr>
<th>Division</th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Carr</td>
<td>Cr Chong</td>
<td>Cr Davenport</td>
</tr>
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</tr>
<tr>
<td>Cr Stennett</td>
<td></td>
<td>Cr Stennett</td>
</tr>
</tbody>
</table>

On the results of the Division the motion was declared CARRIED
### 9.2.3 (cont)

**MELWAYS REFERENCE 47 J4**

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Simon McNamara</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning:</td>
<td>Industrial 3 Zone</td>
</tr>
<tr>
<td>Overlay:</td>
<td>N/A</td>
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<tr>
<td>Relevant Clauses:</td>
<td>Clause 11 Settlement, Clause 17 Economic Development, Clause 18.02 Movement Networks, Clause 21.07 Economic Development, Clause 22.02 Visual Amenity and Advertising Signs, Clause 22.16 Industrial Areas Design Guidelines, Clause 33.03 Industrial 3 Zone, Clause 52.05 Advertising Signs, Clause 52.06 Car Parking, Clause 52.34 Bicycle Facilities</td>
</tr>
<tr>
<td>Objections:</td>
<td>48</td>
</tr>
<tr>
<td>Ward:</td>
<td>Central</td>
</tr>
</tbody>
</table>

---

Map showing the subject site and 48 objections received (two off the map). The map is oriented with North at the top.
9.2.3
(cont)

BACKGROUND

History

Site History:

Council records indicate that Planning Permit NUN/3467 was issued on 28 November, 1994, allowing the development of the land known as 18-26 Joseph Street for the purpose of four warehouses/offices. The site was subdivided into five lots in 1990, and re-subdivided into four lots in 1996.

Planning Permit Application WH/15249 proposing a floodlit sky sign on the roof of the existing building facing the Eastern Freeway was refused on 8 June, 2006.

Planning Permit WH/2008/925 was issued on 12 May, 2009, allowing the display of a major promotion sign.

“Bounce” History

The operators of “Bounce” trampoline venue have a similar venue operating in Weir Street, Glen Iris. This venue was visited by a Planning Officer on a typical Saturday afternoon to observe the site operation. This existing venue has also been utilised by both the applicant and the submitters as a basis for comparison and understanding of the current proposal.

Application History:

Subsequent to the notification of the current application, the proposal was amended on 20 September, 2013, pursuant to Section 57A of the Planning and Environment Act 1987, making the following changes:

- Alterations to the proposed site operation, including opening hours and numbers of people on site.
- Provision of ten bicycle parking spaces in the basement.
- Buildings and works to alter the front entrance to eliminate potential conflict between patrons using the stairs to the front entrance and the common property driveway to the west (and associated change to the preamble).
- Alterations to signs, including addition of direction signs and reduction of illuminated and business identification signage.
- Closing time one hour earlier on Fridays and Saturdays (change from midnight to 11pm).
- Reduced the maximum number of people proposed on site from 290 (staff and attendees, including both bouncers and spectators) to 150 participants (120 participants in the trampoline area plus 30 party participants) Monday to Friday before 5pm and 180 participants (120 participants in the trampoline area plus 60 party participants) at all other operating times, plus a maximum of 30 staff associated with the trampoline and party activities, and unlimited spectators.
- Reduction in the number of function/party rooms proposed from five to three.
- A daily litter collection in the area will be undertaken within 30 metres in each direction from building.
- Inclusion of an additional office component (call centre) associated with the use.
- Alteration of the use description from Indoor Recreation Facility to Restricted Recreation Facility.
9.2.3
(cont)

Although notice of the amendment was not required to be given pursuant to Section 57B of the Act, as there was no increase in detriment associated with the amendment, submitters were notified by mail of Council’s receipt of the additional and amended application documents, and were invited to view these on line or at the Civic Centre.

The Site and Surrounds

The subject site is located on the north side of Joseph Street, 280 metres east of the intersection with Middleborough Road in Blackburn North. The subject site has an irregular shape, and an area of 2817m². The site accommodates an existing 10 metre high commercial building which includes a common basement car park, a double height warehouse area and an internal mezzanine level accommodating offices and service areas. The existing building has a floor area of 3,341m². Mid canopy landscape screening vegetation is established towards the front (south) of the site.

The basement car park and a common property accessway abutting the west elevation of the existing building are shared with the two adjacent lots to the west, known as 18 and 20 Joseph Street, which are used as warehouse/offices.

The basement car park is accessed from Joseph Street at the south-east corner of the lot, and includes 84 car spaces, of which 54 are allocated to the subject site in accordance with the plan of subdivision. The site is also allocated four car spaces beside the west elevation on the common accessway, and has the use of one disabled car space off the common accessway near the south-west corner of the building. The total number of car spaces available for parking on site is 59. (Six at grade car spaces to the rear of the common accessway are on title, but are required for other purposes and have been excluded from the available parking spaces).

The site immediately abutting to the east is a commercial premises used by Wylies Concrete Cutting. To the south, the two storey commercial building across Joseph Street is occupied by Network Marketing Pty Ltd.

The site forms part of a small pocket of Industrial 3 Zoned land. The site is directly abutted by the Eastern Freeway to the north, with commercial premises adjacent to the east, south and west. However residential properties within the Residential 1 Zone are located diagonally opposite the subject site to the south-west, and continuing along the south side of Joseph Street between Chapman Street and Middleborough Road.

Joseph Street is a cul-de-sac which terminates 400 metres east of the subject site, and serves residential properties for the final 150 metres of its length. A reserve, including the Koonung Creek trail separates the industrial lots on the north side of Joseph Street from the residential lots to the east.

To the west of the subject site, Joseph Street connects to Middleborough Road at two separate intersections. Owing to the street layout, the primary access road serving Joseph Street is Middleborough Road.

There are some parking restrictions on Joseph Street, including no stopping restrictions to facilitate traffic flow. Parking is limited to 2 hours during business hours in some locations along Joseph Street, Chapman Street and Vivian Street to the west of the subject site.

There are five unrestricted on-street car spaces provided at the frontage of the subject site.

Bus services run along Middleborough Road, connecting to Box Hill Transport Interchange.
9.2.3 (cont)

PERMIT TRIGGER

It is noted that the Section 57A Amendment altered the description of the proposed use from Indoor Recreation Facility to Restricted Recreation Facility. The respective definitions of these terms are provided below:

- Indoor Recreation Facility - A building used for indoor leisure, recreation, or sport.
- Restricted Recreation Facility - Land used by members of a club or group, members' guests, or by the public on payment of a fee, for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming.

It is noted that the Restricted Recreation Facility definition is a more accurate description of the proposed use. (N.B. Gaming is not proposed, and would require additional planning approval) Importantly, both definitions are nested under the broader definition of Minor Sports and Recreation Facility, and both have the same planning permit and car parking requirements. The change to the definition of the proposed use to be included in the preamble is therefore considered acceptable.

Pursuant to Clause 33.03-2 (Industrial 3 Zone), a Planning Permit is required to use the land for a restricted recreation facility. Clause 33.03-4 requires planning approval for all external buildings and works (alterations to front stair).

The display of illuminated business identification signs requires planning approval in accordance with Clause 52.05-1 Advertising Signs.

A reduction of bicycle facilities requirements attracts planning approval in accordance with Clause 52.34-2.

Pursuant to Clause 52.06-5A Car Parking, before the new use commences, car parking spaces must be provided to the satisfaction of the Responsible Authority (Council).

PROPOSAL

Planning Permit Application WH/2013/226 proposes to use an existing commercial building for the purpose of a restricted recreation facility (“Bounce” trampoline venue) and associated buildings and works, display of illuminated business identification signs and reduction of bicycle facilities requirements. Concurrent to this application, car parking will be assessed to the satisfaction of Council.

The proposed “Bounce” trampoline venue includes interconnected trampolines, foam pits and padding spread over 500m² (including up some walls) for recreation for both children and adults. The venue includes a free jumping arena, dodge ball courts, foam pits, harness trampolines and performance trampolines. This activity area will be accommodated within the existing double height warehouse space, and a dedicated car parking area within the common property, at the ground floor level.

At the ground floor level below the mezzanine, an entry lobby and holding areas for waiting parties will be accommodated directly off the front entry at the south-west corner of the lot. Participants will progress through this area to the locker and toilet facilities, and change their shoes for special socks which are to be worn on the trampolines. A staff room, kitchen and existing office are also accommodated in this area.
9.2.3 (cont)

At the first floor level, the building will accommodate a reception area, ancillary cafe/shop, kitchen, spectator’s viewing area, ancillary offices, service facilities and three function/party rooms. The function/party rooms will be utilised by participants for birthday celebrations or corporate functions. A typical party runs for 1.5 hours, including 50 minutes for guests to bounce on the trampolines, and approximately 30 minutes for guests to be served food and drink in one of the party/function rooms. (Note that while using the trampolines, party guests are counted towards the participant numbers, and while in the party room they are counted towards the party participant numbers).

During the day, the Glen Iris “Bounce” facility is utilised primarily by school and childrens party groups, and in the evenings, older patrons participate in dodge ball tournaments.

It is noted that the plans continue to show five function/party rooms, and require amendment to depict only three such rooms in accordance with the amended proposal.

Details of the proposal are summarised as follows:

**Land Use and Operation:**

- **Proposed Operating Hours:**
  - 8.45am-9pm Monday to Thursday
  - 8.45am-11pm Friday and Saturday
  - 8.45am-9pm Sunday
  - Note: the 15 minute window provided before the 9am commencement of activities will allow for people to be checked in and get ready for a 9am start, rather than congregating outside on the street before 9am.
  - Based on the Glen Iris facility, it is anticipated that after the completion of formal bouncing sessions each evening, patrons will all have left the site within 15 minutes, and staff will take half an hour to close up and leave.

- **Maximum participant numbers:**
  - Monday to Friday before 5pm: 120 jumping participants and 30 party participants (total 150 participants).
  - At all other operating times: 120 jumping participants and 60 party participants (total 180 participants).

- No more than 30 employees associated with the trampoline and function areas will be on site at any one time.

- Ancillary call centre office accommodating additional staff.

- Unlimited spectator numbers.

- Trampoline sessions typically 50 minutes in length, with 10 minute breaks between sessions.

- A daily litter collection in the area will be undertaken within 30 metres in each direction from building.

- Waste storage in the basement in 4 x 2m² skip bins which will be collected twice weekly via a private waste contractor.

- Noise will be maintained within the appropriate SEPP (State Environment Protection Policy) regulation.

- The applicant has stated that the use would be expected to employ 150 new staff on a full-time, part-time and casual basis.
9.2.3 (cont)

Buildings and Works:
- Demolish the existing external stairs which run between to the entrance of the building on Joseph Street and the common property driveway and erect a balustrade across the west side of the landing and install new stairs directed eastwards away from the driveway.
- Conversion of an existing roofed and fenced common property parking/loading area at the north-west of the site for a dodge ball court.
- Painting the exterior of the building charcoal grey (no permit is required for painting)

Advertising Signs:
- Direction signs:
  - On the Joseph Street frontage: white vinyl sign: “CUSTOMER CAR PARK UNDERNEATH”.
  - Attached to the west elevation over the common property accessway facing Joseph Street: painted black and white sign: “NO PARKING TR Pty Ltd & Celemetrix ACCESS ONLY”.
- Business Identification Signs:
  - At the south-west corner of the building: a 4.012 metre (W) x 1.027 metre (H) neon (illuminated) “BOUNCE INC” sign, and coloured vinyl arrows on the windows.
  - The sign is proposed to be illuminated primarily within the hours of operation, plus a small margin outside these hours.

Car Parking and Traffic:
- Parking Management:
  - Customers to be instructed via the email booking confirmation not to park in front of dwellings.
- Route and drop off areas used by bus groups,

Bicycle Parking:
- Racks for ten bicycles to be provided in the basement area.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent property owners and occupiers and by erecting a notice on front of each subject site. To date, 48 objections have been received. The issues raised in the objections can be summarised as follows:
- Car parking and traffic:
  - Insufficient car parking provision on site to cater for the proposed number of people on site.
  - Insufficient traffic management and lighting.
  - Increased on-street parking and traffic and associated safety impacts.
  - There is already insufficient car parking in Joseph Street for the existing commercial premises, limiting available on-street car parking.
9.2.3 (cont)

- Increased on-street parking may limit access for emergency vehicles.
- Spill of “Bounce” parking into residential streets.
- An existing Clearway on Joseph Street will push “Bounce” customers to park either in residential streets or opposite other industrial premises.
- Traffic safety impacts on the street for vehicles, pedestrians, “Bounce” patrons and cyclists (including children) and pedestrians/cyclists with limited mobility who reside nearby.
- As Joseph Street is an industrial area, it is heavily utilised by trucks, which could pose a safety threat to children and families attending “Bounce”.
- The new gym operating in the area has already increased the traffic in the vicinity.
- Increased traffic in nearby residential streets, and will encourage ‘rat runs’ and hoon drivers along Vivian, Chapman and Esta Street.
- Increased pressure/queuing times at the intersection of Joseph Street and Middleborough Roads. This could cause frustrated drivers to take risks.
- Could result in an increase in parking restrictions imposed in the street.
- During school holidays, “Bounce” will operate at evening peak levels during business hours, clashing with business car parking in the area.
- The “Bounce” venue operating in Glen Iris has ambulances attending over twice per week- dedicated ambulance parking should be provided. And access to ambulances should be considered.

- Safety and site operation:
  - The common property driveway serving the premises is utilised by visitors and staff of adjacent industrial premises generally from 7am to 6pm weekdays.
  - Industrial machines such as forklifts use the common driveway and the introduction of children to this area could impact on the safety of both children and machine operators.

- Bicycle facilities:
  - Should not be waivered- bicycle use should be encouraged to reduce car traffic.

- Amenity impacts:
  - Long operating hours proposed until late seven days per week.
  - Increased noise to nearby residential area from the venue, patrons and traffic.
  - Increased noise to nearby residential area after hours (until 11pm at night and on weekends), compared with the existing industrial premises which are closed and quiet outside business hours.
  - Noise could be exacerbated in summer if the roller doors are left open.
  - Loud music and thumping bass.
  - Increased noise after hours from rowdy pedestrians.
  - Hewlett Packard in Joseph Street (which recently closed) had noise restrictions for its car park.
  - Graffiti and damage to property have recently increased, and may increase more.
  - Litter.
  - Increased pollution from traffic.
  - Amenity impacts cannot be successfully managed by imposing policies and guidelines.
9.2.3 (cont)

- Patron behaviour:
  - Antisocial behaviour by young people.
  - Noise.
  - Loitering.
  - Graffiti.
  - Property damage/vandalism.
  - Violence.
  - Hooning.
  - May impact on the safety of the area.
  - Alcohol consumption and associated poor behaviour.

- Advertising signs:
  - Illumination of advertising signs could disturb residents directly across from the building.
  - Illuminated signs are not in keeping with the neighbourhood character.

- Notice:
  - Residents should have been advised of this proposal by letter.

- Non-planning matters:
  - Council should provide CCTV around the venue.
  - Negative impact on surrounding property values.
  - “Bounce” have already commenced internal fitout.
  - “Bounce” could seek additional planning approval in the future to expand their premises.

Subsequent to the submission of the amended application, which included a detailed Traffic Report, two detailed objections relating specifically to the content of the Traffic Report were received. These objections have been reviewed by the Transport Unit, and the issues raised in the objections have not altered Council’s Transport Engineer’s consideration or comments on the proposal.

Consultation Forum

A consultation forum was held attended by the applicant, “Bounce” operators, approximately 35 objectors, Councillor Munroe and a Council Planning Officer.

One objector made a Powerpoint presentation which included films of the subject site and the Glen Iris venue both during and outside operating hours. The objectors reiterated and expanded on the points raised in the written submissions which are summarised above.

As per the written objections, traffic and car parking were the key concerns discussed. The applicant announced that a detailed independent Traffic Impact Assessment had been commissioned.
9.2.3
(cont)

The occupiers of the adjacent premises to the west which share the driveway with the subject site advised that there are at least twenty truck movements per day on the common driveway, and expressed concern about “Bounce” patron safety—especially children. The applicant advised that they had investigated options to provide greater separation between “Bounce” attendees and the existing commercial premises which utilise the common property driveway to the west, including installing a gate on the common driveway, car space sharing and swapping Bounce’s at grade car spaces with basement car spaces allocated to the two adjacent premises, however these options were vetoed by the site owners and occupiers.

One objector indicated that as of December, the old Hewlett Packard site to the east on Joseph Street, which is partly vacant at present, will be tenanted again, resulting in a further increase in traffic in the area.

The applicant conceded reducing opening hours from midnight to 11pm, providing some bicycle parking on site, and limiting the illumination of advertising signs.

The applicant stated that no liquor licence has been sought for the proposed facility, and there are no plans to obtain one.

The applicant asserted that as the trampoline area is located towards the rear (north) of the site, and music played in this area would not be audible from residential properties on Joseph Street to the south. Additionally, providing the majority of the site car parking in the basement would limit the noise associated with patrons entering/leaving the venue, talking to each other and slamming car doors, especially as the basement entrance is at the southeast corner of the site. Patrons would be encouraged to use the basement parking area.

No consensus was reached as a result of the Forum.

Referrals

Engineering and Environmental Services

Transport Engineer

The land use of restricted recreation facility is not included within Clause 52.06 of the Whitehorse Planning Scheme as such an empirical assessment has been made. (Note that Clause 52.06 requires car parking calculations to be rounded down to the nearest whole number).

Empirical Assessment

The parking provision rate under the planning scheme for the administrative call centre use is 3.5 spaces per 100m² (office land use), which equates to ten parking spaces. However, the applicant has nominated the maximum number of parking spaces required at various times during the week.
The proposed parking provision rates within the traffic impact report have been adopted and are as follows:

### Participant Parking

<table>
<thead>
<tr>
<th>Session periods</th>
<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thu</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
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<tbody>
<tr>
<td>Participants</td>
<td>150</td>
<td>180</td>
<td>180</td>
<td>180</td>
<td>180</td>
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<tr>
<td>Long term parking provision rate</td>
<td>0.27</td>
<td>0.29</td>
<td>0.29</td>
<td>0.36</td>
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<tr>
<td>Long term parking spaces required</td>
<td>41</td>
<td>52</td>
<td>52</td>
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<tr>
<td>Short-term parking rate</td>
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<td>.027</td>
<td>.027</td>
<td>.042</td>
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<td>Short-term parking spaces required</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>7</td>
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</table>

### Bounce Staff parking

<table>
<thead>
<tr>
<th>Session periods</th>
<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thu</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
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<tbody>
<tr>
<td>Bounce Staff</td>
<td>20</td>
<td>20</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Staff parking provision rate</td>
<td>0.7</td>
<td>0.7</td>
<td>0.7</td>
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<td>21</td>
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### Call Centre Office Staff

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<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thu</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
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<tr>
<td>Call Centre Staff (as nominated)</td>
<td>10</td>
<td>7</td>
<td>7</td>
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</table>

### Overall long-term and short-term parking requirements

<table>
<thead>
<tr>
<th>Session periods</th>
<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thu</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
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</thead>
<tbody>
<tr>
<td>Long term parking spaces</td>
<td>65</td>
<td>73</td>
<td>80</td>
<td>93</td>
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<tr>
<td>Short term parking spaces</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>7</td>
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</table>

The proposal now involves 50 minute sessions with a 10 minute gap between sessions to minimise this ‘overlap’. The submitted traffic report has demonstrated that the 10 minute gap between sessions effectively eliminates the ‘overlap’ in parking demand. As such, for the purposes of the assessment the above parking generation rates is considered reasonable.

The proposal involves the provision of 59 on-site parking spaces which results in the following short-fall in long-term and short-term parking spaces.

### Short-fall in long-term and short-term parking requirements

<table>
<thead>
<tr>
<th>Session periods</th>
<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thu</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
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</thead>
<tbody>
<tr>
<td>Short-fall in long term parking spaces</td>
<td>6</td>
<td>14</td>
<td>21</td>
<td>34</td>
<td>34</td>
</tr>
<tr>
<td>Short-fall in short term parking spaces</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Total short fall in parking spaces</td>
<td>9</td>
<td>18</td>
<td>25</td>
<td>41</td>
<td>41</td>
</tr>
</tbody>
</table>

It is noted that the highest parking shortfalls occur outside business hours when most of the other businesses in the area are closed, and the highest levels of on-street parking are available, as demonstrated in the table below. This table summarises the results of the on-street parking surveys and indicates that the following number of parking spaces are available in front of non-residential frontages along Joseph Street that are within 200 metres walking distance of the site.
9.2.3
(cont)

<table>
<thead>
<tr>
<th></th>
<th>9am – 5pm Thu (11am)</th>
<th>5pm-9pm Thu (7pm)</th>
<th>9am – 5pm Fri (11am)</th>
<th>5pm-11pm Fri (7pm)</th>
<th>Sat (11am)</th>
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<tbody>
<tr>
<td>North side of Joseph Street</td>
<td>3</td>
<td>20</td>
<td>2</td>
<td>26</td>
<td>24</td>
</tr>
<tr>
<td>South side of Joseph Street</td>
<td>21</td>
<td>37</td>
<td>23</td>
<td>30</td>
<td>39</td>
</tr>
<tr>
<td>Total no. Parking spaces</td>
<td>24</td>
<td>57</td>
<td>25</td>
<td>56</td>
<td>63</td>
</tr>
</tbody>
</table>

Based on the parking survey information provided, it appears that there is adequate on-street parking availability along Joseph Street in front of non-residential properties.

In relation to parking in Chapman Street and Vivian Street, it is advised that they are wide enough to sustain parking on both sides of the street and have a 2-hour parking restriction on one side of the street. Due to the proximity of these streets there may be a need to review parking restrictions once “Bounce” has opened for operation.

In relation to short-term parking restrictions there is no objection to the installation of 5-minute parking restriction outside the subject site as well as a suitable parking restriction to cater for bus parking.

As detailed above, a review of the proposed and existing on-street parking availability indicates that there is adequate parking opportunities to cater for the parking demand associated with the proposed development.

Traffic Generation

The traffic impact assessment report has undertaken a gap acceptance survey which records the gap in traffic travelling along Middleborough Road and determines how many additional turning manoeuvres can be undertaken at the intersection. The report demonstrates that there is sufficient capacity at both of the Joseph Street and Middleborough Road intersections. It was also noted that the report states that there has been no record of an accident at the intersections.

Given the above there is no objection to the proposal from a traffic generation point of view.

Parking Management

Given the proximity of the site to local residential streets, a parking management plan that involves the encouragement of parking in the on-site parking facilities is required. For example, information sheets/websites for bookings should encourage the use of the on-site car park for long term parking and the proposed short-term parking spaces in front of the site. Actively discouraging parking in nearby local residential streets should also be considered.

In terms of emergency access, it is understood that ambulances regularly attend the “Bounce” Glen Iris facility. Typically, an emergency vehicle will park as close to the facility as possible. The proposed short-term parking restrictions in front of the site are the most appropriate location. If these are occupied they may choose to park on the wide entry ramp to the basement which still allows vehicle movements in and out of the site.
9.2.3 (cont)

DISCUSSION

State and Local Planning Policy

Clause 11 Settlement

The proposed use of the site is generally consistent with the broad aims of the Settlement Policy through provision of a new recreation facility which will provide employment within an established industrial precinct which has good access to infrastructure, however amenity impacts associated with the proposed use must be managed due to the proximity of residential properties.

Clause 17 Economic Development

The proposal will contribute to a strong and innovative economy, in keeping with the Economic Development objectives at Clause 17. The facility will meet a demonstrated need for the proposed land use. The location of this type of restricted recreation facility within an Industrial 3 Zone is consistent with the evolution of Whitehorse’s industrial areas as economic circumstances and manufacturing in Melbourne have changed.

It is noted that Clause 17.02-1 Industrial Land Development includes the objective to ensure the availability of land for industry, however large scale industry is progressively diminishing in Whitehorse due to broader commercial factors (such as globalisation and increasing land prices), and Whitehorse’s industrial zones are accommodating more commercial and recreation uses.

Clause 17.02-1 also requires Council to protect industrial activity in industrial zones from the encroachment of uses which would adversely affect industry viability. As the applicant has provided traffic management measures and proposed to separate the common property driveway from the patrons of the proposed venue, it is considered that the proposal will not impact on the viability of nearby industrial uses.

Clause 18.02 – Movement Networks

This Clause encourages an adequate supply of car parking that is appropriately designed and located. Land should be set aside or allocated subject to consideration of existing public transport, road capacity, off-street car parking demand and demand management. The efficient provision of car parking should be encouraged through the consolidation of car parking facilities. The amenity of residential areas should be protected from the effects of road congestion caused by on-street car parking. Development should provide opportunities to create more sustainable transport options such as walking, cycling and public transport.

The provision of car parking, bicycle facilities and associate traffic movements will be discussed below.

Clause 21.07 Economic Development

Clause 21.07-3 includes Objectives to strengthen Whitehorse’s key manufacturing sectors, manage sensitive interfaces between industrial precincts and adjoining residential areas

Clause 21.07-4 Strategies includes: Discourage non-industrial related uses from locating in industrial areas.
9.2.3  
(cont)

It is important to note that non-industrial land uses such as the proposed restricted recreation facility are encompassed within the scope of the Industrial 3 Zone, and the Victorian Civil and Administrative Tribunal has previously overturned a Council decision refusing to allow the use of a gym within an Industrial 1 Zone (VCAT Reference No.P268/2008). The Tribunal stated that:

(Council Policy) provides that a strategy for industrial areas is to “Discourage non-industrial uses from locating in industrial areas”. “Discourage” does not mean “prohibit”. (Paragraphs 10 and 11).

Aside from the... prohibited uses, a responsible authority must determine permit applications for the use of land in the zone on their merits (Paragraph 11).

There is no evidence before me which suggests that there is a shortage of land available for industrial and related uses in the City of Whitehorse as a whole, or in this particular estate (Paragraph 12).

The proposal will not prevent the land being returned to industrial or manufacturing uses in the future (Paragraph 13).

The responsible authority is of the view that the proposed use should be located in an activity centre. But it is unrealistic to expect that all gymnasiums should be located in an activity centre. There are many in metropolitan Melbourne which are not in such centres. A facility of the size proposed would find it very difficult to compete for floorspace with other uses in activity centres (Paragraph 15).

In light of the Tribunal’s direction summarised above, the proposed land use may be considered for location within an Industrial 3 Zone, however the interface with nearby residential properties must be appropriately managed.

Clause 22.02 Visual Amenity and Advertising Signs

Whitehorse’s Visual Amenity and Advertising Signs Policy encourages well designed and effective signage, and aims to preserve the visual amenity of the locality by avoiding disorder, clutter and excessive advertising on buildings.

Pursuant to Clause 22.02-3, it is policy that within industrial areas to ensure that signage is in proportion to the building on which it is to be located so that it does not become the dominant element in the built form, and is located and designed with regard to the safe operation of the road network. Signs that project above the roof of the building, animated or are excessively large are discouraged. Promotional, panel and sky signs are discouraged on the Eastern Freeway as they will detract from the visual amenity of both the Freeway and natural bushland environment in which it is set.

The proposal seeks to make use of an existing commercial building, with modest business identification signage that is well designed to complement the structure of the building without creating visual clutter in the locality or resulting in unreasonable off-site impacts.

Clause 22.16 Industrial Areas Design Guidelines

This policy relates primarily to the development of new industrial buildings, and as the buildings and works component of the proposal is minimal, this policy has limited relevance to the current application.
9.2.3
(cont)

It is of note that the Objectives for this Policy at Clause 22.16-2 include co-ordination of redevelopment of industrial areas to minimise the conflicts between industrial and nearby residential uses. It is further recommended that general refuse/waste storage areas should be confined to the rear of the lot.

The applicant has indicated that waste will be stored within the basement area and collected privately. This will form a condition should a permit issue.

**Use of land as a Restricted Recreation Facility**

It is noted that both the State and Local Planning Policy Frameworks recommend limiting non-industrial uses within industrial areas. The Purpose of the Industrial 3 Zone includes providing for industries and associated uses and ensuring that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

The proposed use of land as a Restricted Recreation Facility falls within Section 2 of the Industrial 3 Zone, and it is noted that there is no zone where a Restricted Recreation Facility is allowed as-of-right. Council therefore has the discretion to determine the appropriateness of the use. Council’s Industrial Areas Design Guidelines notes that *industrial land uses within the City of Whitehorse are undergoing a shift from manufacturing and logistics to fine grain warehouse, factory and office related activities.*

Importantly, the proposed use will maintain the existing building (without subdivision or substantial alteration) for future industrial purposes if required. The peak hours for the Restricted Recreation Facility are outside normal business hours, so that the potential for conflicts with surrounding industrial uses will be minimised.

Hence the proposed change of use is acceptable, as it will not unreasonably impact on surrounding industries. Amenity, car parking and traffic impacts associated with the change of use will be discussed below.

It is noted that as the amended application does not include a full and current set of plans, and these will be required as a condition should a permit issue.

**Amenity**

Potential amenity impacts from the proposed use which have been identified by Council Officers and submitters are broadly encompassed within the following key issues: Noise, patron behaviour, advertising signs and traffic/parking. These will be discussed under separate headings below.

**Noise**

Pursuant to Clause 33.03-2, the Industrial 3 Zone requires Council to consider the amenity of the neighbourhood when exercising discretion in relation to Section 2 (permit required) land uses. A use must not adversely affect the amenity of the neighbourhood, including through the emission of noise. The Decision Guidelines of the Industrial 3 Zone require consideration of the effect that the use may have on nearby residential areas.
9.2.3 (cont)

Site operation and hours

The proposed building layout includes the primary patron parking area within the enclosed basement car park, and the trampoline area located towards the rear of the site. With the exception of one dodge ball arena at the rear (north-west) of the site, the trampoline area is enclosed within the existing masonry building which has only one window and one set of doors, both of which are on the west elevation towards the rear of the site. The three proposed function rooms include windows on the east elevation of the existing building. The front portion of the building is proposed to primarily accommodate office and service areas. As such, the noise of patrons bouncing on trampolines, and ambient music provided to the trampoline area is likely to be well-contained within the existing building fabric, and/or located away from the site’s interface with residential properties to the south-west. A condition on any permit that may issue will prohibit the opening of the doors and window to the trampoline area during hours of operation, except for safety reasons.

It is noted that the applicant has stated that the use will conform to the required State noise regulation (specifically SEPP N-2), and this will form a condition on any permit that may issue.

The majority of the existing uses in the Joseph Street Industrial 3 Zone conform to business hours, and do not operate in the evenings or on weekends. As it is proposed for the Restricted Recreation Facility to operate until 9pm Sunday to Thursday and until 11pm Friday and Saturday, this use will be operational during the times that residents in nearby dwellings are most likely to be at home and sensitive to amenity impacts.

SEPP N-2 requires that noise from on-site activities be limited in relation to the background ambient noise, and the scale of allowable noise alters depending upon the time of day, in recognition of different noise and sensitivity levels in evenings and at night. Compliance with the relevant State noise regulations will provide the highest available level of protection of residential amenity from noise impacts that is available.

It is noted that mechanical plant noise is controlled by SEPP N-1.

It is noted that the SEPP noise controls limit noise emissions above the ambient background noise. In order to have a baseline against which to measure before the commencement of the site operation, an acoustic report by a qualified Acoustic Engineer or similar detailing baseline noise levels over the period of the proposed operation hours for the site must be submitted to the satisfaction of the Responsible Authority.

Three months after the commencement of the site operation, a second report detailing the measures noise emissions from the site during operation to nearby residential properties must be measured and reported to Council, these must be assessed against the requirements of the relevant SEPP. If the noise emissions are not compliant with the SEPP, the acoustic report must include measures to achieve compliance with the SEPP, and these must be implemented to Council's satisfaction within six months of the commencement of the use.

These measures will ensure that noise emissions from the site are limited in accordance with State requirements, and will form a condition of any approval.

Noise of patrons on the street

The majority of car parking required for the proposed trampoline venue can be accommodated within the building’s existing basement, which will prevent a significant proportion of visitors to the site from utilising the street frontage, thereby containing potential noise generated by these patrons within the existing basement and limiting off-site noise emissions.
Additionally, the proposed relocation of the front access stairs will assist in relocating patron movements further from residential properties to the south-west.

During the evenings and weekends when the highest levels of participant numbers are sought (180 participants), the site experiences the highest shortfalls in both long and short term car parking (up to 42 car spaces), however at this time, the highest levels of on-street parking spaces in front of non-residential properties are available to accommodate these vehicles, which will have the effect of directing patron movements and amenity impacts associated with patron behaviour away from residential properties. It is noted that this outcome will be dependent upon managing parking location of patrons, and a Parking Management Plan will be required as a condition should a permit issue, which will require the applicant to undertake procedures to direct staff and customer car parking away from residential frontages.

Traffic noise

There is no Victorian government legislation or policy that specifically governs noise emissions from vehicular access and late night parking activity. It is also noted that there are no specific controls over car park noise in Victoria but in conjunction with parking management restrictions detailed below, there will be no unreasonable noise impacts to nearby residential properties. It is noted that local roads serve local traffic, and levels of traffic may increase over time as circumstances change.

Hours of Operation

The proposed hours of operation are:

- 8.45am-9pm Monday to Thursday
- 8.45am-11pm Friday and Saturday
- 8.45am-9pm Sunday

The 15 minute window provided before the 9am commencement of activities will allow for people to be checked in and get ready for a 9am start. This has been proposed by the applicant, who found that in restricting the opening of his Glen Iris premises to 9am resulted in patrons congregating on the street in front of the premises before 9am, and causing associated noise impacts to the surrounding area, and this is considered to be a reasonable outcome as it will limit on-street patron activity and associated potential noise impacts.

Normal business hours operation of the site would be consistent with the surrounding commercial premises, and have not (of themselves) caused concerns for objectors. The key times where operating hours have been highlighted by objectors as having the potential to impact on the amenity of the surrounding area are in the evenings, on weekends, and during school holidays.

By amending the application (after notice) to limit maximum participant numbers on weekdays to 150 people, the applicants have acknowledged and addressed objector concerns that participant numbers could rise during business hours in school holiday periods, as distinct from during term times, which may clash with the activities and traffic associated with the surrounding commercial activities that operate in the area during business hours. Subject to a condition capping participant numbers, concerns regarding the potential intensification of the use during school holidays will be satisfied.
9.2.3 (cont)

It is noted that the application does not propose to limit spectators, and there will be a proportion of people on site who are not participants on the trampolines or in parties, but are spectators- commonly parents or siblings of participants. It is noted that there is limited area provided for spectators, and limiting spectator numbers is therefore not considered necessary.

During weekday evenings and on weekends, the Joseph Street industrial precinct experiences much lower levels of activity, car parking and traffic, as most of the commercial facilities in the area are closed. The surrounding residents have indicated that they value the amenity of the area during these times. The proposed evening and weekend operating hours for the trampoline venue will be the peak times for the venue, which is proposing higher patron numbers (maximum 180 participants, as compared with 150 participants during business hours) and this has caused significant concerns to the surrounding residents about amenity impacts.

As discussed above, the noise impacts associated with the proposed trampoline venue will be limited to comply with the relevant State noise regulations, and traffic noise impacts will also be within reasonable parameters. Patron noise will be managed by directing patrons away from sensitive residential properties through the imposition of a Parking Management Plan. Subject to these requirements, the potential amenity impacts associated with the proposed hours of operation will be satisfactory.

Patron Behaviour

Objectors have expressed concerns that “Bounce” patrons may exhibit antisocial behaviours, such as hooning, property damage, littering, graffiti, alcohol consumption and violence. People’s behaviour cannot be controlled through planning regulations. All people, regardless of their age, are expected to obey State and Federal laws.

It is noted that the applicant has undertaken to conduct daily litter controls, however these are only proposed to be undertaken within 30 metres of the subject site, however the proposal is proposing to rely on car parking located up to 220 metres away from the site, in front of non-residential properties to the east, west and south. It is therefore recommended that the scope of the litter patrols equates to the proposed on-street parking area, which will remove any litter generated by the use.

No liquor licence is sought as part of this application.

Young people loitering was also an objector concern, however there is no evidence to suggest antisocial behaviour in consideration of the proposed use.

Buildings and Works

The proposal makes use of an existing commercial building. External changes are limited to the alteration of front access stairs to redirect patrons away from residential properties, which is supported as it will improve both site safety and potential amenity impacts to residents.

Car Parking and Traffic

Pursuant to Clause 52.06-5A Car Parking, car parking spaces must be provided to Council’s satisfaction before the new use commences.

As noted above, the subject site provides a total of 59 on-site car parking spaces.
9.2.3
(cont)

As there are no statutory car parking requirements set out in the Planning Scheme, car parking must be assessed empirically. The applicant’s latest Traffic Engineering Assessment has provided a detailed analysis of both long and short term parking demand associated with the Glen Iris “Bounce” venue, and this data provides an accurate and up-to-date basis for assessment of the current proposal.

In their recent Section 57A Amendment to this planning permit application, the applicant has proposed to limit participant and staff numbers, rather than numbers of people on site, as participants and staff can be controlled, whereas the “Bounce” operators have limited ability to manage spectator numbers. Importantly, the applicant has correctly asserted that car parking generation rates correlate directly with staff and participants, as spectators tend to car pool with staff and participants.

Council’s Planning Officer observed at the Glen Iris facility that spectators are typically family members or siblings of participants. The utilisation of participant and staff figures to determine car parking requirements is therefore considered acceptable.

The proposal will rely on 54 car spaces in the basement, and five at grade car spaces on the common property accessway west of the building, including one disabled car space. Whilst these are shown in the submitted traffic report, an overall site plan is required to depict the locations of these spaces in the context of the existing building. It is noted that the direction signage prohibiting “Bounce” patrons from parking on the accessway to the west conflicts with the requirement for the disabled space to be available to the public, and the direction sign must be amended to resolve this conflict.

As the car spaces on the common property accessway have the potential to conflict with industrial vehicle movements in this area, and the associated safety concerns, these spaces will be dedicated to staff as a condition of a Parking Management Plan, in order to avoid children or drivers unaware of the adjacent industrial uses utilising the common property accessway. Direction signs proposed will direct “Bounce” customers to the basement car park area, which provides direct stair assess into the building.

The layout of the basement car park, which is shared by tenants of the two adjoining buildings to the west, is existing, and allows for adequate circulation of vehicles. The basement is accessible by a 6 metre wide, two way vehicle crossover, which will allow for vehicles to pass at the entrance. The basement car parking area will be illuminated for safe vehicle and pedestrian movements.

Council’s Transport Engineer has provided the following table summarising the proposed maximum staff (excluding administrative staff) and participants proposed on site:

<table>
<thead>
<tr>
<th>People on site</th>
<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thu</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>20</td>
<td>20</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Participants</td>
<td>150</td>
<td>180</td>
<td>180</td>
<td>180</td>
<td>180</td>
</tr>
</tbody>
</table>

The staff designated above are associated with the trampoline activity. It is noted that the applicant has advised that 300m² of the ancillary offices within the building will be utilised by a call centre, and the car parking for this component of the use has been assessed in accordance with the car parking rate for office required by the Planning Scheme: 3.5 car spaces per 100m² of floor area. This mode of assessment has been accepted by Council’s Transport Engineer, and the call centre staff demand has been considered in the parking generation for the site.
9.2.3 (cont)

Council’s Transport Engineer has also accepted the applicant’s separation of long term parking demand (for staff and participants) from the short term parking demand (for staff and participants being picked up/dropped off).

The overall parking demand has been summarised by Council’s Traffic Engineer as follows:

<table>
<thead>
<tr>
<th>Session periods</th>
<th>9am – 5pm Mon-Fri</th>
<th>5pm-9pm Mon-Thur</th>
<th>5pm-11pm Fri</th>
<th>9am-11pm Sat</th>
<th>9am-9pm Sun</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long term parking</td>
<td>65</td>
<td>73</td>
<td>80</td>
<td>93</td>
<td>93</td>
</tr>
<tr>
<td>spaces</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short term parking</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>spaces</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In response to measured peaks in parking demand at the Glen Iris “Bounce” venue on the hour when patrons leaving and arriving overlap, the amended proposal has reduced the trampoline session times from one hour to 50 minutes, allowing a 10 minute break between sessions for patrons to leave and arrive. Based on parking data collected from the Glen Iris venue, the impact of this amendment to session times has been satisfactorily modelled, and it has been demonstrated that the ten minute gap between sessions will minimise the peak overlap demand, which is an acceptable outcome and should a permit issue, session times will be limited to 50 minutes, with a ten minute break between them.

The Traffic Impact Assessment provided by the applicant includes recommended parking management improvements in Joseph Street to facilitate bus movements and short term parking (drop off/pick ups) associated with the proposed use, including:

- A ten minute bus parking zone in front of 6-16 Joseph Street to facilitate bus parking and movements.
- A five minute drop off/pick up zone along the site frontage.
- Removal of no stopping restrictions beside the reserve on the north side of Joseph Street to the east of the site.

Council’s Transport Engineer has advised that these alterations to the parking restriction along Joseph Street are reasonable, however the applicant must make separate application directly to the Transport Unit for these changes to be considered. It is noted that the application has been assessed by Council’s Transport Engineer only on the assumption that the required additional short term parking restrictions can be achieved. The introduction of on-street parking beside the reserve would further improve the availability of long term parking close to the proposed use.

As the proposed bus parking area is located over 60 metres from the entrance to the subject site, the management of bus passengers as they travel between the bus and “Bounce” must be managed, acknowledging that during business hours when bus visitors are expected, Joseph Street and connecting accessways carry industrial vehicles such as trucks.

It is noted that objectors have raised concerns that the existing traffic and on-street car parking levels in the area are already of concern. The proposed development cannot address existing problems, however the survey of existing conditions, combined with the projected increases associated with the “Bounce” use are considered to meet Transport Engineering standards.
9.2.3
(cont)

On the basis of the data provided in the latest Traffic Impact Assessment provided by the applicant, Council’s Transport Engineer is satisfied that the car parking generated by the proposed use can be satisfactorily accommodated, including provision of long term car parking on site and on-street, not in front of residential properties, and short term and bus parking in the spaces indicated above. The traffic generation associated with the proposal has also been assessed, including emergency vehicle access, impacts to Joseph Street and the intersection with Middleborough Road, and these are also considered to be satisfactory from a Transport Engineering perspective.

A Parking Management Plan will be required to discourage staff and site visitors from parking in front of residential properties.

It is noted that objectors have raised concerns about safety impacts associated with the traffic generated by the proposed use. From a Transport Engineering perspective, there have been no safety concerns raised in relation to the proposal, and the planning process cannot control driver, cyclist and pedestrian behaviour.

It is noted that the disabled parking space is located beside the common property accessway to the west of the building. It is currently not clear that the access door to the building for disabled people is located beside this car space, and this door must therefore be clearly signed. It is noted that the proximity of the disabled access door to the disabled car space will minimise the travel distance from car to building for disabled people, and as such, will minimise potential conflict between other users of the common property accessway and disabled people.

Bicycle Facilities

In accordance with Clause 52.34 of the Planning Scheme, bicycle parking is required to be provided at a rate of one space per four employees, and one space per 200m² of floor area for visitors. This produces a bicycle parking requirement for the proposed use of 23 bicycle spaces, with one shower required to be provided for staff.

The amended application proposed to provide ten bicycle spaces in the basement. It is not clear from the submitted plans whether the design of the bicycle spaces provided will be compliant with the bicycle facilities requirements set out at Clause 52.34-4, and this will be required as a condition, in order to ensure that the provided spaces are accessible and safe. This application is therefore seeking a reduction of the provision of bicycle parking.

The Koonung Creek Trail shared bicycle and walking path that runs beside the Eastern Freeway passes the rear boundary of the subject site, and this Trail runs through the reserve on Joseph Street 100 metres to the east of the site. The site is therefore excellently placed to cater to cyclists, and a reduction of bicycle parking is therefore not supported. In order to encourage sustainable transport and reduce reliance on car travel, an additional 14 bicycle parking spaces (comprising seven bicycle hoops) must be provided within the existing landscaping area in the front setback. As this landscaping area will be undergoing alterations associated with the proposed relocation of the front stairs, the provision of associated bicycle parking is appropriate.

It is anticipated that “Bounce” staff are likely to include younger people who may not have a car, therefore the provision of a shower for “Bounce” staff to facilitate bicycle usage is crucial.

Therefore, a condition on any Permit will require that one shower for staff usage be provided, in order to comply with the shower requirement under Clause 52.34, and also Council’s Industrial Areas Design Guidelines at Clause 22.16, which promote cycling and provision of showers for staff. Bicycle direction signs must also be provided in accordance with Clause 52.34-5.
9.2.3 (cont)

Advertising Signs

The application proposes one business identification sign at the south-west corner of the building, incorporating a 4.012 metre (W) x 1.027 metre (H) neon (illuminated) “BOUNCE INC” sign, and associated coloured vinyl arrows on the windows. This sign is proposed to be illuminated primarily during operating hours, with a small margin outside these hours.

It is noted that the 4.1m² “BOUNCE INC” sign would be allowed as-of-right if it were not illuminated. The use of a neon sign is considered to minimise glare and light-spill, which is appropriate for a sign location within 30 metres of a facing residential lot.

In relation to the Decision Guidelines for Clause 52.05 Advertising Signs, the proposed signage will be consistent with the commercial character and the scale of the existing building. The signage is located on the building facade and below the roofline, and hence will not compromise important views from the public realm, distract drivers or obstruct vehicle sight lines.

The signage is clearly related to the overall site function, and hence is relevant for business identification. As the site operates after hours, the provision of an illuminated element is appropriate. The neon “BOUNCE INC” sign on the frontage is the primary business identification sign for the site. As the neon text will not be visible in daylight if it is not illuminated, this sign may be illuminated during the day time, and it is noted that the potential for glare impacts to surrounding land will be minimised during daylight.

The proposed illuminated business identification signage is therefore acceptable.

Issues Raised in Objections Not Previously Addressed

Many of the issues raised in the objections have already been addressed in this report. Outstanding issues include:

- Residents should have been advised of the proposal by letter.
  - The application was advertised by way of a notice displayed on site for 14 days, and by letters to surrounding properties in excess of the minimum requirements for written notification required by the Planning and Environment 1987.

- Council should provide CCTV around the venue.
  - There is no evidence at this time that CCTV is required, however it is noted that the applicant will be installing CCTV within the venue.

- Negative impact on surrounding property values.
  - The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values. This report provides a detailed assessment of the amenity impact of this proposal.

- “Bounce” have already commenced internal fitout.
  - The application has undertaken these works legally (as internal alterations do not require planning approval) but at their own risk. The commencement of works will not be taken into account by Council when deciding this application.
9.2.3 (cont)

- “Bounce” could seek additional planning approval in the future to expand their premises.
  - Future expansion of floor area, operating hours or staff/participants on site would require additional planning approval to be sought from Council, and further public notice.

CONCLUSION

The proposed change of use to a Restricted Recreation Facility is consistent with the relevant planning controls and policies of the State and Local Planning Policies as well as the standards and objectives of Clause 52.06 Car Parking and Clause 52.34 Bicycle Facilities.

The proposed use can be appropriately managed, with on-going requirements, will not create unacceptable adverse amenity impacts to nearby residential properties, and is a reasonable use within an Industrial 3 Zone. Conditions limiting operations hour and the number of staff and patrons attending the site will ensure car parking demand is acceptable.

The objections received to the proposed development have been considered throughout this report.

It is therefore recommended that the application should be approved.
9.2.4 37 Fowler Street Box Hill South – Construction of five double storey dwellings

FILE NUMBER: WH/2012/189

SUMMARY

This application has been advertised and received 25 objections. Issues raised by the objectors include overdevelopment, inconsistency with existing neighbourhood character, insufficient car parking, increase in traffic, poor vehicle access, removal of trees, bulk and mass, overlooking and overshadowing to adjoining properties. A Consultation Forum was held on 18 December 2012, chaired by Councillor Ellis. Following the Consultation Forum amended plans were submitted which included change to materials, alterations to upper levels of Dwellings 1 to 3, and reorientation of Dwellings 1 & 2 to face the street. This amended design was readvertised. It is recommended that the application be approved.

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Chong

That Council:

A Being the Responsible Authority, having caused Application WH/2012/189 at 37 Fowler Street Box Hill South to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the development of five double storey dwellings is acceptable and should not cause unreasonable impact to adjacent properties.

B Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 37 Fowler Street Box Hill South for the purpose of construction of five double storey dwellings, subject to the following conditions:

1. Before the development starts, or any trees or vegetation removed, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:

   (a) Notation listing all tree protection measures required by Conditions 5 & 6 of this planning permit, with all nominated trees clearly identified and numbered on both site and landscape plan.
   (b) The maximum height of any fill at the south-east corner of the site to be no higher than the existing retaining wall along the east boundary and lowering of the proposed fence to be not more than 1.8m high above the existing retaining wall to the east boundary.
   (c) Demonstration of compliance for Dwelling 5 with Standard B22 (Overlooking) of Clause 55 having regard to the required lowering of fence heights.
   (d) Provision of frosted glass to the Dwelling 5 laundry door to a height of 1.7m above floor level.
   (e) Deletion of Bedroom 4 of Dwelling 5.
   (f) The sill of the Dwelling 5 Bedroom 3 east elevation window increased from 1.65 to 1.7m above the floor level.
   (g) Notation that all treatments to prevent overlooking must not include ‘Translucent film’ on windows and must be in accordance with Standard B22 of Clause 55.
9.2.4 (cont)

(h) The landscape plan amended in accordance with Condition 3, including the following:

i. Removal of Tree 11 (Privet) and replacement with an upper canopy tree capable of exceeding 12m between Dwellings 3 & 4.

ii. Removal of Tree 18 (Melaleuca) and replacement with an upper canopy tree capable of exceeding 12m west of Dwelling 2.

iii. A new upper canopy tree capable of exceeding a height of 12m between Dwellings 4 & 5.

iv. A minimum of three mid-sized canopy tree (6-9m), one within the frontage to Fowler Street, one with the SPOS for Dwelling 4, and one beside the driveway near Dwelling 5.

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

Once approved these plans become the endorsed plans.

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

3. No building or works shall be commenced (and no trees or vegetation shall be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed shall form part of this permit. This plan shall show -

* A survey of all existing vegetation, abutting street trees, natural features and vegetation.

* Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.

* Planting within and around the perimeter of the site comprising trees and shrubs capable of:
  - providing a complete garden scheme,
  - softening the building bulk,
  - providing some upper canopy for landscape perspective,
  - minimising the potential of any overlooking between habitable rooms of adjacent dwellings.

* A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of condition No. 1.

* The proposed design features such as paths, paving, lawn and mulch.

* A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.
9.2.4 (cont)

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

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

4. The garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.

5. Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:

(a) Tree protection zone distances:

   i. Tree 4 (Ash) – 3.6 metres radius.
   ii. Tree 5 (Plum) – 3.6 metres radius.
   iii. Tree 6 (Cotoneaster) – 2.0 metres radius.
   iv. Tree 8 (Ash) – 3.0 metres radius.
   v. Tree 23 (Plum) – 5.4 metres radius.
   vi. Tree 26 (Pin oak) – 5.3 metres radius.

(b) Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:

   i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.
   ii. Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.
   iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
   iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.
   v. All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
   vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
   vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.
9.2.4  
(cont)

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

6. During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible Authority:

(a) For Trees 4, 5 and 6 no roots are to be cut or damaged during any part of the construction process.

(b) The Driveway where within the TPZ of Tree 23 must be constructed at the existing soil grade and no roots are to be cut or damaged during any part of the construction process.

7. The Applicant/Owner shall be responsible to meet all costs associated with reinstate ment and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.

8. Discharge of stormwater from the land will be required by means of an underground pipe drainage system designed on the basis of a 10 year average storm recurrence interval and discharging into an approved outlet in a street or an underground pipe drain to the requirements of the Responsible Authority. In this regard no water shall be discharged from any pipe or paved area onto the surface of any adjacent land.

9. All stormwater drains shall be connected to a legal point of discharge as determined by Council’s Drainage Management Engineer. Prior to the commencement of any works on the subject land a site development layout plan together with detailed design plans and specifications for outfall drainage external to the site shall be prepared by a suitably qualified civil engineer and submitted for approval by the Responsible Authority. All outfall drainage works must be completed to the satisfaction of the Responsible Authority prior to the occupation of buildings.

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

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

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

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

Notes:

1. **Prior to the issue of the building permit, design plans and specifications are to be prepared by a registered Consulting Engineer detailing civil engineering works within the site in accordance with the endorsed plans. Certification by the Consulting Engineer that the civil works have been completed in accordance with the design plans and specifications is required by the Responsible Authority subsequent to the completion of all the works.**

2. **The stormwater discharge from the development site is to be restricted in accordance with the requirements of Council’s Drainage Policy No. 2.**

3. **Construct outfall drain in accordance with Council Drainage Policy No. 1 discharging to the existing Council pit in the easement at the northeast corner of 39 Fowler Street.**

4. **All stormwater drainage within the development site and associated with the building(s) must be completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s).**

5. **Soil erosion control measures must be adopted at all times to the satisfaction of Council’s Design Engineer during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with EPA guidelines ‘Construction techniques for sediment pollution control’. The application must ensure compliance with the above guidelines and in potentially high erosion areas it may be required that a plan be prepared indicating proposed measures and methodology.**

6. **All disabled access and disabled car parking requirements are to comply with Part D3 of the Building Code of Australia, Australian Standard 1428.1 and the Australian Disability Discrimination Act 1992.**

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

CARRIED
### 9.2.4 (cont)

**MELWAYS REFERENCE 61 B2**

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<thead>
<tr>
<th>Applicant:</th>
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Subject site

25 properties

Objector

North
9.2.4 (cont)

History

As a result of issues raised by Council officers the applicant undertook a Section 50 amendment (prior to notice) comprising the following:

- Deletion of one dwelling on east side (rear).
- Reduction in the size of upper levels.
- Utilize split floor levels for dwellings on sloping land to rear.
- Relocate and increase number of visitor car spaces (from 1 to 2).

After the Consultation Forum the applicant undertook further amendments (Section 57A) comprising the following:

- Reorientation Dwellings 1 & 2.
- Amendment to upper levels Dwellings 1 to 3.

Assessment is against the Section 57A plans.

The Site and Surrounds

The subject site is located at the east side of the bend in Fowler Street, approximately 100m north of Riversdale Road and 315m east of Elgar Road. The site has a depth of 43.7 metres and width of 37.8 metres, with a total area of 1651m². The length of the frontage open to Fowler Street is 19.4m. There is a significant fall of about 7.7m from the north-west to the south-east. The site currently contains a single storey weatherboard dwelling setback 7.8m from the frontage. There are a number of trees on the site, including Box Elder (8m), three Ash (5-6m), Fig (4m), Privet (11m), Norfolk Island Pine (6m), three Paperbark (5-8m), and She Oak (6m) in the rear yard. There is a Pittosporum (4m) and Pin Oak (10m) tree in the nature strip.

Abutting the site to the west is the front yard of a double storey rendered dwelling (setback 5.5m from common boundary) at 35 Fowler Street, with a carport abutting the common boundary. To the north is the rear yard of a dwelling at 13 Grandview Road setback 32m from the common boundary, and a single storey brick dwelling at 4/9-11 Grandview Road, which is setback 3 metres from the common boundary. This dwelling is lower than the subject site due to the topography of the land and excavation of that site. To the east is a single storey brick dwelling at 5/9-11 Grandview Road setback 3.5m from the common boundary, with a carport and Pin Oak tree (12m) near the common boundary. Also to the east is a single storey weatherboard dwelling at 5A Grandview Road setback 7.2m from the common boundary. There is a shed and a Cotoneaster tree (4m) on the common boundary. There is an existing irregular rock retaining wall along the southern end of the east boundary with the properties to the east being lower than the subject site due to the fall of the land. To the south is a single storey rendered house at 39 Fowler Street, setback 3.3m from the common boundary, with a number of trees near the common boundary including Silver Birch (8m), two Prunus (5-6m), and Ash (9m). The rock retaining wall on the east boundary extends along part of the south boundary. Opposite the site to the south-west is a large double storey brick dwelling at 28 Fowler Street.

The street exhibits a strong vegetated character lined on both sides by mature exotic trees.

Planning Controls

The State Planning Policies at Clauses 11 (Settlement), 15 (Built Environment and Heritage) and 16 (Housing) aim to encourage consolidation of existing urban area while respecting neighbourhood character, and facilitate sustainable development that takes full advantage of existing settlement patterns through encouraging higher density development near public transport routes.
9.2.4 (cont)

The Local Planning Policies at Clauses 21.06 (Housing) and 22.03 (Residential Development) have identified the subject site as being located in a Natural Change Area. The Natural Change Area is expected to undergo a modest level of change to accommodate future increases in dwelling stock, which seek to achieve the desired future character of the area. The Local Planning Policies have also identified the site being located in a Garden Suburban Area, where front gardens are characterised by small scale planting such as shrubs and flower beds. Building outlines are generally the dominant element in the street perspective. The impression of the streetscape is of informality and openness due to the low open fencing and generous setbacks. Vegetation in these areas is predominantly exotic trees and gardens with some remnant indigenous trees.

A permit is required under Clause 32.01 (Residential 1 Zone) to construct two or more dwellings on a lot. The relevant purpose of Clause 32.01 is to provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households and to encourage residential development that respects the neighbourhood character.

Clause 52.06 (Car Parking) details car parking and access requirements.

Clause 55 (ResCode) is the primary assessment tool to ensure that developments of two or more dwellings provide reasonable standards of amenity for existing and new residents.

Clause 65 provides guidelines that must be considered before deciding on an application to ensure the proposal will produce acceptable outcomes. These guidelines include the State and Local Planning Policy Framework, the purpose of the zone, the orderly planning of the area and the effect on the amenity of the area.

PROPOSAL

The application proposes the construction of five double storey dwellings with a common driveway along the south boundary using the existing crossover. The driveway turns north through the centre of the site, so that three dwellings are located on the western half of the site and two dwellings on the eastern half. Two visitor car parking spaces are proposed in the centre of the site between Dwellings 4 & 5. Dwellings 1 and 2 are setback 6m to the street and will have front entries facing Fowler Street. Fill is proposed at the south-east corner of the site in the location of Dwelling 5.

Dwellings 1 to 3 are proposed with three bedrooms and Dwellings 4 & 5 are proposed with four bedrooms. Each dwelling will have a double garage. Dwellings 2 & 3 will be setback 4.8m to the west boundary, and Dwellings 3 & 4 will be setback 1.3 to 3.0 metres from the north boundary. Dwellings 4 & 5 will be setback 3.8 to 5.8 metres from the east boundary, and Dwelling 5 will be setback 2m to the south boundary. Secluded Private Open Space (SPOS) for each dwelling will consist of:

- Dwelling 1 - 28.4 sq m within the frontage
- Dwelling 2 - 32.2 sq m along the west boundary
- Dwelling 3 - 63 sq m along the west boundary
- Dwelling 4 - 153.9 sq m on the north, east and south sides of the building
- Dwelling 5 - 116 sq m on the north and east sides.

The existing 1.2m high front brick fence and 1.7m high front brush gate are to be removed with no new front boundary fence proposed. The SPOS for Dwelling 1 is to be enclosed with a 1.8m high brush fence setback 2m from the front boundary.
9.2.4
(cont)

The cladding finishes are a combination of face brick at ground floor and rendered finish to first floors. All dwellings are to have pitched concrete roof tiles and eaves. The maximum building height is 7.7 metres. The building site coverage is 42.3%, and permeability of 37%. All dwellings are provided with storage areas within the garages.

Three trees are proposed to be retained being Tree 8 (Ash, 5m) along the east boundary, Tree 11 (Privet, 6m) along the north boundary, and Tree 18 (Paperbark, 5m) along the west boundary.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent property owners and occupiers and by erecting a notice on the frontage of the site. Following the advertising period 25 objections were received. The issues raised in the objections can be summarised as follows:

- Amenity impacts:
  - Bulk and mass to the north, north-east, east and south-east.
  - Overlooking in all directions.
  - Impacts to drainage system.
  - Increase in water runoff.
  - Overshadowing to the south.
  - Impacts to views.

- Neighbourhood Character:
  - Density inconsistent with area.
  - Double storey inconsistent with the street and will dominate the street due to insufficient front setbacks.
  - Dwelling 1 does not face Fowler Street.
  - Setback to Fowler Street inconsistent with the area.
  - Poor architectural quality/ lack of design diversity will affect the streetscape.

- Car parking and traffic:
  - Increase in traffic.
  - Insufficient visitor car parking as there is no street parking adjacent to the subject site, which will worsen existing parking problems in the street near dangerous bend.
  - Poor vehicle access (including for fire trucks) due to slope of driveway and location at bend in road, requires a passing bay.
  - Visitor spaces are tucked away and not visible to visitors.

- Landscaping:
  - Vegetation removal.
  - Replacement of hedge along east boundary with a fence.
  - Insufficient landscaping.
  - Impacts to habitat for rare species of birds and possums, including Squirrel gliders, Grey-headed flying foxes, Tawny frogmouths, Ringtail possums and Brushtail possums.

- Other matters:
  - Negative impact on surrounding property values.
  - Noise from occupants and traffic.
9.2.4 (cont)

Consultation Forum

A Consultation Forum was held on 18 December 2012, chaired by Councillor Ellis. The planning officer, representative for applicant, and 18 objectors attended the meeting.

Discussion centred on increase in traffic and car parking, vehicle access, tree removal, impact to wildlife, drainage, bulk and mass, overlooking, impacts to views, reduction in dwelling numbers, consistent design, materials and colours.

Following the Consultation Forum the application was amended (Section 57A) to change materials, alterations to upper levels of Dwellings 1 to 3, and reorientation of Dwellings 1 & 2 to face the street. This amended design was readvertised to all objectors and affected properties. No new objections were received and no objections were withdrawn.

Internal Referrals

Asset Engineer (Drainage)

Council’s Drainage Engineer requested standard conditions be placed on the permit.

Planning Arborist

Council’s Planning Arborist has advised that tree protection measures are required for trees on adjoining properties. In terms of trees on site the following comments were provided:

- Tree 12 (Norfolk Island Pine, 6m) - the long term retention of this tree is not possible without a design modification, as the tree will grow too large for this location.
- Tree 18 (Narrow leaved paperbark, 8m) - the health and structure of this tree is poor. The plans show a 0.5m cut within the 2.6 m structural root zone (SRZ), which could have an adverse impact on the tree. If this tree is to be retained, the cut should be setback of 4.5 m from the tree.

DISCUSSION

State and Local Planning Policy

Subject to modifications the proposal is consistent with State and Local Planning Policies which seek to ensure housing stock matches changing demand by widening housing choice; encourage the development of well-designed medium-density housing that makes better use of existing infrastructure; and that new development respects the neighbourhood character and appropriately responds to its landscape, valued built form and cultural context.

Clause 22.03 (Residential Development) identifies the site as being in a Garden Suburban Area in which natural change is expected to occur. The clause also identifies the site as being in Character Area 9 in the Whitehorse Neighbourhood Character Study. The Study describes the area as containing a variety of single storey, simple, predominantly post war dwellings of L shaped or double or triple fronted styles. There are also occasional timber Californian Bungalows and a mix of timber and brick building materials is found throughout the area. Gardens are predominantly low lying, with exotic shrubs and lawn, and with occasional large trees resulting in views to the houses. In streets where weatherboard predominates, there is a lightness to the streetscapes. Buildings are usually setback from at least one side allowing glimpses of backyard vegetation. Fence styles are often original, matching the materials and era of the dwellings, and open or low lying. Street tree plantings add to the garden settings of the dwellings.
9.2.4
(cont)

The preferred neighbourhood character is for dwellings to sit within established gardens and are to be constructed from a variety of materials, retaining the lightness of streetscapes where weatherboard predominates. Buildings will occasionally be built to the side boundary, however the rhythm of dwelling spacing should appear continuous from the street.

**Design and Built Form**

The proposed development is considered a suitable interpretation of the valued building styles of the area and will not dominate the streetscape. Dwellings in Fowler Street are typically constructed of brick and although single storey dwelling predominate, there are a number of large double storey dwellings within the street, including diagonally opposite the site. The amended design provides Dwellings 1 & 2 with front elevations and entries which address the street. The 6m ground floor setbacks to the street match the setback of the adjoining property to the south. It is noted that the neighbour on the other side (to the west) fronts a different street perspective and therefore the setback of that property is not used to assess the required setback. Also the first floors are significantly recessed with setbacks of 7.7 to 8.4 metres.

Although the development will have a consistent appearance throughout the five dwellings, only Dwelling 1 will have a full frontage to the street (with Dwelling 2 having a part frontage), ensuring that there will be no impacts to the rhythm of dwelling diversity in the street.

The provision of the Dwelling 1 SPOS within the frontage is acceptable having regard to the context of the site. The subject site does not currently have any large trees within the front setback, and the provision of a 2 metres wide landscape buffer between the proposed 1.8m high brush fence, together with an opportunity to provide a midsized canopy tree within the frontage, will maintain landscaping in this frontage. Being located at a bend in the road, the provision of fencing within the frontage will not impact on the streetscape presentation or rhythm of front yards. Due to the fall of the land and the 2m setback to the boundary, the fence will be no higher than a typical 1.5m high front fence relative to the footpath. The amount of SPOS for Dwellings 1 & 2 meets the requirements of Clause 55.

Character Area 9 has an objective to provide a setback from at least one side boundary to reflect the rhythm of existing dwelling spacing. This is provided in the design with the provision of a driveway along the south boundary.

Although there is a continuous built form for Dwellings 1 to 3 through the centre of the site, the dwellings have generous setbacks to the west boundary and 2m breaks at ground floors within the west elevation, and good first floor separations of 3.3 and 3.6 metres, clearly defining the separate dwellings when viewed externally from the site. A large 5-7 metres separation is provided through the centre of site adjacent to the SPOS of the adjoining properties to the north and south, and a large 6.5m separation is provided between Dwellings 4 and 5, providing some sense of spaciousness through the centre of the site and a break in building form when viewed from the east.

The design layout suitably responds to the context of the site and the topography of the land. The location of the SPOS for Dwellings 2 & 3 provides a good buffer to the adjoining property to the west. This area, together with the separation between Dwellings 3 & 4 and the SPOS for Dwelling 4 within the north setback, provides sufficient breaks and setbacks to the properties to the north, particularly in relation to the SPOS of the adjoining property at 4/9-11 Grandview Road, which is located in a wedge of land adjacent to the north boundary of the subject site. Dwelling 4 follows the topography of the land by stepping down the site, providing a 1.6m level difference between the two ground floor levels, and has a small first floor over the lower ground floor section only. This response to the fall of the land, together with ground floor setbacks of 3m to the north and 4m to the east, and first floor setbacks of 3.8m to the north and 6.4m to the east, provides a suitable response to manage building bulk for the interface to adjoining properties near the north-east corner of the site.
Dwelling 5 also responds to the topography of the land by providing a split level ground floor with a level difference of 1.8m and a first floor over only the lower ground floor area. However, in response to the extent of fall at the south-east corner of the site, it is proposed to raise the heights of the boundary retaining walls and the ground level by a maximum of 1.55m from a low point of 101.2 AHD to 102.75 AHD. This is higher than the top of the roof of the shed on the property to the east, which has a gutter level of 101.7 AHD, which suggests a ground level to the east of approximately 99.7 AHD. The proposed total height of the retaining wall will therefore be approximately 3m high, above which it is proposed to construct a 1.8m high boundary fence, bringing the total height of retaining wall and fence to approximately 4.8m, in a location where there is currently only a 1.8m high retaining wall with a row of shrubs above (there is currently no east boundary fence). It is considered that this increase in property height will have an unreasonable impact on the adjoining property to the east, and that the proposed ground level should be the same as the top of the existing retaining wall. This will not have any unreasonable impact on the SPOS for Dwelling 5, which is principally located on the north side of the dwelling. There will, however, be potential overlooking issues which will need to be addressed. These matters are addressed in the recommended conditions for approval.

The ground floor of Dwelling 5 is setback 3.8m to the east and 2m to the south, and the first floor is setback 2m to the south, 5.7 to 7.9 metres to the east, and a separation of 10m to the first floor of Dwelling 4. While this design response provides suitable setbacks to the east, insufficient regard has been given to the impacts of the raised site levels on the abutting property to the south. In response to the bulk and mass accentuated by this level difference, Bedroom 4 should be deleted, which will provide an acceptable 5.5m setback of the first floor to the south boundary. This is included in the recommended conditions for approval. The separation between Dwellings 5 and 1 is a good outcome being in line with the principal area of SPOS of the dwelling to the south.

**Landscaping**

The application proposes to retain three trees on site being Tree 8 (Ash, 5m) along the east boundary, Tree 11 (Privet, 6m) along the north boundary, and Tree 18 (Paperbark, 5m) along the west boundary. Trees proposed to be removed are Tree 1 (Box Elder, 8m), Tree 10 (Fig, 4m), Tree 12 (Norfolk Island Pine, 6m), Tree 13 (Ash, 6m), Trees 14 & 15 (Exotic evergreen sp, 5m), and Tree 19 (She oak, 6m). Trees 8 and 11 will not impacted by the proposal. Tree 18 was assessed by Council’s Planning Arborist as having poor health and structure and should be removed. Tree 12, although located near the boundary, will grow too large for that location and should be removed. None of the other trees are particularly large or visually prominent, are in locations which cannot be designed around, and it is acceptable for them to be replaced. It is also considered that Tree 11 (Privet, 6m) which is listed in the City of Whitehorse Environmental Weed List 2007, should also be replaced with an upper canopy tree.

In accordance with Council policy for the Garden Suburban Area an upper canopy tree capable of exceeding a height of 12 metres is required to be planted as a part of this proposal. Given the size of the site and the layout of the development, three upper canopy trees should be provided, one between Dwellings 4 & 5, one between Dwellings 3 & 4 to replace Tree 11, and the other adjacent to the west boundary adjacent to Dwelling 3 to replace Tree 18. A number of midsized canopy trees (6-9m) should be provided, one in the frontage to Fowler Street, another in the SPOS for Dwelling 4, and one to the west of Dwelling 5 to replace Tree 1. The provision of three new upper canopy trees and three midsized canopy trees will provide suitable replacement for the trees to be removed to maintain landscape values on the site. These are included in the recommended conditions for approval.
9.2.4
(cont)

Car Parking and Traffic

The application proposes a double garage for each dwelling and two visitor car parking spaces located centrally on the site between Dwellings 4 & 5. These spaces are visible and accessible. The proposed parking provision meets the Clause 52.06 requirements for residents and exceeds the requirement for visitors and is acceptable, particularly given there are no street car parking opportunities directly in front of the subject site.

Any increase in traffic will be minimal and can be accommodated in the surrounding street network. There are no known impediments to emergency vehicle access.

The 3.0m width of the driveway meets the requirements of Clause 52.06-8, and a passing area is not required at the entrance as the driveway is not more than 50m long and does not connect to a Road Zone. Furthermore, passing opportunities are provided through the centre of the site.

Offsite Amenity

- Overlooking

There are no overlooking concerns to the west as the adjoining property does not have any habitable room windows or SPOS within 9m of the proposed dwellings. The Dwelling 5 east elevation Bedroom 3 window sill should be increased from 1.65 to 1.7 metres above the floor level. As discussed previously, Dwelling 5 ground floor windows (to the east elevation kitchen and family rooms) will need to comply with Standard B22 after reduction in the fence heights. Screening should also be provided to the south elevation laundry glass door. These requirements are included in the recommended conditions for approval. All other windows comply with the ResCode Standard. A notation that frosted film is not to be used to prevent overlooking is in the recommended conditions for approval.

- Overshadowing

The application has provided shadow diagrams for the equinox demonstrating compliance with Standard B21 (Overshadowing open space objective) of Clause 55.

Issues raised by objectors not previously addressed.

- Increase in water runoff – The subject site will be required to be drained to the satisfaction of Council’s Drainage Engineer as detailed in the recommended conditions for approval.

- Impacts to views – There is no provision or local policy control within the Whitehorse Planning Scheme that protects residents’ rights to a view.

- Poor architectural quality/ lack of design diversity will affect the streetscape – As discussed previously, only one of the dwellings will fully front the street. The applicant has sought to improve the architectural quality by improving materials, such as use of Daniel Robertson Hawthorn blend bricks. The proposed quality of design and materials is acceptable

- Replacement of hedge along east boundary with a fence – The existing 1.5 to 1.8 metres high row of evergreen shrubs on the subject site along the east boundary are not protected and could be replaced with a boundary fence separate to the planning process. The recommended approval includes conditions to reduce the impacts of the fence by removing the proposed increase in height to the retaining wall.
9.2.4 (cont)

- **Impacts to habitat for rare species of birds and possums, including Squirrel gliders, Grey-headed flying foxes, tawny frogmouths, ringtail possums and brush tail possums** – There are no identified habitat trees on the site and no controls to require retention of vegetation.

- **Devaluation of property values**: VCAT and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values.

- **Noise from occupants and traffic** - It is expected that any noise from the occupants of the dwellings will be typical of residential uses in the area. All proposed noise sources, such as mechanical plant, are away from bedrooms of immediately adjacent existing dwellings and comply with Standard B24 (Noise impacts).

**CONCLUSION**

The proposal for construction of five double storey dwellings is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the Residential 1 Zone and Clause 55, ResCode.

The new dwellings are appropriately sited and will be visually compatible with the existing built form and Garden Suburban character of the surrounding residential area.

A total of 25 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.
9.2.5 Amendment C110 – Introduction of Planning Scheme Controls for the Tally Ho Major Activity Centre to implement the Tally Ho Urban Design Framework

FILE NUMBER: 13/70683
ATTACHMENT

SUMMARY

In 2007 Council adopted the Tally Ho Urban Design Framework (UDF). Implementation of the UDF required preparation of Urban Design and Landscape Guidelines and translation of these guidelines into a planning scheme amendment. The Guidelines and amendment documentation (Am C110) have now been drafted. This report discusses the Guidelines and content of amendment C110 which proposes to introduce a Design and Development Overlay and a Development Plan Overlay for parts of the Tally Ho Major Activity Centre, include the Tally Ho Activity Centre policy in The Whitehorse Planning Scheme on a permanent basis and include the Draft Guidelines as a reference document in the Planning Scheme. The report recommends that authorisation be sought for the amendment and the amendment be exhibited together with the draft Urban Design and Landscape Guidelines.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Carr

That Council:

1. Being the Planning Authority, seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whitehorse Planning Scheme to introduce a Design and Development Overlay and a Development Plan Overlay for parts of the Tally Ho Major Activity Centre, update and make permanent the local planning policy at Clause 22.08 Tally Ho Activity Centre, make associated changes to Clauses 21 and 22 to appropriately reference the adopted Tally Ho Urban Design Framework Plan 2007 and the draft Tally Ho Urban Design and Landscape Guidelines 2013 in accordance with documents provided in Appendix 1 of Attachment 6.

2. Endorse the Draft Tally Ho Urban Design and Landscape Guidelines January 2013 for exhibition as part of Amendment C110 and for inclusion as a reference document in the planning scheme, as shown in Appendix 2 of Attachment 6.

CARRIED UNANIMOUSLY

Proponent: Whitehorse City Council
Zoning: Commercial 1, Residential 1
Overlay: None
Relevant Clauses
Clause 11.01 Activity Centres
Clause 11.04 Metropolitan Melbourne
Clause 15.01 Urban Environment
Clause 16 Housing
Clause 17 Economic Development
Clause 21.05 Environment
Clause 21.06 Housing
Clause 21.07 Economic Development
Clause 22.06 Activity Centres
Clause 22.08 Tally Ho Activity Centre

Ward: Morack
9.2.5 (cont)

Locality Plan and Key Sites

Legend:
- study area boundary

1. precinct 1: global television studios
2. precinct 2: burvale hotel
3. precinct 3: tally ho business park
4. precinct 4: crossway baptist church
5. precinct 5: east burwood reserve
6. precinct 6: former crown coaches, peter james centre & hewlett packard
9.2.5
(cont)

BACKGROUND

The Tally Ho Major Activity Centre (MAC) focuses on the Burwood Highway/ Springvale Road intersection, Burwood East. It encompasses the Tally Ho Business Park, East Burwood Reserve, Global TV studios and surrounding area. The Business Park is recognised as a ‘key eastern suburbs hub for knowledge workers’ (Whitehorse Planning Scheme Cl 22.08-1). At the time it was developed, the business park provided groundbreaking design concepts which integrated built form and landscape. Council is keen to maintain the Tally Ho’s image as a leading innovative centre for business, while at the same time, consider the needs of the MAC as a whole, with both its commercial and residential population.

Tally Ho was identified as a MAC in Melbourne 2030: Planning for Sustainable Growth and this resulted in the preparation of the Tally Ho Urban Design Framework (UDF), which Council adopted in 2007. Preparation of the document involved extensive consultation with community groups and landowners. The UDF provides a series of objectives and strategies which are applicable to the whole Tally Ho MAC and earmarked six (6) key redevelopment sites being:

- The East Burwood Reserve
- Tally Ho Business Park
- Burvale Hotel
- Crossway Baptist Church
- Crown Coaches, Peter James Centre and Hewlett Packard
- Global TV studios

The final chapter of the UDF contains a list of actions needed to implement the UDF, including the preparation of Urban Design and Landscape Guidelines and then translation of the Guidelines into a new planning scheme amendment.

The Guidelines need to be compatible with the UDF but provide a greater level of detail. Issues to be addressed included height, setbacks, site coverage, built form and environmentally sustainable design practices.

Clause 22.08 of the planning scheme is an interim policy to guide land use and development in the MAC. The clause was prepared in response to the UDF and expires January 2014. It is intended that the clause become permanent as part of the current proposed planning scheme amendment.

The purpose of Amendment C110 is primarily to incorporate the Guidelines into the planning scheme as an overlay control, to update and make Clause 22.08 Tally Ho Activity Centre permanent and to make the Guidelines a reference document in the planning scheme. The amendment will also make consequential changes to relevant parts of the Municipal Strategic Statement and Local Planning Policy Framework to suitably reference both the adopted UDF and the Guidelines.

It should also be noted by way of background that both the former Channel 10 studios and the Burvale Hotel have been identified in a report to the State Government, as having possible heritage significance at a State level. Council’s Heritage Advisor has researched both sites as part of the next stage of review to progress potential heritage places across the municipality. This matter will be the subject of a separate report to Council in the future.

The UDF recognised Crossway church as a key redevelopment site. However the site has not been included in either the Urban Design and Landscape Guidelines or amendment C110 for the MAC. This is because the church has been subject to its own amendment C123 involving a Development Plan Overlay which has just recently been approved by the Minister.
9.2.5
(cont)

Draft Urban Design and Landscape Guidelines

The draft Guidelines were prepared to assist in realisation of the Tally Ho UDF. The intention of the draft Guidelines is not to replace or supercede the UDF, but to provide further detail as to the ultimate built form and landscape outcomes to enable the UDF to be implemented into the planning scheme. The draft Guidelines are intended to be used by anyone who is engaged in the planning and development process such as land owners, designers, the community and Council, to better understand how to respond to planning and design within the Tally Ho MAC.

The draft Guidelines are divided into two parts. The first part outlines a series of general design guidelines relating to buildings and landscape which are applicable to the whole MAC. This includes building design and materials, site design, sustainable design practice, interface management and landscape effects.

The second part outlines a series of site specific guidelines that are applicable to different precincts. Sites are classified as either having a main road frontage, an internal road frontage or an interface with housing or public parkland. Each precinct has its own requirements for height, built form setbacks and landscaping.

A copy of the draft Guidelines is contained in Appendix 2 of Attachment 6 to this report.

PROPOSED AMENDMENT

With the draft Guidelines now prepared and it proposed that Council make a request to the Minister for Planning to seek authorisation to prepare and exhibit Amendment C110 to apply a Design and Development Overlay (DDO) and Development Plan Overlay (DPO) to parts of the Tally Ho MAC (refer Appendix 2 of Attachment 6). The DDO applies to the commercial or ‘business’ part of the MAC including the Tally Ho Business Park, the Burvale Hotel, Hewlett Packard and other commercial sites along Springvale Road and Burwood Highway. The proposed DPO applies to the Global TV site (former channel 10 studios). The explanatory statement for the amendment and the Draft DDO and DPO are provided in Appendix of 1 of Attachment 6.

The purpose of the both overlay controls are to:

- Provide a degree of certainty for developers, land owners and occupiers as to Council’s expectations for future development within the MAC in line with the adopted UDF
- Assist applicants in preparing planning applications
- Provide guidance in the assessment of planning applications

The purpose of a DDO is to identify areas where it is appropriate for new development to be subject to specific requirements relating to design and built form. The proposed DDO, Schedule 9 includes specific design objectives (derived from the draft Guidelines and adopted UDF) and requirements for buildings and works. These requirements include preferred (but not mandatory) maximum building heights, built form, site design and landscaping. The area affected by the proposed DDO is divided into precincts dependent on whether a site has a main road frontage, internal road frontage or an interface with housing or public parkland. Building heights, setbacks and landscaping requirements are different for each precinct. The DDO encourages more intense development to focus on the core of the MAC at the intersection of Springvale Road and Burwood Highway. Development is to become less intense with distance from the MAC core and at more sensitive interfaces.
9.2.5 (cont)

The purpose of a DPO is two-fold:

- To identify areas where it is appropriate to prepare master plans before issuing planning permits and
- To exempt applications from public notification requirements if they generally comply with the master plan.

The proposed DPO applies to the Global TV site. It includes requirements for permits and items to include in a master plan. These include building heights, site layout, setbacks, building materials, traffic management and landscaping. The proposed DPO allows for medium density housing development (up to four storeys) in the centre of the site, transitioning down to one to two storey development at the site edges, to complement adjoining neighbourhood character. The site is still currently used as a filming studio and the owners have stated that they intend to develop it at an unspecified time in the future. The area immediately west of the site (which is not proposed to be covered by the DPO) has already been developed for medium density development. The proposed DPO will give some certainty for both the owners and the community regarding future development of the site.

The proposed DPO is considered a reasonable proposal for the Global TV site, given:

- The site’s size, location within a MAC and its potential for future development
- That it will provide certainty for surrounding residents, owners of Global TV and Council
- That it is not an onerous control in its drafted form and contemplates the considerable infill development opportunity that this strategic site presents

Both Overlays require development to be environmentally sustainable and to have regard to any buildings of heritage significance.

The Amendment would also update and make permanent the local planning policy at Clause 22.08 Tally Ho Major Activity Centre, make associated changes to Clause 21 to appropriately reference the adopted Tally Ho Urban Design Framework Plan 2007 and the draft Tally Ho Urban Design Guidelines 2013.

Clause 22.08 of the Scheme is an interim policy for Tally Ho, due to expire at the end of January 2014. It is proposed that this clause be made permanent under the proposed amendment.

CONSULTATION

Preparation of the UDF took approximately three years and involved widespread consultation at key stages with community representatives, commercial tenants, residents and landowners. Major landowners and occupiers such as Global TV, Hewlett Packard and others were all directly consulted as part of the process. The UDF was adopted by Council in April 2007.

Before developing the draft Guidelines, a series of workshops were held in July last year with major business interests in the MAC. The aim of the workshops was to understand issues facing businesses and service providers (such as VicRoads, Melbourne Water and Ventura bus lines). The comments which were received provided valuable input and background for preparing the draft Guidelines.

It is proposed to undertake consultation on the draft Guidelines as part of exhibition of the amendment. The reason for this is that both the draft Guidelines and consequent amendment are seeking to translate and implement the UDF, which was subject to an extensive consultation process prior to its adoption.
9.2.5 (cont)

However, workshop participants have recently been advised that:

- The draft Guidelines have been completed,
- Council will be considering a report recommending endorsement of the Guidelines and preparation of a planning scheme amendment to translate them into the Whitehorse Planning Scheme
- If Council decides to proceed with the amendment then comments on both the draft Guidelines and the amendment can be made during the formal exhibition stage of the amendment.

DISCUSSION

In considering the proposed amendment, Council must have regard to the Strategic Assessment Guidelines as required by Ministerial Direction No. 11. This General Practice Note outlines issues which should be addressed to establish the need for an amendment and whether the proposed provisions are appropriate for the purpose for which they have been developed. These issues are each discussed below.

Why Is the Amendment Required?

The amendment is required to implement the UDF, make the Tally Ho policy permanent, and introduce the two new overlay controls. Application of the Overlays will translate the draft Urban Design and Landscape Guidelines into the Whitehorse Planning Scheme and clearly identify the type of built form and landscape outcomes Council expects on nominated key sites, before development occurs. It also establishes the importance of the sites within the MAC and sets out the relevant planning permit requirements.

A DPO and an approved development plan will also provide some level of certainty to the community and the owners of Global TV regarding the future use and development of the site.

Strategic Justification

As previously stated, Tally Ho’s identification as a MAC resulted in the preparation of the UDF. Implementation of the UDF required preparation of Urban Design and Landscape Guidelines. The UDF identifies key development sites within the MAC, specifies objectives and strategies. The proposed Overlays will implement the UDF, facilitate appropriate built form and landscaping which meets Council’s expectations and consolidate the MAC’s identity as a key eastern suburbs hub for knowledge workers. The Overlays have been prepared considering the MAC as a whole, keeping both its commercial and residential population in mind.

The Global TV site was identified in the UDF as one of the six key redevelopment sites. It presents a ‘strategic infill’ site with significant housing opportunities for the municipality. The development plan process will facilitate development of the Global TV site by securing approval of the overall development direction for the site early in the whole process as well as enabling the community to understand what is planned for the whole site. A DPO will also significantly reduce application time frames as public notice of planning permit applications will not be required. This means that the site’s position and community role within the MAC will be consolidated sooner.

Ministerial Directions

The amendment is consistent with relevant Ministerial Directions:

*Form and Content of Planning Schemes*

*Direction No. 9 – Metropolitan Strategy.* This Direction ensures that amendments have regard to the Metropolitan Strategy contained in Clauses 10 and 11 of the Planning Scheme.
9.2.5 (cont)

Direction No 11 – Strategic Assessment of Amendments. This Direction ensures a comprehensive strategic evaluation of an amendment and its outcomes.

The amendment is consistent with all these Directions and this is discussed in more detail below.

State Planning Policy Framework

The amendment implements the objectives of Planning in Victoria (Clause 10) by contributing to ‘the fair, orderly, economic and sustainable use and development of land’ and balancing conflicting objectives in favour of net community benefit.

The amendment implements the objectives and strategies of Clause 11.04 Metropolitan Melbourne, by reinforcing the function of the MAC as a key eastern suburbs hub for knowledge workers; with innovatively designed and high quality built form located within a landscape setting. Furthermore, the amendment will increase the attractiveness of the MAC as a place to locate for business and community uses.

The amendment seeks to facilitate development of the MAC and therefore encourages a variety of land uses that are accessible to the community. The amendment provides for high quality urban design and architecture that contributes positively to the local urban character and enhances the public realm (Clause 15 Urban Design).

The amendment and the proposed DPO also seek to facilitate housing development on the Global TV site in accordance with Clause 16 of the planning scheme.

Local Planning Policy Framework

The Municipal Strategic Statement at clause 21.06 Activity Centres identifies Tally Ho as a MAC and states that it should become the preferred location for further commercial, retail and cultural activities. Amendment C110 responds to the needs of the community and ensures that land use and development is consistent with and reinforces the Centre’s role.

Clause 22.08 Tally Ho Activity Centre applies specifically to the Tally Ho MAC and states the vision for the Centre is to maintain and enhance its primary roles as a key eastern suburbs technology hub, while broadening its mix of uses to better meet the needs of the local resident and worker community. Relevant policies seek to reduce at-grade car parking, ensure community facilities can meet the current and future needs of the local population, achieve additional built form capacity with development of high quality streetscapes and landscapes and support active frontages, especially at ground level, while incorporating best practice sustainability principles. As noted previously, this policy is interim only at this stage but is proposed to become permanent as part of the amendment.

The proposal satisfies all of these clauses/policies by encouraging active frontages to Springvale Road and Burwood Highway, quality urban design and facade treatment, landscaping and discouraging car parking within front setbacks.

Environmental, Social and Economic Effects

The amendment is considered to adequately address any environmental effects and requirements for sustainable development.

The amendment will have positive social effects by encouraging high quality built form which engages with the community. The DPO will allow the community to understand the type of built form envisaged for the site, before it is actually built. This will provide a level of certainty for the community.
9.2.5 (cont)

Growth and development of the MAC will meet wider community needs and increase its role as an employment centre.

**Victorian Planning Provisions**

Practice Note 23 *Applying the Incorporated Plan and Development Plan* states that if either overlay is to be used, they must be supported by a strategic framework that sets out the desired development outcomes and overall layout of the land. In this case, the UDF supported by the draft Guidelines provides the relevant strategic framework.

The Practice Note advocates a DPO as being appropriate for sites like Global TV where land is under one ownership and the development proposals are not likely to significantly affect third-party interests. An Incorporated Plan Overlay is not considered to be the appropriate planning tool because it requires a planning scheme amendment if the plan requires any changes. This is cumbersome, time consuming and unnecessary for a smaller, single ownership site.

Practice Note No 60 *Height and Setback Controls for Activity Centres* states that discretionary height and setbacks are preferred to mandatory controls. Discretionary controls are more likely to facilitate appropriate built form outcomes than mandatory controls. They provide more flexibility to accommodate contextual variations and innovative design.

Mandatory height and setback controls will only be considered in exceptional circumstances. The Practice Note also states that a DDO is the preferred planning instrument for implementing building heights and setbacks.

**Views of Relevant Agencies**

VicRoads and Council’s Transport Unit both took part in the early workshops conducted by Council’s consultants to understand issues facing businesses and service providers (such as VicRoads, Melbourne Water and even Council).

If the amendment is exhibited then there will be ample opportunity for referral authorities to comment during the process.

**Bush Fire Risk**

Tally Ho is not in a bush fire risk area

**Transport Integration Act 2010**

The proposed amendment will not have a significant impact on the transport system, as defined by section 3 of the *Transportation Integration Act 2010*.

**Impact on Council’s Resource and Administration Costs**

These issues are discussed below under the heading ‘FINANCIAL IMPLICATIONS’
POLICY IMPLICATIONS

In addition to the policy implications for the Planning Scheme as outlined above, the amendment will address some of the strategic priorities and key actions identified in the Council Plan 2013 – 2017, Sustainability Strategy 2008 – 2013 the Municipal Strategic Statement and the Housing Strategy (February 2003) by:

- Supporting a healthy, vibrant, inclusive and diverse community
- Maintaining and enhancing the built environment to ensure a liveable and sustainable city
- Supporting a healthy local economy

The Housing Study (2003) which is currently being reviewed, identifies Global TV as a large redevelopment site

FINANCIAL IMPLICATIONS

Normal costs will apply for lodging the amendment with the Minister and having it processed. Costs will also be associated with officer time, exhibition of the amendment and any future Panel hearing and expert witnesses, if Council decides to appoint an independent panel to hear submissions. If the amendment is approved, then it is anticipated that some additional resource and administration costs will result from administering the two proposed new overlays. However to some extent these costs will be offset by savings achieved by the fact that public notification will not be required for applications which comply with the development plan on the Global TV site. Processing applications under either new Overlay can be undertaken within existing resources.

CONCLUSION

Amendment C110 proposes to introduce planning controls for parts of the Tally Ho Major Activity Centre in the form of a Design and Development Overlay and a Development Plan Overlay. The amendment also makes Cl. 22.08 of the Planning Scheme permanent.

The Tally Ho Urban Design Framework recommended preparation of urban design and landscape guidelines. Guidelines have been drafted and Amendment C110 now translates these guidelines and the UDF into the Planning Scheme.

It is recommended that Council endorse the draft Guidelines, seek authorisation for the amendment and place the amendment and draft Guidelines on public exhibition.

Appendix A: Amendment C110 Key Documentation
Appendix B: Draft Tally Ho Urban Design and Landscape Guidelines
9.2.6 Whitehorse Economic Development Strategy 2014-2019

SUMMARY

Building on the success of the Whitehorse Economic Development Strategy 2008–2013, the Whitehorse Economic Development Strategy 2014-2019 has been prepared to provide continued certainty around the role Council provides in supporting and directing business and employment activity to ensure a strong economic future for the City of Whitehorse.

The purpose of the report is to seek Council’s support to release the Whitehorse Economic Development Strategy 2014-2019 for public consultation.

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Stennett


CARRIED UNANIMOUSLY

BACKGROUND

Legislative Framework

The Australian Local Government Association (ALGA) acknowledges that soundly based economic and regional development is fundamental to the wellbeing of Australian communities and that effective local government participation is vital to the success of economic development initiatives.

This view is well founded both in practice and as required by legislation. In seeking to achieve the primary objective of a Council and in accordance with The Local Government Act 1989 (The Act), a Council must have regard to the following facilitating objectives:

- to promote the social, economic and environmental viability and sustainability of the municipal district;
- to promote appropriate business and employment opportunities;
- to improve the overall quality of life of people in the local community.

In seeking to achieve these objectives the role of Council is further specified within The Act as providing leadership by establishing strategic objectives and monitoring their achievement. The development, implementation and evaluation of an economic development strategy provides this framework.

DISCUSSION

Whitehorse Economic Development Strategy 2008-2013 Review

9.2.6 (cont)

CONSULTATION

Preliminary
The draft Strategy has been informed by preliminary consultation with selected staff, Executive Management Team, Councillors and selected key business leaders to ensure an appropriate direction was set for the new Strategy.

Participants included:

- Whitehorse Business Group
- Council's Internal Reference Group (members of B&ED and Strategic Planning Unit)
- Councillor's and Whitehorse Executive Team
- Whitehorse Business Week: Informing Business for Success presentation attendees
- Relevant Council Staff
- External Reference Group (selected members of business community)

Final Consultation
For the final stage of consultation, the draft strategy will be available to the business sector for feedback from 22 October 2013 – 18 November 2013.

It will be communicated through the Wbiz e-bulletin and the document will be made available for review at the following:

- Council's website
- Wbiz website
- Civic Centre, Forest Hill and Box Hill Customer Service Centres

Members of the External Reference Group and Whitehorse Business Group will be invited again to provide further feedback.

Launch
It is expected that the Economic Development Strategy 2014-2019 will be finalised and presented for further consideration at the Council meeting in January 2014, an official launch will be held during Boost Your Business Program: 24-28 March 2014.

FINANCIAL IMPLICATIONS

The development of the Economic Development Strategy 2014-2019 has been funded through the B&ED Units 2012/13 and 2013/14 operational budget.

All actions detailed in the Economic Development Strategy 2014-2019 will be funded through the recurrent budget over the next five years. Any actions/projects that require funding beyond the budget will be obtained through partnerships with private/public sector stakeholders through funding grant programs and sponsorship.

POLICY IMPLICATIONS

The Whitehorse Economic Development Strategy is prepared to outline the role Council provides in supporting and directing business and employment activity to ensure a strong economic future for the City of Whitehorse.
9.2.6
(cont)

Corporate Framework

Our Vision for Whitehorse 2013 - 2023 commits Whitehorse City Council to a set of priorities for future action for the community.

*We aspire to be a healthy, vibrant, prosperous and sustainable community supported by strong leadership and community partnerships*

The City of Whitehorse will be:

- One of the most liveable and sustainable municipalities in Melbourne;
- Recognised for the quality of its open space and natural environment;
- A community rich in culture and diversity that is inclusive, healthy and vibrant;
- A well governed city that has healthy and strong relationship with the community; and
- A municipality with a prosperous and well supported local economy.

These aspirations form the basis of five key strategic directions in the Council Vision which commits Whitehorse City Council to a set of priorities for future action. The following will guide the development of the *Economic Development Strategy 2014-2019*.

**STRATEGIC DIRECTION 5: Support a healthy local economy**

A healthy, vibrant local economy is important in terms of employment, investment and contributing to the City’s prosperity. Council will work closely with key stakeholders in the business sector to ensure that Whitehorse is well positioned to support and strengthen the local economy.

**Strategic Goals:**

- A thriving and sustainable local economy that provides a comprehensive range of products and services to the community.
- Strong regional connections that enhance the local economy

**Guiding Principles**

- Support for and working with local business.
- Conducive to investment attraction and promotion of Whitehorse opportunities
- Strategies that set our clear directions.
- Representing the interests locally and regionally through partnerships and advocacy at regional, state and federal level.

The Whitehorse *Economic Development Strategy 2014-2019* is a deliverable action directly aligned to the *Council Plan 2013-2017*, (Strategic Direction 5 “Support a healthy local economy” and its Strategic Objective “Dynamic local economic environment that is regionally connected”).

**CONCLUSION**

The Draft *Economic Development Strategy 2014-2019* is presented to Council seeking approval to release the document for community consultation and feedback. The next steps include:

- Public consultation period (Oct/Nov 2013)
- Review feedback / further opportunities (Dec 2013)
- Final EDS to Council for consideration / adoption (Jan 2014)
- EDS 2014 – 2019 Launch (March 2014)
9.3 INFRASTRUCTURE

9.3.1 Tender Evaluation Report – Construction of a new pavilion at Mont Albert Reserve – (Contract 12062)

FILE NUMBER: SF11/1686

SUMMARY

To consider tenders received for the construction of a new pavilion at Mont Albert Reserve and to recommend the acceptance of the tender received from Bowden Corporation Pty Ltd, for the amount of $1,519,983.85 including GST and to consider the overall estimated expenditure for the project.

COUNCIL RESOLUTION

Moved by Cr Chong, Seconded by Cr Harris

That Council accept the Tender and sign the formal contract document for Contract 12062 for the Construction of a new pavilion a Mont Albert Reserve received by Bowden Corporation Pty Ltd (ABN 55 097 029 993) for the tendered amount of $1,519,983.85 including GST; as part of the total expected project expenditure of $1,915,818.50.

CARRIED UNANIMOUSLY

BACKGROUND

Several years ago Council determined that the pavilion at Mont Albert Reserve was in need of replacement to provide appropriate facilities for the Mont Albert Cricket Club, Surrey Park Lacrosse Club and other users of the Reserve. Council then commenced a process to renew the ageing and deteriorated sports pavilion at Mont Albert Reserve, Dunloe Ave, Mont Albert. The old sports pavilion has been demolished and site remediation works to prepare for the construction of a new fully functional sports pavilion are underway. These works are scheduled for completion in October 2013. Tender documentation for construction of the new sports pavilion has been completed.

Funding was provided in the 2012/2013 Capital Works Program to undertake design for a sports pavilion and funding has been provided in 2013/2014 and 2014/2015 for building construction.

The proposed sports pavilion and associated works will include:

- Two unisex change rooms and facilities for home and away teams
- Kitchen and serving kiosk for club and community functions
- Multipurpose hall and facilities for club and community use
- First aid room
- Umpire changing facilities
- Storage for clubs and community groups
- Accessible toilet facilities which are internally and externally accessed
- A vertical garden at the entry
- A large covered deck for spectators
- Includes Environmentally Sustainable Design features such as solar panels, rainwater collection tanks, LED light fittings and wood composite decking boards
- Resurfacing of the northern car park.
- Ancillary works
9.3.1 (cont)

Works are anticipated to commence in November 2013 and be completed for handover to the Surrey Park Lacrosse Club and the Mont Albert Cricket Club in October 2014. The tenant clubs have been provided with temporary accommodation facilities onsite which will remain until the completion and handover of the new pavilion in October 2014.

DISCUSSION

A publicly advertised Expressions of Interest process preceded the selected tender process. The Expressions of Interest invitations were advertised in The Age newspaper on Saturday 15th June 2013 and closed on the 5th July 2013.

The EOI submissions were evaluated against the following criteria:

- Company experience and relevant experience in projects of similar size and complexity;
- Demonstrated quality of work;
- Availability of resources to complete project on time; and
- Occupational Health & Safety, Equal Opportunity (Pass/Fail).
- Business Viability

From the twenty six Expressions of Interest received, the following six contractors were considered to be the best equipped to deliver this project.

- Bowden Corporation Pty Ltd
- May Constructions Pty Ltd
- Johns Lyng Commercial Builders Pty Ltd
- Behmer & Wright Pty Ltd
- FiMMA Constructions Pty Ltd
- ADMA Group Pty Ltd

Tenders were invited on 14 August 2013 and closed on 9 September 2013. All six shortlisted contractors submitted conforming tenders.

The tenders were evaluated against the following criteria:

- Financial benefit to Council
- The Contractors resources specifically dedicated to the project
- The Contractors displayed ability to meet Councils set out time frame for the project.

Following a detailed assessment and clarifications to confirm tender prices, it has been determined that the tender provided by Bowden Corporation Pty Ltd provides the best value for money for this Contract.

CONSULTATION

Council officers have consulted extensively with the pavilion user groups and Council’s Parks, Planning and Recreation Department, as well as various internal departments regarding building compliance issues and other important design considerations. The Mont Albert Sporting Association has agreed to provide funding for the following items which are not normally funded by Council:

- Additional decking
- Weather vane
- Clock
- Dishwasher, washing machine, and additional oven, including their associated service connections
9.3.1
(cont)

FINANCIAL IMPLICATIONS

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</tr>
<tr>
<td>Other ancillary costs** (estimated)</td>
<td></td>
<td>$110,000.00</td>
</tr>
<tr>
<td>Contingency @ 10%</td>
<td></td>
<td>$138,000.00</td>
</tr>
<tr>
<td>Project Management Fee @ 6%</td>
<td></td>
<td>$112,710.00</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td><strong>$1,991,213.00</strong></td>
<td><strong>$1,991,213.00</strong></td>
</tr>
</tbody>
</table>

**Ancillary costs include, master keying, pavilion signage, irrigation control relocation, floodlighting control relocation, bollards and fencing modifications.

Funding surplus to the project is intended to be redirected to accelerate design works of other pavilion projects such as the Kalang Park redevelopment.
9.4 CORPORATE REPORTS

9.4.1 Review of Audit Advisory Committee Charter

FILE NUMBER: SF08/319
ATTACHMENT

SUMMARY

After the last revision of the Audit Advisory Committee Charter, which was conducted in May 2011, the Committee resolved to undertake a formal review of the Charter every two years. A review of the Charter has now been completed by independent Local Government Consultant, Danny Keating of DJK Consulting. The resulting report for Council and a revised Charter are attached.

COUNCIL RESOLUTION

Moved by Cr Chong, Seconded by Cr Davenport

That Council adopt the Revised Charter for the Audit Advisory Committee.

CARRIED UNANIMOUSLY

BACKGROUND

The Whitehorse Audit Advisory Committee operates under a formal charter, the contents of which were initially shaped by the Government’s 2000 Best Practice Guidelines. The 2011 review of the Charter coincided with the Department of Planning & Community Development’s release of its Guide to Good Practice for Local Government Audit Committees. This new guide recommended that an Audit Committee Charter should clearly articulate the Audit Committee’s role and responsibilities, composition, structure and membership requirements, authority, processes and procedures. The guide also included a model Audit Committee Charter (copyright of the MAV) produced by the Institute of Internal Auditors and adapted to suit Local Government.

DISCUSSION

The attached 2013 revised version of the City of Whitehorse Audit Committee Charter has been produced after consultation with all Audit Advisory Committee members, the Acting Chief Executive Officer and General Manager Corporate Services, as well as Council’s Internal Auditors, PricewaterhouseCoopers.

In general, all consulted were relatively happy with the current Charter and the operation of the Audit Advisory Committee. Effectively, only minor enhancements have been made to the Charter. These changes refine the Committee’s activities to reflect industry best practice requirements. The Audit Advisory Committee considered the revised Charter at its September 2013 meeting and recommends it to Council.
9.4.2 Meeting Procedures and Common Seal Local Law 2013

SUMMARY

This report provides the final process required for Council to adopt its meeting procedures Local Law after having conducted a review and seeking public comment. Council can now resolve to adopt and make this Local Law as per attachment 9.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Bennett

That Council:

Having prepared a community impact statement and given public notice inviting submissions, (and having received none) now resolve to adopt and make the Meeting Procedures and Common Seal Local Law 2013 in accordance with the provisions of Section 119 of the Local Government Act 1989 (Act), as per attachment 9.

CARRIED UNANIMOUSLY

BACKGROUND

Section 91 of the Local Government Act 1989 (Act) in regard to ‘Conduct of Meetings’ states:

(1) A Council must make local laws governing the conduct of meetings of the Council and Special Committee.

Macquarie Lawyers were engaged to undertake the review of the current Meeting Procedures and Common Seal Local Law No. 14 adopted by Council in 2009.

DISCUSSION

The current local law was last reviewed in 2009, however it is good governance and practice to review the Meeting Procedures Local Law after a general election and with the newly elected Council.

Irrespective of changes to Section 91 (Voting) of the Act, the draft local law proposes that voting by all Councillors be compulsory at meetings of the Council.

CONSULTATION

Reviewing the local law, Council staff and Councillors have had an opportunity for input through a number of briefing sessions. Public notice was given as per the attached notice and at the close of submissions none were received.

Council can now implement the provisions after complying with Section 119 (3) and (4) of the LGA i.e.

1. Give notice in the government gazette and a public notice that Council has made the local law and a copy can be inspected at the Council office.
2. Send a copy to the Minister.

FINANCIAL IMPLICATIONS

Total cost is expected to be approximately $1,000 plus GST.
9.4.3 Naming of Four Separate Laneways
- Rear of 477-499 Middleborough Rd Box Hill North
- Abutting 4 & 6 Doulton Rd & 500 & 502 Middleborough Rd Blackburn
- Rear 769 Canterbury Rd & adjacent to 2 Arthur St Surrey Hills
- Rear of 643 – 645 Whitehorse Rd & adjacent to 2 & 2A Barloa Rd Mont Albert

SUMMARY
Council is required to assign a name to four currently unnamed laneways in the municipality in order to assign property addresses. As required by the Office of the Registrar of Geographic Names guidelines, further community consultation has now been undertaken with regards to naming proposals and approval is now sought for the proposed names as resolved by Council at its 24 June 2013 meeting.

COUNCIL RESOLUTION
Moved by Cr Harris, Seconded by Cr Massoud

That:
1. Council endorse its previous decision of 24 June 2013 to name the laneway:
   a) at the rear of 477-499 Middleborough Road Box Hill North as shown on the attached plan, be named Eadon Lane.
   b) abutting 4 & 6 Doulton Road and 500 & 502 Middleborough Road Blackburn as shown on the attached plan, be named Woorrwarren Lane.
   c) at the rear of 769 Canterbury Road and adjacent to 2 Arthur Street Surrey Hills as shown on the attached plan, be named Tevelton Lane.
   d) at the rear of 643 – 645 Whitehorse Road and adjacent to 2 & 2A Barloa Road Mont Albert as shown on the attached plan, be named Gurmoong Lane.

2. The Registrar of Geographic Names be advised of Council’s Resolution.

3. Abutting owners, all appropriate authorities, be advised accordingly once advice has been received from the Office of the Registrar of Geographic Names that the laneway names have been formally gazetted.

4. Appropriate street signage be erected once advice has been received from the Office of the Registrar of Geographic Names that the laneway names have been formally gazetted.

CARRIED UNANIMOUSLY

BACKGROUND
At the Ordinary Council Meeting held 24 June 2013, Council resolved the following names for the below locations:

- The laneway at the rear of 477-499 Middleborough Road Box Hill North be named Eadon Lane
- The laneway abutting 4 & 6 Doulton Road and 500 & 502 Middleborough Road Blackburn be named Woorrwarren Lane
- The laneway at the rear of 769 Canterbury Road and adjacent to 2 Arthur Street Surrey Hills be named Tevelton Lane
- The laneway at the rear of 643 – 645 Whitehorse Road and adjacent to 2 & 2A Barloa Road Mont Albert be named Gurmoong Lane
9.4.3 (cont)

Before seeking final approval of the laneway naming proposals from the Office of the Registrar of Geographic Names, Council was required to seek further feedback from the community. An advertisement was placed in the Whitehorse Leader on 7 August 2013 and on Council’s website, inviting further comments from members of the community in relation to the naming of these unnamed laneways. Five submissions were received during this process which closed on 9 September 2013, as outlined below and previously circulated to Councillors:

- Correspondence dated 21 August 2013, addressed to Cr Harris OAM and Cr Chong AM from Mr Roger and Mrs Ann Imrie objecting to the name Gurmoong Lane for the laneway at the rear of 643 – 645 Whitehorse Road and adjacent to 2 & 2A Barloa Road Mont Albert (previous correspondence prior to the consultation period commencing was also received from Mr Imrie in opposition to this naming proposal);

- Correspondence dated 24 August 2013, addressed to Council’s Chief Executive Officer, Ms Noelene Duff from Mrs Ann Imrie objecting to the name Gurmoong Lane for the laneway at the rear of 643 – 645 Whitehorse Road and adjacent to 2 & 2A Barloa Road Mont Albert;

- Correspondence dated 4 September 2013 from Ms Alana Marsh, a member of Council’s Reconciliation Policy and Action Plan Advisory Committee, supporting all naming proposals and congratulating Council for its balanced approach in suggesting two Woi Wurrung language names be considered;

- Correspondence dated 6 September 2013 from Whitehorse Friends for Reconciliation Inc Treasurer, Mr Howard Tankey, congratulating Council for its cultural awareness and recommending the two Aboriginal and two non-Aboriginal names;

- Correspondence dated 9 September 2013 from the Box Hill Historical Society Archivist, Ms Robyn Doble, supporting that the laneway at the rear of 643 – 645 Whitehorse Road and adjacent to 2 & 2A Barloa Road Mont Albert be named Gurmoong Lane and Council’s consideration of indigenous names.

One further late submission was received on 11 September 2013, from Mr Philip Derham, suggesting Eadon Lane be altered to Eden Lane, however this would be outside of the Naming Principles of the Guidelines of Geographic Names 2010, as there is an Eden Avenue in Box Hill South and Eden Court in Forest Hill, and therefore this suggestion cannot be considered.

In accordance with the Guidelines for Geographic Names, once Council has consulted, the public has the right to object to naming proposals. Council must assess objections to the naming proposal against the Guidelines for Geographic Names and write to objectors to advise of the decision. If the decision is to not uphold an objection, objectors then have the right to appeal Council’s decision by writing to the Registrar of Geographic Names within 30 days of receiving Council’s decision. The objections submitted by Mr Roger Imrie and Mrs Ann Imrie were considered in detail, they have been written to separately and advised of their appeal rights.

The Registrar of Geographic Names however is the final arbiter in this process and should these names be accepted by the Registrar, the names will be formally gazetted and abutting landowners and all appropriate authorities will be advised.
DISCUSSION

Schedule 10 (5)(1) of the Local Government Act provides that Council may, among other things, name roads and in exercising that power must have regard to the Guidelines associated with the Geographic Place Names Act 1998 and advise the Registrar of Geographic Names at the end of the process. The guidelines provide that Council, in naming a road consider, amongst other things, the following:

- consideration to the use of Indigenous names;
- a name should have some sense of connection to the areas in which they are applied;
- names should be easy to pronounce, spell and write; and
- duplication of names is not allowed within the municipality or within a five kilometer area. (Duplicates are considered to be two, or more, names within close proximity and those which are identical or have similar spelling or pronunciation.)

POLICY IMPLICATIONS


*Council respects and acknowledges the relationship that Aboriginal people have with their traditional land. We will work with local Aboriginal people and groups to raise awareness of the local Aboriginal history and cultural traditions of local Aboriginal people:*

- by naming of parks/reserves/streets/significant landmarks in traditional language.

CONSULTATION

Council has consulted with the Box Hill and Whitehorse Historical Societies, the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated, the Office of the Registrar of Geographic Names and all adjoining property owners.

Council undertook an initial public consultation process via advertisement in the Whitehorse Leader on 13 February 2013 and on Council’s website, inviting suggestions and comments from members of the community in relation to the naming of these unnamed laneways. A number of suggested names were submitted during the public consultation process which closed on 15 March 2013. Council staff checked all names for compliance against the Naming Principles of the Guidelines of Geographic Names 2010. A further round of consultation was undertaken via advertisement in the Whitehorse Leader 7 August 2013 and on Council’s website, a letter was sent to all adjoining property owners.

Of those names submitted, the below complied with the Naming Principles of the Guidelines for Geographic Names 2010:

**Indigenous Names - Laneways 1 to 4**

*Gurrnoong*  
*Woorrwarren*

**Location 1** – Laneway at the rear of 477-499 Middleborough Road Box Hill North  
**Eadon Lane**

**Location 2** – Laneway abutting 4 & 6 Doulton Road and 500 & 502 Middleborough Road Blackburn  
**Eadon Lane**
9.4.3
(cont)

Location 3 – Laneway at the rear of 769 Canterbury Road and adjacent to 2 Arthur Street
Surrey Hills
Tevelton Lane

Location 4 – Laneway at the rear of 643-645 Whitehorse Road Mont Albert and adjacent to 2 & 2 A Barloa Road, Mont Albert
Secluded Lane

FINANCIAL IMPLICATIONS

Approximate cost for Council of $450 for installation of street signage at the four locations.
Location 1
Laneway at the rear of 477 to 499 Middleborough Road, Box Hill North

Location 2
Laneway abutting 4 & 6 Doulton Road, and 500 & 502 Middleborough Road, Blackburn
Location 3
Laneway at the rear of 769 Canterbury Road and adjacent 2 Arthur Street, Surrey Hills

Location 4
Laneway at the rear of 643 to 645 Whitehorse Road, Mont Albert and adjacent 2 & 2A Barloa Road, Mont Albert
9.4.4 Major Community Infrastructure Projects – Business Case Policy

SUMMARY

This report recommends adoption of the Whitehorse City Council Major Community Infrastructure Projects Business Case Policy. The purpose of the policy is to provide a framework for major community infrastructure project evaluation at the City of Whitehorse.

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Bennett

That Council resolve to adopt the Whitehorse City Council Major Community Infrastructure Projects Business Case Policy. CARRIED UNANIMOUSLY

BACKGROUND

In October 2012, Byron Crawford, of FGS Consulting, was engaged to develop a Major Projects Process Guide designed to assist Council in major project assessment and evaluation. A process has been put in place to:

- Ensure consistent approach to identification, selection and delivery of major projects undertaken by Council
- Maximise planned benefits from major/high risk/high complexity projects
- Minimise project risks
- Ensure all costs, risks, impacts and benefits are understood prior to the commencement of major projects
- Incorporate action lessons learned from recent major project experience.

The project was completed in June 2013 and delivered:

- A high level process guidance and overview
- Preliminary assessment template
- Business case template incorporating a financial evaluation spreadsheet.

DISCUSSION

The policy is based on the outcomes of the Major Projects Process Project undertaken by FGS Consulting. The purpose of the business case policy is to require all major projects to undergo a defined and rigorous assessment prior to approval to commence.

CONSULTATION

Consultation on the project and resultant policy has been undertaken with key Managers and EMT from workshops held in February/March 2013 facilitated by Byron Crawford of FGS Consulting.

FINANCIAL

The costs of adopting the policy are limited to fees paid to FGS Consulting for completion of the major projects process project, totalling $18,600.
APPENDIX 1

Major Community Infrastructure Projects
Business Case Policy

PURPOSE

To provide a framework for major community infrastructure project evaluation at the City of Whitehorse.

To provide Council with a reference point to a consistent better practice approach to major project development.

To ensure rigorous business cases support proposed major capital works projects.

OBJECTIVES

Ensure Whitehorse meets its obligations for sound financial management under the Local Government Act 1989.

Provide a practical set of templates and guidelines which enable staff to effectively demonstrate major projects are soundly based, will deliver the proposed benefits and that they support the achievement of Council's service delivery objectives.

To define Council's expectations of the minimum required standard of assessment

To maximise planned benefits from major/high risk/high complexity projects.

Ensure all costs, risks, impacts and benefits are known prior to the commencement of major projects.

To meet external compliance and best practice guidance.

SCOPE

This policy applies to all Council staff and contractors to the Whitehorse City Council. Major projects are defined as Capital projects over $5.0 million.

POLICY STATEMENT

The purpose of the business case is to outline the rationale for undertaking the project, and to define the parameters and management factors involved in the project itself. It provides the tools to guide the design, management and evaluation of the project including Councillor approval at each milestone.

The business case serves three purposes:

1. It provides the opportunity to think through the project in a systematic, step-by-step manner
2. Explains why the project should be undertaken
3. Provides a framework for completion of the project on time and on budget.

The business case is based on identified operational or strategic need and should detail and justify the baseline information about the project such as background, purpose, benefits, objectives and funding sources of the proposed project.
The business case requires Councillors and officers to carefully consider each proposed investment; the risks and cost effectiveness of alternatives; and how the proposed investment supports the sustainable delivery of effective council services.

**Preliminary Assessment**
Major community infrastructure projects require a preliminary assessment prior to project being assessed for further consideration.

The preliminary assessment submission allows Council to make a well-informed judgement as to whether the project should proceed to preparation of a full business case and if to approve funding to prepare the business case.

**Business Case**
The business case process produces the case for the project, based on established community needs and an assessment of the project’s likely costs, risks and measures of success. The business case includes comprehensive financial modeling of the whole of life for the proposed asset.

Major projects require a business case to be documented prior to project funding being approved and incorporated in Council’s Capital Works Program at the next budget cycle.

**RESPONSIBILITY**
Specific roles exist in relation to different elements of Council’s Preliminary assessment and Business case templates. These are documented in the *Major Projects Process Guide – Selection / Assessment / Implementation.*

**RELATED DOCUMENTS**

- *Major Projects Process Guide: Preliminary Assessment Template*

**REVIEW**

This policy is to be reviewed no later than 31 September 2015.

SUMMARY

The Council has given public notice of its intention to discuss the Annual Report for 2012/13 at this Council meeting in accordance with Section 131 and Section 134 of the Local Government Act 1989. It is recommended that the Annual Report incorporating the Financial Statements, Standard Statements and Performance Statement be received.

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Ellis

That Council having considered the report, as per Section 134 of the Local Government Act 1989, that the Annual Report incorporating the Report on Operations, Annual Financial Statements, Standard Statements and Performance Statement for 2012/13 be received and noted.

CARRIED UNANIMOUSLY

BACKGROUND

The Council is required under Section 134 of the Local Government Act 1989 to meet to discuss the annual report each year. Council gave public notice in The Age on 1 October 2013 and for information purposes in the Whitehorse Leader on 2 October 2013, of this meeting to be held to discuss the Annual Report for the year ended 30 June 2013.

Council approved the draft Annual Report incorporating the Financial, Standard and Performance statements in principle at its meeting on 19 August 2013. The Auditor General has supplied the Council with the signed, unqualified opinion on the Financial Statements, Standard Statements and Performance Statement.

The Council was able to forward a copy of the completed Annual Report including the Audited Financial Report to the Minister for Local Government by 30 September 2013, in accordance with Section 131 of the Local Government Act 1989.

DISCUSSION

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

- a report on the operations
- audited annual financial statements
- audited standard statements
- an audited performance statement.

The annual report incorporating, the report of operations the audited financial statements, standard statements and performance statement were required to be certified by Council’s Principal Accounting Officer and by two Councillors on behalf of the Council prior to the Council’s Auditor signing the Audit Report.
9.4.6 Delegated Decisions – August 2013

SUMMARY

The following activity was undertaken by officers under delegated authority during August 2013.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Ellis

That the report of decisions made by officers under Instruments of Delegation for the month of August 2013 be noted.

CARRIED UNANIMOUSLY

<table>
<thead>
<tr>
<th>DELEGATION</th>
<th>FUNCTION</th>
<th>Number for August 2012</th>
<th>Number for August 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning and Environment Act 1987</td>
<td>- Delegated decisions</td>
<td>102</td>
<td>99</td>
</tr>
<tr>
<td></td>
<td>- Strategic Planning Decisions</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Telecommunications Act 1997</td>
<td>Nil</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Subdivision Act 1988</td>
<td>31</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Gaming Control Act 1991</td>
<td>Nil</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Building Act 1993</td>
<td>Dispensations &amp; applications to Building Control Commission</td>
<td>51</td>
<td>46</td>
</tr>
<tr>
<td>Liquor Control Reform Act 1998</td>
<td>Objections and prosecutions.</td>
<td>1</td>
<td>Nil</td>
</tr>
<tr>
<td>Food Act 1984</td>
<td>Food Act orders</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Public Health &amp; Wellbeing Act 2008</td>
<td>Improvement / prohibition notices</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Local Government Act 1989</td>
<td>Temporary road closures</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Other delegations</td>
<td>CEO signed contracts between $100,000 - $350,000</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Property Sales and leases</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Documents to which Council seal affixed</td>
<td>Nil</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Vendor Payments</td>
<td>1,281</td>
<td>1,302</td>
</tr>
<tr>
<td></td>
<td>Parking Amendments</td>
<td>5</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Parking Infringements written off (not able to be collected)</td>
<td>145</td>
<td>203</td>
</tr>
</tbody>
</table>

Details of each delegation are outlined on the following pages.
DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS AUGUST 2013

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

<table>
<thead>
<tr>
<th>Appl. No.</th>
<th>Dec. Date</th>
<th>Decision</th>
<th>Street Address</th>
<th>Ward</th>
<th>Proposed Use or Development</th>
<th>Application Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>664</td>
<td>30-8-2013</td>
<td>Application Lapsed</td>
<td>58-62 Springfield Rd, Blackburn</td>
<td>Central</td>
<td>Development and use of existing school as Restricted Recreation Facility</td>
<td>Other</td>
</tr>
<tr>
<td>2</td>
<td>21-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>19 Moselle St, Mont Albert North</td>
<td>Elgar</td>
<td>Development of four (4) single storey dwellings</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>26</td>
<td>12-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>101-109 Burwood Hwy, Burwood</td>
<td>Riversdale</td>
<td>Alterations &amp; Additions to an existing building to use the land for motor vehicle sales, variation to the requirements of clause 52.14</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>123</td>
<td>22-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>3 Mingeta Ave, Blackburn South</td>
<td>Riversdale</td>
<td>Construction of one (1) double storey dwelling</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>425</td>
<td>27-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>2 Winifred St, Nunawading</td>
<td>Springfield</td>
<td>Construction of one two-storey dwelling</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>445</td>
<td>12-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>116 Thames St, Box Hill North</td>
<td>Elgar</td>
<td>Use and development of a four (4) storey medical centre and ancillary food and drink premises</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>462</td>
<td>30-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>20 Queen St, Blackburn</td>
<td>Central</td>
<td>Amendment to WH/2010/432 to allow development of the land for the purpose of a five (5) storey part six (6) storey building</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>573</td>
<td>15-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>12 Rotherwood Ave, Mitcham</td>
<td>Springfield</td>
<td>Additions (carport) to the exiting dwelling and construction of a two storey dwelling to the rear</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>674</td>
<td>15-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>18 Heatherdale Rd, Mitcham</td>
<td>Springfield</td>
<td>Construction of five dwellings, comprising of three triple storey and two double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>755</td>
<td>21-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>1A Avon Ave, Mitcham</td>
<td>Springfield</td>
<td>Construction of Verandah to Dwelling 1</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>929</td>
<td>19-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>21 Closter Ave, Nunawading</td>
<td>Springfield</td>
<td>Amendment to plans to change window types and roof material</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>Appl. No.</td>
<td>Dec. Date</td>
<td>Decision</td>
<td>Street Address</td>
<td>Ward</td>
<td>Proposed Use or Development</td>
<td>Application Type</td>
</tr>
<tr>
<td>-----------</td>
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</tr>
<tr>
<td>10112</td>
<td>30-8-2013</td>
<td>Delegate Approval - S72 Amendment</td>
<td>311 Whitehorse Rd, Nunawading</td>
<td>Springfield</td>
<td>Amendment to Planning Permit WH/10112 (issued for: to develop and use the land for the purpose of a peripheral sales outlet)</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>152</td>
<td>29-8-2013</td>
<td>Delegate NOD Issued</td>
<td>1 Eley Rd, Blackburn South</td>
<td>Riversdale</td>
<td>Construction of two (2) double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>158</td>
<td>29-8-2013</td>
<td>Delegate NOD Issued</td>
<td>9 Holland Rd, Blackburn South</td>
<td>Central</td>
<td>Develop the land for two (2) double storey dwellings and one (1) single storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>181</td>
<td>16-8-2013</td>
<td>Delegate NOD Issued</td>
<td>10-12 Shady Grv, Nunawading</td>
<td>Springfield</td>
<td>Construction of four double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>203</td>
<td>29-8-2013</td>
<td>Delegate NOD Issued</td>
<td>19 Wellington Rd, Box Hill</td>
<td>Elgar</td>
<td>Construction of a part five, part six storey building comprising 27 dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>286</td>
<td>29-8-2013</td>
<td>Delegate NOD Issued</td>
<td>1/43 The Ridge Blackburn</td>
<td>Central</td>
<td>Construction of a first floor addition to existing unit</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>307</td>
<td>26-8-2013</td>
<td>Delegate NOD Issued</td>
<td>7 Acacia Ave, Blackburn</td>
<td>Central</td>
<td>Buildings and works to extend the existing dwelling</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>379</td>
<td>15-8-2013</td>
<td>Delegate NOD Issued</td>
<td>14 George Rd, Vermont South</td>
<td>Morack</td>
<td>Construction of two single storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>520</td>
<td>19-8-2013</td>
<td>Delegate NOD Issued</td>
<td>97 Rooks Rd, Mitcham</td>
<td>Springfield</td>
<td>Construction of double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>774</td>
<td>15-8-2013</td>
<td>Delegate NOD Issued</td>
<td>38 Bentley St, Surrey Hills</td>
<td>Riversdale</td>
<td>Construction of a double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>812</td>
<td>12-8-2013</td>
<td>Delegate NOD Issued</td>
<td>15 Wattle Valley Rd, Mitcham</td>
<td>Springfield</td>
<td>Development of the land for one double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>845</td>
<td>15-8-2013</td>
<td>Delegate NOD Issued</td>
<td>31 Churinga Ave, Mitcham</td>
<td>Springfield</td>
<td>Development of one (1) double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>911</td>
<td>29-8-2013</td>
<td>Delegate NOD Issued</td>
<td>764 Canterbury Rd, Vermont</td>
<td>Morack</td>
<td>Construction of additions and alterations to an aged care</td>
<td>Residential (Other)</td>
</tr>
<tr>
<td>17</td>
<td>28-8-2013</td>
<td>Delegate Permit Issued</td>
<td>25 Morden Crt, Nunawading</td>
<td>Springfield</td>
<td>Construction of two (2) double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>24</td>
<td>15-8-2013</td>
<td>Delegate Permit Issued</td>
<td>8 Weber Cres, Burwood East</td>
<td>Riversdale</td>
<td>Construction of two double storey dwellings (side by side) on a lot.</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>25</td>
<td>06-8-2013</td>
<td>Delegate Permit Issued</td>
<td>96 Fulton Rd, Blackburn South</td>
<td>Riversdale</td>
<td>Development of the land for two double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>56</td>
<td>16-8-2013</td>
<td>Delegate Permit Issued</td>
<td>18 Beddoe Rd, Vermont</td>
<td>Morack</td>
<td>Construction of one double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>Appl. No.</td>
<td>Dec. Date</td>
<td>Decision</td>
<td>Street Address</td>
<td>Ward</td>
<td>Proposed Use or Development</td>
<td>Application Type</td>
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<td>78</td>
<td>05-8-2013</td>
<td>Delegate Permit Issued</td>
<td>7 Ray Rd, Burwood East</td>
<td>Morack</td>
<td>Construction of two double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>83</td>
<td>20-8-2013</td>
<td>Delegate Permit Issued</td>
<td>1 Glendale St, Surrey Hills</td>
<td>Riversdale</td>
<td>Construction of two double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>87</td>
<td>20-8-2013</td>
<td>Delegate Permit Issued</td>
<td>128 Station St, Burwood</td>
<td>Riversdale</td>
<td>Development of the land for two double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>124</td>
<td>16-8-2013</td>
<td>Delegate Permit Issued</td>
<td>2 Balmoral Cres, Surrey Hills</td>
<td>Elgar</td>
<td>Development of the land for a double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>136</td>
<td>21-8-2013</td>
<td>Delegate Permit Issued</td>
<td>2-18 Vision Drv, Burwood East</td>
<td>Morack</td>
<td>Use and development of the land for place of assembly</td>
<td>Business</td>
</tr>
<tr>
<td>141</td>
<td>29-8-2013</td>
<td>Delegate Permit Issued</td>
<td>347 Station St, Box Hill South</td>
<td>Riversdale</td>
<td>Construction of buildings and works to the existing gymnasium</td>
<td>Residential (Other)</td>
</tr>
<tr>
<td>147</td>
<td>29-8-2013</td>
<td>Delegate Permit Issued</td>
<td>382 Burwood Hwy, Burwood</td>
<td>Riversdale</td>
<td>136 (One hundred and thirty-six) lot residential subdivision for student accommodation</td>
<td>Subdivision</td>
</tr>
<tr>
<td>164</td>
<td>08-8-2013</td>
<td>Delegate Permit Issued</td>
<td>41 Lawrence St, Blackburn South</td>
<td>Central</td>
<td>Construction of a single storey dwelling behind the existing dwelling and 2 lot subdivision of land</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>225</td>
<td>08-8-2013</td>
<td>Delegate Permit Issued</td>
<td>10 Holberry St, Nunawading</td>
<td>Springfield</td>
<td>Construction of a double storey dwelling</td>
<td>Vegetation Protection Overlay</td>
</tr>
<tr>
<td>228</td>
<td>15-8-2013</td>
<td>Delegate Permit Issued</td>
<td>837 Whitehorse Rd, Box Hill</td>
<td>Elgar</td>
<td>Buildings and works for the construction of a storage facility associated with an existing tyre service centre</td>
<td>Business</td>
</tr>
<tr>
<td>235</td>
<td>02-8-2013</td>
<td>Delegate Permit Issued</td>
<td>399-401 Burwood Hwy, Vermont South</td>
<td>Morack</td>
<td>Buildings and works (construction of an attached storage shed to the existing medical centre)</td>
<td>Residential (Other)</td>
</tr>
<tr>
<td>260</td>
<td>15-8-2013</td>
<td>Delegate Permit Issued</td>
<td>42A Vanbrook St, Forest Hill</td>
<td>Morack</td>
<td>Construction of a verandah</td>
<td>Residential (Other)</td>
</tr>
<tr>
<td>284</td>
<td>12-8-2013</td>
<td>Delegate Permit Issued</td>
<td>9 Amen Crt, Nunawading</td>
<td>Springfield</td>
<td>Construction of a three storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>301</td>
<td>21-8-2013</td>
<td>Delegate Permit Issued</td>
<td>895-899 Whitehorse Rd, Box Hill</td>
<td>Elgar</td>
<td>14 lots subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>345</td>
<td>27-8-2013</td>
<td>Delegate Permit Issued</td>
<td>38 Fuchsia St, Blackburn</td>
<td>Central</td>
<td>Building and works to construct an out building</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>363</td>
<td>19-8-2013</td>
<td>Delegate Permit Issued</td>
<td>15 Tyrrell Ave, Blackburn</td>
<td>Central</td>
<td>3 lots subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>371</td>
<td>01-8-2013</td>
<td>Delegate Permit Issued</td>
<td>1 Moselle St, Mont Albert North</td>
<td>Elgar</td>
<td>Three (3) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>Appl. No.</td>
<td>Dec. Date</td>
<td>Decision</td>
<td>Street Address</td>
<td>Ward</td>
<td>Proposed Use or Development</td>
<td>Application Type</td>
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<tr>
<td>376</td>
<td>29-8-2013</td>
<td>Delegate Permit Issued</td>
<td>578-580 Station St, Box Hill</td>
<td>Elgar</td>
<td>Display business identification signage in a heritage overlay</td>
<td>Business</td>
</tr>
<tr>
<td>384</td>
<td>14-8-2013</td>
<td>Delegate Permit Issued</td>
<td>29A Metropolitan Ave, Nunawading</td>
<td>Springfield</td>
<td>Use of land for industry (food manufacturing)</td>
<td>Industrial</td>
</tr>
<tr>
<td>387</td>
<td>27-8-2013</td>
<td>Delegate Permit Issued</td>
<td>11 Boyd St, Blackburn South</td>
<td>Central</td>
<td>Construction of a single storey extension</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>391</td>
<td>16-8-2013</td>
<td>Delegate Permit Issued</td>
<td>31 McCubbin St, Burwood</td>
<td>Riversdale</td>
<td>Five (5) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>392</td>
<td>16-8-2013</td>
<td>Delegate Permit Issued</td>
<td>14 Wilson St, Mont Albert</td>
<td>Elgar</td>
<td>Three (3) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>394</td>
<td>21-8-2013</td>
<td>Delegate Permit Issued</td>
<td>1/31 Glen Ebor Ave, Blackburn</td>
<td>Central</td>
<td>Removal of one (1) tree</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>398</td>
<td>29-8-2013</td>
<td>Delegate Permit Issued</td>
<td>154 Elgar Rd, Box Hill South</td>
<td>Riversdale</td>
<td>45 lots subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>404</td>
<td>15-8-2013</td>
<td>Delegate Permit Issued</td>
<td>14 Hamilton St, Mont Albert</td>
<td>Elgar</td>
<td>Display of business identification signage including one electronic sign</td>
<td>Business</td>
</tr>
<tr>
<td>424</td>
<td>05-8-2013</td>
<td>Delegate Permit Issued</td>
<td>10 Marlborough St, Mont Albert</td>
<td>Elgar</td>
<td>Alterations and additions to existing dwelling</td>
<td>Heritage</td>
</tr>
<tr>
<td>438</td>
<td>23-8-2013</td>
<td>Delegate Permit Issued</td>
<td>6 Denman St, Mitcham</td>
<td>Springfield</td>
<td>Three (3) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>452</td>
<td>21-8-2013</td>
<td>Delegate Permit Issued</td>
<td>18 Malvern St, Vermont</td>
<td>Springfield</td>
<td>Removal of one (1) tree</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>468</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>19 Alisa St, Box Hill South</td>
<td>Riversdale</td>
<td>Building and works to an existing factory</td>
<td>Special Building Overlay</td>
</tr>
<tr>
<td>469</td>
<td>29-8-2013</td>
<td>Delegate Permit Issued</td>
<td>495 Mitcham Rd, Mitcham</td>
<td>Springfield</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>485</td>
<td>06-8-2013</td>
<td>Delegate Permit Issued</td>
<td>31 Redland Drv, Vermont</td>
<td>Springfield</td>
<td>The use of land for an office in an Industrial area</td>
<td>Industrial</td>
</tr>
<tr>
<td>486</td>
<td>23-8-2013</td>
<td>Delegate Permit Issued</td>
<td>5 Campbell Pde, Box Hill South</td>
<td>Riversdale</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>487</td>
<td>23-8-2013</td>
<td>Delegate Permit Issued</td>
<td>24 Packham St, Box Hill South</td>
<td>Elgar</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>490</td>
<td>27-8-2013</td>
<td>Delegate Permit Issued</td>
<td>8 Proudfoot St, Mont Albert</td>
<td>Elgar</td>
<td>Buildings and works for the construction of a verandah</td>
<td>Heritage</td>
</tr>
<tr>
<td>492</td>
<td>21-8-2013</td>
<td>Delegate Permit Issued</td>
<td>751 Canterbury Rd, Surrey Hills</td>
<td>Elgar</td>
<td>Alterations and additions to existing dwelling</td>
<td>Heritage</td>
</tr>
<tr>
<td>501</td>
<td>23-8-2013</td>
<td>Delegate Permit Issued</td>
<td>111 Eley Rd, Box Hill South</td>
<td>Riversdale</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>503</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>23 Consort Ave, Vermont South</td>
<td>Morack</td>
<td>2 lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>504</td>
<td>23-8-2013</td>
<td>Delegate Permit Issued</td>
<td>1 Eve Crt, Forest Hill</td>
<td>Central</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>Appl. No.</td>
<td>Dec. Date</td>
<td>Decision</td>
<td>Street Address</td>
<td>Ward</td>
<td>Proposed Use or Development</td>
<td>Application Type</td>
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<tr>
<td>505</td>
<td>12-8-2013</td>
<td>Delegate Permit Issued</td>
<td>38 Springfield Rd, Box Hill North</td>
<td>Elgar</td>
<td>Construction of two double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>506</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>9 Clifton St, Box Hill South</td>
<td>Riversdale</td>
<td>Two (2) lot subdivision</td>
<td></td>
</tr>
<tr>
<td>511</td>
<td>19-8-2013</td>
<td>Delegate Permit Issued</td>
<td>761-771 Station St, Box Hill North</td>
<td>Elgar</td>
<td>Display of panel signs advertising the sale of dwellings on the land</td>
<td>Advertising Sign</td>
</tr>
<tr>
<td>520</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>61 Shannon St, Box Hill North</td>
<td>Elgar</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>523</td>
<td>27-8-2013</td>
<td>Delegate Permit Issued</td>
<td>29 Hunter Drv, Blackburn South</td>
<td>Central</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>524</td>
<td>30-8-2013</td>
<td>Delegate Permit Issued</td>
<td>183-185 Springvale Rd, Nunawading</td>
<td>Springfield</td>
<td>Reduction of standard car parking requirement in association with use of land as education centre</td>
<td>Education</td>
</tr>
<tr>
<td>528</td>
<td>27-8-2013</td>
<td>Delegate Permit Issued</td>
<td>48 Heathfield Rise Box Hill North</td>
<td>Elgar</td>
<td>2 lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>529</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>290A Springfield Rd, Nunawading</td>
<td>Springfield</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>539</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>6 White Crt, Nunawading</td>
<td>Springfield</td>
<td>Two (2) lot subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>540</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>7 Jellicoe St, Box Hill South</td>
<td>Riversdale</td>
<td>2 lots subdivision</td>
<td>Subdivision</td>
</tr>
<tr>
<td>546</td>
<td>29-8-2013</td>
<td>Delegate Permit Issued</td>
<td>15 Proudfoot St, Mont Albert</td>
<td>Elgar</td>
<td>Partial Demolition and buildings and works to an existing dwelling</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>560</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>5 Minna St, Blackburn</td>
<td>Central</td>
<td>Construction of four (4) three storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>576</td>
<td>16-8-2013</td>
<td>Delegate Permit Issued</td>
<td>1 Dunlavin Rd, Mitcham</td>
<td>Springfield</td>
<td>Construction of a double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>679</td>
<td>20-8-2013</td>
<td>Delegate Permit Issued</td>
<td>2 Derwent St, Box Hill North</td>
<td>Elgar</td>
<td>Construction of one part triple and part double storey dwelling and one double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>680</td>
<td>19-8-2013</td>
<td>Delegate Permit Issued</td>
<td>15 Allison Rd, Mont Albert North</td>
<td>Elgar</td>
<td>Construction of two (2) double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>698</td>
<td>08-8-2013</td>
<td>Delegate Permit Issued</td>
<td>49 Wellman St, Box Hill South</td>
<td>Riversdale</td>
<td>Construction of three double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>723</td>
<td>23-8-2013</td>
<td>Delegate Permit Issued</td>
<td>17 Devon Drv, Blackburn North</td>
<td>Central</td>
<td>Construction of a single storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>786</td>
<td>20-8-2013</td>
<td>Delegate Permit Issued</td>
<td>2/205 Central Rd, Nunawading</td>
<td>Springfield</td>
<td>Buildings and works to construct a double storey dwelling</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>Appl. No.</td>
<td>Dec. Date</td>
<td>Decision</td>
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<td>Ward</td>
<td>Proposed Use or Development</td>
<td>Application Type</td>
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<tr>
<td>806</td>
<td>19-8-2013</td>
<td>Delegate Permit Issued</td>
<td>5 Poplar St, Box Hill</td>
<td>Elgar</td>
<td>Construction of a 6 storey residential apartment building</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>841</td>
<td>21-8-2013</td>
<td>Delegate Permit Issued</td>
<td>15 Plymouth Crt, Nunawading</td>
<td>Springfield</td>
<td>Construction of two (2) double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>859</td>
<td>26-8-2013</td>
<td>Delegate Permit Issued</td>
<td>30 Edwards St, Burwood</td>
<td>Riversdale</td>
<td>Construction of four (4) double storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>894</td>
<td>12-8-2013</td>
<td>Delegate Permit Issued</td>
<td>22 Cairo Rd, Mont AlbertNorth</td>
<td>Elgar</td>
<td>Construction of one double storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>904</td>
<td>12-8-2013</td>
<td>Delegate Permit Issued</td>
<td>87 Middleborough Rd, Burwood</td>
<td>Riversdale</td>
<td>Construction of eight dwellings comprising six triple-storey and two double-storey dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>910</td>
<td>07-8-2013</td>
<td>Delegate Permit Issued</td>
<td>347-355 Station St, Box Hill South</td>
<td>Riversdale</td>
<td>Buildings and works for the construction of a car park</td>
<td>Residential (Other)</td>
</tr>
<tr>
<td>22</td>
<td>21-8-2013</td>
<td>Delegate Refusal Issued</td>
<td>1098 Whitehorse Rd, Box Hill</td>
<td>Elgar</td>
<td>Buildings and works for construction of 8 new 2 and 3 storey dwellings and retention of one of the existing dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>443</td>
<td>29-8-2013</td>
<td>Delegate Refusal Issued</td>
<td>11 Taldra St, Box Hill North</td>
<td>Elgar</td>
<td>To develop the land for the construction of one (1) two storey dwelling</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>815</td>
<td>29-8-2013</td>
<td>Delegate Refusal Issued</td>
<td>462-468 Middleborough Rd, Blackburn</td>
<td>Central</td>
<td>Development of a three storey, part four storey building (including basement), comprising 97 dwellings</td>
<td>Multiple Dwellings</td>
</tr>
<tr>
<td>457</td>
<td>05-8-2013</td>
<td>No Permit Required</td>
<td>37 Burnett St, Mitcham</td>
<td>Springfield</td>
<td>Buildings and works for the construction of a fence</td>
<td>Special Landscape Area</td>
</tr>
<tr>
<td>482</td>
<td>09-8-2013</td>
<td>No Permit Required</td>
<td>25 Bronte Ave, Burwood</td>
<td>Riversdale</td>
<td>Demolition of a single storey detached dwelling carport and shed</td>
<td>Heritage</td>
</tr>
<tr>
<td>578</td>
<td>30-8-2013</td>
<td>No Permit Required</td>
<td>1 Cecil Crt, Mitcham</td>
<td>Springfield</td>
<td>Tree removal in a Vegetation Protection Overlay 1</td>
<td>Vegetation Protection Overlay</td>
</tr>
<tr>
<td>10813</td>
<td>26-8-2013</td>
<td>No Permit Required</td>
<td>31 Olympiad Cresent, Box Hill North</td>
<td>Elgar</td>
<td>Secondary consent for changes to landscaping plan for 6 dwellings</td>
<td>Converted Application Type</td>
</tr>
<tr>
<td>71</td>
<td>06-8-2013</td>
<td>Withdrawn</td>
<td>8 Glendale St, Surrey Hills</td>
<td>Riversdale</td>
<td>Construction of one double storey dwelling</td>
<td>Permit Amendment</td>
</tr>
<tr>
<td>942</td>
<td>06-8-2013</td>
<td>Withdrawn</td>
<td>20 Crow St, Burwood East</td>
<td>Riversdale</td>
<td>Lodged in error, was a Secondary Consent.</td>
<td>Permit Amendment</td>
</tr>
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### BUILDING DISPENSATIONS/APPLICATIONS AUGUST 2013

<table>
<thead>
<tr>
<th>Address</th>
<th>Date</th>
<th>Ward</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>42 Pope Road, BLACKBURN</td>
<td>19-8-2013</td>
<td>Central</td>
<td>Approved R415</td>
</tr>
<tr>
<td>10 Springfield Road, BLACKBURN</td>
<td>28-8-2013</td>
<td>Central</td>
<td>Approved R424</td>
</tr>
<tr>
<td>12 Shawlands Avenue, BLACKBURN SOUTH</td>
<td>3-8-2013</td>
<td>Central</td>
<td>Approved R415, R409</td>
</tr>
<tr>
<td>15 Hearty Street, BLACKBURN SOUTH</td>
<td>14-8-2013</td>
<td>Central</td>
<td>Approved R415, R414, R409</td>
</tr>
<tr>
<td>1 Erl Court, BLACKBURN</td>
<td>14-8-2013</td>
<td>Central</td>
<td>Refused R415</td>
</tr>
<tr>
<td>21 Brendale Avenue, BLACKBURN NORTH</td>
<td>09-8-2013</td>
<td>Central</td>
<td>Refused R409</td>
</tr>
<tr>
<td>1/8 Standard Avenue, BOX HILL</td>
<td>01-8-2013</td>
<td>Elgar</td>
<td>Approved R409</td>
</tr>
<tr>
<td>188 Dorking Road, BOX HILL NORTH</td>
<td>23-8-2013</td>
<td>Elgar</td>
<td>Granted R427</td>
</tr>
<tr>
<td>2 Arthur Street, SURREY HILLS</td>
<td>09-8-2013</td>
<td>Elgar</td>
<td>Granted R410</td>
</tr>
<tr>
<td>206 Dorking Road, BOX HILL NORTH</td>
<td>06-8-2013</td>
<td>Elgar</td>
<td>Granted R415, R409</td>
</tr>
<tr>
<td>28 Main Street, BOX HILL</td>
<td>16-8-2013</td>
<td>Elgar</td>
<td>Granted R604</td>
</tr>
<tr>
<td>8 Ellingworth Parade, BOX HILL</td>
<td>14-8-2013</td>
<td>Elgar</td>
<td>Granted R604</td>
</tr>
<tr>
<td>28 Twyford Street, BOX HILL NORTH</td>
<td>06-8-2013</td>
<td>Elgar</td>
<td>Refused R424</td>
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<tr>
<td>42 Dunloe Avenue, MONT ALBERT NORTH</td>
<td>16-8-2013</td>
<td>Elgar</td>
<td>Refused R409</td>
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<tr>
<td>10 Bruce Street, BOX HILL</td>
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<td>Withdrawn R604</td>
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<tr>
<td>8 Ellingworth Parade, BOX HILL</td>
<td>12-8-2013</td>
<td>Elgar</td>
<td>Withdrawn R604</td>
</tr>
<tr>
<td>14 Gelea Crescent, VERMONT SOUTH</td>
<td>16-8-2013</td>
<td>Morack</td>
<td>Granted R414</td>
</tr>
<tr>
<td>177 Morack Road, VERMONT SOUTH</td>
<td>06-8-2013</td>
<td>Morack</td>
<td>Granted R414</td>
</tr>
<tr>
<td>3 Sylvan Court, FOREST HILL</td>
<td>09-8-2013</td>
<td>Morack</td>
<td>Granted R409</td>
</tr>
<tr>
<td>38 Bar ossa Avenue, VERMONT SOUTH</td>
<td>27-8-2013</td>
<td>Morack</td>
<td>Granted R409</td>
</tr>
<tr>
<td>580-582 Canterbury Road, VERMONT</td>
<td>12-8-2013</td>
<td>Morack</td>
<td>Granted R604</td>
</tr>
<tr>
<td>621 Burwood Highway, VERMONT SOUTH</td>
<td>28-8-2013</td>
<td>Morack</td>
<td>Granted R415</td>
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<tr>
<td>8 Ruby Street, BURWOOD EAST</td>
<td>14-8-2013</td>
<td>Morack</td>
<td>Granted R414</td>
</tr>
<tr>
<td>1 Barossa Avenue, VERMONT SOUTH</td>
<td>06-8-2013</td>
<td>Morack</td>
<td>Refused R424</td>
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<tr>
<td>458 Canterbury Road, FOREST HILL</td>
<td>28-8-2013</td>
<td>Morack</td>
<td>Refused R424</td>
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<tr>
<td>39 Lindisfame Drive, BURWOOD EAST</td>
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<td>Riversdale</td>
<td>Approved R409</td>
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<tr>
<td>81 Eley Road, BOX HILL SOUTH</td>
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<td>Riversdale</td>
<td>Approved R424</td>
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<tr>
<td>1/35 Patterson Avenue, BURWOOD</td>
<td>28-8-2013</td>
<td>Riversdale</td>
<td>Granted R414</td>
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<tr>
<td>22 Russell Street, SURREY HILLS</td>
<td>14-8-2013</td>
<td>Riversdale</td>
<td>Granted R415, R408</td>
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<tr>
<td>36 Daniel Street, BURWOOD</td>
<td>27-8-2013</td>
<td>Riversdale</td>
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<tr>
<td>3 Kitchener Street, BOX HILL SOUTH</td>
<td>02-8-2013</td>
<td>Riversdale</td>
<td>Refused R409</td>
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<tr>
<td>6/10 Houston Court, BOX HILL SOUTH</td>
<td>27-8-2013</td>
<td>Riversdale</td>
<td>Refused R411</td>
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<tr>
<td>9 Verona Street, BOX HILL SOUTH</td>
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<td>Riversdale</td>
<td>Refused R424</td>
</tr>
<tr>
<td>12 Lake Avenue, MITCHAM</td>
<td>27-8-2013</td>
<td>Springfield</td>
<td>Granted R427</td>
</tr>
<tr>
<td>12 Lynette Street, NUNAWADING</td>
<td>06-8-2013</td>
<td>Springfield</td>
<td>Granted R427</td>
</tr>
<tr>
<td>15 Clive Street, MITCHAM</td>
<td>28-8-2013</td>
<td>Springfield</td>
<td>Granted R409</td>
</tr>
<tr>
<td>20 Park Close, VERMONT</td>
<td>01-8-2013</td>
<td>Springfield</td>
<td>Granted R415, R409</td>
</tr>
<tr>
<td>28 Milton Street, NUNAWADING</td>
<td>16-8-2013</td>
<td>Springfield</td>
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<tr>
<td>47 Creek Road, MITCHAM</td>
<td>30-8-2013</td>
<td>Springfield</td>
<td>Granted R418</td>
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<tr>
<td>3 Alern Court, NUNAWADING</td>
<td>30-8-2013</td>
<td>Springfield</td>
<td>Refused R417</td>
</tr>
</tbody>
</table>
DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS - AUGUST 2013

Under the Planning and Environment Act 1987

No delegated decisions to report for August 2013

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION AUGUST 2013

<table>
<thead>
<tr>
<th>Contract</th>
<th>Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>12052</td>
<td>Supply and Installation of Strength Training Equipment for Aqualink Box Hill</td>
</tr>
<tr>
<td>12053</td>
<td>Supply and Installation of Cardiovascular Gymnasium Equipment for Aqualink Box Hill</td>
</tr>
</tbody>
</table>

REGISTER OF PROPERTY DOCUMENTS EXECUTED AUGUST 2013

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Document Type</th>
<th>Document Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent 1G Hamilton Street, Mont Albert</td>
<td>Transfer of Land – Road</td>
<td>Road Discontinuance pursuant to Council resolution on 15 July 2013</td>
</tr>
<tr>
<td>25 Standard Avenue, Box Hill (Surrey Park Model Boat Club)</td>
<td>Lease - Land and Building (Cat 3)</td>
<td>Landlord (5 years expires 30/6/2018)</td>
</tr>
<tr>
<td>Part Suite 2, Level 1, Centro Box Hill South, Main Street, Box Hill (Room 2) - K.Y.M.</td>
<td>Licence - Land and Building (Cat 1)</td>
<td>Licensor (1 year expires 30/6/2014)</td>
</tr>
<tr>
<td>1230 Riversdale Road, Box Hill South (Lions Club of Box Hill)</td>
<td>Lease - Land and Building (Cat 3)</td>
<td>Landlord (9 years expires 30/6/2022)</td>
</tr>
<tr>
<td>25 Surrey Drive, Box Hill (Victorian Obedience Dog Club Inc)</td>
<td>Lease - Land and Building (Cat 2)</td>
<td>Landlord (9 years expires 31/7/2022)</td>
</tr>
</tbody>
</table>

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – AUGUST 2013

<table>
<thead>
<tr>
<th>Instrument of Delegation Council to CEO (Approved Council meeting 19 August 2013)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instrument of Delegation Council to Special Committee of Council (Approved Council meeting 19 August 2013)</td>
</tr>
<tr>
<td>Instrument of Delegation Council to Staff (Approved Council meeting 19 August 2013)</td>
</tr>
<tr>
<td>Signing and sealing of contract for Provision of loan funding $12.3 million (Approved Council meeting 19 August 2013)</td>
</tr>
</tbody>
</table>
PARKING RESTRICTIONS APPROVED BY DELEGATION AUGUST 2013

Address: Centre Road, Vermont from Heatherdale Road to Arlington Walk  
Previously: Unrestricted  
Now: No Stopping  
Spaces: 2

Address: Cochrane Street, Mitcham from Whitehorse Road to footbridge  
Previously: Unrestricted  
Now: No stopping  
Spaces: 15

Address: Faeien Street, Burwood from Puerta St to Daniel Street  
Previously: Unrestricted  
Now: 1/2P 8am-6pm, Mon-Fri  
Spaces: 10

Address: Begonia Road, Box Hill South from Elgar Road to Inverloch Street  
Previously: Unrestricted  
Now: 1P 8am to 6pm, Mon-Fri  
Spaces: 20

Address: Eley Road, Box Hill South from Brook Cr to Swinburne Street  
Previously: Unrestricted  
Now: 3P 8am-6pm, Mon-Fri  
Spaces: 10

Address: Frank Street, Burwood from Riversdale Road to Arundel Court  
Previously: Unrestricted  
Now: 1P 8am to 6pm, Mon-Fri  
Spaces: 15

Address: Little Street, Box Hill South from all to all  
Previously: Unrestricted  
Now: 1P area 8am-6pm, Mon-Fri  
Spaces: 16

Address: Puerta Street, Burwood from Meldan Street to Monica Street  
Previously: Unrestricted  
Now: 1/2P 8am-6pm, Mon-Fri  
Spaces: 12

Address: Timor Close, Burwood from all to all  
Previously: Unrestricted  
Now: 1/2P area 8am-6pm, Mon-Fri  
Spaces: 20

Address: Central Road, Nunawading from Springvale Road to 205 Central Road  
Previously: Unrestricted  
Now: 2P 8am-6pm, Mon-Fri  
Spaces: 10

Address: Cheryl Street, Forest Hill from  
Previously: Unrestricted  
Now: 1P 7am-6pm  
Spaces: 7
### VENDOR PAYMENT SUMMARY – SUMS PAID DURING AUGUST 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Total Issued</th>
<th>Payments (direct debit, cheques or electronic funds transfer)</th>
<th>Transaction Type</th>
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</thead>
<tbody>
<tr>
<td>01.08.13</td>
<td>7,424.79</td>
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<td>01.08.13</td>
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<td>01.08.13</td>
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<td>02.08.13</td>
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<td>08.08.13</td>
<td>42,789.48</td>
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<td>CHQ</td>
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<td>08.08.13</td>
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<td>08.08.13</td>
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<td>CHQ</td>
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<tr>
<td>22.08.13</td>
<td>171,725.63</td>
<td>42</td>
<td>CHQ</td>
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<td>22.08.13</td>
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<td>CANCELLED PAYMENTS</td>
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<td>NETT</td>
<td>11,351,678.23</td>
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</tbody>
</table>
10 REPORTS FROM DELEGATES, SPECIAL COMMITTEE
RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS
RECORDS

10.1 Reports by Delegates
(NB: Reports only from Councillors appointed by Council as delegates to
community organisations/committees/groups)

10.1.1 Visual Arts Committee
Cr Harris reported on her attendance at Visual Arts Committee meeting
held 18 September 2013. Discussed plans for future exhibitions and
worked on the expression of interest for the photographic commission
with regard to the 20th anniversary commemoration.

10.1.2 Aqualink Box Hill Councillor Reference Group
Cr Harris reported on her attendance at a meeting of Aqualink Box Hill
Councillor Reference Group held 17 September 2013 where they
conducted a site visit.

10.1.3 Heritage Steering Committee
Cr Harris reported on her attendance at meeting of the Heritage Steering
Committee held 14 October 2013. Discussed the 2012 Heritage Review
which recommends 3 new heritage precincts and 29 individual sites.

10.1.4 Box Hill Central Activities Area Committee
Cr Harris reported on her attendance at the Box Hill CAA Committee
meeting held on 14 October 2013. A background on some of the
various reports that have been done over a number of years was
presented, with more detail to come at the next meeting.

10.1.5 Box Hill Central Activities Area Committee
Cr Chong reported on his attendance at the Box Hill CAA Committee
meeting held on 14 October 2013.

10.1.6 Heritage Steering Committee
Cr Carr reported on her attendance at meeting of the Heritage Steering
Committee held 14 October 2013.

10.1.7 Domestic Animal Management Plan Advisory Committee
Cr Carr reported on her attendance at recent meeting of the Domestic
Animal Management Plan Advisory Committee.

10.1.8 Visual Arts Committee
Cr Massoud reported on her attendance at Visual Arts Committee
meeting held 18 September 2013, and Water & Waves Exhibition at
Council’s Art Space, which she opened on behalf of the Mayor.

10.1.9 Domestic Animal Management Plan Advisory Committee
Cr Massoud reported on her attendance at recent meeting of the
Domestic Animal Management Plan Advisory Committee.

10.1.10 Advisory Committee for the review of the CEO’s development
Cr Ellis reported on her attendance at meeting of the Advisory
Committee for the review of the CEO’s development held 26 September
2013.
10.1.11 Aqualink Box Hill Councillor Reference Group
Cr Ellis reported on her attendance at meeting of Aqualink Box Hill Councillor Reference Group held 17 September 2013.

10.1.12 Disability Advisory Committee
Cr Ellis reported on her attendance at Disability Advisory Committee meeting held 2 October 2013.

Cr Ellis sought the Mayor's indulgence to mention the Mont Albert and Surrey Hills, Rotary Food Project dinner, also attended with the Mayor and Cr Chong. Seniors Festival Lunch 9 October and the Whitehorse Women's Forum 12 October 2013.

10.1.13 Whitehorse Business Group
Cr Davenport reported on his attendance at Whitehorse Business Group Board meeting held in October.

10.1.14 Advisory Committee for the review of the CEO's development
Cr Stennett reported on his attendance at meeting of the Advisory Committee for the review of the CEO's development held 26 September 2013.

10.1.15 Aqualink Box Hill Councillor Reference Group
Cr Stennett reported on his attendance at meeting of Aqualink Box Hill Councillor Reference Group held 17 September 2013.

10.1.16 Whitehorse Business Group Awards
Cr Stennett reported on his attendance at Whitehorse Business Group Awards held 18 October 2013.

10.1.17 Eastern Transport Coalition
Cr Stennett reported on his attendance at Eastern Transport Coalition meeting held 17 October 2013.

10.1.18 Box Hill Central Activities Area Committee
Cr Daw reported on his attendance at the Box Hill CAA Committee meeting held on 14 October 2013.

10.1.19 Whitehorse Business Group Awards
Cr Daw reported on his attendance at Whitehorse Business Group Awards held 18 October 2013.

10.1.20 Aqualink Box Hill Councillor Reference Group
Cr Munroe reported on his attendance at meeting of Aqualink Box Hill Councillor Reference Group held 17 September 2013.

10.1.21 Eastern Region Group Mayors and CEO's Meeting
Cr Munroe reported on his attendance at Eastern Region Group Mayors and CEO's meeting held 27 September 2013.

10.1.22 Local Government Electoral Review Panel
Cr Munroe made a personal presentation to Local Government Electoral Review Panel on 15 October 2013.

10.1.23 Metropolitan Transport Forum
Cr Munroe reported on his attendance at Metropolitan Transport Forum meeting held 2 October 2013.
10.1.24 MAV Eastern Region Delegates  
Cr Munroe reported on his attendance at a MAV Eastern Region Delegates meeting held 3 October 2013.

10.1.25 Box Hill Central Activities Area Committee  
Cr Munroe reported on his attendance at the Box Hill CAA Committee meeting held on 14 October 2013.

10.1.26 Community Dinner  
Cr Munroe (Mayor) thanked Councillors for their attendance at the Community Dinner held 10 October and staff for their efforts and work in putting the successful event together.

10.1.27 Whitehorse Business Group Awards  
Cr Munroe reported on his attendance at Whitehorse Business Group Awards held 18 October 2013 where he presented the Mayors Award to Eastern Community Legal Resource Centre.

10.1.28 Spring Festival  
Cr Munroe (Mayor) mentioned the successful Spring Festival held 20 October and thanked Councillors for their attendance and congratulated Council staff for their organization and planning of the event.

10.1.29 Whitehorse Sports Awards  
Cr Munroe (Mayor) reported on the Whitehorse Sports Awards held 16 October, which was very well attended and congratulated staff who put the event together.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Stennett

That reports from delegates be received and noted.

CARRIED UNANIMOUSLY

10.2 Recommendations from the Special Committee of Council Meeting of 14 October 2013

10.2.1 Repayment of the voluntary contribution to “Yes” Campaign  

Moved by Cr Massoud, Seconded by Cr Harris

That Council:

1. Acknowledge the ALGA and the MAV for their efforts in achieving a planned refund of 48% of Council’s $49,712 voluntary contribution to the “Yes” campaign for the referendum subsequently abandoned by the Federal Government.

2. Request the MAV to continue to lobby for repayment of the remaining balance of Council’s contribution by ALGA, from the Federal Government.


CARRIED UNANIMOUSLY
10.2.2 Proposed amendments to planning scheme

Moved by Cr Stennett, Seconded by Cr Daw

That Council:

1. Write to Maroondah Council requesting information about their response to the State Government’s proposed amendments to the planning scheme, and in particular what steps can be taken to ensure that Heatherdale Road industrial sites can be rezoned more appropriately to ensure the health and wellbeing is maintained to neighbouring residents.

2. Request that Maroondah Council include Heatherdale Road residents in their public consultation process.

CARRIED UNANIMOUSLY

10.2.3 Right hand turn lane on Whitehorse Road into Dunlavin Road Mitcham

Moved by Cr Stennett, Seconded by Cr Daw

That Council write to Vic Roads acknowledging the letter received indicating Vic Roads being aware that the right hand turn lane width on Whitehorse Road into Dunlavin Road Mitcham is well below the minimum Vic Roads current standards AND express Council’s concern in the strongest possible terms for their inaction to resolve this safety issue AND to make this a priority to comply with their own standards as soon as practicable.

That Council also write to the Member for Mitcham informing her of Vic Road’s actions and Council’s actions and asking her to intervene in the matter.

CARRIED UNANIMOUSLY

10.2.4 Nunawading Primary School

Moved by Cr Stennett, Seconded by Cr Carr

That Council:

1. Write to the Member for Mitcham, Ms Dee Ryall MP, acknowledging her written response to Council’s motion which advocated for community consultation around the future of the Nunawading Primary School.

2. Request the Member for Mitcham to advocate to the State Government to engage a different process than that generally applied to the disposal of government land (as outlined in recent correspondence) with respect to this site, by engaging the community in a consultation process to resolve the future use of the site.

3. Advise the Member for Mitcham that we will be communicating her responses to interested community groups and the media.

CARRIED

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Harris

That the recommendations from the Special Committee of Council Meeting of 14 October 2013 Items 10.2.1 to 10.2.4 (inclusive) be received and adopted.

CARRIED
### 10.3 Record of Assembly of Councillors

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Matter/s Discussed</th>
<th>Councillors Present</th>
<th>Officers Present</th>
<th>Disclosures of Conflict of Interest</th>
<th>Councillor/Officer attendance following disclosure</th>
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</thead>
<tbody>
<tr>
<td>2-9-13 5.00pm</td>
<td><strong>Aqualink Box Hill Councillor Reference Group</strong></td>
<td>Cr Harris OAM (Chair)</td>
<td></td>
<td>A De Fazio</td>
<td>Nil</td>
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<td></td>
<td>Aqualink Box Hill Redevelopment</td>
<td>Cr Munroe</td>
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<td>P Warner</td>
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<td>Cr Carr</td>
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<td>Cr Ellis</td>
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<td>M Millett</td>
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<tr>
<td>16-9-13 6.30pm –</td>
<td><strong>Councillor Informal Briefing Session</strong></td>
<td>Cr Munroe (Chair)</td>
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<td>N Huff</td>
<td>Nil</td>
</tr>
<tr>
<td>7.00pm</td>
<td>Carrington Road Tree Surrounds – Notice of Motion 71</td>
<td>Cr Bennett</td>
<td></td>
<td>P Warner</td>
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<td></td>
<td>Item 9.1.1 - 11</td>
<td>Cr Carr</td>
<td></td>
<td>J Reid</td>
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<td></td>
<td>Shalimar Cr, Vermont south – Alternate Recommendation</td>
<td>Cr Chong AM</td>
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<td>T Johnson</td>
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<td></td>
<td>Cr Davenport</td>
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<td>Cr Daw</td>
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<td>R Sheehan</td>
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<td>Cr Ellis</td>
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<td>Cr Harris OAM</td>
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<td>Cr Massoud</td>
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<td>Cr Stennett</td>
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<tr>
<td>23-9-13 5.00pm –</td>
<td><strong>Carrington Road Streetscape</strong></td>
<td>Cr Munroe (Chair)</td>
<td></td>
<td>N Huff</td>
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<tr>
<td>5.30pm</td>
<td></td>
<td>Cr Bennett</td>
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<td>23-9-13 5.30pm –</td>
<td><strong>Special Councillor Briefing Session</strong></td>
<td>Cr Munroe (Chair)</td>
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<td>Major Community Projects and Councillor Priorities</td>
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<td>Principles for Funding Major Community Projects</td>
<td>Cr Carr</td>
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<td>Next Steps – Business Case Policy</td>
<td>Cr Chong AM</td>
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<td>T Johnson</td>
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<td>Related Work Update &amp; Councillor Budget Weekend 2014</td>
<td>Cr Davenport</td>
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<td>P Warner</td>
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<td>Cr Daw</td>
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<td>P Smith</td>
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<td>Cr Ellis</td>
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<td>M Giglio</td>
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<td>Cr Harris OAM</td>
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</table>
| 7-10-13 6.35pm – 11.30pm | **Strategic Planning Session**  
Review of Audit Advisory Committee Charter  
Capital Works Update  
Finance report for period ending 31 August 2013  
Waste Update Healesville Freeway Reservation  
Update Silver Grove  
Other Business Special Committee Motions | Cr Munroe (Chair)  
Cr Bennett  
Cr Carr  
Cr Chong AM  
Cr Davenport  
Cr Daw  
Cr Ellis  
Cr Harris OAM  
Cr Massoud  
Cr Stennett | N Duff  
J Reid  
T Wilkinson  
P Smith  
P Warner  
A De Fazio  
D Comazzetto  
M Giglio  
W Gerhard  
I Goodes  
A Egan | Nil |
| 14-10-13 4.30pm | **Box Hill CAA Reference Group**  
Strategic Box Hill Projects | Cr Harris OAM (Chair)  
Cr Munroe (Mayor)  
Cr Daw  
Cr Chong AM | N Duff  
J Reid  
P Smith  
D Vincent-Smith | Nil |
| 14-10-13 6.35pm – 10.00pm | **Councillor Briefing Session**  
Special Committee Agenda & Other Business Motions  
Municipal Public Health & Wellbeing Plan 2013-2107  
Draft Council Agenda 21 October 2013 | Cr Munroe (Chair)  
Cr Bennett  
Cr Carr  
Cr Chong AM  
Cr Davenport  
Cr Daw  
Cr Ellis  
Cr Harris OAM  
Cr Massoud  
Cr Stennett | N Duff  
P Warner  
P Smith  
J Reid  
T Wilkinson  
A De Fazio  
S Freud  
J Russell  
J Green  
P McAleer  
P Neivandt  
D Seddon  
S Smith  
W Gerhard | Nil |

**COUNCIL RESOLUTION**

Moved by Cr Harris, Seconded by Cr Bennett

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

CARRIED UNANIMOUSLY
11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

11.1 International Cities and Town Centres ‘Dynamic Cities’ Conference
Councillors Daw, Chong, Ellis and Harris reported on their attendance at the International Cities and Town Centres ‘Dynamic Cities’ Conference held in Mandurah WA 16-19 October 2013.

11.2 Australia Japan Society of Victoria Gala Dinner
Cr Stennett attended Australia Japan Society of Victoria Gala Dinner held on 11 October 2013.

11.3 Waste Management and Recycling Expo
Cr Bennett reported on his attendance during October at a Waste Management and Recycling Expo.

11.4 Victorian Local Governance Association (VLGA) ‘Essential Councillors Weekend’
Cr Bennett reported on his attendance at the VLGA Essential Councillors Weekend held 17-19 October 2013.

Cr Carr sought the Mayor’s indulgence to mention the Senior’s Festival luncheon held on 9 October 2013, the Whitehorse Women’s Forum held on 12 October 2013 and the opening of the Human Library at Nunawading Library on 16 October 2013 which Cr Carr opened on behalf of the Mayor.

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Bennett

That the reports on conferences attendance be received and noted.

CARRIED

A Division was called

For Against
Cr Bennett Cr Stennett
Cr Carr
Cr Chong
Cr Davenport
Cr Daw
Cr Ellis
Cr Harris
Cr Massoud
Cr Munroe

On the results of the Division the motion was declared CARRIED
COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

That in accordance with Section 89(2) (e) of the Local Government Act 1989 the Council should resolve to go into camera and close the meeting to the public as the matters to be discussed relate to proposed developments.

CARRIED

The meeting moved into camera at 9.50pm.

12 CONFIDENTIAL REPORTS

12.1 Recommendations from the Special Committee of Council Meeting of 14 October 2013

12.1.1 Council owned land

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Massoud

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

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 9.56pm

13 CLOSE MEETING

Meeting closed at 9.56pm

Confirmed this 25th day of November 2013

______________________________
CHAIRPERSON