City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 20 July 2015

at 7.00 p.m.

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

Mr Philip Warner
Acting Chief Executive Officer

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AGENDA

Meeting opened at 7.00pm

Present: Cr Munroe (Mayor), 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.

There were no apologies

3 DISCLOSURE OF CONFLICT OF INTERESTS

Cr Munroe declared a conflict of Interest (Indirect interest) in Item 9.1.2 730 Canterbury Road, Surrey Hills– Buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole

Cr Ellis declared a conflict of Interest (Indirect interest) in Item 9.2.1 Whitehorse Community Grants – 2015-2016 Financial Year

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Bennett

That the minutes of the Ordinary Council Meeting of 22 June 2015 and Confidential Minutes 22 June 2015 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

Nil

6 NOTICES OF MOTION

Nil

7 PETITIONS

Nil

8 URGENT BUSINESS

Nil

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 35 Main Street, Blackburn - Construction of one (1) double storey dwelling

FILE NUMBER: WH/2014/936
ATTACHMENT

SUMMARY

This application was advertised, and a total of 76 objections were received. The objections raised issues with tree removal and neighbourhood character. A Consultation Forum was held on Tuesday, 14 April 2015 chaired by Councillor Massoud, at which the issues were explored, however little 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.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Davenport

That Council:

A Being the Responsible Authority, having caused Application WH/2014/936 for 35 Main Street, BLACKBURN (LOT 4 LP 3212) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the construction of one (1) double storey dwelling is acceptable and should be supported.

B Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 35 Main Street, BLACKBURN (LOT 4 LP 3212) for the construction of one (1) double storey dwelling, 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) Provision of a colour and materials schedule showing varied colours and/or materials at ground floor and upper levels.
   b) Notation of tree protection measures at Condition 4 and 5 of this permit.
   c) A notation on both site and landscape plans clearly indicating the retention of Trees 1 and 2 (Corymbia citriodora).
   d) A landscape plan in accordance with Condition 3, including the following:

      i. At least two (2) indigenous upper canopy trees capable of reaching at least 15 metres in height at maturity to be planted in the rear private open space. The location of planting must be setback off the property boundaries and provide for the provision of 50m^2 tree envelopes unencumbered by other trees, fencing, works or any other structures to the satisfaction of the Responsible Authority.

9.1.1
(cont)

ii. Replacement of Acacia implexa species shown on the proposed landscape plan with Eucalyptus melliodora or Eucalyptus oblique, or any other native/indigenous tree species to the satisfaction of the Responsible Authority, to satisfy Condition 1di above.

iii. At least one (1) additional indigenous upper canopy tree capable of reaching at least 15 metres in height at maturity to be planted in the front setback. This tree should be located in the south west corner of the frontage and provide for the provision of 50m^2 tree envelopes unencumbered by other trees, fencing, works or any other structures to the satisfaction of the Responsible Authority.

iv. A variety of substantial shrubs and other vegetation including smaller tree species to be planted along both the northern and southern side setbacks.

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. 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 consistent with the Bush Environment area,***
- ***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.***

9.1.1
(cont)

* ***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.***

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. ***Prior to commencement of any building 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 1 (Corymbia citriodora) – 11.3 metres radius from the centre of the tree base.***
      ii. ***Tree 2 (Corymbia citriodora) – 6.2 metres radius from the centre of the tree base.***

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

      i. ***Erection of solid chain mesh fencing, or a similar type of fencing, at a minimum height of 1.8 metres, supported on, and held in place with concrete feet.***
      ii. ***Signage placed around the outer edge perimeter of the fencing, identifying the area as a TPZ. The signage should be visible from within the development site, and the lettering and wording are to comply with Australian Standard 1319.***
      iii. ***Mulch is to be placed over the entire soil surface within a TPZ, to a depth of 100mm, and supplementary watering is to be applied during dry weather.***
      iv. ***No excavations, constructions works, activities, grade changes, surface treatments or storage of materials of any kind are permitted within a TPZ unless otherwise approved by this permit or further approved in writing by the Responsible Authority.***
      v. ***All supports and bracing are to be outside a TPZ and any excavation for supports or bracing is to avoid damaging tree roots.***
      vi. ***No trenching is allowed within the TPZ for installation of utility services, unless the Responsible Authority has approved tree sensitive installation methods, such as horizontal soil boring.***
      vii. ***Where construction is approved within a TPZ, fencing and mulch are to be placed up to, and along the line of, the approved proposal. Fencing may only be repositioned by an authorised person, and only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.***

5. ***During construction of any buildings or works, the following tree protection requirements are to be adhered to, to the satisfaction of the Responsible Authority:***

9.1.1
(cont)

a) The dwelling and garage where within the TPZs of Trees 1 and 2 (Corymbia citriodora) must be constructed on tree sensitive footings, such as post footings or screw piles, with no grade change within the TPZ. The postholes are to be hand dug and no roots are to be cut or damaged. A Geotechnical Engineer must assess the soil type and provide the results to a Structural Engineer so that appropriate footings and foundations can be designed so they are not affected by soil movement.

b) Drainage systems for the dwelling which are required to traverse the TPZs of Trees 1 and 2 (Corymbia citriodora) are permitted providing the pipes are bored to a minimum depth of one (1) metre under existing ground levels, or as otherwise approved by the Responsible Authority.

c) The driveway where within the TPZs of Trees 1 and 2 (Corymbia citriodora) must be constructed at the existing soil grade using porous materials that allows water to penetrate through the surface and into the soil profile. No roots are to be cut or damaged during any part of the construction process.

d) To facilitate access to the site during construction, rumble boards must be laid on the ground where the new driveway traverses the TPZs of Trees 1 and 2 (Corymbia citriodora). TPZ fencing may then be positioned along the edge of the driveway.

e) All buildings and works for the construction of the development (as shown on the endorsed plans) must not alter the existing ground level or topography of the land within the 11.3 metre TPZ of Tree 1 (Corymbia citriodora) or the 6.2 metre TPZ of Tree 2 (Corymbia citriodora).

6. 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.

7. The existing street tree shall not be removed or damaged. The existing crossover must be removed by hand, with no machinery excavation. The new crossover must be laid at or above the existing ground level. Barriers must be erected around the street tree prior to any buildings or works. No roots are to be cut or damaged during any part of the removal or construction process.

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

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

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

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

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

9.1.1
(cont)

MELWAYS REFERENCE 47 K11

Applicant:	Universal Planning	
Zoning:	Clause 32.09	Neighbourhood Residential Zone, Schedule 7
Overlays:	Clause 42.03	Significant Landscape Overlay, Schedule 2
Relevant Clauses:	Clause 11	Settlement
	Clause 12	Environment and Landscape Values
	Clause 15	Built Environment and Heritage
	Clause 21.05	Environment
	Clause 21.06	Housing
	Clause 22.03	Residential Development
	Clause 22.04	Tree Conservation
	Clause 32.09	Neighbourhood Residential Zone
	Clause 65	Decision Guidelines
Ward:	Central	

		Subject site		71 Objector Properties (46 outside of map)	North

9.1.1
(cont)

BACKGROUND

History

There are no previous planning applications for this site.

It is noted that concerns were initially raised by Council officers and plans were amended under Section 57A of the Planning and Environment Act 1987 after notice had been carried out. Changes made to the plans include the retention of two significant trees (both *Corymbia citriodora).* The amended development plans dated 2 March 2015 and concept landscape plan dated 5 March 2015 are considered in this assessment.

The Site and Surrounds

The subject site is located on the eastern side of Main Street in Blackburn, approximately 50 metres south of the intersection with The Avenue and 35 metres north of the intersection with Fuchsia Street.

The site is rectangular in shape with a 15.24 metre frontage to Main street, a depth of 50.29 metres and overall site area of 761 square metres. The site gently slopes from east to west. The site is presently vacant, with the exception of two *Corymbia citriodora* (Lemon scented gum) trees (Trees 1 and 2) located within the frontage, approximately 11 metres to the east of the front property boundary.

Abutting land uses are exclusively residential and include a mix of single and double storey dwellings. To the north and south of the subject site are single storey dwellings fronting Main Street and to the rear are three double storey dwellings which front Gardenia Street. There are some multi-unit developments on Main Street. The area is generally typified by detached dwellings in a strongly vegetated setting with canopy trees in the frontage.

Planning Controls

Pursuant to Clause 42.03-2 (Significant Landscape Overlay, Schedule 2), a planning permit is required for buildings and works that:

- Are not setback from the side boundaries at least 1.5 metres plus half the building wall height if the building wall height is more than 3.6 metres; and
- Are not setback more than 4 metres from any vegetation that requires a permit to remove, destroy or lop.

PROPOSAL

It is proposed to construct one double storey dwelling comprising ground floor kitchen, meals, family, theatre, guest bedroom, ensuite and outdoor living; upper floor rumpus, study nook and four bedrooms (including 3 ensuites); double garage, new driveway and rear uncovered deck.

Two existing trees (Trees 1 and 2) within the site frontage are proposed to be retained, both *Corymbia citriodora*. With the exception of these two trees, the site is otherwise devoid of vegetation.

The dwelling is proposed to have a minimum front (west) setback of 16.6 metres, a rear (east) setback of 10.5 metres, and side (north and south) setbacks of 3 metres. The garage is proposed to be setback 1 metre from the northern boundary. The rear uncovered deck is proposed to encroach into the rear setback by approximately 3 metres, leaving 7.5 metres of unencumbered land at the rear of the site.

9.1.1
(cont)

The proposed dwelling is setback a minimum of 7 metres from Tree 1 and a minimum of 5.5 metres from Tree 2. The proposed driveway runs between the two trees, with a minimum setback of 0.5 metres from Tree 1 and a minimum setback of 2 metres from Tree 2.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Main Street frontage. Following the advertising period 76 objections were received (from 71 objector properties).

The issues raised are summarised as follows:

Tree removal

- Contrary to neighbourhood character
- Impact amenity of streetscape
- Destruction of wildlife corridors
- Denigration of bush character
- Replacement planting
- Loss of shade, natural amenity.

Built form

- Dominance of streetscape
- Inconspicuous profile not achieved
- Oversized
- Incompatible with surrounding area
- Intrusive building envelope
- Privacy and overlooking to south
- Overshadowing to south
- Availability of unencumbered land for replacement planting.

As noted below, the application was subsequently amended to show the retention of Trees 1 and 2.

Section 57A amendment

Subsequent to the advertising period and prior to the Consultation Forum a Section 57A amendment was lodged on 20 January 2015 and amended plans submitted on 12 March 2015. The changes made are listed below:

- Trees 1 and 2 within the front setback (both *Corymbia citriodora*) shown as being retained.
- Southern side boundary setback increased to 3 metres from 2.13 metres.

These plans were not readvertised as the amendments were considered to be improvements to the proposal. The amended plans were discussed at the Consultation Forum.

9.1.1
(cont)

Consultation Forum

A Consultation Forum was held on 14 April 2015, chaired by Councillor Massoud. Fourteen objectors attended the meeting.

As a result of the amended plans, objectors raised additional concerns around the construction impacts to Trees 1 and 2, essentially in respect to the proximity of the driveway to the trees, impacts from cut and fill and compaction of the roots.

Overall no consensus was reached, however the applicant agreed the proposed landscape plan could be improved, with further consideration to the colours and materials of the proposed dwelling.

Referrals

Internal

Planning Arborist

The proposal has been reviewed by Council's Planning Arborist, who is generally supportive of the proposed buildings and works, subject to specific tree protection measures. Comments received are as follows:

Tree 1 *(Corymbia citriodora)* – The area of encroachment into the TPZ (Tree Protection Zone) of this tree is 43.8%. This is above 10% under Australian Standard AS 4970-2009 and is considered a major encroachment.

Tree 2 *(Corymbia citriodora)* – The area of encroachment into the TPZ of this tree is 13.2%. This is above 10% under Australian Standard AS 4970-2009 and is considered a major encroachment.

The plans show construction of the new dwelling and driveway within very close proximity to the footprint of the original dwelling and driveway. Taking this into consideration it is possible for the proposal to go ahead as shown on the plans, however all buildings and works where within the TPZ and SRZ (Structural Root Zone) must be undertaken at the existing soil grade.

It is noted that no trees on adjoining properties will be adversely impacted.

DISCUSSION

Consistency with State and Local Planning Policies

The proposal has been assessed against the SPPF and LPPF, including Council's Tree Conservation Policy (Clause 22.04) and the relevant decision guidelines of the SLO2 pertaining to the site.

It is noted that the objective of Clause 12 – Environmental & Landscape Values is to assist the protection and conservation of native vegetation and habitats for native plants and animals and to control pest plants and animals. Clause 21.05 of the LPPF relates to 'Environment' and aims to, amongst other things, protect and enhance areas with special natural, environmental, cultural or historic significance.

9.1.1
(cont)

Clause 22.04 relates to Tree Conservation including regeneration and it is policy that all existing and new trees have sufficient space and separation from buildings and impervious surfaces to successfully obtain their optimum height and avoid any damage to property in the future.

The subject site is located in a Limited Change, Bush Environment Area. This area is distinctive as being an area for the lowest scale of intended residential growth in Whitehorse, with the preservation of its significant landscape character being the highest priority. Clause 22.03 relates to Residential Development and describes the preferred character of Bush Environment areas as areas where streetscapes will be dominated by vegetation, with buildings surrounded by bush like native and indigenous gardens, including large indigenous trees in the private and public domains. Buildings and hard surfaces will occupy a low proportion of the site, and be sited to reflect prevailing front, rear and side setbacks. Rear setbacks will accommodate substantial vegetation including large canopy trees.

The site is located in an SLO2 (Blackburn Area 2) that is recognised as having special significance attributed to the quality of the environment, which includes vegetation notable for its height, density, maturity and high proportion of Australian native trees. This in turn contributes to the significance of the area as a valuable bird and wildlife habitat.

It is considered that the proposed new dwelling sufficiently satisfies the objectives and decision guidelines for the Significant Landscape Overlay Schedule 2 (SLO2), as detailed below.

Significant Landscape Overlay, Schedule 2

The application has been assessed against the decision guidelines of Clause 42.03 as it relates to the SLO2. It is considered that the proposal will adequately blend with the surrounding built and landscaped environment. The relevant decision guidelines of the SLO2 are responded to as follows:

1. *Whether the proposed building is set back a reasonable distance from the property boundaries to provide for landscaping.*

   The proposed dwelling shows a minimum front setback of 16.6 metres, which is well in excess of the front setbacks of both the adjoining properties to the north and south and the prevailing front setbacks along Main Street. This setback will allow for the retention of the two existing trees within the frontage as well as providing space for additional garden areas.

   The rear setback is proposed to be 10.5 metres. Although this setback includes the provision of a 3 metre wide uncovered deck, the remaining 7.5 metres of unencumbered land at the rear of the site is sufficient to accommodate substantial vegetation, including new upper canopy tree planting. Given the substantial front setback, the proposed rear setback is considered appropriate.

   The northern and southern side setbacks at 3 metres, although not able to accommodate upper canopy trees, would be able to accommodate substantial shrubs and other vegetation including smaller tree species which will assist in softening the built form and contributing to establishing a bushy, well vegetated garden consistent with the objectives of the SLO and the preferred character of the Bush Environment Area.

9.1.1
(cont)

2. *Whether the proposed building or works retain a built form profile for the site as a whole that does not dominate the landscape.*

   Given the large front setback and provision of side and rear setbacks which can accommodate a range of substantial planting including upper canopy trees, it is not considered the proposed dwelling will dominate the landscape. Further, the 3 metre side setbacks will allow views down the length of the site to planting in the rear of the site and beyond.

   Varied materials at ground and upper floor levels will also assist with breaking up the built form so that it does not dominate the landscape. A colour and materials schedule would be required as a condition of the permit to ensure the colours blend with the landscape.

3. *The proportion of the lot that is free of buildings and available for tree planting, landscaping and open space use*.

   The proposal will result in 30% of the site covered by buildings at ground floor level, 24% at first floor level and 12% of the site covered by hard surfaces. This is below the maximum site coverage allowed without a planning permit which is 50% under the SLO2. With a total site coverage of 42% (building and hard surface combined), the proposal allows for a substantial proportion of the site to be used for garden areas, tree planting and open space use.

4. *The impact of the proposed development on the conservation of trees either on the land, on adjoining lots or the street.*

   No vegetation is proposed for removal to accommodate the dwelling.

   Two trees within the frontage are proposed to be retained and advice from Council's Planning Arborist confirms that providing appropriate tree protection measures are taken during construction, the trees will remain viable and be able to continue to contribute to the landscape character of the area.

   Further, the proposed design will allow for sufficient garden areas around the dwelling to accommodate additional upper and mid canopy tree planting.

   It should be noted that Council's Planning Arborist has advised that trees on adjoining properties will not be impacted by the proposed dwelling or associated works.

5. *The potential to achieve an average density of one tree reaching a height of over 15 metres to each 150 square metres of site area.*
6. *The availability of sufficient unencumbered land to provide for replacement planting.*

   The subject site has an area of 761m^2 and therefore 5 upper canopy trees capable of reaching over 15 metres in height are required to meet the tree density requirement. It is considered that the rear private open space has sufficient space to accommodate two upper canopy trees. The front setback is also considered to be able to accommodate one upper canopy tree in addition to the existing Trees 1 and 2. There is also sufficient space to accommodate the planting of smaller tree species, substantial shrubs, groundcovers and other vegetation to complement the existing character and contribute to the desired bush environment character. The proposal will therefore satisfy this decision guideline.

9.1.1
(cont)

7. *Whether works within 4 metres of a tree propose to alter the existing ground level or topography of the land.*

   The proposed driveway is located between Trees 1 and 2, with associated works less than 4 metres from both trees. The plans also show a section of proposed fill within 4 metres of both trees. As discussed above, Council's Planning Arborist has recommended tree protection measures, including avoiding altering the existing ground level or topography of the land where it is within the TPZ of the two trees (see proposed conditions 4 and 5).

Landscaping

The proposed dwelling allows for the retention of the two existing significant trees. In addition there is sufficient unencumbered land to accommodate additional upper canopy tree planting, as well as planting a variety of other vegetation that will be able to contribute to the valued landscape character of the area.

Clause 22.04 details performance standards for tree regeneration, including the provision of an unencumbered area of $50m^2$ to accommodate upper canopy tree planting within SLO2 areas. With this in mind, two upper canopy trees can be accommodated within the rear setback of the site and one additional upper canopy tree can be accommodated within the front setback.

A variety of substantial shrubs and other vegetation including smaller tree species will be provided throughout the site including the side setbacks.

Objectors Concerns not Previously Addressed

A number of objectors have raised concerns regarding privacy, overlooking and overshadowing. It should be noted that these concerns are beyond the scope of relevant planning considerations. However an assessment against the relevant Clause 54 standards shows that the proposal complies with Standards A12 (Daylight to existing windows), A13 (North facing windows), A14 (Overshadowing open space) and A15 (Overlooking). The relevant building surveyor is required to address compliance with the equivalent Building Code, should an approval be granted.

With the retention of the two existing trees, existing habitat as a wildlife corridor is not disadvantaged. The addition of three more upper canopy trees and the inclusion of a good mix of lower level vegetation will further contribute to the existing habitat.

CONCLUSION

The construction of a double storey dwelling is considered an acceptable outcome in this instance. The proposal satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies and Significant Landscape Overlay, Schedule 2.

The proposal satisfies the relevant decision guidelines in terms of maintaining landscape character and will allow for sufficient garden areas to accommodate upper canopy trees and other vegetation in keeping with the Bush Environment character of the area.

A total of 76 objections were received as a result of public notice and all of the issues raised have been discussed in this report.

It is recommended that the application be approved subject to conditions.

Appointment of Acting Chairperson

The Mayor having declared a Conflict of Interest in *Item 9.1.2 - 730 Canterbury Road, Surrey Hills Building and Works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole* - called for a motion to appoint an Acting Chairperson for consideration of this item.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

That Cr Ellis be appointed Acting Chairperson for Item 9.1.2 730 Canterbury Road, Surrey Hills Building and Works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole

CARRIED UNANIMOUSLY

Attendance

The Mayor having declared a Conflict of Interest in item 9.1.2 left the Chamber at 7.12pm prior to the discussion on the item.

9.1.2 730 Canterbury Road, Surrey Hills– Buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole

FILE NUMBER: WH/2014/592
ATTACHMENT

SUMMARY

This application was advertised, and a total of 28 objections from 24 objector properties were received and one submission of support. The objections raised issues with siting, visual impacts, consideration of alternative locations, health, and need for a facility. A Consultation Forum was held on Tuesday, 07 October 2014 chaired by Councillor Davenport, 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/2014/592 for 730 Canterbury Road, SURREY HILLS (Lot 1, TP 643411, Lots 2-5, TP 595198) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole is acceptable and should be supported.

B Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 730 Canterbury Road, SURREY HILLS (Lot 1, TP 643411, Lots 2-5, TP 595198) for the Buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole, subject to the following conditions:

9.1.2
(cont)

1. ***Before the 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) ***Elevations and dimensions of all shelters and cabinets.***
   b) ***Provision of landscaping bed a minimum of 3m wide to the south and the east of the proposed works.***
   c) ***Equipment cabinets/sheds and associated fencing to be setback a minimum of 3 metres from the south side boundary.***
   d) ***A Landscape Plan in accordance with Condition 5 including a screening vegetation buffer (1.5 metres high at the time of planting) to a mature height of 3-5 metres on the east and south of the proposed area of works.***

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 existing tower is required to be removed within one year of the erection of the new monopole, or in accordance with consent in writing by the Responsible Authority for an extension of time.***

4. ***The property owner is required to erect a commemorative plaque on site visible in the streetscape with text and photographs to mark the heritage significance of the existing tower (to be demolished). The landowner/permit holder is required to liaise with Council's Heritage Advisor regarding content and presentation of the plaque. The plaque is required to be erected within six months of the demolition of the existing tower to the satisfaction of the Responsible Authority.***

5. ***Before the development starts, a Landscape Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.***

6. ***Before the development is completed or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the approved plan and schedule must be carried out and completed to the satisfaction of the Responsible Authority.***

7. ***The garden areas shown on the endorsed plan and schedule may only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority including replacing any dead, diseased or damaged plants.***

8. ***Prior to any works commencing on the land a Construction Management Plan (CMP) must be prepared to the satisfaction and approval of the Responsible Authority, detailing how the owner will manage the construction issues associated with the development.***

9.1.2
(cont)

The CMP must address; any demolition, bulk excavation, management of the construction site, land disturbance, hours of construction, noise, control of dust, public safety, traffic management, construction vehicle road routes, soiling and cleaning of roadways, discharge of any polluted water, security fencing, disposal of site waste and any potentially contaminated materials, location of site offices, redirection of any above or underground services, and site security lighting.

The CMP shall include suitable washing facilities are to be provided and utilised on site for the cleaning of all construction vehicles prior to them exiting the designated property so as to prevent any grease, oil, mud, clay or other substance to fall or run off a vehicle onto a road, into any drain or under the road.

The CMP must be implemented to the satisfaction of the Responsible Authority and a contact name and phone numbers for the site manager must be provided to the Responsible Authority.

9. ***The existing street trees shall not be removed or damaged. Barriers are required to be erected around both trees in Harding Street prior to any building and/or works on the subject land.***

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

    1. ***The development is not commenced within two (2) years from the date of issue of this permit; or***

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

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

Permit Note:

i) ***Prior to any building and works on the subject land, approvals may be required from Council departments in relation to :***

- ***Transport (Ph 9262 6177) – construction vehicles access routes, type of vehicles, peak delivery times, frequency and dates, any proposed partial/full road/footpath closures, nb. additional approvals may also be required from Department of Transport and VicRoads, closure of vehicle accessways (including Right of Ways), annexing /leasing of car spaces associated with construction workers street parking permits for construction worker vehicles, pedestrian management (during construction and after hours).***
- ***Asset Management (Ph 9262 6177) – Asset Protection permits and bonds, consent to undertake works in the road reserve (including new/temporary crossovers), temporary drainage discharge pipes, works protection notices and bonds.***

9.1.2
(cont)

- ***Community Laws (Ph 9262 6394) – street parking permits for construction workers vehicles, leasing of car spaces, soiling and cleaning of roadways, hours of operation, emissions of noise, smoke vapours etc. (also relevant to Environment Protection Authority and health Act legislation) storage of rubbish skips, building materials etc. off site, cutting of grass re vermin and fire safety, Code of Practice for behaviour of contractors, tradespersons regarding dogs, radios, rubbish and public relations with local residents.***
- ***Building (Ph 9262 6421) – hoarding permits for site fencing/barriers, lighting, location of site offices, material storage, spoil stock-piling, asset protection permits and bonds, review of Occupational health and Safety approvals.***

Please ensure the landowner, permit applicant, project manager and/or site supervisor is aware of the above requirements. Please also note that relevant approval application forms are available on the Council web 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.

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Harris

That Council:

A Being the Responsible Authority, having caused Application WH/2014/592 for 730 Canterbury Road, SURREY HILLS (Lot 1, TP 643411, Lots 2-5, TP 595198) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole is acceptable and should be supported.

B Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 730 Canterbury Road, SURREY HILLS (Lot 1, TP 643411, Lots 2-5, TP 595198) for the Buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole, subject to the following conditions:

1 Before the 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 Elevations and dimensions of all shelters and cabinets.
b Provision of landscaping bed a minimum of 3m wide to the south and the east of the proposed works.
c The monopole, equipment cabinets/sheds and associated fencing to be setback a minimum of 12 metres from the south side boundary.
d A Landscape Plan in accordance with Condition 5 including a screening vegetation buffer (1.5 metres high at the time of planting) to a mature height of 3-5 metres on the east and south of the proposed area of works.

9.1.2
(cont)

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 existing tower is required to be removed within one year of the erection of the new monopole.***

4. ***The property owner is required to erect a commemorative plaque on site visible in the streetscape with text and photographs to mark the heritage significance of the existing tower (to be demolished). The landowner/permit holder is required to liaise with Council's Heritage Advisor regarding content and presentation of the plaque. The plaque is required to be erected within six months of the demolition of the existing tower to the satisfaction of the Responsible Authority.***

5. ***Before the development starts, a Landscape Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.***

6. ***Before the development is completed or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the approved plan and schedule must be carried out and completed to the satisfaction of the Responsible Authority.***

7. ***The garden areas shown on the endorsed plan and schedule may only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority including replacing any dead, diseased or damaged plants.***

8. ***Prior to any works commencing on the land a Construction Management Plan (CMP) must be prepared to the satisfaction and approval of the Responsible Authority, detailing how the owner will manage the construction issues associated with the development.***

   The CMP must address; any demolition, bulk excavation, management of the construction site, land disturbance, hours of construction, noise, control of dust, public safety, traffic management, construction vehicle road routes, soiling and cleaning of roadways, discharge of any polluted water, security fencing, disposal of site waste and any potentially contaminated materials, location of site offices, redirection of any above or underground services, and site security lighting.

   The CMP shall include suitable washing facilities are to be provided and utilised on site for the cleaning of all construction vehicles prior to them exiting the designated property so as to prevent any grease, oil, mud, clay or other substance to fall or run off a vehicle onto a road, into any drain or under the road.

9.1.2
(cont)

The CMP must be implemented to the satisfaction of the Responsible Authority and a contact name and phone numbers for the site manager must be provided to the Responsible Authority.

9. The existing street trees shall not be removed or damaged. Barriers are required to be erected around both trees in Harding Street prior to any building and/or works on the subject land.

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

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

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

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

Permit Note:

i) Prior to any building and works on the subject land, approvals may be required from Council departments in relation to :

- ***Transport (Ph 9262 6177) – construction vehicles access routes, type of vehicles, peak delivery times, frequency and dates, any proposed partial/full road/footpath closures, nb. additional approvals may also be required from Department of Transport and VicRoads, closure of vehicle accessways (including Right of Ways), annexing /leasing of car spaces associated with construction workers street parking permits for construction worker vehicles, pedestrian management (during construction and after hours).***
- ***Asset Management (Ph 9262 6177) – Asset Protection permits and bonds, consent to undertake works in the road reserve (including new/temporary crossovers), temporary drainage discharge pipes, works protection notices and bonds.***

- ***Community Laws (Ph 9262 6394) – street parking permits for construction workers vehicles, leasing of car spaces, soiling and cleaning of roadways, hours of operation, emissions of noise, smoke vapours etc. (also relevant to Environment Protection Authority and health Act legislation) storage of rubbish skips, building materials etc. off site, cutting of grass re vermin and fire safety, Code of Practice for behaviour of contractors, tradespersons regarding dogs, radios, rubbish and public relations with local residents.***
- ***Building (Ph 9262 6421) – hoarding permits for site fencing/barriers, lighting, location of site offices, material storage, spoil stock-piling, asset protection permits and bonds, review of Occupational health and Safety approvals.***

Please ensure the landowner, permit applicant, project manager and/or site supervisor is aware of the above requirements. Please also note that relevant approval application forms are available on the Council web site.

9.1.2
(cont)

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

MELWAYS REFERENCE 46 K12

Applicant:	Urbis Pty Ltd
Zoning:	Clause 32.09, Neighbourhood Residential Zone, Schedule 7
Overlays:	Nil
Relevant Clauses:	Clause 19.03-4 Telecommunications
	Clause 21.05 Environment
	Clause 22.02 Visual Amenity and Advertising Signs
	Clause 32.09 Neighbourhood Residential Zone
	Clause 52.19 Telecommunication Facilities
	Clause 65 Decision Guidelines
Ward:	Elgar

		Subject site	24 Objector Properties (2 outside of map)	North

9.1.2
(cont)

BACKGROUND

History

The existing tower on the site was erected in the 1960's to transmit radio and television signals. The site is currently owned by Telstra. Due to the elevated nature of the site (being the highest point between Melbourne and the Dandenong Ranges) it is considered by Telstra to be a strategic position in terms of Telstra's provision of radio and mobile service. The tower also contains assets for other service providers, and a radio system for emergency service organisations.

The site has recently been subject to Planning Scheme Amendment C169 which considered the introduction of a Heritage Overlay on the site. This application has been on hold whilst the heritage matter was resolved. A total of 334 submissions were received to the amendment proposal, with all but four submissions being in opposition to heritage controls on the existing telecommunications tower. At the Council meeting on 18 May 2015 it was resolved to abandon the Amendment.

The Site and Surrounds

The site is located on the south western corner of Canterbury Road and Harding Street Surrey Hills and contains an existing 45 metre tall lattice telecommunications tower, a double storey brick building (the former telephone exchange) and assorted sheds. The frontage and the western portion of the site is grassed with mature tree cover and the land slopes down to the west. A masonry fence exists to the north and east of the site, though it should be noted that this fence appears to be located inside the title boundary in Harding Street, with a crossover and access gates located to the south eastern corner of the site adjacent to the common boundary with 2 Harding Street. There is a brick fence along the common boundary of 2 Harding Street.

The east, west and south of the subject land is surrounded by residential uses, comprising predominantly of detached single storey dwellings. Opposite on the north side of Canterbury Road is a Melbourne Water reservoir.

Planning Controls

A planning permit is required pursuant to Clause 52.19-2 to construct a building or construct or carry out works for a Telecommunications facility. A planning permit is required because a Monopole is not listed as a Low Impact Facility under the Telecommunication (Low Impact Facilities) Determination 1997 and the replacement of a tower within a residential area is not exempt from the need for a permit under Section 5.8 of the Code of Practice for Telecommunications Facilities in Victoria.

A planning permit is not required for the demolition of the existing tower.

A planning permit is not required for the assets proposed to be attached to the pole as these are deemed to be 'low impact facilities' in accordance with the Telecommunications Code of Practice 2004 and the Telecommunications (Low-impact) Determination 1997. An upgrade to the assets on the existing tower on the site can be undertaken without the need for a planning permit.

A planning permit is not required for the use of a telecommunications facility pursuant to Clauses 62.01-1 (Uses not requiring a permit). In any event the site would benefit from existing use rights as it has been used for telecommunications since the 1960's.

9.1.2
(cont)

PROPOSAL

The proposal is to remove the existing 45m high lattice tower (located south central on the subject land) and to replace this with a 40m high monopole within a 14m by 8m compound at the south eastern corner of the property. The applicant has advised that the new pole will need to be erected prior to the demolition of the existing tower. The works include:

- Access to the new compound will be via Harding Street, with the existing stone fence to be retained.
- The existing Vodafone shelter will be removed from the south west of the property and replaced with 5 outdoor equipment cabinets to be sited adjacent to the brick wall on the southern boundary.
- Relocation of Optus equipment shelter from south western boundary of the property to the base of the proposed monopole.
- Relocation of Motorola equipment shelter from the inside of the existing building to the base of the proposed monopole.
- Provision of a 'colorbond' Telstra equipment shed (3.28m long, by 2.28m wide, and 3.0m high) at the base of the proposed monopole.
- Telstra Fibre Optic cable will be installed to the proposed monopole via an underground conduit from a new Telstra P5 pit to be located in the Harding Street verge.
- Retention of the existing brick wall along the southern boundary of the new compound.

The monopole will provide for continued co-location of Telstra, Optus, Vodafone, and Motorola equipment, which will comprise of:

- Two Motorola omni antennas mounted on top of the proposed monopole.
- Twelve Telstra panel antennas attached to a triangular headframe at 35m elevation.
- Eighteen Telstra remote radio units (RRU's) attached below the triangular headframe.
- One Motorola 600mm diameter radio transmission dish at 30m elevation.
- Two Vodafone 600mm diameter radio transmission dishes at 30m elevation.
- Three Vodafone panel antennas at 35m elevation.
- Three Optus panel antennas at 21m elevation.
- One Motorola 1200mm radio transmission dish at 15m elevation.
- Associated cabling and cable trays.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting notices to the Canterbury Road and Harding Street frontages. Following the advertising period 28 objections and 1 submission of support were received.

9.1.2
(cont)

The issues raised are summarised as follows:

- Proximity of the new facilities to the front boundary and the adjacent dwelling at 2 Harding Street.
- Lack of room for landscaping buffer to abutting and surrounding properties.
- Visibility of built form/visual impacts.
- Health Concerns.
- Consideration to be given to alternative locations;
  - On-site.
  - Off-site including co-location with Optus tower at 613 Canterbury Road, and the Melbourne Water reservoir site.
- Need for the height.
- The original tower was for television rather than phones and therefore should be removed as no longer required for television.
- Lack of details about proposed buildings.
- Suitability of fencing for streetscape.
- Provision of additional structures on the pole for bird roosting.

Consultation Forum

A Consultation Forum was held on 7 October 2014. Nine objectors, the applicant's planning consultant and a technician from Telstra attended the meeting.

The items listed above were discussed in detail, including the need for a facility at this location, why other possible locations weren't suitable, what is Electromagnetic Energy (EME), how it is calculated, and acceptable standards. No resolution was reached. Following the Forum the Applicant provided Council with a written response to the objections and details regarding the appearance of the structure and security fencing for the outdoor equipment cabinets.

Referrals

No internal or external referrals were required.

DISCUSSION

Consistency with State and Local Planning Policies

The proposal will see the replacement of the existing tower with a streamline monopole containing up to date telecommunications facilities, which is consistent with the objective and strategies of Clause 19.03-4 (Telecommunications) of the Whitehorse Planning Scheme. These seek to facilitate the maintenance and upgrading of facilities and infrastructure, and to ensure that communication technology needs of business, domestic, entertainment and community services are met. This clause outlines that use of land for a telecommunications facility it not to be prohibited in any zone.

Clause 22.02 (Visual Amenity and Advertising Signs) includes an objective *'To ensure that the need for modern communication facilities and services is balanced against the visual and health implications of the community.'* Application of the principle of 'prudent avoidance' and the requirement under this clause to consider three alternative locations is not considered to be applicable in this instance as this application is for the upgrading of an existing facility rather than provision of a new facility at a new location.

9.1.2
(cont)

At the Forum the applicant advised that they had considered the Melbourne Water Reservoir at the feasibility stage. This proved to be unsuitable as the only section of the site that could contain the pole sat lower than the subject site and would therefore necessitate a taller pole than is being proposed for the subject site. The issue of proximity to residential properties would only have been shifted from properties on Harding Street and Everton Grove, to properties to the north and east of the reservoir.

With regards to the existing pole at 613 Canterbury Road the applicant advises that this is a 25m pole shared by Vodafone and Optus and does not meet technical requirements for maintaining the service and coverage that are provided by the current site. Essentially what the applicant has advised is that local topography necessitates the retention of a telecommunication facility at this location as part of its broader network.

Victorian Code of Practice

'*A Code of Practice for Telecommunications Facilities in Victoria* (Department of Sustainability and Environment, 2004)' is referenced as a document to be considered as relevant in consideration of applications for Telecommunication Facilities in both Clauses 19.03-4 (Telecommunications) and 52.19 (Telecommunication Facilities) of the Whitehorse Planning Scheme.

The Code of Practice contains four principles for design, siting, construction and operation of telecommunications facilities:

- *A telecommunications facility should be sited to minimise visual impact.*

The monopole will be less visually obtrusive than the current lattice tower and will be located as close as practicable to the existing footprint of the lattice tower. The applicant has advised that a facility is required at this location to maintain service and coverage. The siting allows for use of the existing gates and crossover, which provides for continued safe and convenient access for maintenance and servicing.

- *Telecommunications facilities should be co-located wherever practical.*

Co-location of facilities by different providers already takes place at this site and will continue to do so.

- *Health Standards for exposure to radio emissions will be met.*

The Applicant has advised that the emissions will satisfy the acceptable standards set out by the Australian Communications and Media Authority (ACMA), and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

- *Disturbance and risk relating to the siting and construction should be minimised. Construction Activity and site location should comply with State environment protection policies and best practice environmental management guidelines.*

A Construction Management Plan condition will be included in conditions for any approval granted.

The area of the site where the works are to take place is relatively flat and has existing vehicle access from Harding Street. The site is not located in an area of significance with respect to environmental, built or cultural heritage. No canopy trees will be required to be removed to accommodate the monopole.

9.1.2
(cont)

Section 5 of the Code outlines telecommunication facilities that may be constructed without the need to apply for a planning permit. Under Section 5.7 - Replacement of a tower or a facility associated with a tower to enable co-location there are 8 requirements to be met in order to be exempt from the need for a permit. Requirement 3 does not provide an exemption for replacement towers in residential zones. It is evident however from Requirement 4 of the Code that it was anticipated that over time lattice towers would be replaced with monopole towers.

Federal Telecommunications Legislation

Federal Legislation (Telecommunications Act 1991) and determinations (Telecommunications (Low-impact) Determination 1997) are in place with regards to telecommunication facilities. This sets out what constitutes high and low impact facilities, and acceptable standards of EME emissions. The Telecommunications (Low-impact) Facilities Determination 1997 is a reference document to Clause 52.19 (Telecommunication Facilities) of the Whitehorse Planning Scheme.

The monopole is not listed as a low impact facility under the determination, however the assets associated with the replacement pole satisfy the criteria set out in the low impact determination and do not require planning permits in their own right.

The applicant undertook independent public consultation separate of the planning permit process in May of 2014 in accordance with the Code of Practice for mobile base deployment, by way of letter box drop to a minimum of 450 properties. A total of 17 submissions from the community were received.

Clause 52.19 – Telecommunications Facilities

The proposal is considered to be consistent with the purpose of this clause which includes:

- *"To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.*
- *To encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987.*
- *To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area."*

Design and Built Form

The proposed monopole will be lower in height and occupy a significantly smaller footprint than the tower it replaces. It is considered that the monopole will be an improvement in terms of visual outlook and the extent of dominance to the skyline, compared with the existing tower. In terms of providing a balance between the visual impact upon immediately surrounding properties, and servicing the communication needs of the broader community, including emergency service providers, the proposal is considered to be an acceptable outcome.

The monopole is proposed to be setback 7 metres from the existing fence, which is behind the building line of dwellings on the western side of Harding Street, and 4 metres from the southern boundary. The applicant advises that they are constrained with regards to siting location on-site by the need to retain the existing tower and existing underground cabling to maintain service provision whilst building the new facility.

In terms of overshadowing of neighbouring properties by the monopole, it will cast a significantly reduced amount of shadow compared to the existing tower.

9.1.2
(cont)

The shelters have a maximum height of 3m and the outdoor equipment cabinets have a maximum height of 1.8 metres. Given that existing masonry fencing to the east and south will be retained and has a height of approximately 1.8 metres, these will be largely obscured from immediate view. A condition of any approval issued can require dimensions for all equipment shelters and cabinets to be notated on the plan.

Landscaping

The applicant has advised that they are willing to provide a landscape buffer in the south interface to 2 Harding Street and in the Harding streetscape. This can be addressed by way of condition on any approval issued.

Amenity

The proposal has been accompanied by an Environmental Electromagnetic Energy (EME) Report that has been prepared in accordance with the relevant Federal Legislation. All the documents including the procedures used for calculations are available at http://www.arpansa.gov.au. The new facility will be well inside the permissible exposure limits as set out by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

Whilst a number of objectors have expressed concerns about the way in which EME is calculated and the possible effects of mobile phone towers, the Victorian Civil and Administrative Tribunal (VCAT) have ruled on a number of occasions that applications must be assessed against the relevant legislatively adopted standards, rather than pioneer their own standards.

Objectors Concerns not Previously Addressed

- *Lack of room for a landscaping buffer to abutting properties:*

The protection of existing telecommunication infrastructure and the logistics to maintain the existing telecommunications operations during the demolition and removal of the existing tower structure necessitates the new tower location in the south east corner of the site. Conditions to any approval require an increased south side setback to provide an intervening landscape buffer between the equipment shelter and the south boundary to existing residential properties.

- *Need for the telecommunication pole height:*

The applicant has advised that the height of the monopole has been determined due to the requirements of the service provider who provides communications for emergency services.

- *The original tower was for television rather than phones and therefore should be removed as no longer required for television:*

Inspection of the existing double storey building on the site by Council Officers would indicate that the site has a long history of being used for telecommunication services. The site is owned by Telstra and is currently being legally used for the provision of telecommunication services.

The origins of the site's choice as a location for the current tower relates to the elevated nature of the site. This remains an important consideration for the applicant for the continued provision of coverage, which includes the provision of a radio service to the emergency services.

9.1.2
(cont)

- *Details of proposed buildings:*

The location of the proposed buildings is shown on the submitted site plan and photographs of the typical building scale and appearance were submitted by the Applicants at the Consultation Forum.

- *Suitability of fencing for streetscape:*

The applicant is proposing to keep the existing stone and brick fencing to the east and the south. The existing stone fence is setback from the title boundary line and provides for the effect of a wider than normal nature strip. The existing masonry fence is considered acceptable in the Harding Street streetscape.

- *Provision of additional structures on the pole for bird roosting:*

This is not a matter for Council. The interested party should approach the Applicant direct to ascertain the practicality of this request.

CONCLUSION

The proposal for construction of buildings and works associated with the replacement of an existing 45m high lattice communications tower with a 40m high monopole is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, and Clause 52.19, Telecommunication Facilities.

The proposal is for the replacement of the existing lattice tower with a smaller less obtrusive monopole. The applicant has demonstrated that facilities continue to be required at this site despite its residential zoning due to topographical advantages for communication across metropolitan Melbourne, and the role the tower plays in providing communications for emergency services. Council's consideration of this application is limited to the construction of the replacement pole, as a permit is not required for use of a telecommunications facility or for assets associated with the pole that meet the criteria of being low impact.

A total of 28 objections and 1 submission of support were received as a result of public notice and all of the issues raised have been discussed.

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

Attendance

Cr Munroe returned to the Chambers at 7.19pm following the vote on Item 9.1.2.

Strategic Planning

9.1.3 Consideration of submissions to Amendment C155 to rezone 56 and 58-74 Station Street Nunawading (former Daniel Robertson brickworks) to allow redevelopment of the site for housing and commercial purposes

FILE NUMBER: SF15/104
ATTACHMENTS

SUMMARY

Amendment C155 proposes to rezone the former Daniel Robertson brickworks site (56 and 58-74 Station Street Nunawading) to part Mixed Use and part Residential Growth Zone and apply two new overlays – a Development Plan Overlay and an Environmental Audit Overlay. Exhibition has finished and seven (7) submissions have been received in response. This report discusses the issues raised in the submissions and recommends that Council refer the amendment and all submissions to an independent planning panel for further consideration and advice.

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Stennett

That Council:

A ***Being the Planning Authority and having considered the submissions in relation to Amendment C155 to the Whitehorse Planning Scheme, request the Minister for Planning to appoint an Independent Panel to consider the amendment and all submissions in accordance with Sections 22, 23 and 153 of the Planning and Environment Act 1987.***

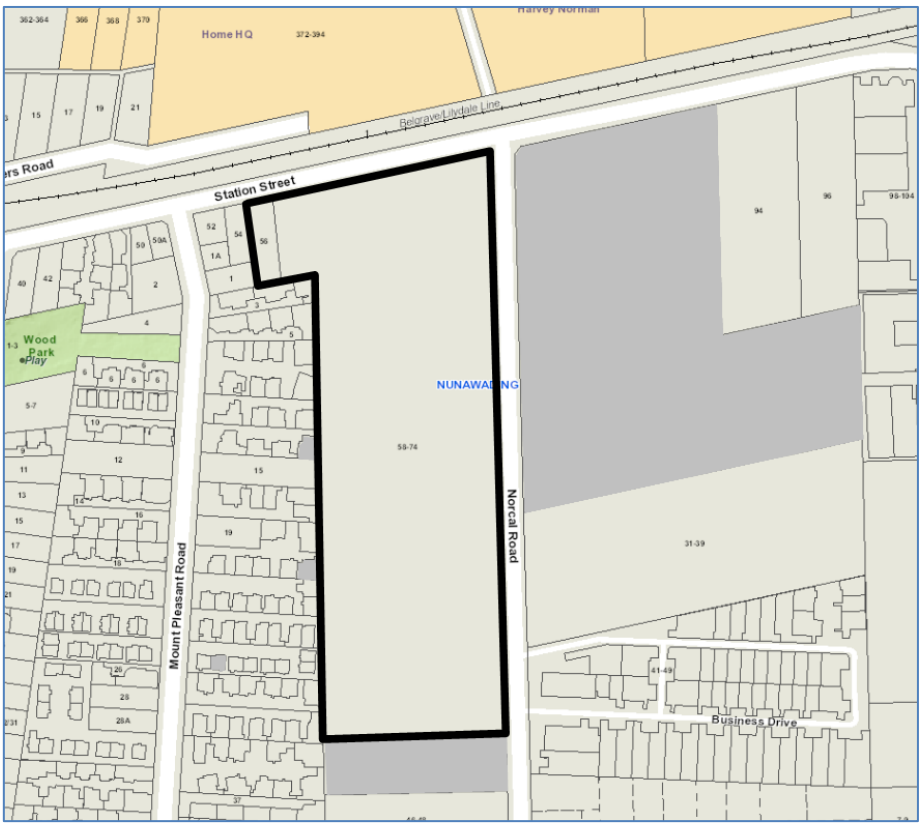
B ***Advise all submitters of Council's decision.***

CARRIED UNANIMOUSLY

9.1.3
(cont)

MELWAY REFERENCE:48 G10

Proponent:	Norcal Station Development Pty Ltd represented by Terrain Consulting Group Pty Ltd
Zoning:	Part Industrial 1 and part Residential Growth
Overlay:	HO78
Relevant Clauses:	Clause 11 Settlement Clause 15 Built Environment and Heritage Clause 16 Housing Clause 17 Economic Development Clause 18 Transport Clause 21 Municipal Strategic Statement Clause 22.01 Heritage Buildings and Precincts Clause 22.03 Housing Clause 22.06 Activity Centres Clause 32.04 Mixed Use Zone Clause 32.07 Residential Growth Zone Clause 43.01 Heritage Overlay Clause 43.04 Development Plan Overlay Clause 45.03 Environmental Audit Overlay
Ward:	Springfield



_____ Subject site		5 of 7 submissions received	**North**

9.1.3
(cont)

BACKGROUND

The subject site comprises of 56 and 58-74 Station Street Nunawading. The site at 58-74 Station St Nunawading was used as a brickworks between the late 1800s and the early 2000s. When clay reserves were eventually exhausted, backfilling of the quarry pits started in approximately 2002, however some related activities continued on the site. The site was recently sold and the new owners requested a rezoning to allow redevelopment of the land. The site will be 'cleaned' to comply with EPA requirements and the amendment requires that the site's development comply with an approved Development Plan.

The existing heritage overlay covering the old brickworks chimney on site will remain in place and the chimney will be incorporated into the site's redevelopment. Surplus buildings on site are currently being removed. A large earth wall (bund) adjacent to the western boundary is also being removed and the soil spread back over the site, to comply with the original mining lease. This work has necessitated removal of the trees on the boundary. None of these works to date required planning approval.

The property at 56 Station Street is currently occupied by a dwelling, however demolition consent has recently been issued and demolition had commenced at the time this report was being written.

The site and surrounding area is covered by the structure plan for the Nunawading MegaMile Major Activity Centre and Mitcham Neighbourhood Activity Centre.

Surrounding Development

Land on the eastern side of Norcal Road, opposite the site, is occupied by a large factory currently used for warehousing. Industrial land uses also abut the southern site boundary. (Submissions were received from both of these properties.)

Land abutting the western boundary is used for housing, generally medium density developments of 4-6 dwellings per lot. These dwellings have address to Mount Pleasant Road and typically the rear dwelling's private open space area abuts the western boundary of the former brickworks site. (Three submissions were received from Mount Pleasant Road properties, two share a boundary with the subject site.)

The railway line is located north of the site, on the north side of Station Street, together with associated commuter parking and the rear elevations of Home HQ in Whitehorse Road (part of the MegaMile home maker strip).

A preliminary development plan has been prepared but does not form part of the amendment. The plan proposes a layout which includes:

- An internal road system.
- Approximately 400 dwellings comprising 200 apartments and 200 townhouses.
- Six apartment buildings sited towards the corner of Station Street and Norcal Road, comprising three x 6 storey buildings, two x 8 storey buildings, and one ten storey building. Some of the ground floor areas may include commercial uses which complement the residential component. Proposed uses include child care, convenience retailing, café or gym. Basement car parking will also be included in these buildings.
- Some three and four storey housing in the centre of the site and adjacent to the southern boundary. Three storey townhouses adjacent to the Norcal Road boundary but with frontage to an internal road.
- Two storey townhouses along the western boundary with frontage to an internal road.
- Public open space at 56 and 58 Station Street with direct frontage to Station Street.
- Retention of the existing brick chimney covered by HO78.
- Main vehicle access to Station Street and also an access point to Norcal Road.
- Landscaping of public areas.
- Cycling and pedestrian access through the site.

9.1.3
(cont)

The preliminary development plan has not formed part of the exhibition material.

The DPO will require the preparation of the following environmental reports:
- Environmentally Sustainable Design Guidelines for best practice environmental sustainability design,
- An Acoustic Report to identify nearby noise sources and appropriate design responses, and
- A Site Remediation Strategy for site remediation in accordance with EPA guidelines.

Council resolved to request authorisation for exhibition from the Minister for Planning on 24 November 2014. Authorisation was approved, exhibition completed and seven (7) submissions have been received.

Existing Structure Plan

The site and surrounding area is covered by the *Nunawading Megamile Major Activity Centre and Mitcham Neighbourhood Activity Centre Structure Plan* (adopted by Council on 21 April 2008). The Structure Plan identifies the brickworks as a 'key' development site. The Plan supports the site's redevelopment as a mixed use precinct with open space, a component of higher density housing (5-6 storeys envisioned for larger sites close to stations) and a component of commercial development (p.40). Implementation strategies include embracing opportunities for change, facilitating redevelopment, managing zone interfaces, developing higher density housing, retaining the brickworks chimney, protecting viewlines to the chimney from Station Street and retaining the 'snail shaped' administration building as a local landmark.

Under the Structure Plan, the site falls within Precinct 1 – Nunawading. The Plan recommends introduction of a Mixed Use Zone over the entire brickworks site, to facilitate its long term redevelopment for both housing and commercial use.

The Structure Plan also includes a concept plan for the brickworks, showing a combination of one and two storey town houses, a six storey apartment building with basement car parking, and three to four storey commercial development, all surrounded by generous areas of open space.

PROPOSED AMENDMENT

The Amendment proposes to:
- Rezone the former brickworks site at 58-74 Station Street from Industrial 1 Zone to part Mixed Use Zone and part Residential Growth Zone (Schedule 2),
- Apply a Development Plan Overlay (DPO) to 56 and 58-74 Station Street, and
- Apply an Environmental Audit Overlay (EAO) to 56 and 58-74 Station Street.

The purpose of the Residential Growth Zone is, amongst other things, to:
- Implement State and local planning policies.
- Provide housing at increased densities.
- Encourage diversity of housing close to services and transport.
- Allow a limited range of non-residential uses to serve local community needs.

The purpose of the Mixed Use Zone is primarily to:
- Implement State and local planning policies.
- Provide for a range of residential, commercial, industrial and other uses.
- Provide for housing at higher densities.

Mixed Use and Residential Growth are considered ideal zones for the site, given that housing is the predominant use being proposed. The Mixed Use Zone also permits commercial uses, subject to Council approval.

9.1.3
(cont)

A copy of the key amendment documentation is provided in Attachment 3a.

The DPO requires approval of a detailed master plan (development plan) before any permit applications are sought. The plan will also be subject to public consultation before approval. Planning applications submitted in accordance with the master plan will not require public notification (and will not be subject to the third party appeal process).

The draft DPO requires the 'masterplan' to include information relating to land use, building footprint, height, elevations, road layout, traffic management, car parking, open space, acoustic details, treatment of sensitive interfaces and landscaping. The concept plan submitted with the rezoning request will need further detail before being suitable for exhibition and consideration by Council as a formal Development Plan.

The EAO is proposed in accordance with Ministerial Direction No 1, and is proposed in response to the site's potential contamination as a result of its past use as a brickworks and quarry.

CONSULTATION

Public Notice
The amendment was exhibited between 30 April and 1 June 2015. Notice was sent to surrounding properties, relevant Ministers and referral authorities. Notice of the amendment was also published in the Government Gazette and the Whitehorse Leader (27 April 2015).

Submissions
At the end of the exhibition period, a total of seven (7) submissions were received (including one late submission). Five of the submissions expressed general support for the amendment but expressed concern with a number of issues. These concerns can be summarised as follows:

- Potential conflict between existing nearby factories and the proposed residential zone,
- Amendment not supported by the approved Structure Plan,
- Amendment contrary to Planning Scheme and Council's industrial policy which aim to protect existing industrial areas,
- DPO process not allowing proper community consultation,
- Landscaping – preference stated for native plantings, screening and landscape buffer between subject site, existing housing in Mount Pleasant Road and factories in Norcal Road,
- Traffic impact on surrounding road network,
- Open space provision reduced and relocated compared with Structure Plan,
- Noise,
- Neighbourhood character whether the site is suitable for high rise apartment development,
- Overshadowing,
- Suitability of site for retirement living and smaller households,
- Parking provision of sufficient on site parking, exacerbation of existing parking problems in surrounding streets,
- Trees (removal of existing trees and proposed new landscaping),
- Security (the details of this concern are not clear from the submission),
- Privacy overlooking and
- Concept plan not initially included on Council's website.

Attachment 3b provides a summary of submissions received.

9.1.3
(cont)

DISCUSSION

The following section discusses the issues raised in submissions.

Issue: Amenity and conflict between existing industrial uses and proposed residential zone (Submissions 1, 2, 7)

Comment
These submissions are concerned that housing and industry are not compatible land uses. The main issues for potential conflict include noise, visual amenity, traffic and parking. These issues are dealt with separately and in greater detail below. Most of the issues will be relevant to consider in more detail at the design stage rather than the amendment stage.

Submission 1 (EPA) has not objected to the amendment but requests that an additional paragraph be included as part of the DPO to ensure future development of the site recognises the potential for conflict and addresses residential amenity. The EPA advice is noted and supported for inclusion. The EPA proposed wording is shown in track changes as part of Attachment 3b.

Submission 2 has been received from the factory owner in Norcal Road, opposite the subject site. This submission is concerned that the proposed housing may limit potential future uses for nearby factories and warehouses. The factories have existed for many years but new residents of the proposed housing may have unrealistic amenity expectations, given the proximity of existing factories.

Submission 7 has been received from an existing factory abutting the site's southern boundary. The factory is occupied by a sheet metal company which has reportedly operated from the same premises for the past ten years. The business currently operates early morning and late at night (5.30 am - 10.30 pm), but may propose to extend this to being a twenty four hour operation in the future.

Although there is potential conflict between residential and industrial uses, the subject site is in many respects ideally located for housing as recognised by the Structure Plan. It is close to public transport and existing services such as schools, open space, shops and services. At this stage the amendment is for rezoning only and although a preliminary plan has been prepared to show how the site might develop if the amendment were to be approved, the plan has not been submitted for approval. The DPO also requires submission of an acoustic report with the development master plan, to ensure that housing can coexist with surrounding industrial land uses. Interface treatment between the different land uses will be specifically addressed through the design details and the Development Plan. Issues to be satisfactorily resolved include noise and amenity through building location, setbacks, placement of windows and building orientation. The rigour of the DPO process will determine the success of the site's redevelopment for housing. The EPA's additional wording will also address the issue.

Issue: Amendment and concept plan are not supported by Structure Plan (Submission 2)

Comment
The amendment supports many aspects of the Structure Plan:

- Redevelopment of a key development site for predominantly residential purposes,
- Residential development along the western and southern boundaries,
- Opportunity for provision of a component of high density housing,
- Opportunity for provision of a large area of usable open space,
- Opportunity for provision of landscaping along the western boundary,
- Retention of the heritage chimney and associated view lines, and

9.1.3
(cont)

- The DPO and concept plan provide for an internal road network with one point of access to Station Street and one access point to Norcal Road.

The Structure Plan also recognizes the potential for conflict between housing and industrial land uses. Potential issues may include noise, traffic, parking and visual amenity. These important details will be specifically addressed at the design stage rather than at the time of rezoning.

The main variations from the Structure Plan are as follows:
- Size, configuration and location of open space,
- Residential Growth zoning adjacent to Norcal Road instead of Mixed Use,
- Opportunity for a multi storey apartment building on the corner of Station Street and Norcal Road rather than along the southern boundary, and
- A reduced area of Mixed Use zoning to allow commercial uses.

The Structure Plan provides a general planning framework for the area and the site. The document is intended to be flexible and accommodate the emerging needs of the community. It is not intended to be prescriptive or mandatory. The site development plan provided as part of the Structure Plan is one way in which the Structure Plan can be realised. The proponent has proposed an alternative.

It is considered that the amendment substantially supports the objectives of the Structure Plan and the broad planning 'vision' for the site.

Issue: Open space – reduced in size and relocated to north west corner of site (Submission 2)

Comment
Council's Parks Planning and Recreation Department have supported the open space as proposed. The concept plan forming part of the amendment proposes that open space be provided in the north west corner of the site rather than on the corner of Station Street and Norcal Road as envisaged by the Structure Plan. However, the space is nevertheless considered to be of a suitable size, location and configuration to allow a range of activities and enjoyment from both existing local residents and new residents moving into accommodation at the site.

Further comment from Council officers regarding the provision of open space is as follows:
- It is assumed that the open space indicated on the concept plan will be provided at neutral cost to Council and as a land contribution,
- Further discussions will be needed to determine responsibility for ongoing maintenance and whether the developer wishes to contribute to landscaping on the site, and

Preparation of a construction management plan will ensure protection for existing trees.

Issue: The amendment compromises clauses 17.02, 21.07-3 and 21.07-4 of the Whitehorse Planning Scheme (Submission 2)

Comment
The abovementioned clauses seek to protect existing industrial areas. They recognise that the industrial base of the municipality is decreasing, and seek to protect and support existing industrial areas and create sensitive interfaces in order to minimise conflict between industry and housing.

9.1.3
(cont)

However the subject site is different from many other industrial sites in that until relatively recently it was essentially a large hole in the ground. The site is also unusual given its size and location close to existing residential areas, public transport, shops and services. The abovementioned clauses do not seek to prevent redevelopment of suitable industrial land and the amendment process requires Council to balance conflicting policies such as the need for urban consolidation and protecting the supply of industrial land.

The Structure Plan specifically identifies the site as being suitable for residential and commercial development. The site is identified as being a development opportunity. It comprises a small proportion of total industrial land and it is considered that its rezoning will not set a precedent for other industrial land in the municipality.

Providing that potential conflict issues regarding amenity are resolved and interfaces addressed, then the amendment will not undermine existing industrial areas.

Issue: DPO process does not allow adequate community input and the proposed DPO should be replaced with an Incorporated Plan Overlay (IPO) (Submission 2)

Comment
A DPO is the preferred planning tool to guide development on this land parcel. DPOs are not a new planning tool and have often been used by this Council to guide future development. The DPO provisions will require the development plan to be made available for public comment for a period of two weeks. All comments will then be considered by Council. The advantage of a DPO compared with an IPO is the degree of flexibility. The key difference between a DPO and IPO is that minor modifications can be approved by Council rather than the Minister.

The DPO will ensure development occurs in a planned and integrated manner. Practice Note No.23 '*Applying the Incorporated Plan and Development Plan Overlay*' states:

'The IPO and DPO are flexible tools that can be used to implement a plan to guide the future development of the land such as an outline development plan, detailed development plan or master plan.

The overlays have two purposes:

- *To identify areas that require the form and conditions of future use or development to be shown on a plan before a permit can be granted to use or develop land; and*
- *To exempt a planning permit application from notice and review if it is generally in accordance with an approved plan.'*

Given the site is in single ownership, a DPO is considered the most appropriate tool for guiding development on this site. Council will be responsible for approving the development plan and although a DPO limits third party comment (objections) on planning permit applications, the proposed DPO has been specifically drafted to include a fourteen day formal public exhibition period to allow public comment. The recently introduced DPO for the Crossway Baptist church site in Burwood East (corner Springvale Road/ Vision Drive/ Highbury Road) is a comparative example.

Issue: Landscaping (Submissions 2, 4, 6)

Comment
Submission 2 advocates that the DPO requirements should be expanded to include provision of a visual screen and a landscape buffer along Norcal Road as well as the western boundary.

9.1.3
(cont)

Submission 4 advocates native plantings to encourage wildlife.

Submission 6 expresses concern regarding fallen trees.

The DPO requires a landscape report to be submitted and considered in the context of the development plan. It is not considered appropriate that the DPO require landscaping along the Norcal Road frontage since this would preclude other alternative methods of addressing a need to provide screening. Preliminary plans for the site indicate the option of dwellings turning their back on Norcal Road and having frontage to an internal road instead. This would remove the need for a landscape buffer along Norcal Road as suggested by the submitter.

Issue: Noise (Submission 2)

Comment
The submission advocates that the acoustic report should be expanded to address all potentially adverse amenity impacts at all hours of the day including nearby roads, rail and other identifiable uses including existing industrial uses and industrial traffic. This is considered a reasonable submission and it is already covered by existing proposed DPO wording. Alteration to the wording is not considered necessary.

Issue: Traffic (Submissions 2, 3, 7)

Comment
The submissions are concerned about the impact of development on the surrounding street network, including important intersections with Springvale, Whitehorse and Canterbury Roads. VicRoads submitted that its traffic concerns should have been resolved before the amendment was exhibited. However it is important to note that the amendment is for rezoning and overlays only at this stage. Traffic impact and traffic management will be affected by the number and type of dwellings and proposed site layout. These details have not been resolved at this stage. The DPO requires a traffic management report to be prepared in association with the development plan, to address the type of issues raised in submissions. The submitters concerns are considered more appropriate for the development approval stage rather than the planning scheme amendment stage.

Issue: Neighbourhood Character - multi storey apartment style development is inappropriate given existing neighbourhood character (Submission 4)

Comment
A component of higher density residential development on the site is considered reasonable on the following basis:

- It is supported by the Structure Plan which identifies the site as being suitable for a component of higher density housing (5-6 storeys for sites close to railway stations),
- The site's context (built form in this section of Station Street comprises the rear of large retail uses fronting Whitehorse Road and industrial buildings in Station Street and Norcal Road), and
- The nearest existing housing to the site is located in Mount Pleasant Road and therefore some distance from the Mixed Use zone and proposed apartments on the corner of Station Street and Norcal Road.

9.1.3
(cont)

Issue: Overshadowing (Submissions 4 and 5)

Comment
These submissions are concerned about the potential for overshadowing if two storey development is permitted along the western site boundary.

The amendment is for rezoning and overlays only and does not include development plans at this stage. Boundary setbacks will determine the amount of overshadowing and plans will be required to meet overshadowing provisions of the Whitehorse Planning Scheme.

Issue: Suitability of site for retirement accommodation (single level), and accommodation for smaller households (Submission 4)

Comment
At this stage the amendment is for rezoning and two new overlays. The type of residential accommodation to be provided will be determined when plans are submitted for approval. The DPO also requires provision of 'a variety of dwelling sizes and layouts'.

Issue: Privacy (Submission 6)

Comment
Loss of privacy and overlooking will depend on building setbacks and location of windows. This level of detail is not known at this stage and will be provided at the development plan stage.

Issue: Security (Submissions 5 and 6)

Comment
Although the submission is not very clear with respect to this issue, security will also depend on design details and is therefore a suitable issue to address at the development plan stage.

Issue: Concept plan not initially included on Council website – disadvantage to layperson (Submission 2)

Comment
The schematic plan was added to the website as soon as it became known – approximately day 22. The submitter who raised the issue was also immediately provided with a copy of the plan. It is not believed that any person was disadvantaged:

- Information was not withheld from any person at any time,
- The only person to raise the issue was submitter 2,
- Submission 2 was prepared with the benefit of having seen the concept plan,
- All submissions (except EPA) were made after the concept plan was available,
- The concept plan was referred to in the DPO and any interested person could have contacted Council at any time for more information or clarification,
- Contact details of the relevant Council officer and phone number were clearly provided at several places throughout the exhibition material,
- The Planning and Environment Act does not specify that the plan be exhibited,
- The matter was not raised by the Department of Environment, Land, Water and Planning when the exhibition material was being organised.

9.1.3
(cont)

FINANCIAL IMPLICATIONS

The proponent will be required to pay for all costs associated with the Panel hearing. The proponent will also have to pay the relevant fees for the adoption and approval of the Amendment. Council does not have to pay any costs involved in the Amendment with the exception of any expert witnesses and/or representation in support of Council at the Panel hearing. This representation can be funded from the operational budget.

The amendment is not expected to increase the number of planning applications to be processed given that the site needs to be redeveloped and planning permits are already required under the existing zoning. Although the Development Plan will be subject to public notification procedures before being considered by Council, planning applications which comply with the Development Plan will not be subject to notification.

CONCLUSION

Amendment C155 seeks to rezone the former Daniel Robertson brickworks site to allow residential and commercial development. In considering the submissions, Council has three options:

- Change the amendment as requested by submissions;
- Refer the submissions and amendment to an Independent Panel for review; or
- Abandon the amendment altogether.

The strategic intention for the subject site is provided by the Structure Plan which generally identifies sites close to railway stations as being suitable for higher density development (5-6 storeys). Redevelopment of the site for medium density housing will also widen existing housing choice and make better use of existing infrastructure. The Structure Plan specifically refers to the subject site as being rezoned and suitable for higher density housing and commercial development. The site is well located and development will contribute to state and metropolitan objectives for housing intensification in existing urban areas. Redevelopment of the site through the amendment will provide new housing in a location which is in close proximity to a range of amenities including transport, employment opportunities, education facilities and quality open space. The proposed DPO will also contribute to housing diversity by providing a range of dwelling types and dwelling sizes.

Since the amendment can be supported on a strategic basis, it is not recommended that it be abandoned. It is also considered that the EPA's additional wording should be supported and included as part of the amendment. On this basis, it is recommended that the most transparent and fair method to enable all parties to have their comments assessed is for all submissions and the amendment to be referred to an independent Panel.

9.1.4 Consideration of Panel report for Amendment C157 to introduce 32 new heritage overlays

FILE NUMBER: SF14/381
ATTACHMENTS

SUMMARY

The Panel report for Amendment C157 has now been received and recommends that the amendment be adopted, subject to some changes. The Amendment proposes to apply the Heritage Overlay (HO) to 32 places on a permanent basis and make consequential changes to the local planning policy framework. The 32 places comprise 29 individual places and three precincts.

In summary the Panel report recommends that the amendment be adopted generally as exhibited, subject to some minor changes. Key Panel recommendations include:

- *That a heritage overlay be applied to the three proposed precincts - Alexander Street, Windsor Park Estate and Box Hill Commercial Area;*
- *Citations for some places be modified as a result of further information being received during the Panel hearing;*
- *The Burvale Hotel/Motel site be subject to a heritage overlay, the former ATV-0 site be subject to a heritage overlay and an Incorporated Plan and Conservation Management Plan be prepared for the site and Council activate the 'Prohibited uses may be permitted' provision in the overlay schedule; and*
- *Three buildings be removed from the amendment – 339 Warrigal Road, Burwood (former church), 27 Carrington Court, Burwood (former Tally Ho Boys Village chapel) and the Department of Human Services building at 19-25 Livingstone Close, Burwood (part of the former Orana children's centre site).*

This report recommends that Amendment C157 be adopted, subject to all except the following three Panel recommendations:

- *Increasing the area of heritage significance to include the whole site for the Burvale Hotel/Motel;*
- *Retaining the HO for the former Orana children's centre, albeit with a reduced boundary; and*
- *Immediate preparation of an Incorporated Plan and Conservation Management Plan for the former ATV-0 television studio.*

MOTION

Moved by Cr Harris, Seconded by Cr Massoud

That Council being the Planning Authority and having considered the Panel report:

A ***Split Amendment C157 into two parts and defer consideration of Amendment C157 Part 2 for HO272 relating to the former ATV-0 television studios to allow further investigation into the recommendations for this property as contained in the Panel report for amendment C157.***

B ***Adopt Amendment C157 Part 1 generally as exhibited with the following changes:***

i. Deletion of proposed changes to clauses 21.04 and 22.03 of the Whitehorse Planning Scheme.

ii. Removal of the following proposed heritage overlays:
- ***HO258 339 Warrigal Road, Burwood (former church).***
- ***HO250 27 Carrington Crt, Burwood (former chapel).***
- ***HO251 Livingstone Close, Burwood (formerly Orana).***

9.1.4
(cont)

iii. Deactivation of tree controls for:
- *HO246 Box Hill Community Arts Centre, Station St, Box Hill.*
- *HO248 Box Hill High School 1180 Whitehorse Road, Box Hill.*
- *HO257 Burvale Hotel/Motel, 385 Burwood Highway, Vermont South.*
- *HO260 The Avenue Church 38-44 Blackburn Road, Blackburn.*
- *HO264 7 Pembroke Street, Surrey Hills.*

iv. Revision of clause 22.01 of the Whitehorse Planning Scheme (Heritage Buildings and Precincts) to:
- *Include boundary maps of the proposed precincts;*
- *Define 'significant', 'contributory' and 'non-contributory' buildings; and*
- *Clarify the date range of heritage significance for both the municipality as a whole and for individual precincts.*

v. Revision of the following heritage overlay boundaries:
- *HO244 Box Hill Commercial Area Precinct: deletion of 8-14 Market St, Box Hill.*
- *HO244 Box Hill Commercial Precinct: deletion of Station Street roadway.*
- *HO248 Box Hill High School: deletion of road 'splay' on the corner of Whitehorse and Middleborough Roads.*
- *HO249 Former Kildonan children's home – revision of northern and eastern boundaries.*

vi. Deletion of external paint controls for HO243 Windsor Park Estate Precinct.

vii. Amendment of citations as per Panel recommendations for:
- *HO242 Alexander Street Precinct Box Hill (additional information provided at Panel hearing including information regarding fences).*
- *HO243 Windsor Park Estate Precinct Surrey Hills (additional mapping information and reference to the bluestone kerbs and channels etc).*
- *HO244 Box Hill Commercial Area Precinct (extend period of significance to 1945, remove 8-14 Market Street from the precinct and the citation map and review status of 976 Whitehorse Road).*
- *HO256 Burvale Hotel / Motel, 385 Burwood Highway, Vermont South (reference to Dan Murphy outlet and additional information provided at Panel hearing).*
- *HO259 Church at 679-681 Canterbury Road, Surrey Hills (reference to rear additions).*
- *HO264 House at 7 Pembroke Street, Surrey Hills (various minor updates).*
- *HO265 House at 26 Thames Street, Box Hill North (various minor updates).*
- *HO266 House at 42 Bishop Street, Box Hill (various minor updates).*

viii. Amendment to the heritage overlay schedule in clause 43.01 to correct the address for HO261 (church at 36 Bundoran Parade, Mont Albert North).

9.1.4
(cont)

C ***Give future consideration to the following heritage tasks recommended by the Panel:***

- ***Upgrading the status of 6A Windsor Crescent to being a 'contributory building' in the Windsor Park Estate Precinct.***
- ***Reviewing the status of all non-contributory buildings from the 1930-40's in the Windsor Park Estate Precinct and upgrading the status of buildings assessed as being 'contributory'.***
- ***Increasing the Alexander Street Precinct to include 30 Alexander Street, Box Hill as a non-contributory place.***
- ***Introducing an 'incorporated document' to clause 22.01 of the Whitehorse Planning Scheme specifying works to 'contributory' and 'non-contributory' buildings in residential heritage precincts, which could be carried out without the need to obtain a planning permit.***
- ***Revising clause 22.01 of the Whitehorse Planning Scheme to provide greater detail on the aesthetic characteristics of each precinct.***
- ***Considering alternative interpretive methods for the former Tally Ho Boys Village chapel at 27 Carrington Court, Burwood East.***

D ***Note the Panel's advice regarding:***

- ***Tree controls, internal controls and Incorporated Documents.***
- ***Social and economic impacts.***

E ***Update the thematic history prepared by Allom Lovell to recognise the municipality's unique history of providing social institutions for children.***

F ***Submit the adopted Amendment C157 Part 1 to the Minister for Planning for approval under Section 31 of the Planning and Environment Act 1987 with the appropriate fee.***

G ***Advise all submitters of Council's decision.***

H ***Request the Minister for Planning to provide clarification and advice regarding consideration of economic factors when assessing amendments.***

AMENDMENT

Moved by Cr Carr, Seconded by Cr Bennett

That Council being the Planning Authority and having considered the Panel report:

A ***Split Amendment C157 into two parts and defer consideration of Amendment C157 Part 2 for HO272 relating to the former ATV-0 television studios to allow further investigation into the recommendations for this property as contained in the Panel report for amendment C157.***

B ***Adopt Amendment C157 Part 1 generally as exhibited with the following changes:***

i. ***Deletion of proposed changes to clauses 21.04 and 22.03 of the Whitehorse Planning Scheme.***

ii. ***Removal of the following proposed heritage overlays:***

- ***HO258 339 Warrigal Road, Burwood (former church).***
- ***HO250 27 Carrington Crt, Burwood (former chapel).***
- ***HO251 Livingstone Close, Burwood (formerly Orana).***
- ***HO256 Burvale Hotel/Motel, 385 Burwood Highway Vermont South***

9.1.4
(cont)

iii. Deactivation of tree controls for:
- *HO246 Box Hill Community Arts Centre, Station St, Box Hill.*
- *HO248 Box Hill High School 1180 Whitehorse Road, Box Hill.*
- *HO260 The Avenue Church 38-44 Blackburn Road, Blackburn.*
- *HO264 7 Pembroke Street, Surrey Hills.*

iv. Revision of clause 22.01 of the Whitehorse Planning Scheme (Heritage Buildings and Precincts) to:
- *Include boundary maps of the proposed precincts;*
- *Define 'significant', 'contributory' and 'non-contributory' buildings; and*
- *Clarify the date range of heritage significance for both the municipality as a whole and for individual precincts.*

v. Revision of the following heritage overlay boundaries:
- *HO244 Box Hill Commercial Area Precinct: deletion of 8-14 Market St, Box Hill.*
- *HO244 Box Hill Commercial Precinct: deletion of Station Street roadway.*
- *HO248 Box Hill High School: deletion of road 'splay' on the corner of Whitehorse and Middleborough Roads.*
- *HO249 Former Kildonan children's home – revision of northern and eastern boundaries.*

vi. Deletion of external paint controls for HO243 Windsor Park Estate Precinct.

vii. Amendment of citations as per Panel recommendations for:
- *HO242 Alexander Street Precinct Box Hill (additional information provided at Panel hearing including information regarding fences).*
- *HO243 Windsor Park Estate Precinct Surrey Hills (additional mapping information and reference to the bluestone kerbs and channels etc).*
- *HO244 Box Hill Commercial Area Precinct (extend period of significance to 1945, remove 8-14 Market Street from the precinct and the citation map and review status of 976 Whitehorse Road).*
- *HO259 Church at 679-681 Canterbury Road, Surrey Hills (reference to rear additions).*
- *HO264 House at 7 Pembroke Street, Surrey Hills (various minor updates).*
- *HO265 House at 26 Thames Street, Box Hill North (various minor updates).*
- *HO266 House at 42 Bishop Street, Box Hill (various minor updates).*

viii. Amendment to the heritage overlay schedule in clause 43.01 to correct the address for HO261 (church at 36 Bundoran Parade, Mont Albert North).

9.1.4
(cont)

C ***Give future consideration to the following heritage tasks recommended by the Panel:***

- ***Upgrading the status of 6A Windsor Crescent to being a 'contributory building' in the Windsor Park Estate Precinct.***
- ***Reviewing the status of all non-contributory buildings from the 1930-40's in the Windsor Park Estate Precinct and upgrading the status of buildings assessed as being 'contributory'.***
- ***Increasing the Alexander Street Precinct to include 30 Alexander Street, Box Hill as a non-contributory place.***
- ***Introducing an 'incorporated document' to clause 22.01 of the Whitehorse Planning Scheme specifying works to 'contributory' and 'non-contributory' buildings in residential heritage precincts, which could be carried out without the need to obtain a planning permit.***
- ***Revising clause 22.01 of the Whitehorse Planning Scheme to provide greater detail on the aesthetic characteristics of each precinct.***
- ***Considering alternative interpretive methods for the former Tally Ho Boys Village chapel at 27 Carrington Court, Burwood East.***

D ***Note the Panel's advice regarding:***

- ***Tree controls, internal controls and Incorporated Documents.***
- ***Social and economic impacts.***

E ***Update the thematic history prepared by Allom Lovell to recognise the municipality's unique history of providing social institutions for children.***

F ***Submit the adopted Amendment C157 Part 1 to the Minister for Planning for approval under Section 31 of the Planning and Environment Act 1987 with the appropriate fee.***

G ***Advise all submitters of Council's decision.***

H ***Request the Minister for Planning to provide clarification and advice regarding consideration of economic factors when assessing amendments.***

The amendment was put and CARRIED which became the substantive motion

A Division was called

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

On the results of the Division the amendment was declared CARRIED which became the substantive motion

9.1.4
(cont)

AMENDMENT

Moved by Cr Davenport, Seconded by Cr Chong

That Council being the Planning Authority and having considered the Panel Report defer consideration of Amendment C157 for HO249 relating to the former Kildonan Children's Centre to allow further investigation into the effects of an HO on the masterplan for Deakin University.

LOST

A Division was called

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

On the results of the Division the amendment was declared LOST

Debate continued on the substantive motion (as amended)

AMENDMENT

Moved by Cr Davenport, Seconded by Cr Daw

That Council being the Planning Authority and having considered the Panel Report delete HO244 relating to Box Hill Commercial Area Precinct from Amendment C157.

LOST

A Division was called

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

On the results of the Division the amendment was declared LOST

Debate continued on the substantive motion (as amended)

The substantive motion moved by Cr Harris, seconded by Cr Massoud (as amended) was then put and CARRIED

9.1.4
(cont)

A Division was called

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

On the results of the division the substantive motion was declared CARRIED UNANIMOUSLY

BACKGROUND

The amendment proposes to implement the 2012 Whitehorse Heritage Review and apply a Heritage Overlay (HO) to 32 places comprising 29 individual places and three precincts. The amendment affects the suburbs of Box Hill, Box Hill North, Blackburn, Burwood, Burwood East, Forest Hill, Mitcham, Mont Albert, Mont Albert North, Surrey Hills, and Vermont South.

Council placed Amendment C157 on public exhibition between 2 October 2014 and 3 November 2014.

Council considered thirty (30) submissions to the amendment at its meeting on 27 January 2015 and resolved to refer all submissions to an Independent Panel for further consideration.

The Panel comprised two highly respected members with a long history of dealing with heritage amendments. The hearing was held 23-27 March 2015. The Panel report is provided in attachment 1 to this report. Key amendment documents are provided in Attachment 2 and include changes to support the Panel recommendations where appropriate.

PROPOSED AMENDMENT

Amendment C157 seeks to apply a heritage overlay to 29 individual places and three precincts. The proposed places are:

- Alexander Street Precinct, Box Hill
- Windsor Park Estate Precinct, Surrey Hills
- Box Hill Commercial Area Precinct
- Horse trough, corner Blackburn and Canterbury Roads, Blackburn
- Box Hill Community Arts Centre, 470 Station Street, Box Hill
- Mont Albert Primary School, 21-23 Inglisby Road, Mont Albert
- Box Hill High School, 1180 Whitehorse Road, Box Hill
- Former Kildonan Children's Home, Elgar Road, Burwood
- Former Tally Ho Boys' Village chapel, 27 Carrington Court, East Burwood
- Former Orana Methodist Peace Memorial Homes, Livingstone Close, Burwood
- South Africa and China War Memorial, Whitehorse Road median, Box Hill

9.1.4
(cont)

- World War 1 Memorial, Morton Park, Central Road, Blackburn
- World War 1 Memorial, Box Hill Gardens, Box Hill
- World War 1 Memorial, Halliday Park Mitcham Road, Mitcham
- World War 2 Memorial, Box Hill Gardens, Box Hill
- Burvale Hotel/Motel, 385 Burwood Highway, Vermont South
- Surrey Dive and Former Box Hill Swimming Pool Precinct
- Former Methodist Church, 339 Warrigal Road, Burwood
- Surrey Hills Uniting Church (formerly Methodist), 679-681 Canterbury Rd, Surrey Hills
- The Avenue Uniting Church (formerly Presbyterian), 44 Blackburn Road, Blackburn
- St Augustine's Anglican Church and Hall, 36 Bundoran Parade, Mont Albert North
- St Benedict's Roman Catholic Church, 299 Warrigal Road, Burwood
- Former Chapel of St Joseph, 27-29 Strabane Avenue, Mont Albert
- House - 7 Pembroke Street, Surrey Hills
- House - 26 Thames Street, Box Hill North
- House - 42 Bishop Street, Box Hill
- House - 99B Carrington Road, Box Hill
- House - 25 Hopetoun Parade, Box Hill
- House - 15 Hopetoun Parade, Box Hill
- House - 1039 Whitehorse Road, Box Hill
- House - 14 Harding Street, Surrey Hills
- Former ATV-0 Television Studios, 104-168 Hawthorn Road, Forest Hill

PANEL REPORT

Submissions

The Panel considered all written submissions, together with submissions made in person at the hearing.

A total of thirty (30) submissions were received and considered by Panel. These comprised:

- 2 general submissions - one submission raised no objection and the other submission requested that the amendment be modified so that VicRoads would not be required to apply for planning permits for roadworks.
- Box Hill Commercial Area Precinct - 8 submissions.
- Windsor Park Estate Precinct - 9 submissions.
- Alexander Street Precinct - 2 submissions.
- Individual places - 9 submissions.

The key issues of concern for submitters were:

Windsor Park Estate Precinct -
- Boundaries of precinct,
- Inclusion of buildings in the precinct which have no heritage significance,
- Paint controls,
- Loss of property value and financial hardship.

Alexander Street Precinct -
- Accuracy and details of the citation.

9.1.4
(cont)

Box Hill Commercial Area Precinct -
- Lack of justification for heritage significance,
- Designation as a heritage precinct is contrary to its role as a Metropolitan Activity Centre,
- New development will be discouraged,
- Application of HO to the Station Street roadway will require a permit for roadworks.

Box Hill High School -
- Application of HO to part of Whitehorse Road roadway will require a permit for roadworks.

Former Kildonan children's home (70 Elgar Road, Burwood), now part of Deakin University -
- Difficulty of developing the site in the future,
- Proposed HO is too large,
- Insufficient heritage significance,
- The former use could be better remembered in ways other than an HO.

Burvale Hotel/Motel at 385 Burwood Road, Vermont South -
- Insufficient evidence of heritage significance,
- Effect on development potential.

House at 7 Pembroke Street, Surrey Hills -
- Citation incorrect,
- Insufficient heritage significance,
- Financial hardship,
- Stress for owner.

House at 42 Bishop Street, Box Hill -
- Loss of property value,
- Citation incorrect,
- Insufficient heritage significance.

Former ATV-0 television studio at104-168 Hawthorn Road, Forest Hill -
- An HO will prevent the frequent and quick changes to the building which are necessary for efficient filming and continuing the existing use of the building for a television studio,
- Viability of the site,
- Heritage significance is insufficient, the building has already been significantly altered,
- Development opportunities will be limited.

Former Orana children's centre, Livingstone Close, Burwood -
- House at 27 Livingstone Close has no heritage significance, a narrow street frontage and is privately owned.
- Former kindergarten at 19-25 Livingstone Close has irreparable 'damp' issues which mean the building is uninhabitable and unusable.

Church at 679-681 Canterbury Road, Surrey Hills -
- Citation includes errors,
- The building is substantially altered,
- Insufficient heritage significance.

9.1.4
(cont)

Panel Hearing

The Panel held a Directions Hearing on 26 February 2015 and the panel hearing was held over five days between 23 and 27 March 2015. The Panel comprised two well respected members – a planner with over twenty years heritage experience and a heritage architect (formerly from Heritage Victoria). Council was represented by a senior strategic planner and called Coleman Architects Pty Ltd to provide expert heritage evidence. Coleman Architects prepared the 2012 Whitehorse Heritage Review which forms the basis for the amendment and Mr Ian Coleman is also Council's Heritage Advisor. The Panel visited all sites affected by the amendment.

The Panel heard from eleven submitters. Submitters for the following HOs were represented and/or relied on evidence by expert witnesses:

- HO244 Box Hill Commercial Precinct (three (3) submitters) -
  Representation by a Planning consultant and heritage expert witness.

- HO249 Former Kildonan children's centre -
  Legal representation and heritage expert witness.

- HO251 Former Orana children's homes -
  Expert engineering witness.

- HO256 Burvale Hotel/Motel -
  Legal representation and heritage expert witness.

- HO272 Former ATV-0 television studios -
  Represented by planning consultant and expert heritage witness.

DISCUSSION OF PANEL REPORT

The Panel report is very thorough, detailed and the recommendations have been carefully considered. The report has already been distributed to Councillors. The report includes twenty recommendations that largely support the amendment as exhibited. The most important recommendations are as follows:

i. That most HOs and citations be adopted as exhibited.

ii. That two places be removed from the amendment:

   - HO258: 339 Warrigal Road,Burwood (former church now used as funeral home).

   - HO250: 27 Carrington Court, Burwood (former chapel for Tally Ho Boys Village now a residence).

iii. That the inclusion of tree controls be reviewed and only included as part of the amendment if trees are fully assessed in relation to each individual site.

iv. That Council consider assessing the interiors of significant buildings as part of future heritage studies.

v. That the proposed HO's be approved for the three precincts (Box Hill Commercial Area – subject to deletion of 8-14 Market Street, Windsor Park Estate and Alexander Street) generally without change.

9.1.4
(cont)

vi. That a number of citations be amended as a result of further information provided during the course of the Panel hearing.

vii. That HO256 for the Burvale Hotel/Motel, 385 Burwood Highway Vermont South be adopted with changes.

viii. That an Incorporated Plan be prepared for the former ATV-0 television studio in Hawthorn Road, Forest Hill; that the Plan include a Conservation Management Plan and identification of works to be excluded from the need to apply for a permit; and that Council consider allowing the place to be used for 'prohibited uses'.

ix. That HO251 (Former Orana children's centre in Livingstone Close) be reduced in area.

No changes were recommended by Panel for the following HOs:

- HO245 Horse trough, corner Blackburn and Canterbury Roads, Blackburn
- HO246 Box Hill Community Arts Centre, 470 Station Street, Box Hill
- HO247 Mont Albert Primary School, 21-23 Inglisby Road, Mont Albert
- HO252 South Africa and China War Memorial, Whitehorse Road median, Box Hill
- HO253 World War 1 Memorial, Morton Park, Central Road, Blackburn
- HO254 World War 1 Memorial, Box Hill Gardens, Box Hill
- HO254 World War 2 Memorial, Box Hill Gardens, Box Hill
- HO255 World War 1 Memorial, Halliday Park, Mitcham Road, Mitcham
- HO257 Surrey Dive and Former Box Hill Swimming Pool Precinct
- HO261 St Augustine's Anglican Church and Hall, 36 Bundoran Parade, Mont Albert North
- HO262 St Benedict's Roman Catholic Church, 299 Warrigal Road, Burwood
- HO263 Former Chapel of St Joseph, 27-29 Strabane Avenue, Mont Albert
- HO267 House – 99B Carrington Road, Box Hill
- HO268 House – 15 Hopetoun Parade, Box Hill
- HO269 House – 25 Hopetoun Parade, Box Hill
- HO270 House – 1039 Whitehorse Road, Box Hill
- HO271 House – 14 Harding Street, Surrey Hills

General Comments

The report included the following general comments:

- The Panel 'thoroughly supports' the Whitehorse Heritage Review 2012 and Amendment C157.
- Council is commended for undertaking the 2012 Review and the inclusion of some important post World War 2 heritage places. Whitehorse Council is considered by the Panel to be one of the few municipalities choosing 'to take post war heritage seriously'.
- The 2012 Heritage Review has been prepared in accordance with current heritage practice and the changes recommended to the citations were largely the result of information provided at the Panel hearing.
- Future heritage studies should consider assessing interiors of publically accessible buildings such as churches.
- Tree controls in the Amendment are recommended for review and should only be included if specific trees are identified and referred to as part of the Statement of Significance. The Amendment included tree controls for six (6) properties but the Panel recommended they be removed for all except the former Kildonan children's centre.
- Consideration be given to updating the thematic history prepared by Allom Lovell (1999) with recognition of the municipality's unique history of providing social institutions for children.

9.1.4
(cont)

- Council's submission was supported that the exhibited changes to clauses 21.04 and 22.03 are no longer needed (due to the introduction of Council's new residential zones) and therefore the proposed changes for these clauses can be deleted from the amendment.
- The Panel recommended some minor changes to the precinct map for Windsor Park Estate to ensure identification of all contributory buildings and existing individual HOs. This will be discussed in more detail below.
- The Amendment is generally supported by and implements the relevant sections of both the State and Local sections of the Whitehorse Planning Scheme.
- The Amendment was prepared in accordance with the relevant Ministerial Directions and Planning Practice Notes.
- The State Government's Planning Practice Note for Applying the Heritage Overlay notes that the HO needs to apply to both the listed heritage item and its associated surrounding land to ensure that any new development does not adversely affect the setting or context of the heritage item. In most situations, the HO will need to apply to the whole property.

Social and economic impacts

The Panel gave the following advice regarding the assessment of relevant social and economic factors. Although Council's submission provided information, the Panel advised that it would have preferred the assessment to also include a balancing of competing policies in order to determine 'net community benefit'. This advice will be useful for Amendment C172 which implements the Post 1945 Heritage Study.

The Panel reiterated that the personal economic and social impact of an amendment is generally not relevant. It is generally only the broad community social and economic effects which are relevant. With this context in mind, the Panel provided the following comments and advice:

- *Burden and cost of applying for permits*

The Panel advised that planning permits are not required under the HO for routine maintenance or repairs which do not change the appearance of a building. The recently introduced VicSmart provides a fast track process for minor works requiring permits under the HO. No internal controls are applied as part of the Amendment, so there is no permit required for any internal works. Regarding permit costs, a planning permit fee is not required in residential zones for minor works up to a cost of $10,000". This information was taken into account by the Panel when considering the impact of the amendment.

- *Property values*

The Panel advised that property values are not usually relevant to assessing an HO. It also noted that although a lot of material has been written about the potential financial impacts of HO's, there is no definitive evidence available to support the view that heritage controls diminish property values.

Devaluation of properties due to heritage controls and the cost of maintaining heritage properties are contentious issues and Panels have traditionally chosen not to take into account financial hardship. The Panel also acknowledged the two free heritage services provided by Council to assist owners of heritage properties: the Heritage Advisory Service and the Heritage Assistance Fund.

9.1.4
(cont)

"In 2001 Heritage Victoria reviewed a number of studies regarding the effects of a heritage overlay on property values. The study found that, generally speaking, heritage controls do not affect property values for residential buildings and particularly not for buildings in heritage precincts". Since the subject amendment "does not preclude further development, it is difficult to gauge if there is any real impact on property values". The Panel also advised that some studies have "concluded that the HO can actually make residential property more attractive to purchasers who value the heritage significance of a precinct and the HO provides protection against unsympathetic development in their immediate area".

- *Impact on development potential*

The Panel considers that in the case of most single houses, existing zoning means that significant redevelopment is unlikely, regardless of whether or not an HO applies. This is due to the fact that the majority of residential properties affected by the Amendment are zoned Neighbourhood Residential, meaning that development is limited to only two dwellings per site.

With respect to large non-residential sites, development potential will be affected by numerous planning issues and heritage significance should be assessed against any competing community economic or social impacts. In the case of sites where there is no current or known proposal for redevelopment (such as the Burvale Hotel, the former ATV-0 television studios and the former Kildonan children's home now owned by Deakin University), the Panel considers it is premature to try and balance competing policies at this stage. The Panel considers the heritage significance of these sites has been clearly justified and the time to consider the effect on redevelopment potential would be after a particular proposal has been lodged. Since the heritage significance has been established, a heritage overlay will provide Council with an opportunity to balance competing issues. However heritage issues cannot be considered if a heritage overlay does not exist.

- *Relevant social and economic factors*

In summary, the Panel considers that social and economic impacts of future amendments should be assessed by considering broad community social and economic impacts in order to make a conclusion regarding 'net community benefit'. Drawing on the Panel's advice for Melbourne Amendment C207, the Panel specifically listed that the relevant social and economic factors to be considered include:

- "The likely effect on the economic wellbeing of the community,
- Potential changes to the economic and social life of the existing community,
- The likely effect on public and private sector investment in the immediate and surrounding areas,
- The likely effect on potential capacity for growth of the immediate and surrounding areas,
- Potential changes to the attractiveness and physical condition of the immediate and surrounding areas, and
- The likely effect on the attractiveness, amenity and safety of the public realm".

9.1.4
(cont)

It is noted that redevelopment potential is not included by the Panel in the list of relevant social and economic factors. However the Panel's advice also seems to indicate that development potential can be considered, if a development proposal is known. If a proposal does not exist (eg sites such as the Burvale Hotel, former ATV-0 studio and former Kildonan children's home now owned by Deakin University) then it is difficult to gauge the effect of an HO and it would be premature to consider development potential. When plans are absent, considering the effect of an HO on development potential should be deferred until such time as plans are available. The Panel report implies that at this stage of the planning scheme amendment process it is only the heritage merits of the site which should be considered.

The Panel would have liked information regarding how the various issues should be weighted and a conclusion for each site as to why heritage issues were considered more important than other issues and the reasons why net community benefit would be greatest through introduction of an HO.

Officer Recommendations regarding Panel's general comments and advice:

- That Council update its thematic history as a result of the Whitehorse Heritage Review 2012, recognizing the important theme of providing children's accommodation and welfare services including institutions such as Tally Ho Boys Village, Orana, Kildonan, Salvation Army Boys Home, and the Blind Institute.
- That Council note the Panel's advice regarding trees, internal controls, HO boundaries and assessment of social and economic impacts.
- That Council amend the precinct map for the Windsor Park Estate Precinct to ensure contributory buildings are identified as per Panel recommendations.
- That Council adopt the Panel's recommendation that the proposed changes to clauses 21.04 and 22.03 are no longer needed and can be removed from the amendment.
- That the Mayor request the Minister for Planning to provide guidance as to the assessment of social and economic factors in relation to heritage amendments.

Panel recommendations

This section of the report addresses each Panel recommendation separately and provides an officer recommendation. The consolidated recommendations can be found on p.94 of the Panel report.

1. Delete the exhibited changes to Clauses 21.04 (Housing) and Clause 22.03 (Residential Development) from the Amendment.

The exhibited changes to these two clauses proposed that all residentially zoned heritage places included in this amendment be mapped as places of Minimal Change.

Officer Comment
Panel agreed with Council's submission that the changes were no longer required as a result of recent Amendments C160 and C162 to the Whitehorse Planning Scheme which introduced Council's new residential zones. Now these places are confirmed as Minimal Change areas under clause 21.06 of the Whitehorse Planning Scheme.

9.1.4
(cont)

Officer Recommendation:
- That the Panel recommendation be adopted.

2. Review the application of tree controls in the Amendment to ensure that they are only activated where significant trees or plantings have been clearly identified in the Statement of Significance.

Officer Comment
The exhibited amendment proposes tree controls for:

- HO246 Box Hill Community Arts Centre, 470 Station Street, Box Hill
- HO248 Box Hill High School, 1180 Whitehorse Road, Box Hill
- HO249 Former Kildonan children's home, 70 Elgar Road, Burwood
- HO257 Burvale Hotel Motel 385 Burwood Highway, Vermont South
- HO260 The Avenue Church, 38-44 Blackburn Road, Blackburn
- HO264 House at 7 Pembroke Street, Surrey Hills.

Council's consultant and Heritage Advisor supports the Panel's recommendations regarding tree controls and the Heritage Steering Committee has no objection. HO249 for the former Kildonan children's centre in Elgar Road Burwood is the only HO where the triggered tree control is proposed to be retained and the citation for the site will be amended to include reference to the significant trees (as discussed in the panel report p65-66).

Officer Recommendation
- That Council adopt the Panel's recommendation regarding tree controls.

3. In future heritage studies, include the option of assessing the interiors of significant buildings (especially those to which the public has access) and activating internal controls in the HO schedule where appropriate.

Officer Comment
The Panel expressed disappointment that potential internal controls were not investigated as part of the 2012 Whitehorse Heritage Review. Although Council's practice is usually to not include internal controls, Panel's advice is noted.

Officer Recommendation
- That Council note the Panel's advice regarding internal controls.

4. Consider introducing an Incorporated Document providing permit exemptions for contributory and non-contributory properties in residential heritage precincts, by way of a future planning scheme amendment.

Officer Comment
This recommendation is noted for future consideration. Incorporated documents such as these are already used in planning schemes such as Darebin and in some country areas. Developing Incorporated Documents may be beneficial for Whitehorse but will need to be examined in more detail and in consultation with the Department of Environment, Land Water and Planning and also other municipalities where they have been used successfully.

Officer Recommendation
- That Council note the Panel's recommendation and consider introducing an Incorporated Document providing permit exemptions for contributory and non-contributory properties in residential heritage precincts, by way of a future planning scheme amendment.

9.1.4
(cont)

5. Revise the exhibited Clause 22.01 to:

- Provide greater detail on the aesthetic characteristics of each precinct;
- Include maps of the precinct boundaries; Include definitions for 'significant', 'contributory' and 'non-contributory' buildings; and
- Clarify the 'dates of significance' for the municipality and for individual precincts.

Officer Comment
The Panel's recommendations are supported. The inclusion of definitions and maps to show boundaries of the three heritage precincts can be easily accommodated and would be both logical and user-friendly according to the Panel. Comments regarding the Statements of Significance are also noted and considered suitable for a future amendment.

The Panel's recommendation regarding clarification of the timeframe to which the policy applies is also supported. The existing clause states that the policy applies to buildings dating from 1865 through to the 1940's and 1950's. This means that any place constructed after these dates is excluded from the policy, eg Vermont Park HO118 and the 1970's building at 500 Burwood Highway HO23. The Panel's recommendation that the timeframe of the policy be extended, is therefore supported.

Council's consultant and Heritage Advisor has provided dates to clarify the timeframe for heritage significance appropriate to each precinct included in the Amendment.

Officer Recommendation

- That exhibited clause 22.01 be amended to include maps as part of the Statement of Significance for the three precincts proposed as part of the amendment.
- That Council note the Panel's advice regarding Statements of Significance and greater detail regarding aesthetic characteristics.
- That clause 22.01 be updated to indicate that the clause is relevant to heritage buildings dating from 1865 onwards.

6. Box Hill Commercial Area Precinct (HO244):

- 760 Whitehorse Road - Inspect the interior of the upper floor to confirm the intactness of the original facade and designate the property as non-contributory if the upper floor facade has been removed or irreparably altered.
- Delete 8-14 Market Street from the precinct.
- Amend the Citation to extend the period of significance to 1945.

It is assumed that the Panel is actually referring to the property at 976 instead of 760 Whitehorse Road, Box Hill. A correction has been requested from Planning Panels Victoria but has not yet been received at the time this report was written.

Officer Comment
Subject to some minor adjustments, the Panel supports the precinct for the following reasons:

- Heritage significance has been clearly established,
- The HO is consistent with the Box Hill Structure Plan and therefore unlikely to significantly affect development potential, and
- Internal controls are not being proposed.

The Panel agrees with Council's submission that the nominated buildings along Whitehorse Road have sufficient significance to warrant a heritage overlay. As already reported to Council, a precinct was considered previously for a much larger Box Hill commercial area, but it never proceeded to exhibition stage. The 2012 Heritage Review reassessed the precinct and confirmed its significance, albeit with reduced boundaries.

9.1.4
(cont)

Since the HO will not significantly affect development potential, it is therefore considered compatible with Box Hill's role as a Metropolitan Activity Centre. The amendment is consistent with the Structure Plan and the HO will provide Council with an opportunity to protect the original low rise 'village' atmosphere of the centre at the intersection of Whitehorse Road and Station Street. As development occurs in the future, the HO will 'show' how the centre has developed historically. The Structure Plan already restricts development to 2-3 storeys in the heritage precinct but it does not control demolition.

New development within the HO would be encouraged to occur at the rear of sites. Council's Heritage Advisor advocates that the existing front portion of buildings be retained for a depth of approximately 2 rooms or 10 metres. This would retain the streetscape and the 'feel' of the early Box Hill centre while still allowing new development to take place. The photo below shows a similar approach to development behind a historic building in Railway Road, Blackburn and other numerous similar examples can also be found in central Melbourne.

The Panel also noted that the amendment was consistent with the Box Hill Structure Plan, clause 22.07 of the planning scheme for the Box Hill Central Activities Area and Council's previous strategic work which clearly indicates this part of the Activity Centre should retain its historic character and scale. The Panel advised that it was satisfied that the precinct is well defined and meets the criteria for local heritage significance.
The Panel recommendation that the property at 8-14 Market Street be deleted from the HO also supports Council's submission. Initially the building was included in the HO as a 'contributory' building. However after considering the owner's submission and further advice from Council's Heritage Advisor, it was submitted to Panel that the property be removed from the amendment.

The Panel advised that it considers that 976 Whitehorse Road should be retained as part of the heritage precinct but heritage significance should be further investigated. The Panel advises that its status as either a 'contributory' or' non-contributory' building would depend on whether the upper level façade is intact behind the screen which is currently erected at first floor level. The Panel's recommendation is supported by Council's consultant and Heritage Advisor and the matter is currently being investigated to determine whether the screen is removable or not.

9.1.4
(cont)

The Panel's recommendation that the citation be amended to extend the period of significance to 1945 is also supported. This issue was raised during the course of the hearing and was proposed by the Panel in order to remove any uncertainty regarding the building on the corner of Whitehorse Road and Market Street being a contributory building. The amendment to the citation would only be minor.

The Panel recommendation not to support the owner's submission that the building on the corner of Market Street and Whitehorse Road be removed from the amendment is also supported by officers.

Officer Recommendation

- That Council adopt the Panel's recommendation to delete 8-14 Market Street from the Box Hill Commercial Area Precinct (HO244)
- That the citation for the Box Hill Commercial Area Precinct be amended to extend the period of significance to 1945.
- That 976 Whitehorse Road be investigated to confirm the intactness of the original façade and the building be designated as 'non-contributory' if the upper floor has been removed or irreparably altered.

7. Windsor Park Estate Precinct, Surrey Hills (HO243):

- De-activate external paint controls.
- Amend the Precinct Map to identify all sites with existing individual building HOs.
- Include 6A Windsor Crescent as a contributory site, subject to the owner's agreement or by way of a future amendment.
- Review the status of all non-contributory buildings built in the 1930s and 1940s, and upgrade the status of buildings assessed as contributory by way of a future amendment.

Officer Comment

The Panel endorsed Council's recommendation that the exhibited paint controls be deactivated for the Windsor Park Estate. Council's position was made in response to a submission received following exhibition. The submission advocated that the proposed paint controls would be unreasonable and an imposition on home owners, given that the precinct includes a number of existing individual building HOs which do not include paint controls. If approved, the result would be a situation whereby some properties in the precinct would have paint controls and some would not. At present, most existing HOs in Whitehorse do not include paint controls. The Panel also advised that it considered paint controls were not appropriate for the precinct given the wide variety in age of building stock. The Panel considers paint controls are more appropriate for precincts with a high degree of uniformity such as the Combarton Street precinct. Council officers, Council's Heritage Advisor and the Heritage Steering Committee support the Panel's advice.

The Panel supports the precinct boundaries and believes the HO satisfies the thresholds for local significance. The Panel also supports the inclusion of some non-contributory places to ensure that redevelopment of those sites is in keeping with the character of the precinct. The Panel noted that intrusive neighbouring development is a common trigger for community concern in heritage precincts. Therefore the Panel supports Council's submission to include the properties at 12 Balmoral Crescent, 13, 37 and 52 Windsor Crescent as non-contributory places in the HO.

The Panel also suggested that the citation for the precinct be amended to include reference to the bluestone kerbs and channel, mature street trees and the existing gardens which support the precinct's architecture. It is noted that this will not affect management of Council roads or street trees since Council already has a Heritage Kerbs Channels and laneways policy. However the changes will help to strengthen the citation.

9.1.4
(cont)

The Panel supported Council's submission that 5 Balmoral Crescent be retained as a contributory building but the report was not clear whether it considered a second dwelling on the property would be suitable. Clarification has been requested but had not been received at the time this report was prepared.

The Panel did not agree with Council's submission that 6A Windsor Crescent be non-contributory. The Panel recommended that its status be upgraded to being a 'contributory' building, either as part of this amendment (if the owners consent) or as part of a future amendment. The owner is undecided regarding the recommendation and therefore further investigation is recommended. Council's consultant and Heritage Advisor support the Panel's recommendation.

The Panel agreed with Council's submission that an HO would provide more control than a Neighbourhood Character Overlay and advised that it believes an HO is the appropriate control for the precinct.

The Panel also agreed with Council's submission that inter-war houses are important within the precinct and the Panel's concerns regarding the need to include some inter-war houses as contributory buildings is noted and supported. The Panel considers that the inter-war houses make a substantial contribution to the significance of the precinct as a whole and should be reassessed and noted as 'contributory' where appropriate.

The Panel rejected the owner's submission that 16 Valonia Street does not qualify as a contributory building. The Panel agreed with Council's submission that the house does qualify as a contributory building, as exhibited in the Amendment.

The following Panel recommendations are also supported:

- That the precinct map is amended to include all existing individual building HOs.
- That the status of all non-contributory buildings built in the 1930's-40's is reviewed with any buildings considered to be 'contributory' to have their status upgraded by way of a future amendment.

Officer Recommendation

- That Council adopt the Panel's recommendation regarding the deletion of paint controls for the Windsor Park Estate Precinct and amending the map to include all existing HOs.
- That Council note recommendations regarding review of contributory buildings for inclusion in a future amendment.
- That Council amend the citation to include reference to the bluestone kerbs and channel, mature street trees and the area's mature gardens which support the precinct's architecture.

8. Alexander Street Precinct, Box Hill (HO242):

- Revise the Citation to include the additional information that emerged in submissions and during the hearing.
- Include 30 Alexander Street in the precinct as a non-contributory site by way of a future amendment.

Officer Comment

The Panel considers that the heritage significance of the precinct has been properly established and recommends approval of the HO. The area was first mooted as a potential heritage precinct in 2001 and the 2012 Heritage Review reassessed and confirmed its significance, albeit with reduced boundaries. The precinct is an estate of single storey bungalows dating largely from the inter-war period, but also includes some Victorian and Edwardian houses.

9.1.4
(cont)

The street is currently included in a Neighbourhood Character Overlay (NCO) and although this does provide some level of control; it does not allow Council to take account of heritage issues when considering applications for demolition or new buildings. Given the identified heritage significance of the street, an HO will provide greater protection than is currently provided by an NCO. The Panel supported this submission by Council.

Council also submitted to the Panel that the precinct citation be amended to include some minor adjustments as a result of submissions received. The Panel accepted these changes and also recommended further additions to the citation to include information which emerged during the course of the hearing. Although these changes are not major, they will nevertheless strengthen the citation.

The Panel's recommendation that 30 Alexander Street be included as a non-contributory building in the precinct as part of a future amendment is also supported and is compatible with Council's submission.

Officer Recommendation

- That Council adopt the Panel's recommendation regarding further amendments to the precinct citation to include the additional information provided by submitters at the hearing and reference to the precinct's consistent traditional front fencing.
- That Council adopts the Panel's advice regarding 30 Alexander Street Box Hill.

9. Surrey Hills Uniting Church 679-681 Canterbury Road, Surrey Hills (HO259):

- Review the Statement of Significance to clarify that the additions at the rear of the church do not have heritage significance.

Officer Comment

The Panel's recommended changes to the citation are minor. They will strengthen the citation and assist decision making.

Officer Recommendation

- That Council adopt the Panel's recommendation that the citation be amended to indicate that alterations to the rear of the church do not have any heritage significance.

10. The Avenue Uniting Church, 44 Blackburn Road, Blackburn (HO260):

- Review the activation of tree controls.
- Consider a future amendment to activate internal controls.

Officer Comment

The proposed tree controls have been reviewed and their deletion is considered appropriate. The Panel's disappointment that internal controls were not considered as part of the brief for the 2012 Heritage Review is noted.

Officer Recommendation

- That Council adopt HO260 for the church at 38-44 Blackburn Road, Blackburn subject to the deletion of tree controls.
- That Council notes the Panel's comments in respect to internal controls.

11. Former ATV-0 Television Studios, 104-168 Hawthorn Road, Forest Hill (HO272):

- Revise the citation to more clearly identify the significant elements of the complex and provide greater detail on the historic and aesthetic significance of the site, including additional information that emerged in the course of the hearing.
- Prepare an Incorporated Plan for the ATV-0 site including a Conservation Management Plan and permit exemptions for temporary works in association with on-site productions.
- Activate the 'Prohibited uses may be permitted' provision in the HO Schedule.

9.1.4
(cont)

Officer Comment
Council supports the Panel's recommendations regarding additions to the citation. The Panel advises that it considers the building 'stands out' as both a television studio and prestigious industrial complex. The Panel considers it is one of the best survivors in both the State and the municipality. Much of the evidence regarding the importance of being able to make quick changes to the facade of the building due to filming requirements was discounted by the Panel on the basis that it did not affect heritage significance. However the Panel also advised that a well prepared Conservation Management Plan (CMP) could clarify which parts of the building and site have significance and could also specify permit exemptions to allow minor and temporary changes to occur where appropriate on site to assist with filming requirements.

The Panel does not support the citation's inclusion of a map defining the area of significance within the HO. Such a plan would not be needed if an Incorporated Plan and CMP was prepared for the site.

The Panel's recommendation that the citation be amended to clarify significant elements and provide more detail is useful and will assist future decision making. However officers disagree with the Panel's disappointment regarding the absence of internal controls for this building. Internal controls were not considered as part of the heritage study forming the basis for the amendment and it is also considered that internal controls would cause unreasonable disruption for the television business operating from the site.

The Panel recommended that the amendment be modified to allow Council to consider use of the building for purposes which are not normally permitted in the zone. A planning permit would still be required for these types of land uses to ensure they are suitable in the context of surrounding development and is common heritage practice in some municipalities. This would increase options for redevelopment, increase viability and use of the building, thereby assisting its ongoing protection. Allowing prohibited uses to be considered for this particular building will not set a precedent for other heritage buildings in the municipality.

The Panel's recommendation regarding the CMP and permit exemptions has some merit. However its preparation will take time and preparation now is likely to delay Ministerial approval of the whole Amendment. It is therefore suggested that consideration of this site be deferred to allow further investigation.

Officer Recommendation
That Council defer consideration of the ATV-0 site, to allow further investigation and exploration of the Panel's recommendations for this site and to allow the remaining heritage places being considered under this amendment to proceed and be submitted for approval to the Minister for Planning.

12.Former Kildonan Children's Home, 70 Elgar Road, Burwood (HO249):

- Revise the northern and eastern boundaries of the exhibited HO in consultation with Deakin University.
- Revise the Citation and Statement of Significance to: include reference to (and justification for) Criterion B (rarity) ; include the additional information that emerged in the course of the hearing and set out in this report; and identify the significant trees.

Officer Comment
The Panel supported Council's submission and was fully satisfied that heritage significance had been clearly established.

9.1.4
(cont)

Deakin University (current owner of the site) revised its original objection to the amendment and submitted on the day of the hearing that:

- The HO include only the former Kildonan administration building and adjoining landscaped open lawn area.
- The HO exclude the former Kindergarten and New Girl's Dormitory so as to allow unhindered redevelopment of the site.
- Historic significance of the site could be better remembered in other ways.

The Panel did not agree with the University's revised submission. It endorsed Council's submission that the kindergarten and girl's dormitory are rare survivors of the municipality's child welfare history and are as important in heritage terms as the administration building. In response to the University's argument, Council submitted a revised citation to indicate contributory and also non-contributory buildings on the site which could be demolished without a permit or the loss of any significant heritage fabric.

The Panel's recommendations for revision of the citation are supported and the Panel's general advice on development potential is noted.

Council's consultant and Heritage Advisor does not support Deakin University's submission. However opinion of the Heritage Steering Committee is divided regarding whether or not the HO should be reduced in size. Three out of four Committee members support the Panel's recommendation.

Officer Recommendation

- That Council adopt HO249 for the former Kildonan children's home at 70 Elgar Road Burwood, subject to revision of the HO boundaries in consultation with Deakin University.
- That the citation for HO249 be amended to include reference to the site's cultural and social history, significant trees and additional information provided during the course of the Panel hearing.
- That tree controls be retained for HO249.
- That the citation for HO249 also be amended to include the revisions submitted to Panel, identifying contributory and non-contributory buildings on the site.

13. Former Orana Methodist Peace Memorial Homes, Livingstone Close, Burwood (HO251):

- Revise the HO boundary to exclude 19-25 and 27 Livingstone Close. The boundary should be located on the north side of the path adjacent to the Cato building (19-25 Livingstone Close). It should also include the area between the west side of the chapel and the road. The roadway and original stone walls within the area of the revised boundary should also be included.
- Revise the Citation to reflect the revised boundaries and include the additional historic information provided on pages 6-8 of the DHS submission to the Panel.

9.1.4
(cont)

Officer Comment
The Panel supported Council's submission that the former kindergarten building at 19-25 Livingstone Close be deleted from the amendment. It also supported Council's submission that removal of the kindergarten would sufficiently reduce the heritage significance of the adjoining house at 27 Livingstone Close (former Orana health clinic), so as to also warrant its deletion from the amendment.

However the Panel did not agree with Council's submission that the whole HO be deleted. Council argued that removal of the two buildings (former kindergarten and adjoining house/clinic) would sufficiently reduce the heritage significance of the whole HO so as to warrant its deletion. Instead the Panel recommended the HO be retained but with reduced boundaries.

Council's expert witness and Heritage Advisor does not support the reduced HO recommended by Panel and the Heritage Steering Committee was divided in its opinion. Council's Heritage Advisor does not consider that the reduced HO has sufficient heritage significance to justify an HO. The Heritage Steering Committee supported the Panel's recommendation that the former kindergarten building be deleted, however only one member supported the Panel's recommendation for a reduced HO.

Officer Recommendation
- That Council not adopt the Panel's recommendation and that HO251 be removed from the amendment.

14.Burvale Hotel/Motel 385 Burwood Highway, Vermont South (HO256):
- Amend the Citation to provide a greater level of detail in support of the Statement of Significance. The details should be based on the additional information that emerged during the hearing, and on the matters outlined in Chapter 6.1.6 (iii and iv) of the panel report.
- Amend the Citation to identify the Dan Murphy liquor outlet as non-contributory to the site.
- Amend the map in the Citation under the heading 'Recommended extent of overlay' to match the extent of the exhibited HO (ie increase the 'area of significance' to include the whole site rather than just part of the site as identified in the existing citation).

Officer Comment
The Panel enthusiastically supported the HO and was satisfied that the heritage significance had been clearly established. The Panel described the citation as 'well founded' and advised that it found no reason to disagree with the Heritage Alliance description that the building was one of the 'best examples' of its style. The Panel expressed disappointment that internal controls were not considered. The Panel's recommendations that the citation be amended to include additional information and reference to the Dan Murphy's outlet not having any heritage significance are supported.

However, the Panel's recommendation that the nominated 'area of significance' identified in the citation be increased to include the whole site including the car park and open lawn area, is not supported. The recommendation does not have support of officers, Council's consultant and Heritage Advisor or the Heritage Steering Committee.

The Panel advised that 'little useful' information was submitted to contradict Council's heritage assessment. The report concluded that given thresholds were clearly met for heritage significance and given the absence of any development plans for the property, it would be premature to balance competing policies at this stage of the planning process. The Panel therefore recommended a heritage overlay be applied to the property.

9.1.4
(cont)

As previously stated, the Panel's views regarding development potential are not clear. The report seems to advise that development potential can be considered but only if a development proposal is known. In the absence of a development proposal, the Panel advises it would be premature to consider future development potential when assessing a potential HO. The Panel further advises that introduction of an HO would provide Council with an opportunity to balance both heritage and development issues when a proposal is lodged. (This same advice is also relevant with respect to Kildonan and Deakin University.)

Council has met with the land owner to discuss their concerns with the Panel recommendations for this site. It is considered that limiting the HO to the hotel/motel buildings and immediate surrounds as recommended by the Whitehorse Heritage Review 2012, rather than the entire site as recommended by the Panel, is a reasonable compromise.

Council's consultant and Heritage Advisor does not support the Panel's recommendation to increase the 'area of significance' to include the whole site. Three out of four Committee members support inclusion of the HO for the hotel/motel as exhibited but do not support the Panel's recommendation.

The Burvale was also one of the sites where the Panel recommended deactivation of tree controls. Council's consultant/ Heritage Advisor and Heritage Steering Committee do not oppose the removal of tree controls for the site.

Officer Recommendation

- That Council not adopt the Panel's recommendation to increase the 'area of heritage significance' as defined in the citation
- Council adopt HO256 for the Burvale Hotel/ Motel, 385 Burwood Highway Vermont South as generally as exhibited subject to:
  - Updating the citation to include additional information provided to the Panel (excluding expansion of the area of significance).
  - Clarification that the Dan Murphy's liquor outlet does not have heritage significance.

15.House at 7 Pembroke Street, Surrey Hills (HO264):

- Delete all references to Criterion A in the Statement of Significance.
- Revise the Statement of Significance to clarify the material on Harley Tarrant.
- De-activate tree controls in the HO schedule.

Officer Comment
The Panel noted that the amendment is consistent with the submitters intention to 'prevent demolition' if the property is sold. The Panel's recommendation that the citation be amended to delete all references to Criterion A and clarification of Harley Tarrant's association with the property is supported.

The Panel's recommendation that tree controls are unnecessary given that the site is already covered by a Vegetation Protection Overlay, is supported.

Council officers received six submissions regarding this property after the Panel report had been received. The submissions have been made by friends and family of the property owner and express concern regarding the effect of the amendment on the owner's health. Some of the submissions request that the amendment be deferred for this property. Given the Panel's advice regarding this HO, adoption is still recommended.

9.1.4
(cont)

Officer Recommendation

- That Council adopt HO264 subject to the Panel's recommended changes to the citation and the deactivation of tree controls.

16.House at 42 Bishop Street, Box Hill (HO266):

- Delete the references to historic significance and Criteria A and H in the Statement of Significance.
- Amend the Citation to acknowledge the changes to the facade.

The existing citation states that this place has historical and aesthetic significance. It was one of the first houses constructed in the 'Police Reserve Estate' (criteria A), it has association with Thomas Linsley, a well -known builder and resident of Box Hill (Criteria H) and is a fine and distinctive example of late Victorian house design (criteria A)

Despite changes to the citation recommended by the Panel, the report still advises that the place has sufficient local heritage significance to warrant introduction of an HO.

Officer Comment
The Panel's recommendations are supported.

Officer Recommendation

- That HO266 be adopted subject to amendment of the citation as recommended by the Panel.

17.Box Hill Commercial Area Precinct (HO244) and Box Hill High School (HO248):

- Amend the boundaries of the two sites to exclude areas in a Road Zone.

Officer Comment
The Panel's recommendation supports Council's submission. The boundary realignment will remove the need for VicRoads to apply for a planning permit for any road works in the affected HO's. Heritage significance of the places will not be affected. The recommendation is supported by both the Heritage Steering Committee and Council's consultant for the report and Heritage Advisor.

Officer Recommendation

- That the Panel's recommendation be adopted and the boundaries of HO's 244 and 248 be realigned.

18.Glengordon', House at 26 Thames Street, Box Hill (HO265):

- Delete the references to historic significance and Criteria A from the Statement of Significance.

The Panel considers that the place does not have sufficient historic or cultural significance to warrant an HO. However the Panel considers that the place does have sufficient aesthetic significance.

Officer Comment
The Panel's recommendation is supported. No objection is raised by the Heritage Steering Committee or Council's consultant for the report and Heritage Advisor.

Officer Recommendation

- That HO265 be adopted subject to amendment of the citation to accord with the Panel's recommendation.

9.1.4
(cont)

19.Former Tally Ho Boys Village chapel, 27 Carrington Court, East Burwood (HO250):

- Delete the site from the Amendment.
- Consider alternative ways to recognise the site's significance.

Officer Comment
The Panel's recommendation that this place be removed from the amendment is disappointing. The Panel was not convinced that the property has sufficient heritage significance to warrant introduction of an HO.

Given the credentials of the two appointed Panel members, it is considered that Council would need to have very strong reasons for opposing the Panel's advice for this property. Other interpretative methods could be considered as part of a further report.

Officer Recommendation

- That Council adopt the Panel's recommendation and HO250 be deleted from the amendment and the HO schedule.

20.Former church at 339 Warrigal Road, Burwood (HO258):

- Delete the site from the Amendment.

Officer Comment
The Panel's recommendation for this heritage place is again disappointing, but the Panel was not convinced that the property has sufficient heritage significance to warrant introduction of an HO.

As previously stated, given the credentials of the two appointed members, it is considered that Council would need strong reasons for opposing the Panel's advice for this property.

Officer Recommendation

- That Council adopt the Panel's recommendation with respect to this property and HO258 be deleted from the amendment and the HO schedule.

21.House at 15 Hopetoun Street, Box Hill

Officer comment
This property was included as part of Amendment C157 but was not considered by the Panel due to a submission not being received. It was identified in the 2012 Whitehorse Heritage Review as having clearly established heritage significance and planning protection was recommended.

When a demolition application was received, this property was 'fast tracked' to become part of Amendment C164. (That amendment also included the Sikh temple in Whitehorse Road Blackburn and Shalimar Court in Vermont South.) However the property was removed from the amendment at the owners request and inserted into Amendment C157 to allow the owner more time to prepare a comprehensive submission.

The owner received notification as part of the exhibition process for C157 but a submission was not received. Council's Heritage Advisor maintains his original recommendation that the place satisfies that thresholds for local significance and recommends heritage protection.

Officer recommendation

- That an HO be applied to this property as proposed by Amendment C157.

9.1.4
(cont)

HERITAGE STEERING COMMITTEE
The Committee supports the amendment and generally supports the Panel's recommendations. However the Committee's support was divided with respect to the Burvale Hotel/Motel, the former Kildonan Children's centre and the former Orana children's centre. The Committee also agreed to request the Mayor to ask the Minister for Planning to provide advice and clarification regarding the consideration of social and economic factors when assessing heritage amendments.

FINANCIAL IMPLICATIONS

Council will be required to pay a fee of $798 to the Department of Environment, Land, Water and Planning if it resolves to request Ministerial approval of the Amendment. There will also be ongoing costs involved with the assessment of planning permit applications associated with the introduction of the HO's. However, there is sufficient funding in the current budget for these purposes.

CONCLUSION

Amendment C157 proposes to apply the Heritage Overlay to twenty nine (29) individual places and three (3) precincts.

An independent Planning Panel has considered the amendment and associated submissions. It has recommended that the amendment be adopted largely as exhibited. The only Panel recommendations not supported by officers are those which relate to:

- The former ATV-0 television studios. The Panel recommended preparation of an Incorporated Plan including a conservation management plan; officers recommend that the HO for this site be deferred to allow further investigation of the Panel's recommendations;
- Former Orana children's centre. The Panel recommended reduction of HO, officers recommend abandonment;
- Burvale Hotel/Motel. The Panel recommended that the area of heritage significance be increased to include the whole site but officers disagree.

The Panel's general advice will be helpful for the preparation of future heritage amendments.

The Council report has assessed the recommendations and it is submitted that they are largely consistent with Council's submission made to the Panel, the Planning and Environment Act 1987, State Planning Policy, Local Planning Policy and the objectives of the amendment. It is therefore recommended that the Amendment be adopted, subject to all except three of the Panel's recommendations.

Attendance

Cr Daw left the Chamber at 8.23pm and returned at 8.25pm.

Business & Economic Development

9.1.5 Brentford Square Shopping Centre Declaration of Special Rates/Charges for Marketing and Promotion Purposes and Infrastructure Purposes

FILE NUMBER: 15/88598. SF15/86 & SF15/87
ATTACHMENTS

SUMMARY

On 3 June 2015, Council received a letter from the Brentford Square Traders' Association, requesting that the current Special Charge Scheme for the Brentford Square Shopping Centre (which expires on 31 December 2015) be renewed for a further five years.

This report seeks Council's authorisation for it to note the now adopted Brentford Square Shopping Centre Business Plan, for it to give public notice of its intention to declare a Special Rate/Charge Scheme for the Brentford Square Shopping Centre and for it to commence the necessary statutory procedures.

Two related, but otherwise separate, Special Rates/Charges for the Brentford Square Shopping Centre are proposed, one for marketing, promotion and economic development purposes, the other for physical infrastructure purposes (both of which are consistent with the Business Plan).

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Carr

That Council:

1. ***Notes the Brentford Square Shopping Centre Business Plan 2016 - 2020 as adopted by the Brentford Square Traders' Association (Traders' Association) in the form of Attachment 5a.***

2. ***Notes and approves the $51,000 per annum (adjusted annually in line with CPI) combined budget contained within Attachment 5d for the proposed Brentford Square Shopping Centre Special Rate/Charge Scheme.***

9.1.5
(cont)

3. ***Commences the statutory process for the re-introduction of a Special Rate/Charge Scheme to and for the properties in the Brentford Square Shopping Centre (the Centre), raising two separate amounts by way of two separate declarations of Special Rate/Charge, one for an amount of approximately $40,000 per annum for a period of five years from 1 January 2016 to 31 December 2020 for the purpose of marketing and promotion of the Centre, and a second for an amount of approximately $11,000 per annum for the same period for the purpose of providing and maintaining physical infrastructure for the Centre, otherwise in accordance with the proposed declarations of Special Rate/Charge attached to and forming a part of this resolution (which declarations of Special Rate/Charge, for the purposes of proper identification, are shown marked "Proposed Declaration of Special Rate/Charge for Marketing and Promotion" and "Proposed Declaration of Special Rate/Charge for Infrastructure" respectively) (Special Rates/Charges or Declarations of Special Rate/Charge) and being Attachments 5e and 5f respectively (Funds to be raised by the Special Rates/Charges are also to be used in contracting a Centre Manager as agreed between Council and the Traders' Association for the encouragement of retail activity and business development in the Brentford Square Shopping Centre).***

4. ***Directs that separate public notices of Council's intention to declare the two separate Special Rates/Charges are to be published in the "Whitehorse Leader" newspaper, as soon as practicable in accordance with sections 163(1A) and (1B), 163A, 163B(3) and 223 of the Local Government Act 1989 (Act), advising of the intention of Council to declare at its ordinary meeting to be held on 19 October 2015 the Special Rates/Charges. In addition, and in accordance with section 82(A) of the Act, the public notices must be published on Council's Internet website.***

5. ***Directs that a combined written notification is to be sent to the rated owners and the occupiers of the properties referred to in the Declarations of Special Rate/Charge, advising of Council's intention to declare and levy the Special Rates/Charges, the amount for which an owner or an occupier will be liable or required to pay, the basis of the calculation of the Special Rates/Charges, that written submissions and/or objections in relation to the proposal will be accepted and considered/taken into account in accordance with sections 163A, 163B and 223 of the Act. The written notification must include a copy of both the public notices and comply with the requirements of section 163 (1C) of the Act.***

6. ***In accordance with section 223(1)(b)(i) of the Act, Council appoints a Committee of the Council comprising of Councillors Raylene Carr and Bill Bennett (Council Committee) to hear any person/s who have made a written submission and who in their written submission under section 223 of the Act have requested that they appear in person, or be represented by a person specified in their submission, and to be heard in support of their submission, such hearing of the Council Committee to be held at a date, time and place to be determined.***

7. ***Advises the Brentford Square Traders' Association of the matters specified in paragraphs 1, 2 and 3 of this recommendation and otherwise directs that there be further communication with the Traders' Association to explain the purpose and operation of the Special Rate/Charge and that the results of this communication be provided to Council, for consideration along with any objections and/or submissions received.***

9.1.5
(cont)

8. ***Authorises the General Manager, City Development (or a nominee) to carry out all and any other administrative procedures necessary to enable the Council Committee to meet, and for the Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.***

9. ***Authorises the General Manager, City Development (or a nominee) to prepare Council's standard Special Rate/Charge Agreement between Council and the Traders' Association to formalise the administrative operations of the Special Rate/Charge, such funding agreement being a precondition to the payment of any funds from the Special Rate/Charge Declarations by Council to the Brentford Square Traders' Association. The agreement between Council and the Brentford Square Traders' Association will commence subject to Council having declared the two Special Rates/Charges at the Council meeting on 19 October 2015.***

10. ***Directs that the agreement specified in paragraph 9 of this recommendation be submitted to Council for subsequent approval and sealing.***

CARRIED UNANIMOUSLY

BACKGROUND

The Brentford Square Shopping Centre is a small neighbourhood activity centre in the south-eastern part of the City of Whitehorse, situated approximately 18 kilometres south-east of the Melbourne CBD. The Centre is located in a prominent position on the south side of Canterbury Road, between Springvale Road and Boronia Road. The Centre has for a number of years enjoyed the benefits of a *combined* Special Rate/Special Charge Scheme. In its final year (2015), the Special Charge Scheme will have raised approximately $39,400, for marketing, promotion and business development purposes, and approximately $10,900 for infrastructure purposes. The Centre comprises 41 rateable properties.

DISCUSSION

Business Plan

The preparation and development of a revised Business Plan for the Centre (refer to **Attachment 5a** of this report) has been funded by Council and the Brentford Square Traders' Association ***(Traders' Association***). The consolidated vision and mission statement for the Brentford Square Shopping Centre was prepared with the assistance of a number of key players, including traders/business operators, property owners and members of Council's Economic Development staff.

The revised Business Plan provides a comprehensive framework for business development, marketing and public relations, advertising and promotion, community development, management, communication and finance, and the improvement and maintenance of physical infrastructure in and for the Centre, in the form of 'physical' or 'capital' improvements to the Centre. The Brentford Square Traders' Association formally adopted the revised Business Plan on 2 June 2015.

9.1.5
(cont)

A key feature of the revised Business Plan is to continue with a marketing and promotional Special Rate/Charge Scheme, and a separate, but related, physical infrastructure Special Rate/Charge Scheme. The physical infrastructure Special Rate/Charge for the Centre will continue to assist in the addition and maintenance of physical improvements to the Centre, thus further helping to make the Centre a more viable, attractive and safer retail and commercial hub for people to visit, work and shop.

The Traders' Association has, in the past, engaged the services of a part-time Centre Coordinator to promote, market and manage a number of activities at the Brentford Square Shopping Centre, and to generally encourage retailing and commerce in and around the Centre, such the provision/facilitation of –

- Community newsletters;
- Newspaper advertising and editorials;
- Special promotional events and competitions (eg: Christmas Festival);
- Improved branding;
- Brentford Square Bucks Program; and
- Items related to the provision of some infrastructure, including lighting, security and signage (where the provision of such items has been considered as being ancillary or incidental to the purpose for which the Special Charge was raised by Council).

To enable the effective implementation of the actions contained in the Business Plan, the Traders' Association wish to continue with the current Scheme structure, being an Infrastructure Special Rate/Charge Scheme and a Marketing and Promotion Special Rate/Charge Scheme. The attached letter from the Traders' Association (refer to **Attachment 5b** of this report) supports this approach and formally requests Council to commence the statutory process to declare two separate Special Rates/Charges.

Two Special Rates/Charges

In recognition of the need to continue building on the Centre's marketing and promotional strategy and maintain the separate and dedicated infrastructure Special Rate/Charge, the proposed budget has been developed for the Special Rate/Charge Scheme in order to raise approximately $40,000 per year for general marketing, promotion and business development purposes and, separately and in addition, to raise approximately $11,000 per year for infrastructure-specific purposes (both amounts to be adjusted annually in line with movements in the Consumer Price Index (CPI). These amounts, when taken together for the first year, represent a minimal increase in the previous Special Rate/Charge Scheme declared by Council on 22 November 2010, by which approximately $45,200 per year (adjusted annually in line with CPI) was to be raised. Reference is made to the proposed budget for the two schemes (refer to **Attachment 5d** of this report). The total amounts of the Special Rates/Charges to be raised in the initial year are set out in **Attachment 5c**.

The proposal to declare two separate Special Rate/Charges, one for marketing and promotional purposes, the other for infrastructure purposes, is consistent with the recommendations set out in the Business Plan. While regarded as being separate because they are being raised for different specific purposes, both of the Special Rates/Charges being proposed will effectively "work together", in order to achieve the objectives that are set out in the Business Plan.

9.1.5
(cont)

The proposed "combined" Brentford Square Shopping Centre Special Rate/Charge Scheme proposal can be summarised as follows –

- It will effectively operate as a "renewal" of the existing Special Charge Scheme, for a five year period, from 1 January 2016 to 31 December 2020;

- It is expected to raise a combined amount of approximately $51,000 per annum (adjusted annually in line with CPI);

- Two separate Special Rate/Charges will be raised, one being to raise approximately $40,000 per year for general marketing, promotional and business development purposes, and the other to raise approximately $11,000 per year for specific infrastructure-related purposes;

- All properties to be included in the Scheme are considered to receive the same 'primary' level of special benefit and the special benefits are considered to accrue only to the properties in the Centre; and

- The Special Rate/Charge is to be calculated as follows –
  - In the first year, the Special Rate/Charge will be calculated by reference to an amount that represents a CPI increase of 1.3% on the last amount that was payable by each property included in the 2011-2015 Brentford Square Special Charge Scheme;
  - For each subsequent year, the Special Rate/Charge will be calculated by reference to an amount that reflects the amount payable by each property in the immediate previous year, adjusted in accordance with movements in the CPI (although the amount payable by each property shall not be less than the amount payable in the immediate preceding year).

More specifically, the amounts applicable to each rateable property to be included in the Scheme are set out in the proposed declarations of a Special Rate/Charge forming a part of this report (refer to **Attachments 5e and 5f** of this report).

Important to note:

Rear 41-51 Brentford Square

This property was excluded from the 2011-2015 Special Rate/Charge Scheme after Council officers declared the property is used solely for the purposes of a private car park. The property therefore does not receive a special benefit from any "Marketing and Promotional" or "Physical Infrastructure" charges. The subject land was not being used, in any relevant sense, for commercial, retail or professional purposes.

Because this decision was made during the renewal process of the previous Scheme (2011-2015), and the property is currently not being used for commercial, retail or professional purposes, Council officers decided that there was no need to include this property in the current renewal process.

12 Brentford Square

The property at 12 Brentford Square was issued a planning permit (WH/2011/1998) on 22 June 2012, for the construction of a ground floor shop extension, first and second floor office additions and waiver of the car parking requirements.

9.1.5
(cont)

The permit was amended on 15 April 2014, granting approval for an extension of time for a two year period. The new commencement expiry date for Planning Permit WH/2011/998 is 22 June 2016 and the new completion expiry date is 22 June 2018.

In the event the 2016-2020 Special Rate/Charge Scheme is declared, the Special Rate/Charge will apply to 12 Brentford Square, in its current form, for the length of the Scheme (five years). The Special Rate/Charge will be re-allocated over the new properties in proportion to their value should the Special Rate/Charge Scheme be declared again in 2020.

CONSULTATION TO DATE

Council officers, working with independent economic development consultants, St-wise Pty Ltd, have canvassed all affected traders and business operators and property owners on their willingness to continue to contribute to a Special Rate/Charge Scheme for the Centre. A total number of 45 responses have been received from 31 of the affected traders and business operators and from 14 of the property owners, and these responses are shown summarised in the table below.

It is considered that, in light of these responses, there is a sufficient level of support shown for Council to consider the introduction, by way of renewal, of a new Special Rate/Charge proposal for the Brentford Square Shopping Centre.

	Yes	**No**
Property Owners	10	4
Traders	28	3
Total	**38**	**7**
Total Percentage	**84.4%**	**15.6%**

FINANCIAL IMPLICATIONS

The preparation, raising and ongoing administration of a Special Rate/Charge is covered within Council's annual budget.

In calculating a Special Rate/Charge Scheme, the *Local Government Act* 1989 requires a Council to ensure that it takes into account any wider special benefits or community benefits. These are defined as tangible and direct benefits to properties outside the Scheme area, or to people in the broader community, and are not confined to the Scheme contributors.

It is considered that no such wider special benefits or community benefits exist in this Scheme because, in the relevant sense, the proceeds of the Special Rates/Charges will be used exclusively for the benefit of the owners and occupiers of the properties included in the Scheme, by way of appointing a part-time Centre Coordinator and authorising expenditure for promotional, marketing and business development related activities, and any infrastructure improvement and maintenance works for the benefit of the properties and the businesses specifically included within the Scheme area (in the context of improvements to the physical aspects of the Centre). The proposed declarations of the Special Rates/Charges will reflect this position.

9.1.5
(cont)

POLICY IMPLICATIONS

Council Plan 2014 – 2018

The Whitehorse Council Plan 2013–2017 Key Strategic Objective: *"Dynamic local economic environment that is regionally connected"*.

WHITEHORSE ECONOMIC DEVELOPMENT STRATEGY 2014 – 2019

THE WHITEHORSE ECONOMIC DEVELOPMENT STRATEGY 2014 – 2019 PROVIDES THAT COUNCIL WILL CONTINUE TO IMPLEMENT THE ECONOMIC DEVELOPMENT STRATEGY BY –

- *Engage with "precinct champions" to advocate with other traders and property owners towards gaining support with projects, proposals and activities.*
- *Provide support to business associations in the development of marketing plans, business plans and governance guidelines.*
- *Work with organisations to deliver programs that will assist businesses in shopping and activity centres to operate sustainably.*

9.2 HUMAN SERVICES

9.2.1 Whitehorse Community Grants – 2015/2016 Financial Year

FILE NUMBER: SF60018

SUMMARY

This report presents the Whitehorse Community Grant recommendations for the 2015/2016 financial year, as determined by the Councillor Assessment Panel, which comprised of: Cr Andrew Munroe (Mayor), Cr Bill Bennett and Cr Philip Daw.

RECOMMENDATION

That Council allocates the 2015/2016 Whitehorse Community Grants in accordance with Appendix A (Cash Grants, Partnerships Tendered and Non-Tendered) and Non-Partnership) and Appendix B (Discount Support) as recommended by the Councillor Assessment Panel.

MOTION

Moved by Cr Chong, Seconded by Cr Daw

That Council allocates the 2015/2016 Whitehorse Community grants in accordance with Appendix A (Cash Grants, Partnerships Tendered and Non-Tendered) and (Non-Partnership) and Appendix B (Discount support) as recommended by the Councillor Assessment Panel, noting the slight change to page 14 of the document Australia Day Breakfast – Lions Club South Vermont should read $1,000 and with the exception of Alkira Centre Box Hill (page 1 Cash and Discount Support Grants 2015-2016).

AMENDMENT

Moved by Cr Stennett, Seconded by Cr Daw

That Council allocates the 2015/2016 Whitehorse Community grants in accordance with Appendix A (Cash Grants, Partnerships Tendered and Non-Tendered) and (Non-Partnership) and Appendix B (Discount support) as recommended by the Councillor Assessment Panel, noting the slight change to page 14 of the document Australia Day Breakfast – Lions Club South Vermont should read $0 and with the exception of Alkira Centre Box Hill (page 1 Cash and Discount Support Grants 2015-2016).

LOST

The motion moved by Cr Chong, Seconded by Cr Daw was then put and CARRIED UNANIMOUSLY

9.2.1
(cont)

Attendance

Cr Ellis having declared a Conflict of Interest in Item 9.2.1 left the Chamber at 8.36pm prior to the discussion on this item.

COUNCIL RESOLUTION

Moved by Cr Chong, Seconded by Cr Daw

That Council allocates the Community Grant as recommended on page 1 (Cash and Discount Support Grants 2015-2016) to Alkira Centre Box Hill.

CARRIED UNANIMOUSLY

Attendance

Cr Ellis returned to the Chamber at 8.37 pm following the vote on Item 9.2.1

BACKGROUND

Whitehorse City Council supports not-for-profit community groups and organisations to provide a wide range of services, programs and activities to the Whitehorse community through its Community Grants program. For the 2015/2016 program, Council received applications from 208 community organisations, for both cash and discount support grants (hall hire and free tipping) with cash grant requests totaling $1,101,851.

The Councillor Assessment Panel met on Tuesday 23 June 2015 to consider the community grants applications and subsequently to determine the recommendations which are included as *Appendix A* to this report (Cash Grants).

Appendix B provides information in regard to Discount Support (hall hire and free tipping) and *Appendix C* is a summary of the grant categories.

DISCUSSION

The Community Grants program is divided into five separate components:

1. Cash Grants: Partnership Funding Category 1 – Non Tendered
2. Cash Grants: Partnership Funding Category 2 – Tendered
3. Cash Grants: Non-Partnership (Minor Grants Up to $5,000 & Major Grants $5001 to $20,000)
4. Discount Support (Hall Hire) and
5. Discount Support (Free Tipping).

1. **Partnership Funding Category 1 (Non-Tendered grants)**: Organisations with a unique role in service provision that have a strong connection with a particular local community or regular event, and /or are the only organisation that can provide the particular service(s).

9.2.1
(cont)

Four Year Partnership Funding agreements were offered to Category 1 organisations commencing 2012/2013 financial year:

- Ten Neighbourhood & Community Houses (including Louise Multicultural Centre)
- Whitehorse Community Chest
- Whitehorse Pre-school Association
- Asian Business Association (Chinese New Year Festival).

2. **Partnership Funding Category 2 (Tendered grants):** Specific Services and/or Programs – This funding is to provide services in accordance with Council plans, priorities, and /or strategic directions. The services and programs that fall within this category can be provided by a wide range of services/organisations within the City of Whitehorse and therefore were tendered.

   Council let the following four year tenders commencing in the 2012/2013 financial year:

   - Provision of Family Violence Program for Women (Tender 11040) – Mitcham Community House Family Violence Program
   - Provision of Life Skills Program for Young Men and Women (Tender 11041) – Family Access Network
   - Provision of Emergency Relief Support and Co-ordination (Tender 11042) – Uniting Care East Burwood Centre
   - Provision of Family Youth and Children's Support and Counselling Service Parts 1 & 2 (Tender 11043) – EACH Limited.

3. **Cash Grants: Non-Partnership Funding (Major and Minor Cash Grants)**

   At the Panel meeting on 23 June 2015, Non-Partnership Grants (Minor Cash Grants up to $5,000 and Major Cash Grants $5001 to $20,000) were considered (Appendix A).

4. **Discount Support Hall Hire**

   Discount Support relates to discounted hall hire charges at Council owned and operated venues. If community groups meet the criteria, Discount Support Hall Hire is automatically granted. Groups applying for a discount on hall hire charges have already been notified in writing of their success or otherwise and this information is included in Appendix B. Discount Support Hall Hire recommendations currently total $293,258.

   Further applications for Discount Support Hall Hire will be received by Council as the year progresses and approved if the groups meet the criteria. There are three levels of discount support based on group type: 90% for seniors groups, 75% for service clubs and 50% for all other organisations. Discount Support Hall Hire also includes the option of one free hall hire fundraising event each year per organisation, with many groups taking advantage of this option.

5. **Discount Support Free Tipping**

   Council offers discount support to not for profit community groups for free tipping at Council's Recycling and Waste Centre. A nominal amount of $130 has allocated to each free tipping pass. Each trailer load of waste is weighed and the actual cost based on the tonnage rate applied is recorded against the Community Grants Program. A total of 265 tipping passes are recommended for the 2015/2016 financial year and the groups are listed in Appendix B with an estimated cost to Council of $34,450. Please note all free tipping passes issued are not necessarily used.

9.2.1
(cont)

FINANCIAL IMPLICATIONS

The Cash Grants Budget for 2015/2016 is detailed below:

2015/2016 Financial Year – Cash Grants (only)	**Cash Grants 2015/2016 Budget**
Four Year Partnership - Non Tendered	$365,002
Four Year Partnership - Tendered	$302,559
Non-Partnership Grants – (Minor and Major Grants)	$155,396
Cash Grants Budget	**$822,957**

The total Grants Budget (Cash and Discount Support) for 2015/2016 is detailed below:

2015/2016 Financial Year – Cash and Discount Support Grants	**All Grants 2015/2016 Budget**
Total Cash Grants (Partnership Grants and Minor & Major Grants)	$822,957
Discount Support Hall Hire	$293,258
Discount Support Free Tipping	$34,450
Total Grants Budget	**$1,150,665**

The Cash Grant recommendations by the Councillor Panel totalled $1,149,057 which is $1,608 under the budget allocation for Non-Partnership Grants of $155,396.

As in previous years, the unallocated amount ($1,608) will be available for allocation during the financial year should any further requests for community grants come into Council and be assessed as being appropriate to receive a community grant by the Mayor.

A detailed booklet has been circulated separately listing all the Community Grant requests received and divided into the relevant grant categories shown below in the Appendices.

All community groups receiving cash grants will be required to complete Funding & Service Agreements prior to the release of any cash grants.

The community grant amounts in this report do not include GST.

CONSULTATION

The 2015/2016 Community Grants were advertised extensively within the municipality: the Whitehorse News, on Council's web site, in Councillor Columns and via press releases.

POLICY IMPLICATIONS

The Community Grants have been advertised, assessed and recommended in line with the Whitehorse Council Plan and Council's long term vision and goals.

9.2.1
(cont)

APPENDIX A – CASH GRANTS

PARTNERSHIP CATEGORY 1 NON-TENDERED GRANTS 2014-2015	**2015/2016 – 4th Year Non-Tendered Partnership Grants**
Asian Business Association of Whitehorse Inc	$22,510
Avenue Neighbourhood House @ Eley Inc.	$35,003
Bennettswood Neighbourhood House	$28,250
Box Hill South Neighbourhood House	$28,250
Burwood Neighbourhood House	$28,250
Clota Cottage Neighbourhood House Inc	$28,250
Kerrimuir Neighbourhood House	$28,250
Koonung Cottage Community House	$28,250
Louise Multicultural Centre	$25,436
Mitcham Community House	$35,003
Vermont South Community House	$35,003
Whitehorse Community Chest Inc.	$13,396
Whitehorse Pre School Association	$29,151
TOTAL CATEGORY 1 NON-TENDERED PARTNERSHIP GRANTS	**$365,002**

PARTNERSHIP CATEGORY 2 TENDERED GRANTS 2014-2015	**2015/2016 - 4th Year Tendered Partnership Grants**
Provision of a Family Violence Program for Women - Tender 11040- Mitcham Community House	$16,320
Provision of Emergency Relief Support and Co-ordination - Tender 11042- Uniting Care East Burwood Centre	$24,671
Provision of a Life Skills Program for Young Men and Women - Tender 11041- Family Access Network (FAN)	$34,553
Provision of Family Youth and Children's Support and Counselling Services - Part 1 & Part 2 Tender – 11043- Eastern Access Community Health (EACH Ltd)	$227,015
TOTAL CATEGORY 2 TENDERED PARTNERSHIP GRANTS	**$302,559**

9.2.1
(cont)

Cash Grants NON-PARTNERSHIP GRANTS (Major and Minor Grants)	2015/2016 Financial Year
Alkira Centre - Box Hill	$3,750
Australia Chinese Dancers Association Inc	$2,000
Benwerrin Pre School Association	$1,500
Blackburn Cycling Club	$1,750
Blackburn Pre-School Centre	$1,500
Box Hill Art Group Inc	$1,475
Box Hill Chorale Society	$1,545
Box Hill Citizen's Advice Bureau	$10,610
Box Hill City Band	$1,500
Box Hill Greek Elderly Citizen's Club	$500
Box Hill Historical Society	$457
Box Hill Italian Senior Citizen's Club	$500
Box Hill Senior Citizen's Club	$500
Box Hill U3A	$1,200
Buckanbe Park Advisory Committee	$3,000
Burwood Community Garden	$230
Centre for Holistic Health	$2,000
Chinese Health Foundation	$1,200
Chinese Nurse Association Australia Inc	$800
Circolo Anziani of the Whitehorse Club	$750
Circolo Pensionati Italiani-Nunawading	$1,200
Combined Probus Club of Blackburn South	$720
Combined Probus Club of Burwood East	$720
Combined Probus Club of Burwood Inc	$500
Combined Probus of Tunstall Inc	$1,500
Communities Council on Ethnic Issues	$1,000
Crossway Lifecare	$5,000
East Burwood Pre School	$1,323
East Victorian Highland Dancing Association Inc	$500
Eastern Area Multiple Birth Association	$3,600
Eastern Climate Action Melbourne (Whitehorse)	$2,000
Eastern Community Legal Centre	$6,000
Eastern Emergency Relief Network (& Warehouse)	$8,500
Eastern Volunteer Resource Centre	$4,490
Family Access Network	$20,000
Florence Road Pre School Centre	$1,500
Forest Hill Uniting Church Monday Companions (Older Adults Group)	$800
Greek & Cypriot Elderly Citizen's Club of Whitehorse & District	$1,340
Greek Elderly Citizens Club of Nunawading	$1,340
Greek Orthodox Community of Box Hill and Districts	$1,340
Indochinese Elderly in the Eastern Suburbs Inc	$1,030
Jasmine Dance Group	$500
Jing Song Senior Chinese Men's Inc	$700
Katrina Pre School Association	$1,450
Koonung Park Tennis Club	$1,140
Ladies Probus Club of Blackburn South	$1,000
Ladies Probus Club of Box Hill South	$1,000

Life Activities Club of Whitehorse	$1,545
LINC Whitehorse	$318
Lions Club of South Vermont	$1,000
Maroondah Singers Inc	$500
Melbourne Chinese U3A	$500
Migrant Information Centre	$2,000
Mullum Mullum Festival	$1,500
Multiple Sclerosis Ltd	$1,405
Nieuw Holland Social Club Inc.	$515
Nunawading Hungarian Senior Citizen's Club Inc.	$500
Probus Club of Blackburn Central Inc.	$1,000
Probus Club of Mont Albert Inc	$1,000
Rangeview Pre School	$500
Scouts Australia Vic Branch - 1st Mont Albert Scout Group	$750
Scouts Australia Vic Branch - 1st Nunawading Scout Group	$1,279
Scouts Australia Vic Branch - 9th Box Hill Scout Group	$750
Seedlings @ Whitehorse Kindergarten and Playgroup	$770
Senior Citizen's Club of Nunawading	$1,340
Senior Citizens of the Greek Community of Forest Hill	$1,340
St Augustine's Anglican Kindergarten Inc.	$1,351
St Francis Xavier Autumn Friendship Club (St Francis Xavier Church)	$500
St Mark's Anglican Church	$1,500
Surrey Hills Baptist Children's Centre	$750
Taiwanese Business Association of Melbourne Inc	$9,000
Terrara Pre School Association	$1,500
Timorese Taiwan Alumni Association Inc	$500
U3A Nunawading Inc.	$1,545
Victorian Multi Ethnic Slavic Welfare Association	$500
Warekila Preschool	$700
Wattle Hill Kindergarten	$700
Whitehorse Community Health Service	$800
Whitehorse Day Club	$650
Whitehorse Friends for Reconciliation	$2,000
Whitehorse Historical Society Inc.	$1,900
Whitehorse Older Persons Action Group	$500
Whitehorse Orchestra	$2,000
Whitehorse Urban Harvest	$1,420
TOTAL NON-PARTNERSHIP MINOR AND MAJOR CASH GRANTS	**$153,788**

9.2.1
(cont)

APPENDIX B – DISCOUNT SUPPORT GRANTS

DISCOUNT SUPPORT HALL HIRE	2015/2016
Aglow Australia	$647
Alcoholics Anonymous	$1,475
Alkira Centre - Box Hill	$1,279
Arts Nunawading Inc	$188
Asian Business Association of Whitehorse Inc	$1,794
Australian Orchid Foundation	$137
Australian Quilters Association Inc	$1,855
Australian Red Cross - Blackburn Unit	$900
Australian Woodturning Exhibition (Whitehorse Wood turners)	$3,278
Babirra Music Theatre Inc	$20,000
Box Hill Art Group Inc	$7,633
Box Hill Ballet Association Incorp.	$7,450
Box Hill Chorale Society	$2,286
Box Hill Citizen's Advice Bureau	$101
Box Hill City Band	$1,234
Box Hill Clayworkers	$4,199
Box Hill Community Gardens Inc	$229
Box Hill Hand Spinners and Weavers	$6,068
Box Hill Historical Society	$391
Box Hill Life Drawing Group	$334
Box Hill North Super Kings	$2,062
Box Hill Russian Senior Citizen's Club	$3,087
Box Hill South Pre School	$1,681
Brotherhood Karyas Olympou	$707
Cake Decorators Association of Vic Inc	$398
Circolo Pensionati Italiani-Nunawading	$8,119
City of Whitehorse Band	$1,750
Combined Probus Club of Blackburn South	$1,760
Combined Probus Club of Whitehorse	$1,548
Community of Cypriots of the Eastern Suburbs Elderly Citizens Club	$7,038
Contemporary Women Painters	$1,693
Designer Art Shop Association (known as Alcove Art Shop)	$1,394
Eastern & Mountain District Radio Club Inc	$1,495
Eastern Climate Action Melbourne (Whitehorse)	$488
Eastern Districts Aquarium Society	$1,849
Eastern Suburbs Scale Modelling Club	$465
Family Access Network	$190
Greek & Cypriot Elderly Citizen's Club of Whitehorse & District	$8,798
Greek Elderly Citizens Club of Nunawading	$5,279
Hand Tool Preservation Society	$535
Heritage Roses in Australia Inc. (Greater Melbourne Group)	$235
Hispanic Society of Victoria Inc	$1,786
Hovercraft Club of Victoria	$250
Inclusive Music Theatre Incorporated	$2,100
Indochinese Elderly in the Eastern Suburbs Inc	$8,820
Katrina Pre School Association	$344
Knitting for the Needy	$360

Ladies Probus Club of Nunawading	$1,408
Ladies Probus Club of Vermont South	$774
Marquetry Society of Victoria	$757
Melbourne Ai-Yue Choir	$1,407
Melbourne Audio Club Inc	$1,795
Melbourne Children's Chinese Choir	$1,678
Melbourne Chinese Choir	$1,240
Melbourne Numismatic Society Inc.	$245
Melbourne Taiwanese Ladies Association	$1,388
Morris Register of Victoria	$645
Neami National	$483
Needlework and Tapestry Guild of Victoria	$4,721
Nova Music Theatre Inc	$20,000
Nunawading Community Gardens Inc	$117
Nunawading Hungarian Senior Citizen's Club Inc.	$3,379
Orchid Species Society of Victoria	$673
Papermakers of Victoria	$418
Parkside Pre School Centre Inc	$559
Perwira Inc - Indonesian Society of Victoria	$2,986
Polish Senior Citizen's Club of Doncaster	$7,038
Probus Club of Forest Hill Inc	$1,443
Probus Club of Mitcham Nunawading Inc	$2,961
Probus Club of Mitcham Orchards Inc	$3,230
R&S Chrysler Valiant Car Club of Victoria	$430
Rotary Club of Box Hill (Art Show)	$9,903
Rotary Club of Box Hill Central	$1,700
Scouts Australia - Whitehorse Showtime	$10,000
Senior Citizen's Club of Nunawading	$4,857
Senior Citizen's Club of the Greek Community of Forest Hill	$20,000
St Philips Primary School	$1,815
St Thomas the Apostle Primary School Parents Association	$1,905
Surrey Hills Baptist Children's Centre	$735
Taiwanese Women's Dancing Group	$1,860
The Boite Vic Inc. (Surrey Music Café)	$2,334
The Caribbean Association of Victoria	$305
The Hong Kong Club	$1,548
U3A Nunawading Inc.	$20,000
University of Melbourne - Mindful Centre for Training & Research	$349
Vermont Cancer Research Fundraising Group	$1,800
Vermont Floral Art Group	$978
Vermont Garden Club	$645
Vermont Primary School	$915
Victorian Bulb Society Inc	$890
Victorian Quilters Inc.	$1,026
Victorian Samoan Advisory Council Inc	$659
Victorian State Calisthenics Team	$1,123
Wado Ryu Karate	$2,932
Whitehorse Bicycle Advisory Committee	$169
Whitehorse Boroondara FM Community Radio	$1,398
Whitehorse Chinese Senior YouYi Friendship Club	$2,809
Whitehorse Cyclists Inc	$220
Whitehorse Film Society Inc	$2,991

Whitehorse Orchestra	$3,015
Whitehorse Pioneer Football Club	$2,208
Whitehorse Toastmasters Club	$4,279
Yooralla Film Group	$2,406
TOTAL DISCOUNT SUPPORT HALL HIRE	**$293,258**

DISCOUNT SUPPORT FREE TIPPING	**2015/2016**
Alkira Centre - Box Hill	$1,560
Box Hill Community Gardens Inc	$520
Burwood Community Garden	$390
Doncare (Whitehorse Opportunity Shops)	$3,120
East Burwood Pre School	$390
Eastern Emergency Relief Network (& Warehouse)	$6,760
Florence Road Pre School Centre	$260
LINC Whitehorse	$3,120
Lions Club of Blackburn North	$1,560
Lions Club of Forest Hill	$260
Lions Club of South Vermont	$1,300
Nunawading Community Gardens Inc	$1,300
Parkside Pre School Centre Inc	$520
Rangeview Pre School	$520
Rotary Club of Mitcham	$1,560
Rotary Recycle Inc.	$1,560
Royal Society for the Prevention of Cruelty to Animals	$6,760
Scouts Australia Vic Branch - 1st Bennettswood Scout Group	$260
Scouts Australia Vic Branch - 1st Mont Albert Scout Group	$390
Scouts Australia Vic Branch - 1st Tally Ho Scout Group	$260
Scouts Australia Vic Branch – 9th Box Hill Scout Group	$390
Surrey Hills Baptist Children's Centre	$520
Uniting Op Shop (Forest Hill)	$780
Whitehorse Arts Association	$390
TOTAL DISCOUNT SUPPORT FREE TIPPING	**$34,450**

APPENDIX C – COMMUNITY GRANTS CATEGORY SUMMARY

COMMUNITY GRANTS SUMMARY	**2015/2016**
Partnership Category 1 (Non-Tendered)	$365,002
Partnership Category 2 (Tendered)	$302,559
Minor and Major Cash Grants	$153,788
Discount Support Hall Hire	$293,258
Discount Support Free Tipping	$34,450
Unallocated - For Any Further Requests Under Mayoral Approval	$1,608
TOTAL ALL GRANTS	**$1,150,665**

Attendance

Cr Carr left the Chambers at 8.39pm and returned at 8.40pm

9.2.2 Whitehorse Strategic Social Plans- Outcomes Report

FILE NUMBER: SF12/108
ATTACHMENT

SUMMARY

This Report provides Council with the achievements and outcomes for 2014-2015, outlined against thematic priority areas in: the Whitehorse Disability Policy and Action Plan; the Whitehorse Diversity Policy & Action Plan; the Whitehorse Reconciliation Policy & Action Plan; the Whitehorse Positive Ageing Strategy; and the Whitehorse Volunteer and Community Participation Strategy.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Stennett

That Council notes the 2014-2015 outcomes and achievements of the Five Strategic Social Plans listed.

CARRIED UNANIMOUSLY

BACKGROUND

Council develops many social plans and policies that relate to and work toward meeting the needs of specific cohorts and target groups in the community.

The Strategic Plans that are developed and implemented by Council's Community Development department in partnership with cross-Council Departments, the community, community organisations and other levels of Government include: the Whitehorse Disability Policy and Action Plan (Attachment 6, Appendix A- outcomes report); the Whitehorse Diversity Policy & Action Plan (Attachment 6, Appendix B- outcomes report); the Whitehorse Reconciliation Policy & Action Plan (Attachment 6, Appendix C- outcomes report); the Whitehorse Positive Ageing Strategy (Attachment 6, Appendix D- outcomes report); and the Whitehorse Volunteer and Community Participation Strategy (Attachment 6, Appendix E- outcomes report).

These Strategic Plans are developed in consultation with all key stakeholders, to assist Council in understanding the diverse needs and aspirations of the community. This information then guides the work of Council, in partnership with other levels of Government, community organisations, the community and cross-Council departments, to respond to those needs.

Each Strategic Plan also has an action plan component which is developed on an annual basis by Council officers in partnership with key stakeholders, in addition to: consolidated information collected from the review of current research, legislation and policy directions, demographic information and most importantly the information gained through community consultation and engagement. As is detailed in the Outcome Report of each Plan, actions are led by either cross-Council departments or other key stakeholders and organisations in the community, with an emphasis on working together in partnership to achieve more effective outcomes.

The Outcome Reports provide a snapshot of work that is being achieved across the municipality to improve the health and wellbeing of individuals and groups in the local area, however there is also many more initiatives that are implemented annually that impact positively on people within the Whitehorse community.

9.2.2
(cont)

The Strategic Plans' demonstrate Council's commitment to work with the diverse Whitehorse community in regard to matters that they identify as being a priority. In addition, The Disability Policy & Action Plan is a legislative responsibility of local government.

DISCUSSION

Throughout the implementation of the action plans to date, Council in partnership with community members, services provides and other key stakeholders, have worked together with the aim of enhancing the health and wellbeing of the Whitehorse community.

The achievements against actions for each of the Plans for the 2014-2015 year have been presented in a table format with each sitting as an Appendix to this Report.

Each outcome report highlights the strong connection that each of these Plans have to the Whitehorse Council Plan and the Whitehorse Health & Wellbeing Plan.

The Appendix documents provide the detail about initiatives that have been undertaken over the past 12 months, however listed below are some highlight projects from each of the Plans:

Whitehorse Accessible Communication Project
Councils Community Development and Communications Department has developed the *Whitehorse Accessible Communication guide*. A first for local government, the broad collaborative approach to this project has ensured that other Councils in the region have had ongoing opportunities to contribute to the development of this resource. There are also plans for an Accessible Communications Guide for Community Organisations and a Top 10 Accessible Communication Tips sheet for broad distribution.

Prevention of Violence against Women Project
The experiences of Women with a disability, women from culturally and linguistically diverse communities and older women who experience violence, were explored in *Councils Stop Working in Silence – Preventing Violence against Women Forum.* The Forum highlighted that whilst the actual violence may be similar for women with a disability, issues such as access to services and supports etc. differ greatly.

Working with Older People in the Community
Council delivered a very successful World Elder Abuse Awareness Day awareness raising campaign, as well as hosting a diverse and interesting Seniors Festival Program, including the Whitehorse Positive Ageing Expo in partnership with Nunawading U3A.

Peak Oil Project
In 2014, Councils sustainability team targeted the Chinese community about their attitudes and perceptions around peak oil and how a short-term disruption or long-term decline of oil and oil based products would affect their lifestyle and communities. A focus group was conducted with Chinese Community Social Services in Box Hill. The feedback received will be used to inform a community engagement project around peak oil in 2015

Gambling project
In partnership with Deakin University, Council has commenced a pilot program engaging International students to become Community Researchers, with the first area of research being gambling.

9.2.2
(cont)

Global Fiesta
Council's Community Development & Arts & Recreation Departments again hosted a very successful Global Fiesta, which celebrated the diversity of the Whitehorse community. In 2014, this festival attracted more than 5000 people.

Sorry Day Flag Raising Ceremony (Nangnak Garden)
The annual Sorry Day Flag Raising ceremony day was held in 2014. This is a highly successful event that attracts more and more people each year including local primary and secondary school students.

Whitehorse Volunteer Expo
The Whitehorse Volunteer Expo which is developed in partnership between Council and Eastern Volunteers was held in June 2014. The expo was again very successful in highlighting local volunteer opportunities including those at Council.

Outcomes for each of the Strategic Plans are shown as a "traffic lights". Red represents the action as not having commenced, or no progress made towards completing the action; Amber represents some progress toward completing the action, but the target is not on track; Green represents that the Department is on track towards completing the action; and Blue represents that the Action is completed.

CONSULTATION

All of the Plans listed, are coordinated by officers working in Councils Community Development department; however they are implemented in partnership with key stakeholders across Council and across the community. All of the Plans are subject to regular monitoring, review and evaluation.

FINANCIAL IMPLICATIONS

Council commits approximately $50,000 annually to implement the Plans', approximately $10,000 for each Plan. The allocated resources are spent on such things as forums and workshops, events and programs and initiatives that fall out of each Plan. All the Plans sit within the responsibility of a Community Development officer, who implements each Plan in partnership with the community and cross Council departments.

In addition, the Community Development Department explores all external funding opportunities on an ongoing basis.

POLICY IMPLICATIONS

Each of the five Strategic Plans highlighted is consistent with objectives in the Whitehorse Council Vision, the Whitehorse Council Plan, the Whitehorse Health & Wellbeing Plan and State and Federal Government policy directions

9.2.3 The Health and Wellbeing in Whitehorse Implementation Plan 2013-2017

FILE NUMBER: SF12/108
ATTACHMENT

SUMMARY

This Report provides Council with the achievements and outcomes for 2014-2015, outlined against thematic priority areas in the Health and Wellbeing in Whitehorse Plan 2013-2017 (Municipal Public Health & Wellbeing Plan).

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Ellis

That Council notes the 2014-2015 outcomes and achievements of the Health and Wellbeing in Whitehorse Plan 2013-2017.

CARRIED UNANIMOUSLY

BACKGROUND

The Public Health Act (1958), states that Local Government Authorities must prepare a Municipal Public Health Plan.

The Public Health and Wellbeing Act (2008) articulates that the Plan is to be developed every four years and it is to be completed twelve months after the election of the new Council. The first implementation plan is subsequently developed within six months of the Plan being adopted by Council and then annually thereafter.

The Health and Wellbeing in Whitehorse Plan 2013-2017 was developed with the purpose of providing direction and guidelines for working towards an optimal state of health and wellbeing for the Whitehorse community.

Whitehorse City Council plays an active leadership role in identifying and highlighting public and community health issues throughout the municipality. The Plans' implementation is a vehicle through which Council, its partners and the local community can address these issues.

The Plan is a key Council document that provides a strategic planning focus, promotes partnerships and networks, highlights local health issues, involves all departments of Council, enables the integration of a social model of health and articulates links to regional, state and national health priorities.

The Health and Wellbeing in Whitehorse Plan 2013-2017 was developed after extensive public engagement and consultation and is representative of the community's identified needs and priorities.

Five key priority areas have informed and guided the implementation of this and subsequent annual action plans:

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

9.2.3
(cont)

The 2014-2015 implementation Plan (Attachment 7) details achievements and outcomes against key actions; and the partnerships, both within Whitehorse City Council and the community, who worked together to implement the Plan during 2014-2015. All actions within the Plan were completed in their entirety or are on track and completed to date, as some actions were identified as ongoing with a component of work scheduled for completion during 2015.

In addition, the implementation plan and subsequent achievements/outcomes highlight this Plans' very strong linkages to the Whitehorse Council Plan.

DISCUSSION

The State Government's Municipal Public Health Planning Framework *Environments for Health – Promoting Health and Well Being through Built, Social, Economic and Natural Environments* underpin the development and implementation of the Plan. This policy framework strongly advocates for a social model of health approach to health and wellbeing planning and implementation.

The term "social model of health" refers to community wellbeing as being a concept that is much broader than illness or disease. Within this framework, improvements in health and wellbeing are achieved through health promotion and population health planning interventions that address the social, economic, environmental and economic determinants of health.

The implementation Plan was developed collaboratively with Council Service Areas, the community and key stakeholders and the 2014-2015 implementation of the Plan has followed suit. Whilst Council has the responsibility for the development and coordination of the Plan, its effective implementation depends on a whole-of-community approach, with participation and commitment from all individuals and groups that have a role (existing or potential) in influencing the health and wellbeing of the local community. Council recognises its key facilitation and co-ordination role in bringing together all the key stakeholders in the community. This "partnership" approach has been further strengthened through the implementation of the 2014-2015 action Plan.

This and subsequent yearly plans, which has been implemented in partnership with key stakeholders, will guide Council efforts in enhancing health and wellbeing in the municipality and will work toward achieving the goals and aspirations of the City of Whitehorse in regard to working in partnership to achieve its long term wellbeing goals.

CONSULTATION

The implementation of the 2014-2015 action plan has been overseen by a working group that consists of a diverse range of cross-Council representatives as well as key stakeholders in the community: Department of Justice, Department of Health and Human Services, the inner East primary Care partnership (PCP), the Inner East Medicare Local, Carrington Health Service, Women's Health East and Victoria Police.

FINANCIAL IMPLICATIONS

The financial cost to Council, in regards to the implementation of the Health and Wellbeing in Whitehorse Plan 2013-2017, for 2014-2015 is estimated at $7,000.

In addition, the Community Development Unit:

- Explored all external funding opportunities to progress any projects that address priorities and issues.
- Identified priorities/issues that fell into the responsibility of an external service or agency
- Identified priorities/issues that are the current or planned responsibilities of other Council Service Areas

9.2.3
(cont)

POLICY IMPLICATIONS

The Health and Wellbeing in Whitehorse Plan 2013-2017 and its annual actions plans are consistent with objectives in the Whitehorse Council Vision, the Whitehorse Council Plan and State and Federal Government policy directions.

9.3 CORPORATE SERVICES

9.3.1 Tender Evaluation Report – Provision of Office Supplies

FILE NUMBER: SF15/157

SUMMARY

To recommend the acceptance of an offer received from MAV Procurement, to appoint 5 Contractors as Council's preferred suppliers of office supplies and associated products and services, on a Schedule of Rates basis for a period of 3 years and to consider the estimated expenditure over the life of the contract.

COUNCIL RESOLUTION

Moved by Cr Chong, Seconded by Cr Daw

1. ***That Council accept the recommendation from MAV Procurement and appoint the following 5 Contractors as Council's preferred suppliers of office supplies and associated products and services, under Contract 14044 on a Schedule of Rates basis for a period of 3 years:***

    - ***Complete Office Supplies Pty Ltd (ABN 92 001 634 715) of 25 Nyrang Street, Lidcombe NSW 2141;***
    - ***Lyreco Pty Ltd (ABN 44 088 164 872) of Unit 12, 2-8 South Street, Rydalmere NSW 2116;***
    - ***Premier Paper Company Pty Ltd (ABN 19 997 332 175) of 27-29 Raglan Street, Preston VIC 3072;***
    - ***Quick Corporate Australia Pty Ltd (ABN 22 789 053 594) of Unit 2, 22 Humphries Terrace, Kilkenny SA 5009; and***
    - ***Staples Australia Pty Limited (VIC) (ABN 94 000 728 398) of 111 Turner Street, Port Melbourne VIC 3207.***

2. ***Authorise the Chief Executive Officer to award two one-year extensions of this contract, subject to a review of the Contractors' performance and Council's business needs, at the conclusion of the initial 3 year contract term.***

CARRIED UNANIMOUSLY

BACKGROUND

This report considers the provision of office supplies and associated products and services including general stationery, printer and IT consumables, copy paper, kitchen consumables, janitorial products and promotional products.

The current contract for the supply of stationery has now expired.

On 28 January 2015, Whitehorse City Council sent an email to MAV Procurement (MAV) expressing an interest in participating in a new collaborative contract for the provision of office supplies and associated products and services (MAV Contract No.ST4412-2015, Council Contract 14044) for a period of 3 years. This contract can be extended for a further 2 years.

The tender was conducted by MAV on behalf of councils in Victoria, South Australia and Tasmania, not-for-profit bodies and other organisations. The contract delivers an optimum outcome as a result of aggregated purchasing power that Council would not be able to match by tendering on its own.

9.3.1
(cont)

DISCUSSION

MAV advertised tenders in The Age newspaper and on the Tenderlink website on Saturday 18 February 2015. Tenders were closed at 1.00pm on Friday 13 March 2015. Seven tenders were received.

The tenders were evaluated by MAV against the following compliance criteria:

- Conditions of participation (the minimum standards that MAV Procurement expects all Suppliers to meet in order to participate in the tender process);
- Compliance to the RFT specifications; and
- Compliance to the Standing Offer Deed.

The tenders were evaluated by MAV against the following qualitative criteria:

- Corporate responsibility;
- Experience and past performance;
- Delivery, order management and fulfilment;
- Contract management and implementation;
- Product range and services offered; and
- Pricing details, invoicing and payment.

At the completion of the evaluation, MAV concluded that all seven of the tenderers could adequately fulfil the contract and provide the broad range of products and services required across the participating states. All seven were therefore recommended by MAV as the preferred suppliers. Only five of these tenderers have been selected to satisfy Council's business needs.

CONSULTATION

The Procurement Department will oversee this contract. The outcome of this report will be communicated to all relevant Council Departments.

FINANCIAL IMPLICATIONS

The MAV selected a typical "basket of goods" for the purpose of price comparison.

The analysis undertaken by MAV revealed that the proposals submitted by each of the suppliers offered value in different areas due to different supply categories and pricing offered. The prices tendered by the five selected tenderers are considered to be competitive.

MAV charges a small commission (approximately 2%) for purchases made under this contract. The commission is included in the tendered prices.

In the 2014/15 financial year, Council spent approximately $110,500 (including GST) for the purchase of copy paper and stationery. The estimated expenditure under this contract over the initial 3 year contract term is $331,500, including GST. This expenditure will increase to approximately $552,500, including GST if the options to extend the contract are exercised.

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

9.3.2 Naming of Laneway – Adjacent to 20A Broughton Road Surrey Hills

FILE NUMBER: WH/2014/176

SUMMARY

Council at its meeting held 15 September 2014 resolved to approve planning application WH/2014/176 – 20A Broughton Road Surrey Hills for construction of five dwellings, including four double storey dwellings and one single storey dwelling. Planning Permit approval was provided for the construction of five dwellings on 3 November 2014, with a permit condition being that prior to the occupation of the development or certification of any plan of subdivision of the site, the section of the laneway to the south of 20 and 20A Broughton Road Surrey Hills must be constructed and named, as it is required for property addressing and access to the dwellings. Council has received a request to name a currently unnamed laneway adjacent to 20 and 20A Broughton Road Surrey Hills.

COUNCIL RESOLTUION

Moved by Cr Davenport, Seconded by Cr Ellis

That:

1. ***The currently unnamed laneway to the south of 20 Broughton Road and 20A Broughton Road Surrey Hills be named Pennant Lane.***

2. ***Council staff advise the property owner and the owners of properties abutting the laneway of Council's naming proposal, undertake community consultation on the street renaming and report back to Council following this process.***

CARRIED UNANIMOUSLY

BACKGROUND

Council at its meeting held 15 September 2014 resolved to approve planning application WH/2014/176 – 20A Broughton Road Surrey Hills for construction of five dwellings. Planning Permit approval was provided for the construction of five dwellings on 3 November 2014, with a permit condition being that prior to the occupation of the development or certification of any plan of subdivision of the site, the section of the laneway to the south of 20 and 20A Broughton Road Surrey Hills must be constructed and named, as it is required for property addressing and access to the dwellings. Following approval of the permit Council staff received a request from the owner and developer of the site at 20A Broughton Road, Surrey Hills to name the currently unnamed laneway to the south of 20 and 20A Broughton Road Surrey Hills. The laneway is required to be named so that appropriate property addressing can occur for these dwellings which will be accessed and serviced via the laneway.

DISCUSSION and POLICY IMPLICATIONS

Schedule 10 (5) of the Local Government Act 1989 provides that Council may approve, assign or change the name of a road and in exercising that power must act in accordance with the Guidelines in force for the time being under the Geographic Place Names Act 1998 and must advise the Registrar under that Act of the action taken.

9.3.2
(cont)

The Guidelines provide that Council, in naming a road consider, amongst other things, the following:

- A name should have some sense of connection to the areas in which they are applied;
- Consideration to the use of Indigenous names;
- Names should be easy to pronounce, spell and write; and
- Duplication of names is not allowed within the municipality or within a five kilometre radius.

In June 2011 Council adopted the Whitehorse Reconciliation Action Plan 2011-2015. One of the action items of the Whitehorse Reconciliation Action Plan 2011-2015 is:

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

Extensive consultation has been undertaken over the past few months to source appropriate names for this laneway. Consultation has occurred with the Whitehorse Historical Society, the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated, the property owner and developer of the site and advice was sought from the Office of the Registrar of Geographic Names.

The Box Hill Historical Society advise that the site at 20A Broughton Road Surrey Hills has been used solely for the purpose of playing tennis for decades. Tennis and several other words with a tennis theme, including tennis identities, were submitted by the Box Hill Historical Society and the owner of the site. Unfortunately none of the words complied with the mandatory Naming Principles of the Guidelines for Geographic Names (Guidelines) due to duplication with street names already in use within Whitehorse and therefore could not be further considered.

Indigenous words of the Woiwurrung language were submitted by a Senior Elder of the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated. Unfortunately the words did not comply with the Guidelines due to duplication with street names already in use within Whitehorse and therefore could not be further considered.

In an effort to source compliant words for this location, Council staff again consulted with the Box Hill Historical Society and the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated. The Box Hill Historical Society then suggested Pennant, due to knowledge that junior players with the Surrey Hills Uniting Church tennis club joined to play 'pennant' tennis. The property owner/developer supports the word Pennant and it is considered suitable for the location. The Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated have not been able to provide any additional compliant words for this location.

The Guidelines prohibit the use of words currently in use within the municipality or within a five kilometre radius. Duplicates are considered to be two, or more, words/names which are identical or have similar spelling or pronunciation. Council staff must check all suggestions for actual or similar spelling or pronunciation duplications, to ensure compliance with the Guidelines. This is determined by searching the word/name on the VICNAMES search function of the Department of Environment, Land, Water and Planning website. Those words/names which are identified by the VICNAMES search as identical or of similar spelling or pronunciation are not able to be considered further.

9.3.2
(cont)

The process to identify a naming proposal - which is compliant with the Guidelines - for the laneway to the south of 20 and 20A Broughton Road Surrey Hills, has already taken a considerable amount of time. Thirteen words/names were submitted and of these only one - Pennant – complies with the Guidelines. It is recommended that Council approve the naming proposal Pennant.

Following Council's consideration of this report Council staff will write to the property owner and to owners of properties abutting the laneway. A public consultation will be undertaken to seek feedback on the naming proposal. At the completion of the public consultation process a further report will be submitted to Council for final deliberation on the naming proposal.

FINANCIAL IMPLICATIONS

Approximate cost for Council of $150 for installation of street signage.

9.3.2
(cont)


20A Broughton Road Surrey Hills - Laneway Naming
Florence Road
Broughton Road
20A
SURREY HILLS
Florence Reserve

9.3.3 Naming of Laneway – Adjacent to 21 Lexton Road Box Hill North

FILE NUMBER: WH/2014/841

SUMMARY

A planning permit has been issued for construction of three double storey dwellings and a subdivision permit issued for a three lot subdivision at 21 Lexton Road Box Hill North. A laneway running between 21 and 23 Lexton Road Box Hill North is required to be named as the laneway is required for property addressing and access to two of the dwellings at 21 Lexton Road. Council has received a request to name the currently unnamed laneway running between 21 and 23 Lexton Road Box Hill North.

COUNCIL RESOLUTION

Moved by Cr Chong, Seconded by Cr Harris

That:

1. The currently unnamed laneway running between 21 and 23 Lexton Road Box Hill North be named Rainbow Lane.

2. Council staff advise the property owner and the owners of properties abutting the laneway of Council's naming proposal, undertake community consultation on the street renaming and report back to Council following this process.

CARRIED UNANIMOUSLY

BACKGROUND

A planning permit has been issued for construction of three double storey dwellings and a subdivision permit issued for a three lot subdivision at 21 Lexton Road Box Hill North. Dwelling 1 will be accessed from Lexton Road, however dwellings 2 and 3 will be accessed via a currently unnamed laneway running between 21 and 23 Lexton Road Box Hill North. The laneway needs to be named, as it is required for property addressing and access to dwellings 2 and 3 at the 21 Lexton Road Box Hill North site. Council staff have received a request from the owner and developer of the site at 21 Lexton Road, Box Hill North to name the currently unnamed laneway.

DISCUSSION and POLICY IMPLICATIONS

Schedule 10 (5) of the Local Government Act 1989 provides that Council may approve, assign or change the name of a road and in exercising that power must act in accordance with the Guidelines in force for the time being under the Geographic Place Names Act 1998 and must advise the Registrar under that Act of the action taken.

The Guidelines provide that Council, in naming a road consider, amongst other things, the following:

- A name should have some sense of connection to the areas in which they are applied;
- Consideration to the use of Indigenous names;
- Names should be easy to pronounce, spell and write; and
- Duplication of names is not allowed within the municipality or within a five kilometre radius.

9.3.3
(cont)

In June 2011 Council adopted the Whitehorse Reconciliation Action Plan 2011-2015. One of the action items of the Whitehorse Reconciliation Action Plan 2011-2015 is:

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

Extensive consultation has been undertaken over many months to source appropriate words/names for this laneway. Consultation has occurred with the Whitehorse Historical Society, the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated, the property surveyor acting on behalf of the owner of the site and advice was sought from the Office of the Registrar of Geographic Names.

The Box Hill Historical Society researched Lexton Road and nearby area and provided many suggestions based on original and long term landowners and history of the area. Unfortunately none of the words complied with the mandatory Naming Principles of the Guidelines for Geographic Names (Guidelines) due to duplication with street names already in use within Whitehorse and therefore could not be further considered.

A Senior Elder from the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated, researched the area and submitted an indigenous word of the Woiwurrung language. Unfortunately the word did not comply with the Guidelines due to duplication with street names already in use within Whitehorse and therefore could not be further considered.

Council staff again consulted with the Box Hill Historical Society and the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated, in an attempt to source compliant words for this location. In addition the owner and the property surveyors submitted many names/words for this location, which unfortunately do not comply with the Guidelines – with the exception of one word – Rainbow.

Following Council's additional consultation, the Box Hill Historical Society and the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated provided additional suggestions which unfortunately do not comply with the Guidelines.

The Guidelines prohibit the use of words/names currently in use within the municipality or within a five kilometre radius. Duplicates are considered to be two, or more, words/names which are identical or have similar spelling or pronunciation. Council staff must check all suggestions for actual or similar spelling or pronunciation duplications, to ensure compliance with the Guidelines. This is determined by searching the word/name on the VICNAMES search function of the Department of Environment, Land, Water and Planning website. Those identified by the VICNAMES search as identical or of similar spelling or pronunciation are not able to be considered further.

The process to source a naming proposal - which is compliant with the Guidelines - for this laneway has already taken a considerable amount of time. Twenty words/names have been submitted and of these only one - Rainbow – complies with the Guidelines. Rainbow was submitted by the owner of the site at 21 Lexton Road Box Hill North. It is recommended that Council approve the naming proposal Rainbow.

9.3.3
(cont)

Following Council's consideration of this report Council staff will write to the property owner and to owners of properties abutting the laneway. Public consultation will be undertaken to seek feedback on the naming proposal. At the completion of the public consultation process a further report will be submitted to Council for final deliberation on the naming proposal.

FINANCIAL IMPLICATIONS

Approximate cost for Council of $150 for installation of street signage.

9.3.3
(cont)

9.3.4 Delegated Decisions – May 2015

FILE NUMBER: SF 13/1527#02

The following activity was undertaken by officers under delegated authority during May 2015.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

That the report of decisions made by officers under Instruments of Delegation for the month of May 2015 be noted.

CARRIED UNANIMOUSLY

DELEGATION	FUNCTION	Number for May 2014	Number for May 2015
Planning and Environment Act 1987	- Delegated decisions	126	154
	- Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		32	41
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & applications to Building Control Commission	38	85
Liquor Control Reform Act 1998	Objections and prosecutions	1	Nil
Food Act 1984	- Food Act orders	5	4
Public Health & Wellbeing Act 2008	- Improvement / prohibition notices	Nil	Nil
Local Government Act 1989	Temporary road closures	12	12
Other delegations	CEO signed contracts between $150,000 - $500,000	1	Nil
	Property Sales and leases	16	8
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	1225	1238
	Parking Amendments	6	2
	Parking Infringements written off (not able to be collected)	176	322

*The number is very high due to exempting matters sitting at Infringements Court in order to maintain system

Details of each delegation are outlined on the following pages.

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS MAY 2015

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

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
791	08-05-15	Application Lapsed	11 Johnston St, Burwood	Riversdale	Construction three double storey dwellings	Multiple Dwellings
116	29-05-15	Delegate Approval - S72 Amendment	13 Collina St, Mitcham	Springfield	Buildings and works to construct one (1) dwelling and tree removal	Permit Amendment
182	26-05-15	Delegate Approval - S72 Amendment	251 Elgar Rd, Surrey Hills	Riversdale	Develop the land for the construction of two (2) double storey dwellings to the rear of an existing dwelling	Permit Amendment
493	12-05-15	Delegate Approval - S72 Amendment	1 Burnett St, Mitcham	Springfield	Amendment to plans to change front fence material and planting schedule	Permit Amendment
556	21-05-15	Delegate Approval - S72 Amendment	1/7 Burch St, Blackburn North	Central	Amendment to Planning Permit WH/2009/556/C (Issued for the construction of one new double storey dwelling to the rear of an existing single storey dwelling) minor alterations to landscaping and decking features	Permit Amendment
782	29-05-15	Delegate Approval - S72 Amendment	1 Colombo St, Mitcham	Springfield	Amendment to WH/2008/782 (issued for use and develop the land for the purpose of two retail shops, buildings and works associated with the construction of 200 residential dwellings) for change of use from shop to food and drink premises	Permit Amendment
843	26-05-15	Delegate Approval - S72 Amendment	55 Mitta St, Box Hill North	Elgar	Construction of two double storey dwellings	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
850	27-05-15	Delegate Approval - S72 Amendment	16-28 Nelson Rd, Box Hill	Elgar	Amendment to Planning Permit WH/2014/850 (Issued for alterations and additions to Box Hill RSL) for modifications to the area permitted for sale and consumption of liquor	Permit Amendment
10	19-05-15	Delegate NOD Issued	43 Florence Rd, Surrey Hills	Riversdale	The development of the land for two dwellings comprising the construction of a double storey dwelling to the rear of the existing single storey dwelling and a two lot subdivision	Subdivision
27	12-05-15	Delegate NOD Issued	30 Cosgrove St, Vermont	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings
61	07-05-15	Delegate NOD Issued	2 Eyre St, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
556	14-05-15	Delegate NOD Issued	21 Loddon St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
589	12-05-15	Delegate NOD Issued	86 Kenmare St, Mont Albert	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
594	05-05-15	Delegate NOD Issued	70 Stevens Rd, Forest Hill	Morack	Construction of two semi-detached double storey dwellings	Multiple Dwellings
669	14-05-15	Delegate NOD Issued	4 Shady Grv, Nunawading	Springfield	Construction of five double storey dwellings	Multiple Dwellings
712	21-05-15	Delegate NOD Issued	14 Goodwin St, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
716	07-05-15	Delegate NOD Issued	4 Box Ave, Forest Hill	Morack	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
745	14-05-15	Delegate NOD Issued	7 Harcourt St, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
807	29-05-15	Delegate NOD Issued	51 Hastings Ave, Blackburn South	Riversdale	Constuction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
818	08-05-15	Delegate NOD Issued	517 Elgar Rd, Mont AlbertNorth	Elgar	Buildings and works for a first floor addition to the existing dwelling	Special Building Overlay

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
822	07-05-15	Delegate NOD Issued	44 Broughton Rd, Surrey Hills	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
909	21-05-15	Delegate NOD Issued	8 Roberts Ave, Box Hill South	Riversdale	Construction of one (1) double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
927	26-05-15	Delegate NOD Issued	22 Linlithgow St, Mitcham	Springfield	Construction of a single storey dwelling at the rear of the existing dwelling	Multiple Dwellings
937	19-05-15	Delegate NOD Issued	12 Molleton St, Blackburn	Central	Buildings and works for the construction of two (2) dwellings on a lot	Multiple Dwellings
952	08-05-15	Delegate NOD Issued	10 Fir St, Blackburn	Central	Construction of two dwellings	Multiple Dwellings
1046	29-05-15	Delegate NOD Issued	1/37-39 Lexton Rd, Box Hill North	Elgar	Use of the land for Leisure and Recreation (Indoor recreation facility)	Industrial
1052	26-05-15	Delegate NOD Issued	17 Acacia St, Box Hill	Elgar	The demolition of existing dwelling and construction of two double storey dwellings	Multiple Dwellings
1171	26-05-15	Delegate NOD Issued	28 Junction Rd, Blackburn North	Central	Buildings and works to construct a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
1239	28-05-15	Delegate NOD Issued	149 Morack Rd, Vermont South	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings
1255	26-05-15	Delegate NOD Issued	22 Baratta St, Blackburn South	Central	Construction of two double storey dwellings	Multiple Dwellings
1257	29-05-15	Delegate NOD Issued	84 Rutland Rd, Box Hill	Elgar	Construction of a three (3) storey apartment building (plus basement) comprising 12 dwellings and a reduction in visitor car parking requirement by one (1) space	Multiple Dwellings
1271	28-05-15	Delegate NOD Issued	13 Harrison St, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
66	25-05-15	Delegate Permit Issued	15-17 Sherman St, Forest Hill	Morack	6 lot subdivision	Subdivision
111	12-05-15	Delegate Permit Issued	13/41-49 Norcal Rd, Nunawading	Springfield	Buildings and works to extend an existing warehouse	Industrial

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
115	26-05-15	Delegate Permit Issued	77 Jolimont Rd, Forest Hill	Morack	Building and works to construct a garage and storeroom abutting the rear laneway	Business
119	12-05-15	Delegate Permit Issued	73 Junction Rd, Nunawading	Springfield	Construction of one (1) double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
125	08-05-15	Delegate Permit Issued	963 Station St, Box Hill North	Elgar	Construction of two double storey dwellings and alteration of access to a Road Zone Category 1	Multiple Dwellings
153	08-05-15	Delegate Permit Issued	6 Eley Rd, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
154	15-05-15	Delegate Permit Issued	52 Springfield Rd, Box Hill North	Elgar	Six lot subdivision	Subdivision
186	28-05-15	Delegate Permit Issued	30-32 Ceylon St, Nunawading	Central	Use of land for motor vehicle sales	Industrial
189	12-05-15	Delegate Permit Issued	1 Main St, Box Hill	Elgar	Use of land to sell and consume liquor	Business
197	12-05-15	Delegate Permit Issued	215A/270 Canterbury Rd, Forest Hill	Central	Buildings and works for the alteration of the existing building facade.	Business
198	08-05-15	Delegate Permit Issued	3 Cunningham St, Box Hill	Elgar	Construction of three double storey dwellings	Multiple Dwellings
203	29-05-15	Delegate Permit Issued	814-818 Whitehorse Rd, Box Hill	Elgar	Display of advertising signage comprising of directional, business identification, floodlit and internally illuminated signs.	Advertising Sign
210	29-05-15	Delegate Permit Issued	712-714 Station St, Box Hill	Elgar	125 lot subdivision	Subdivision
224	18-05-15	Delegate Permit Issued	17 Omega Crt, Mitcham	Springfield	Removal of four (4) trees in a Significant Landscape Overlay	Special Landscape Area
231	18-05-15	Delegate Permit Issued	16 Primrose St, Blackburn North	Central	Removal of two trees	Vegetation Protection Overlay
240	26-05-15	Delegate Permit Issued	297-309 Whitehorse Rd, Nunawading	Springfield	Installation of signage	Business
243	25-05-15	Delegate Permit Issued	740 Station St, Box Hill	Elgar	47 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
258	20-05-15	Delegate Permit Issued	14 Ovens St, Box Hill North	Elgar	Three lot subdivision	Subdivision
260	28-05-15	Delegate Permit Issued	112-124 Middleborough Rd, Blackburn South	Riversdale	Forty four lot subdivision	Subdivision
261	20-05-15	Delegate Permit Issued	9 Holland Rd, Blackburn South	Central	Three lot subdivision	Subdivision
263	13-05-15	Delegate Permit Issued	38 Cook Rd, Mitcham	Springfield	Three lot subdivision	Subdivision
285	13-05-15	Delegate Permit Issued	6 Donald St, Blackburn South	Central	3 lot subdivision	Subdivision
286	11-05-15	Delegate Permit Issued	496 Middleborough Rd, Blackburn	Central	3 lots subdivision	Subdivision
288	08-05-15	Delegate Permit Issued	8 Cherry Orchard Rise Box Hill North	Elgar	Construct one (1) double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
291	01-05-15	Delegate Permit Issued	12 Andrew St, Vermont	Springfield	Removal of one tree	VicSmart - General Application
296	25-05-15	Delegate Permit Issued	78 Albion Rd, Box Hill	Elgar	3 lot subdivision	Subdivision
308	19-05-15	Delegate Permit Issued	Shop G 15/172-210 Burwood Hwy, Burwood East	Riversdale	Display of one (1) internally illuminated and associated non illuminated business identification sign	Business
309	19-05-15	Delegate Permit Issued	132 Springfield Rd, Blackburn	Central	Display of one (1) business identification sign	Advertising Sign
311	12-05-15	Delegate Permit Issued	45 Combarton St, Box Hill	Elgar	Repaint frontage of existing dwelling in a Heritage Overlay	VicSmart - General Application
312	07-05-15	Delegate Permit Issued	21 Fuchsia St, Blackburn	Central	Removal of one (1) tree	VicSmart - General Application
316	07-05-15	Delegate Permit Issued	19 Landale St, Box Hill	Elgar	Removal of a front fence in a Heritage Overlay	VicSmart - General Application
320	18-05-15	Delegate Permit Issued	32 Eley Rd, Burwood	Riversdale	Two lot subdivision	Subdivision
321	25-05-15	Delegate Permit Issued	132 Station St, Burwood	Riversdale	Three lot subdivision	Subdivision
322	25-05-15	Delegate Permit Issued	14 Hughes St, Burwood	Riversdale	Three lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
323	15-05-15	Delegate Permit Issued	1 Toogoods Rise Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
327	25-05-15	Delegate Permit Issued	29 Ireland St, Burwood	Riversdale	2 lot subdivision	Subdivision
328	11-05-15	Delegate Permit Issued	1/5 Eley Rd, Box Hill South	Riversdale	2 lot subdivision	Subdivision
334	25-05-15	Delegate Permit Issued	9 Starling St, Burwood	Riversdale	3 lots subdivision	Subdivision
336	25-05-15	Delegate Permit Issued	6 Maxwell Crt, Blackburn South	Central	3 lots subdivision	Subdivision
343	11-05-15	Delegate Permit Issued	75 Alwyn St, Mitcham	Springfield	Removal of one tree in the Vegetation Protection Overlay	VicSmart - General Application
352	28-05-15	Delegate Permit Issued	27 Lemon Grv, Nunawading	Springfield	2 lots subdivision	Subdivision
353	18-05-15	Delegate Permit Issued	24 Trent Crt, Burwood East	Riversdale	2 lot subdivision	Subdivision
354	25-05-15	Delegate Permit Issued	35 Hill St, Box Hill South	Riversdale	2 lot subdivision	Subdivision
356	26-05-15	Delegate Permit Issued	30 Henwood St, Blackburn South	Central	Building and works in a SBO	VicSmart - General Application
364	25-05-15	Delegate Permit Issued	2 Norvel St, Blackburn	Central	2 lot subdivision	Subdivision
365	19-05-15	Delegate Permit Issued	6 Birkby St, Box Hill North	Elgar	2 lot subdivision	Subdivision
366	18-05-15	Delegate Permit Issued	96 Junction Rd, Nunawading	Springfield	2 lot subdivision	Subdivision
368	18-05-15	Delegate Permit Issued	2A Thomas St, Box Hill South	Riversdale	2 lot subdivision	Subdivision
369	25-05-15	Delegate Permit Issued	11 Lernes St, Forest Hill	Morack	2 lot subdivision	Subdivision
382	25-05-15	Delegate Permit Issued	14 Harrison St, Box Hill North	Elgar	2 lot subdivision	Subdivision
387	25-05-15	Delegate Permit Issued	5 Peacock St, Burwood	Riversdale	2 lot subdivision	Subdivision
396	26-05-15	Delegate Permit Issued	7 Janda Crt, Box Hill North	Elgar	Construction of a single dwelling and garage in a Special Building Overlay	VicSmart - General Application
399	26-05-15	Delegate Permit Issued	11 Larch St, Blackburn	Central	Buildings and works to an existing dwelling in a Special Building Overlay	VicSmart - General Application

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
404	28-05-15	Delegate Permit Issued	5 Alicia Crt, Vermont South	Morack	Two lot subdivision	Subdivision
418	29-05-15	Delegate Permit Issued	553 Elgar Rd, Mont AlbertNorth	Elgar	Two lot subdivision	Subdivision
420	29-05-15	Delegate Permit Issued	131 Surrey Rd, Blackburn	Central	2 lot subdivision	Subdivision
471	08-05-15	Delegate Permit Issued	8 Lake Ave, Mitcham	Springfield	Construct one (1) double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
545	22-05-15	Delegate Permit Issued	28 Marshall Rd, Box Hill North	Elgar	Construction of one double storey dwelling to the rear of an existing single storey dwelling	Multiple Dwellings
549	22-05-15	Delegate Permit Issued	33 Boisdale St, Surrey Hills	Riversdale	Construction of one (1) double storey dwelling at the rear of an existing single storey dwelling	Multiple Dwellings
584	28-05-15	Delegate Permit Issued	129 Terrara Rd, Vermont South	Morack	The construction of one (1) double storey dwelling to the rear of the existing dwelling.	Multiple Dwellings
593	05-05-15	Delegate Permit Issued	14 Victoria Ave, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
617	22-05-15	Delegate Permit Issued	18 Killara St, Box Hill North	Elgar	Construction of a double storey dwelling to the rear of an existing dwelling	Multiple Dwellings
624	14-05-15	Delegate Permit Issued	11 Mountainview Rd, Nunawading	Springfield	Construction of two double storey dwellings	Multiple Dwellings
649	08-05-15	Delegate Permit Issued	71 Victoria Cres, Mont Albert	Elgar	Amendment to Condition 1.e) to reduce the western upper floor setback of Dwellings 2 and 3 and Condition 1.h) to modify the front facade of Dwelling 1	Permit Amendment
656	14-05-15	Delegate Permit Issued	32 Glendale St, Surrey Hills	Riversdale	Construction of two (2) double storey dwellings and subdivide the land into two (2) lots	Multiple Dwellings
665	08-05-15	Delegate Permit Issued	30 Cumming St, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
706	22-05-15	Delegate Permit Issued	84 Shannon St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
724	22-05-15	Delegate Permit Issued	28 Cypress Ave, Burwood	Riversdale	Construction of a new three storey dwelling (including basement garage) to the rear of the existing dwelling facing Malvina Street	Multiple Dwellings
752	26-05-15	Delegate Permit Issued	14 Uganda St, Burwood	Riversdale	Construct one double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
760	08-05-15	Delegate Permit Issued	310 Springvale Rd, Forest Hill	Springfield	Construction of five dwellings including three double storey dwellings and two single storey dwellings, and alteration to access to a road in a Road Zone (Category 1).	Multiple Dwellings
767	08-05-15	Delegate Permit Issued	3 Everglade Ave, Forest Hill	Morack	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
869	05-05-15	Delegate Permit Issued	1 Edith Ave, Nunawading	Springfield	Construction two double storey dwellings	Multiple Dwellings
885	12-05-15	Delegate Permit Issued	2 Terrara Rd, Vermont	Morack	Construction of ten dwellings comprising eight single storey and two double storey dwellings	Multiple Dwellings
908	14-05-15	Delegate Permit Issued	14 Gunyah Rd, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
917	08-05-15	Delegate Permit Issued	11 Evelina St, Mont AlbertNorth	Elgar	Construction of three double storey dwellings	Multiple Dwellings
928	06-05-15	Delegate Permit Issued	1/2A Beaumont St, Vermont	Morack	Use of land to sell and consume liquor and a reduction in standard car parking requirement in association with a restaurant	Business
931	08-05-15	Delegate Permit Issued	42 Albany Cres, Surrey Hills	Elgar	Construction of a double storey dwelling to the rear of the existing dwelling and subdivision of land into two (2) lots	Multiple Dwellings
955	18-05-15	Delegate Permit Issued	15 McCubbin St, Burwood	Riversdale	Construction of four double storey dwellings	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
957	07-05-15	Delegate Permit Issued	6 Olympiad Cres, Box Hill North	Elgar	Construction of one double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
959	13-05-15	Delegate Permit Issued	14 Endeavour St, Mitcham	Springfield	2 lot subdivision	Subdivision
999	08-05-15	Delegate Permit Issued	38 Efron St, Nunawading	Springfield	Construction of four double storey dwellings	Multiple Dwellings
1000	22-05-15	Delegate Permit Issued	31 Livingstone Rd, Vermont South	Morack	Construction of seven dwellings	Multiple Dwellings
1006	08-05-15	Delegate Permit Issued	13 Standard Ave, Box Hill	Elgar	Construction of two double storey dwellings	Multiple Dwellings
1015	21-05-15	Delegate Permit Issued	7 Boxleigh Grv, Box Hill North	Elgar	Construction of two double storey dwellings and subdivision into two lots	Multiple Dwellings
1017	05-05-15	Delegate Permit Issued	5 Karen St, Box Hill North	Elgar	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
1022	14-05-15	Delegate Permit Issued	119 Terrara Rd, Vermont South	Morack	2 Lot Subdivision	Subdivision
1072	14-05-15	Delegate Permit Issued	285-301 Warrigal Rd, Burwood	Riversdale	Alterations and additions to existing place of assembly	Residential (Other)
1165	08-05-15	Delegate Permit Issued	44 William St, Box Hill	Elgar	Buildings and works to extend the existing dwelling	Heritage
1174	08-05-15	Delegate Permit Issued	22 Grove St, Vermont	Springfield	Removal of six (6) trees and works within 4 metres of protected trees	Special Landscape Area
916	15-05-15	Delegate Refusal - S72 Amendment	1/754 Whitehorse Rd, Mitcham	Springfield	Construction of a front fence	Single Dwelling < 300m2
3	26-05-15	Delegate Refusal Issued	110 Brunswick Rd, Mitcham	Springfield	Construction two double storey dwellings	Multiple Dwellings
22	07-05-15	Delegate Refusal Issued	12 Nandina St, Forest Hill	Springfield	Construction of two (2) double storey dwellings and a two (2) lot subdivision	Multiple Dwellings
158	05-05-15	Delegate Refusal Issued	129 Mount Pleasant Rd, Nunawading	Springfield	Three (3) lot vacant land subdivision	Subdivision
290	07-05-15	Delegate Refusal Issued	11 George St, Blackburn	Central	Buildings and works associated with an extension to a factory	VicSmart - General Application

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
372	14-05-15	Delegate Refusal Issued	14 Jaques Grv, Forest Hill	Morack	Construction of a double storey dwelling to the rear and alterations and additions to the existing dwelling	Multiple Dwellings
395	29-05-15	Delegate Refusal Issued	36 Thomas St, Mitcham	Springfield	To change a new front yard fences	VicSmart - General Application
430	07-05-15	Delegate Refusal Issued	12 Cook Rd, Mitcham	Springfield	Construction of three double storey dwellings	Multiple Dwellings
493	29-05-15	Delegate Refusal Issued	9 Gissing St, Blackburn South	Central	Construction of two double storey dwellings	Multiple Dwellings
502	27-05-15	Delegate Refusal Issued	17 Dudley St, Mitcham	Springfield	Construction of three double storey dwellings	Multiple Dwellings
548	12-05-15	Delegate Refusal Issued	31 Gerald St, Blackburn	Springfield	Buildings and works to construction two double storey dwellings, tree removal and subdivision of the land in to two lots	Multiple Dwellings
566	26-05-15	Delegate Refusal Issued	32 Douglas St, Blackburn North	Central	Construction of three double storey dwellings	Multiple Dwellings
580	12-05-15	Delegate Refusal Issued	26 Belgravia Ave, Mont AlbertNorth	Elgar	Construction four double storey dwellings	Multiple Dwellings
644	07-05-15	Delegate Refusal Issued	54 Lawrence St, Blackburn South	Central	Construction of two (2) dwellings and two (2) lot subdivision	Multiple Dwellings
696	26-05-15	Delegate Refusal Issued	11 McComas Grv, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
750	26-05-15	Delegate Refusal Issued	32 Deakin St, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
823	05-05-15	Delegate Refusal Issued	80 Winfield Rd, Balwyn North	Elgar	Construction of five dwellings comprising of three triple storey and two double storey dwellings	Multiple Dwellings
861	14-05-15	Delegate Refusal Issued	125 Shannon St, Box Hill North	Elgar	Construction of four part double and part triple storey dwellings	Multiple Dwellings
868	26-05-15	Delegate Refusal Issued	26 Eugenia St, Nunawading	Springfield	Construction of two double storey dwellings	Multiple Dwellings
993	28-05-15	Delegate Refusal Issued	1/41 Grandview Rd, Box Hill South	Riversdale	Construction of two double storey dwelling	Multiple Dwellings
1009	14-05-15	Delegate Refusal Issued	22 Daniel St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1058	19-05-15	Delegate Refusal Issued	25 Wridgway Ave, Burwood	Riversdale	Construction of six dwellings including five double storey dwellings and one single storey dwelling and a reduction in car parking requirements	Multiple Dwellings
1107	26-05-15	Delegate Refusal Issued	1 Boulton Rd, Blackburn	Central	Subdivision of the land into two lots and the removal of two easements	Subdivision
1207	07-05-15	Delegate Refusal Issued	9 Consort Ave, Vermont South	Morack	Construction of two attached dwellings-one triple storey and one double storey	Multiple Dwellings
1209	05-05-15	Delegate Refusal Issued	22 Davis St, Burwood East	Riversdale	Construction of two attached double storey dwellings	Multiple Dwellings
1218	28-05-15	Delegate Refusal Issued	88 Shafer Rd, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
1251	22-05-15	Failure - To Be Confirmed	9-11 Bruce St, Box Hill	Elgar	Construction of a 9 storey apartment building and reduction in car parking	Multiple Dwellings
326	12-05-15	No Permit Required	38A Clyde St, Box Hill North	Elgar	Construction of a verandah	Residential (Other)
347	14-05-15	No Permit Required	41A Foch St, Box Hill South	Riversdale	Construction of one double storey dwelling	Residential (Other)
833	01-05-15	Permit Corrected	104-168 Hawthorn Rd, Forest Hill	Morack	Amendment to Planning Permit WH/2014/833 (issued for Subdivision of land into 13 lots and creation and alteration of access to a road in a Road Zone, Category 1) for alteration to building envelope	Permit Amendment
220	22-05-15	Withdrawn	15 Thomas St, Mitcham	Springfield	Construction of two (2) dwellings on a lot	Multiple Dwellings
541	01-05-15	Withdrawn	118 Surrey Rd, Blackburn North	Central	Boundary re-alignment	Subdivision
10926	15-05-15	Withdrawn	1/300 Burwood Hwy, Burwood	Riversdale	Alterations to the top level from serviced apartments to dwelling	Permit Amendment

BUILDING DISPENSATIONS/APPLICATIONS MAY 2015

Address	Date	Ward	Result
36 Donald Street, BLACKBURN SOUTH	27-05-15	Central	Approved R409
2 Crimson Avenue, BLACKBURN SOUTH	13-05-15	Central	Granted R409
27 Marilyn Court, BLACKBURN NORTH	15-05-15	Central	Granted R409
3 Hill Street, BLACKBURN	06-05-15	Central	Granted R414
30 Bridgeford Avenue, BLACKBURN NORTH	29-05-15	Central	Granted R409
31 Lee Ann Street, FOREST HILL	22-05-15	Central	Granted R420, R417
4 Bronwyn Court, BLACKBURN SOUTH	28-05-15	Central	Granted R409, R411
6 Stanley Grove, BLACKBURN	22-05-15 29-05-15	Central	Granted R409, R414
74 Baratta Street, BLACKBURN SOUTH	05-05-15	Central	Granted R409, R415
8 Devon Drive, BLACKBURN NORTH	01-05-15	Central	Granted R415, R409
5 Charlton Street, BLACKBURN NORTH	29-05-15	Central	Refused R409
31 Lee Ann Street, FOREST HILL	01-05-15	Central	Withdrawn R409, R411
32 Clota Avenue, Box Hill	12-05-15	Elgar	Approved R424
10 Hannaslea Street, BOX HILL	01-05-15	Elgar	Granted R415
13 Jackson Avenue, MONT ALBERT NORTH	13-05-15	Elgar	Granted R427
13 Rostrevor Parade, MONT ALBERT	15-05-15 25-05-15	Elgar	Granted R427, R424
16 St Georges Avenue, MONT ALBERT	20-05-15	Elgar	Granted R415
2/2 Wolseley Close, MONT ALBERT	25-05-15	Elgar	
20 Peter Street, BOX HILL NORTH	11-05-15	Elgar	Granted R420, R416, R424, R411, R414, R421
20 Poplar Street, BOX HILL	25-05-15	Elgar	Granted R513
3 Garden Street, BOX HILL NORTH	27-05-15	Elgar	Granted R417, R409, R416
39 Mitta Street, BOX HILL NORTH	06-05-15	Elgar	Granted R420, R409, R415, R414
5 Chessell Street, MONT ALBERT NORTH	06-05-15	Elgar	Granted R409
6-8 Wellington Road, BOX HILL	08-05-15	Elgar	Granted R604
70 Harrison Street, BOX HILL NORTH	08-05-15	Elgar	Granted R409, R415, R414
77 Heathfield Rise, BOX HILL NORTH	18-05-15	Elgar	Granted R415
16 St Georges Avenue, MONT ALBERT	20-05-15	Elgar	Refused R415
20 Peter Street, BOX HILL NORTH	11-05-15	Elgar	Refused R415
70 Harrison Street, BOX HILL NORTH	11-05-15	Elgar	Refused R416
77 Heathfield Rise, BOX HILL NORTH	18-05-15	Elgar	Refused R410
16 St Georges Avenue, MONT ALBERT	21-05-15	Elgar	Expired R417
14 Frances Avenue, VERMONT	22-05-15	Morack	Granted R409
22 Tucker Road, VERMONT	14-05-15	Morack	Granted R409
4 Nowingi Court, VERMONT	08-05-15	Morack	Granted R414
51 Philip Street, VERMONT	15-05-15	Morack	Granted R409
6 Bellara Street, VERMONT	15-05-15	Morack	Granted R424
9 Vogue Avenue, VERMONT SOUTH	18-05-15	Morack	Granted R424
10 Christine Street, Burwood	01-05-15	Riversdale	Approved R409
4 Bonview Crescent, BURWOOD EAST	27-05-15	Riversdale	Approved R424
5 Rothsay Avenue, BURWOOD	20-05-15	Riversdale	Approved R409 Granted R414
20 Winton Street, Burwood	29-05-15	Riversdale	Granted R426
26 Uganda Street, BURWOOD	22-05-15	Riversdale	Granted R424
33 Wellman Street, BOCX HILL	27-05-15	Riversdale	Granted R409
54 Samuel Road, BLACKBURN SOUTH	15-05-15	Riversdale	Granted R415, R420
7 Everton Grove, SURREY HILLS	22-05-15	Riversdale	Granted R414
1 Little Street, BOX HILL SOUTH	22-05-15	Riversdale	Refused R409
20 Wridgway Avenue, BURWOOD	01-05-15	Riversdale	Refused R409
53 Samuel Road, BLACKBURN SOUTH	22-05-15	Riversdale	Refused R409
72A Broughton Road, SURREY HILLS	29-05-15	Riversdale	Withdrawn R414
45 Rosstrevor Crescent, MITCHAM	28-05-15	Springfield	Approved R409
1 Alpha Court, MITCHAM	22-05-15	Springfield	Granted R409
15 Tasman Avenue, NUNAWADING	08-05-15	Springfield	Granted R409
19 Gillies Street, MITCHAM	18-05-15	Springfield	Granted R414, R409
22 Percy Street, MITCHAM	06-05-15	Springfield	Granted R409

Address	Date	Ward	Result
35 Creek Road, MITCHAM	29-05-15	29-05-15	Granted R414
36 Fellows Street, MITCHAM	06-05-15	06-05-15	Granted R409
42 Wattle Valley Road, MITCHAM	08-05-15	08-05-15	Granted R409
6 Oleanda Crescent, NUNAWADING	22-05-15	22-05-15	Granted R409
7 Felicia Grove, FOREST HILL	11-05-15	11-05-15	Granted R409
722 Whitehorse Road, MITCHAM	13-05-15	13-05-15	Granted R427
90 Esdale Street, NUNAWADING	27-05-15	27-05-15	Granted R409
1 Newman Road, NUNAWADING	14-05-15	14-05-15	Refused R419
17 Boyle Street, FOREST HILL	22-0515	22-05-15	Refused R409
3 Ripon Court, FOREST HILL	06-05-15	06-05-15	Refused R409

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – MAY 2015
Under the Planning and Environment Act 1987

Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION MAY 2015

Nil

REGISTER OF PROPERTY DOCUMENTS EXECUTED MAY 2015

Property Address	Document Type	Document Detail
Licences		
298-336 Burwood Highway, Burwood East (East Burwood Reserve)	Licence	City of Whitehorse as Licensor (4 years 6 months expires 31/12/2019)
Suite 2, Level 1, Centro Sopping Centre Box Hill	Variation of Licence dated 20/1/15	City of Whitehorse as Licensor - Extension of Agreement to 31/7/2015
Land Transfers		
Rear 27 Clyde Street, Box Hill North	Road Discontinuance	Transfer of Land Section 207D Local Government Act 1989
Rear 27 Clyde Street, Box Hill North	Creation of Easement Deed	Section 45 (1) of Transfer of Land Act 1958
Rateability Changes		
10 Poplar Street, Box Hill	Property now rateable	Former Box Hill Tafe car park sold to private company
14 Poplar Street, Box Hill	Property now rateable	Former Box Hill Tafe car park sold to private company
26-32 McDowall, Mitcham	Property now rateable	Former Mitcham RSL sold to private company
2/42 Alfred Street, Blackburn	Property now exempt	Substation used by Vic Track to power train network

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – MAY 2015

Instrument of Sub Delegation CEO to Staff – (Council Resolution 05-05-15)
Instrument of Delegation Council to CEO – (Council Resolution 18-05-15)
Instrument of Delegation – Council to Staff – (Counicl Resolution 18-05-15)

PARKING RESTRICTIONS APPROVED BY DELEGATION MAY 2015

Address: **Albert Street, Mitcham:** From 22 Albert Street to Victoria Avenue- west side
Previously: Unrestricted
Now: 2 Hour 8am to 6pm, Monday to Friday
Spaces: 15

Address: **Somers Street Burwood:** From 73 Somers Street to Outside 75 Somers Street – West side
Previously: Unrestricted
Now: ½ Hour,8am to 10pm, Monday to Friday & 9am to 9pm Saturday & Sun
Spaces: 4

VENDOR PAYMENT SUMMARY – SUMS PAID DURING MAY 2015

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
07.05.15	$20,763.35	19	**EFC**
07.05.15	$67,546.31	65	**CHQ**
07.05.15	$835,396.26	53	**EFT**
12.05.15	$49,308.60	26	**EFT**
14.05.15	$13,349.29	19	**EFC**
14.05.15	$328,538.91	60	**CHQ**
14.05.15	$2,201,282.01	353	**EFT**
21.05.15	$20,969.88	16	**EFC**
21.05.15	$185,263.00	75	**CHQ**
21.05.15	$25,253.14	1	**CHQ**
21.05.15	$333,854.68	57	**EFT**
25.05.15	$3,245.00	1	**EFT**
25.05.15	$2,386.35	1	**EFC**
26.05.15	$48,818.97	26	**EFT**
28.05.15	$11,514.53	19	**EFC**
28.05.15	$137,370.88	54	**CHQ**
28.05.15	$3,295,658.73	393	**EFT**
Monthly Leases	30,000.00		**DD**
GROSS	$7,610,519.89	1238	
CANCELLED PAYMENTS	-$16,947.52	29	
NETT	$7,593,572.37	1209	

10 REPORTS FROM DELEGATES, SPECIAL COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORDS

10.1 Reports by Delegates

(NB: Reports only from Councillors appointed by Council as delegates to community organisations/committees/groups)

10.1.1 Cr Stennett reported on his attendance at the Eastern Transport Coalition meeting held on 16 July 2015.

10.1.2 Cr Harris reported on her attendance at the Visual Arts Committee meeting held on 15 July 2015. Cr Harris reported that Ceramics Victoria have now officially signed off on donation of their entire collection, over 270 items, to Whitehorse, highlights will be on display in the Whitehorse Artspace in June/July 2016. Planning for next year's exhibition programme is well under way, with the first exhibition of Chinese art and ceramics to coincide with the Chinese New Year festival. In May 2016 there will be an exhibition of gifts and memorabilia to coincide with the visit of officials and citizens from Matsudo City to commemorate 45 years of friendship.

10.1.3 Cr Carr reported on her attendance at a recent meeting of the Municipal Association of Victoria Professional Development Reference group.

10.1.4 Cr Carr reported on her attendance at the Visual Arts Committee meeting held on 15 July 2015.

10.1.5 The Mayor Cr Munroe reported on his attendance at the Whitehorse Community Grants Panel meeting held on 23 June 2015

10.1.6 The Mayor Cr Munroe reported on his attendance at the Whitehorse Scholarship presentation event held on 6 July 2015, where cheques were presented to the two recipients – one from Deakin University and one from Box Hill Institute of TAFE.

10.1.7 The Mayor Cr Munroe advised that he had opened a Rooming House forum hosted by Whitehorse City Council on 7 July 2015.

10.1.8 The Mayor Cr Munroe attended a reception at Government House on 8 July 2015 for NAIDOC Week.

10.1.9 The Mayor Cr Munroe reported on his attendance at a meeting of Mayors and Chief Executive Officers of the Eastern Region Group of Councils, held on 17 July 2015 at the offices of Yarra Ranges Shire Council.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Massoud

That the record of Reports by delegates be received and noted.

CARRIED UNANIMOUSLY

10.2 Recommendations from the Special Committee of Council Meeting of 13 July 2015

10.2.1 Roads to Recovery Funding

Moved by Cr Davenport , Seconded by Cr Massoud

That Council write a letter to Mr Michael Sukkar MP welcoming the increase to Roads to Recovery funding and indicating the additional projects Council is able to plan for due to the increase.

CARRIED

10.2.2 Speed Limit Along Whitehorse Road - Blackburn and Nunawading

Moved by Cr Stennett, Seconded by Cr Daw

That Council write to VicRoads requesting the speed limit along Whitehorse Road in Blackburn and Nunawading be reinstated to 70 km/ph.

CARRIED

10.2.3 Pensioner Concessions for Council Rates

Moved by Cr Carr, Seconded by Cr Harris

That Council write to Mr Michael Sukkar MP urging him to advocate for the return of pensioner concessions for Council rates.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Daw

That the recommendations from the Special Committee of Council Meeting of 13 July 2015 Items 10.2.1 to 10.2.3 (inclusive) be received and adopted.

CARRIED UNANIMOUSLY

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
22 -06- 15 6.30-7.00pm	**Councillor Informal Briefing Session** - Council Agenda 22 June 2015 - Community Dinner Planning	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Harris OAM Cr Massoud Cr Stennett	P Warner J Green (AGMI) D Logan T Wilkinson P Smith A De Fazio J Russell M Giglio N Sotko T Peak	Nil	Nil
23-6-15 6.15 -7.30pm	**Community Grants**	Cr Munroe (Chair) Cr Bill Bennett Cr Philip Daw	D Seddon R Sheehan	Nil	Nil
06-07-15 5.30-6.00pm	**Whitehorse Business Group (WBC) Annual Presentatio**n	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Davenport Cr Daw Cr Harris OAM Cr Stennett	P Warner J Green (AGMI) D Logan T Wilkinson (AGMCS) M Giglio J Russell W Gerhard	Nil	Nil
06-07-15 6.30-8.30pm	**Strategic Planning Session** - Blackburn Road & Heatherdale Road level crossing removals & Box Hill to Ringwood Bicycle path - Better Apartments Discussion Paper - Financial report – May 2015 - Capital Works	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Harris OAM Cr Stennett	(ACEO) P Warner J Green (AGMI) D Logan T Wilkinson J Russell I Goodes C Sherwin (AGMCS) M Giglio D Braby	Nil	Nil

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
13-07-15 6.35– 7.40pm	**Councillor Briefing Session** - Whitehorse Strategic Social Plans – Councillor Briefing - Special Committee & Other Business Motions - Council Agenda 20 July	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	(ACEO) P Warner J Green (AGMI) D Logan T Wilkinson (AGMCS) M Giglio A De Fazio J Russell L Newton W Gerhard C Sherwin P Neivandt B van Duppen D Seddon T Johnson I Goodes	Cr Munroe declared a Conflict of Interest (Indirect) in Item 9.12 – 730 Canterbury Road Surrey Hills Cr Ellis declared a Conflict of Interest (Indirect) in Item 9.2.1 Whitehorse Community Grants	Cr Munroe Left the meeting at 7.10pm prior to discussion and returned at 7.15pm Cr Ellis was permitted to remain at the meeting as the Conflict of Interest in Item 9.2.1 Whitehorse Community Grants was not considered nor discussed

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Ellis

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

CARRIED UNANIMOUSLY

11. REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

10.4 Cr Bennett reported on his attendance at the Municipal Association of Victoria *Councillor Fundamentals Forum on Planning and Building 101 – Demystifying the System* held on 25 June 2015.

10.5 Cr Bennett reported on his attendance along with Manager Finance and Information Systems Marc Giglio at a *Community Conversation Seminar* held at the Melbourne Town Hall on 25 June 2015.

10.6 Cr Bennett reported on his attendance on 1 July 2015 at the *2015 David Parkin Oration for Sport and Social Change.* The topic *Professionalism of Sport - a Threat to Good Health,* was delivered by Jeff Kennett. The seminar was hosted by Deakin University and held at Federation Square.

10.7 Cr Carr reported on her attendance at the Municipal Association of Victoria *Councillor Fundamentals Forum on Planning and Building 101 – Demystifying the System* held on 25 June 2015.

10.8 Cr Daw reported on his attendance at the Municipal Association of Victoria *Councillor Fundamentals Forum on Planning and Building 101 – Demystifying the System* held on 25 June 2015.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Ellis

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

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Stennett

That in accordance with Section 89(2) (d) 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 contractual matters.

CARRIED

The meeting was closed to the public at 9.15pm.

12 CONFIDENTIAL REPORTS

12.1 Extension of Contract 11012/6

12.2 Amendment C143 to Kingston Planning Scheme and Impact on Clayton South Regional Landfill

COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Massoud

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

CARRIED UNANIMOUSLY

The meeting reopened to the public at 9.21pm.

13 CLOSE MEETING

The meeting closed at 9.22pm

Confirmed this 17th day of August 2015

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CHAIRPERSON