



# City of Whitehorse

## AGENDA

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### Ordinary Council Meeting

To be held in the  
Council Chamber  
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

**Monday 16 May 2016**

at 7.00 p.m.

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

**Ms Noelene Duff**  
Chief Executive Officer

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## AGENDA

### 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

### 3 DISCLOSURE OF CONFLICT OF INTERESTS

### 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 18 April 2016, Confidential Minutes 18 April 2016 and Minutes of Special Council Meeting 27 April 2016 Proposed Draft Council Budget 2016-2017.

#### RECOMMENDATION

***That the minutes of the Ordinary Council Meeting of 18 April 2016, Confidential Council Meeting Minutes 18 April 2016 and Minutes of Special Council Meeting 27 April 2016 Proposed Draft Council Budget 2016-2017 having been circulated now be confirmed.***

### 5 RESPONSES TO QUESTIONS

## 6 NOTICES OF MOTION

### 6.1 Notice of Motion 96 – Cr Daw

*That Council:*

1. *Based upon a growing concern that insufficient weight and regard are being provided by members of the Victorian Civil and Administrative Tribunal (VCAT) to Council's local planning policy and the recently introduced schedules to the residential zones;*
  - a) *Write to the Attorney-General of Victoria seeking a full review of the VCAT Act 1998 to ensure that the Act requires that decisions must have full regard to local planning policy.*
  - b) *That the Attorney General ensure adequate consultation with the local government sector during the review process*

*and*

  - c) *Seek a detailed response to our concerns with the following decisions in particular:*
    - *BAB Developments Pty Ltd v Whitehorse CC [2016] VCAT 103 (3 February 2016), where VCAT determined to grant a planning permit for the development of a new apartment building on land zoned General Residential despite this zone not being identified for apartment type development.*
    - *Highland Development Pty Ltd v Whitehorse CC [2015] VCAT 1326 (17 March 2015), where VCAT determined to grant a planning permit for the development of three double storey dwellings despite there being significant non-compliances with the schedule to the General Residential Zone, including front and rear setbacks and the provision of private open space.*
2. *Send a copy of the letter to the Premier of Victoria, Minister for Planning, Minister for Local Government, the Opposition Leader and shadow ministers for Planning and Local Government, local members of State Parliament, Eastern Region Mayors and the President of VCAT.*

## 7 PETITIONS

## 8 URGENT BUSINESS

## 9 COUNCIL REPORTS

### 9.1 CITY DEVELOPMENT

#### Statutory Planning

#### 9.1.1 2 Parkmore Road, FOREST HILL (LOT 12 LP 43599) – Construction of two (2) double storey dwellings

FILE NUMBER: WH/2015/902  
ATTACHMENT

#### **SUMMARY**

*This application was advertised, and a total of twenty-two (22) objections were received from twenty-one (21) objector properties. The objections raised issues with amenity impacts, neighbourhood character, vehicle access and parking and site impacts. A Consultation Forum was held on Wednesday, 23 March 2016 chaired by Councillor Raylene Carr, 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/2015/902 for 2 Parkmore Road, FOREST HILL (LOT 12 LP 43599) 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 two (2) double storey dwellings 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 2 Parkmore Road, FOREST HILL (LOT 12 LP 43599) for the construction of two (2) double storey dwellings, subject to the following conditions:**
  - 1. Before the development starts, or any trees or vegetation removed, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:**
    - a) The removal of the first floor bathroom area to Dwelling 2.**
    - b) Increase Dwelling 2 first floor setback from the southern boundary to a minimum of 8 metres without a reduction to any other setbacks.**
    - c) The western boundary fence to Dwelling 1 to taper down to a maximum height of 900mm within 5 metres of the northern boundary.**
    - d) Height of the front fence reduced to a maximum of 900mm.**
    - e) An increase to the width of the vehicle crossover by an additional 500mm on either side (5 metre maximum width).**
    - f) The open car parking spaces to Dwellings 1 and 2 set back 500mm from the northern edge of each garage.**
    - g) The Dwelling 1 porch height reduced to a maximum of 3.6 metres above natural ground level.**

**9.1.1**  
(cont)

- h) A notation added to the plans stating all objects and landscaping where within the sight line triangle to be a maximum of 900mm in height in accordance with Design Standard 1 of Clause 52.06.*
  - i) The relocation of the storage units to Dwellings 1 and 2 to a location outside of the easement.*
  - j) The removal of all decking to Dwellings 1 and 2 from the easement.*
  - k) The Dwelling 1 balcony shown on the elevation plan.*
  - l) Details of internal fencing shown on the plan.*
  - m) The location and numbering of trees on neighbouring properties in accordance with the Arborist Report by Constructive Arboriculture dated November 2015.*
  - n) The incorporation of changes requested by Condition 6.*
  - o) The location of Tree Protection Zones described in condition 5, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of conditions 5 and 6 to be annotated on the development and landscape plans.*
  - p) Notation on site plans indicating that all obscured glazing be manufactured from obscured glass. Obscure film being applied to clear glazing will not be accepted.*
  - q) Landscape Plan in accordance with Condition 3, including the following:*
    - i. One (1) canopy tree capable of growing in excess of 8 metres within the front setback of Dwelling 1.*
    - ii. One (1) canopy tree capable of growing in excess of 8 metres in the SPOS area of Dwelling 1.*
    - iii. One (1) canopy tree capable of growing in excess of 8 metres within the front setback of Dwelling 2.*
    - iv. One (1) canopy tree capable of growing in excess of 8 metres in the SPOS area of Dwelling 2.*
    - v. Landscaping capable of growing no higher than 900mm at maximum maturity within the landscaping strip between the driveways to Dwelling 1 and 2.*
    - vi. All new trees must be planted at a minimum height of 1.5 metres.*
- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.**

**9.1.1**  
(cont)

3. **No building or works must 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) **A survey of all existing vegetation, abutting street trees, natural features and vegetation.**
  - b) **Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.**
  - c) **Planting within and around the perimeter of the site comprising trees and shrubs capable of:**
    - i. **Providing a complete garden scheme,**
    - ii. **Softening the building bulk,**
    - iii. **Providing some upper canopy for landscape perspective,**
    - iv. **Minimising the potential of any overlooking between habitable rooms of adjacent dwellings.**
  - d) **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.**
  - e) **The proposed design features such as paths, paving, lawn and mulch.**
  - f) **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 addition to the building is occupied.**

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

4. **The garden areas shown on the endorsed plan must only be used as gardens and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.**
5. **Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:**
- a) **Tree protection zone distances:**
    - i. **Tree 1 – Photinia robusta – 6.0 metre radius from the centre of the tree base.**
    - ii. **Tree 2 – Ligustrum lucidum – 2.64 metre radius from the centre of the tree base.**
    - iii. **Tree 3 – Ligustrum lucidum – 2.0 metre radius from the centre of the tree base.**
    - iv. **Tree 6 – Camellia sp. – 2.0 metre radius from the centre of the tree base.**
    - v. **Tree 7 – Pittosporum tenuifolium – 2.0 metre radius from the centre of the tree base.**
    - vi. **Tree 8 – Pittosporum undulatum – 4.08 metre radius from the centre of the tree base.**
    - vii. **Tree 9 – Acmena smithii – 4.8 metre radius from the centre of the tree base.**

**9.1.1**  
(cont)

- b) **Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:**
- i. **Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.**
  - ii. **Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.**
  - iii. **Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.**
  - iv. **No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.**
  - v. **All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.**
  - vi. **No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.**
  - vii. **Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.**
  - viii. **Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.**
6. **During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible Authority:**
- a) **Buildings and works where within the TPZ of Tree 3 must be constructed at grade.**
  - b) **Buildings and works must not encroach more than 10% into the TPZ of Tree 6, Tree 7, Tree 8 and Tree 9.**
  - c) **All proposed works (permeable surfacing, paving and storage) where within the TPZ of Tree 6, Tree 7, Tree 8 and Tree 9 must be facilitated using root sensitive methods and materials.**
7. **Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner will manage the environmental and construction issues associated with the development, must be submitted to and approved by Council.**

**This plan is to be to the satisfaction of the Responsible Authority and must be prepared in accordance with the City of Whitehorse Construction Management Plan Guidelines.**

**Once submitted to and approved by the Responsible Authority the Construction Management Plan will form part of the documents endorsed as part of this planning permit.**

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

**9.1.1**  
(cont)

8. ***All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.***
9. ***Prior to any works, design plans and specifications of the civil works within the site associated with the development are to be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register), and submitted to the Responsible Authority. Certification by the consulting engineer that the civil works have been completed in accordance with the design plans and specifications must be provided to the Responsible Authority.***
10. ***Detailed civil plans and computations for stormwater on-site detention (if required) and connection to the legal point of discharge must be prepared by a suitably experienced and qualified professional, and submitted for approval by Responsible Authority prior to the commencement of any works.***
11. ***Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.***
12. ***Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.***
13. ***The Applicant/Owner shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.***
14. ***The proposed vehicle crossings must adhere to Whitehorse Council's – Vehicle Crossing General Specifications.***
15. ***The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting shall be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site.***
16. ***This permit will expire if one of the following circumstances applies:***
  - a) ***The development is not commenced within two (2) years from the date of issue of this permit,***
  - b) ***The development is not completed within four (4) years from the date of this permit.***

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

**9.1.1**  
(cont)

***Permit Notes***

**Engineering**

1. ***The property owner/ builder is to obtain the relevant permits and consents from Council in relation to asset protection, drainage works in easements and works in the road reserve prior to the commencement of any works.***
  2. ***All stormwater drainage within the development site and associated with the building(s) (except for an on-site detention system and connection to the nominated legal point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s), in accordance with the provisions of the Building Regulations (2006) section 610.***
- C. ***Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.***
-

**9.1.1**  
 (cont)

MELWAYS REFERENCE 62 E3

Applicant:	Durable Design	
Zoning:	General Residential Zone- Schedule 1	
Overlays:	N/A	
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 32.08	General Residential Zone
	Clause 52.06	Car Parking
	Clause 55	Two or More Dwellings on a Lot or Residential Buildings
	Clause 65	Decision Guidelines
Ward:	Morack	



	Subject site	21 Objector Properties (2 outside of map)	 <b>North</b>
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### **9.1.1** (cont)

## **BACKGROUND**

### **History**

There is no planning permit history associated with the subject site.

### **The Site and Surrounds**

The subject site is located on the southern side of Parkmore Road, approximately 70 metres east of the intersection of Parkmore Road and Springvale Road. A laneway abuts the western property boundary, providing rear access to commercial properties fronting Springvale Road. The site has a rectangular shape with a frontage of 17.79 metres, a depth of 32.92 metres and an area of 585.7 square metres. A single-storey brick veneer dwelling with a tiled roof currently occupies the site. There are no significant trees existing on the land, however vegetation does exist along the site's perimeter.

The surrounding properties along Parkmore Road and Quentin Street are predominantly single-storey in form, with some examples of double-storey dwellings in surrounding streets and further east down Parkmore Road. Dwellings are constructed of a variety of materials but are predominantly brick veneer with pitched concrete tile roofs. Sites within the surrounds can be categorised as having larger trees and shrubs within the front and rear setbacks. The use of surrounding land to the north, east and south is residential, with single-storey brick commercial properties existing directly to the west fronting Springvale Road.

The site is located within the Garden Suburban 6 precinct under Council's Residential Development Policy found at Clause 22.03 of the Whitehorse Planning Scheme, which is described as follows:

*The modest, pitched roof dwellings will sit within well-established garden settings and will not dominate the streetscape due to consistent siting patterns and substantial planting. The rhythm of dwelling separation will appear regular from the street, even with buildings occasionally built to one side boundary. The streets will have a spacious and leafy feel, which is complemented by tall trees in the public and private realm, visible front lawn areas due to the frequent lack of or low front fencing and grass nature strips.*

The site is located 800 metres from the Forest Hill Chase shopping centre and approximately 20 metres from a bus stop. Schools and parks are located within 1 kilometre of the site.

### **Planning Controls**

Pursuant to Clause 32.08-4 of the General Residential Zone a planning permit is required to construct two or more dwellings on a lot.

## **PROPOSAL**

It is proposed to demolish the existing single storey dwelling on the land and construct two (2) double storey dwellings in a side-by-side arrangement. The existing vehicle crossover will be relocated to the centre of the site, which is proposed for a width of 4 metres.

The dwellings will have a maximum height of approximately 7 metres and will be constructed of a mix of weatherboard, render and brick materials. The predominant roof form for each dwelling will be a pitched roof form with eaves, however a flat roof form has been proposed over the ground floor and a portion of the first floor.

The development will have a site coverage of 48.9 per cent and a permeability of 41.8 per cent.

### **9.1.1**

(cont)

#### Dwelling 1

Dwelling 1 will be constructed as the western dwelling on the lot, with a frontage to Parkmore Road and a western interface to the laneway. The dwelling will be located 7.4 metres from Parkmore Road, with a porch of 3.7 metres in height encroaching 1.8 metres into this setback.

The private open space to Dwelling 1 is located to the south of the dwelling, measuring 64.4 square metres in size. One (1) canopy tree has been proposed within the private open space of Dwelling 1, in addition to one (1) canopy tree within the frontage. A 15 square metre deck has been proposed within the private open space.

#### Dwelling 2

Dwelling 2 will be constructed as the eastern dwelling, with a frontage to Parkmore Road. The dwelling will be located 7.4 metres from Parkmore Road, with a maximum 3.6 metre high porch encroaching 1.8 metres into this setback.

The private open space to Dwelling 2 is located to the south of the dwelling, measuring 64.4 square metres in size. One (1) canopy tree has been proposed within the private open space of Dwelling 2, in addition to one (1) canopy tree within the frontage. A 14.6 square metre deck has been proposed within the private open space.

#### Landscaping

The application proposes the removal of all trees existing on the subject site. These trees have been nominated as having a low retention value by the consulting arborist.

#### Earthworks

A maximum 500mm site cut with a maximum 500mm retaining wall has been proposed along the eastern and southern boundaries of the allotment to level the land. A portion of the earthworks and retaining wall have been proposed within the easement.

## **CONSULTATION**

### **Public Notice**

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting a notice to the Parkmore Road frontage. Following the advertising period twenty-two (22) objections were received from twenty-one (21) objector properties.

The issues raised are summarised as follows:

#### Amenity Impacts

- Overlooking potential.
- Loss of privacy.

#### Neighbourhood Character

- Overdevelopment of the site.
- Two units inappropriate response.
- Will set precedence for two storeys.
- Proposal is out of character for area.

### **9.1.1** (cont)

#### Vehicle Access and Car Parking

- Insufficient on site car spaces.
- Increase in on-street parking issues.
- A reduction in on-street parking.
- Increased traffic on Parkmore Road and associated safety issues.
- Will exacerbate existing traffic issues including intersections of Quentin Street and Parkmore Road.

#### Site Impacts

- Impact on infrastructure

### **Consultation Forum**

A Consultation Forum was held on Wednesday 23 March 2016 and was chaired by Councillor Carr. In attendance was a planning officer, the applicant and approximately thirteen (13) objectors.

At the conclusion of the meeting, no consensus was reached. Generally the objectors raised concerns with lack of car parking within the area, existing traffic congestion within the area, the potential for conflict during the construction phase of the development and safety concerns regarding the potential for traffic accidents. Concerns were also raised regarding the ability of the development to respect the neighbourhood character, and the suggestion that the proposal was an overdevelopment of the site.

### **Referrals**

#### **External**

No external referrals were required in accordance with Section 55 of the *Planning and Environment Act 1987*.

#### **Internal**

#### Engineering and Environmental Services Department

- Transport Engineer

Council's Transport Engineer had no objection to the proposal. The Transport Engineer stated no issues with the distance between the proposed crossover and the bus stop and no concerns with the loss of one (1) on-street car parking space as a result of the relocated crossover. Council's Transport Engineer also stated that the number of trips associated with one additional dwelling on a lot is not going to significantly impact upon the operation of Parkmore Road.

The Transport Engineers did however suggest the vehicle crossover be increased in width by 1 metre to increase ease of access to and from the site. It was also recommended the front fence be reduced to 900mm in height to improve sight lines, and the western boundary fence be reduced to 900mm in height where within 5 metres of the frontage also to improve sightlines.

- Assets Engineer

### **9.1.1** (cont)

Council's Asset Engineer had no objection to the proposal, subject to conditions relating to stormwater and works within Council assets.

## **DISCUSSION**

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

The State Planning Policy encourages new development to occur within established residential areas to reduce the pressure on the urban fringe, to respect neighbourhood character and to appropriately respond to its landscape, valued built form and cultural context.

The subject site has an area of 585 square metres, and is well located with regard to facilities, particularly with a bus stop located approximately 20 metres from the site and a neighbourhood activity centre directly to the west. The proposal incorporates a built form and materials that are respectful of the surrounding neighbourhood character without replicating it. The design provides spacing around three sides of the dwellings, as no boundary construction has been proposed; recessed first floors to allow the built form to appear less dominant from the street and surrounding properties; and ample landscaping opportunities within the frontage and the rear of the site. It is noted that there are few double storey dwellings in the area but it is not considered that double storey dwellings would be inconsistent with or detract from the neighbourhood character.

### **Neighbourhood Character and Infrastructure**

#### *Residential Policy*

The subject site falls within an area of Natural Change as described in Clause 21.06 (Housing), which seeks to support increased housing choice by allowing for a diversity of dwelling types, sizes and tenures and to ensure new development contributes to the preferred neighbourhood character of the precinct. New development should also seek to retain existing vegetation where possible. The proposal is considered to be consistent with these objectives.

Pursuant to Clause 22.03 (Residential Development), this site also falls within a Garden Suburban Precinct 6 area. Within these areas, modest dwellings should sit within well-established garden settings, with consistent siting patterns and a rhythm of dwelling separation appearing regular from the street. The building setbacks, recessed upper floors, lack of boundary construction and landscaping opportunities provided by the development are considered to generally achieve the objectives of Garden Suburban Precinct 6 areas, subject to conditions.

### 9.1.1 (cont)

#### *Garden Suburban Precinct 6*

The preferred character statement encourages modest, pitched roof dwellings sitting within well-established garden settings that do not dominate the streetscape due to consistent siting patterns and substantial planting. The predominant roof form for each dwelling is a pitched, hipped roof form with eaves, which is consistent with both the existing and preferred neighbourhood character. A portion of the roof form is flat, however only at ground floor and a small portion of the first floor, which is considered to add variety and articulation to the built form and is therefore acceptable. The recessed first floor along the eastern, northern and western facades allows each dwelling to appear more modest in form when viewed from the street and surrounding properties, as the building height graduates toward the centre of the site and is less dominant when viewed within the streetscape. As each dwelling has been set back 7.4 metres from the frontage, which is consistent with setbacks prevalent within the area, adequate tree planting and landscaping opportunities exist within the frontage of each dwelling. Furthermore, the presence of a 500mm landscaping strip between the driveway to each dwelling breaks up the extent of hard surfaces within the frontage while providing for further landscaping opportunities.

The preferred character statement also encourages a rhythm of dwelling separation appearing regular from the street, even with buildings occasionally built to one side boundary. The development proposes no boundary construction, and side setbacks at ground floor a minimum of 1.1 metres in width graduating to 3.7 metres in width. First floors have also been proposed a minimum of 2.23 metres from side boundaries, graduating to a setback of 3.3 metres.

It was however considered the extent of first floor built form of Dwelling 2 presents a dominant interface to the south and east. This can be attributed to the minimal setback from the east and the minimally recessed first floor from ground floor to the south. The overall length of first floor built form has created excessive visual bulk. A condition has therefore been placed upon the permit requiring the removal of the first floor bathroom to Dwelling 2 and an increase to the first floor setback from the southern boundary to a minimum of 8 metres. These changes will provide visual relief and improved amenity to adjoining properties while also allowing for greater separation between dwellings to achieve the rhythm of spacing sought for Garden Suburban 6 areas.

Subject to the implementation of the above recommended changes, it is considered the development will be able to maintain and reinforce the rhythm of spacing between and around buildings and from the street due to the setbacks of both the ground and first floors from side and rear boundaries, and the ability to plant meaningful vegetation within the rear setback and the indented side setback of each dwelling. These setbacks will allow for sightlines of canopy trees and vegetation through the site. Furthermore, the prevailing character of the area are dwellings with construction against at least one side boundary and minimal side setbacks, therefore the proposed development is considered to provide a positive contribution to the surrounds and is in line with the preferred neighbourhood character for the area.

### **9.1.1** (cont)

Finally, the preferred character statement encourages streets to have a spacious and leafy feel, which is complemented by tall trees in the public and private realm, visible front lawn areas due to the frequent lack of or low front fencing and grass nature strips. As previously mentioned, adequate tree planting opportunities have been provided within the frontage to each dwelling, allowing the development to contribute to a spacious and leafy streetscape character. As there are currently no street trees located outside of the subject site on the nature strip, the addition of at least two (2) canopy trees within the frontage of the site is considered to provide a more positive outcome in terms of achieving a leafy streetscape character for the area. A brick pier front fence has been proposed for the site, which is considered to be low in nature and will continue to allow views into the front garden area. For these reasons the development is considered to positively contribute to the streetscape character in ways envisioned for Garden Suburban Precinct 6 areas.

#### **Site Layout and Building Massing**

##### *Streetscape (Standard B6)*

Standard B6 of Res Code states that the front setback should be the same as the setback of the adjoining lot or 9 metres, whichever is the lesser. Porches that are less than 3.6 metres in height may encroach not more than 2.5 metres in the setbacks of this standard. The front walls of each dwelling have been set back 7.4 metres in accordance with the standard, however the porch of Dwelling 1 is greater than 3.6 metres in height and therefore does not comply with the standard. To achieve compliance with the standard and to ensure the development retains a modest built form profile within the streetscape, a condition has been placed upon the permit requiring the maximum height of the Dwelling 1 porch to be reduced to a height no greater than 3.6 metres. This will allow the front setback to comply with the standard and objective of Standard B6.

#### **On-Site Amenity and Facilities**

##### *Solar Access to Open Space (Standard B29)*

Standard B29 of Res Code states that the southern boundary of secluded private open space should be set back from any wall on the north of the space at least  $(2+0.9h)$  metres, where 'h' is the height of the wall. Using this calculation, the southern boundary of the secluded private space to each dwelling is required to be set back 6.95 metres from the first floor of each dwelling. The southern boundary of each secluded private open space has only been set back 5.67 metres from the first floor of each dwelling.

In relation to Dwelling 2, a condition will be placed upon the permit requiring the first floor setback be increased to 8 metres, for reasons detailed earlier in this report. The first floor of Dwelling 2 will therefore be made compliant with Standard B29.

In relation to Dwelling 1, Council officers calculated shadows cast by the building into the secluded private open space with the incorporation of an increased setback between the southern boundary of the secluded private open space to the first floor, including a setback compliant with Standard B29. It was found that increasing the distance between the southern boundary of the secluded private open space and the first floor wall did reduce the shadows cast over the deck. It was considered the provision of additional private open space within the indented side setback compensated for the loss of light over the deck during the day, as Dwelling 1 could still be provided with ample solar access. Further, as the dwelling is adjacent to a laneway, a reduction to the first floor footprint was not considered to be necessary as the western interface is not sensitive. It is therefore considered the noncompliance with Standard B29 for Dwelling 1 is justified and the objective is met, as the dwelling is still provided with an acceptable level of solar access into the rear private open space area.

**9.1.1**  
(cont)

**Landscaping**

The proposed development complies with Standard B13, in relation to providing the opportunity for the planting of two (2) canopy trees per dwelling that have the capability of reaching a minimum mature height of 8 metres. The development is also able to achieve the landscape objectives set out within Clause 22.03 (Residential Development) for Garden Suburban Precinct 6 areas. The generous front setbacks proposed allow for canopy tree planting generally in accordance with the policy objectives for tree regeneration as listed at Clause 22.04 (Tree Conservation). As previously mentioned, landscaping opportunities have also been provided between each driveway. The provision of a front entry path for each dwelling directly from the driveway to the entry porch, rather than from the public sidewalk to the entry porch, also reduces hard surfacing within each frontage and allows for a layering of landscaping. Furthermore, the 3.7 metre side setback and 5 metre rear setback within the southern portion of each dwelling also allows for canopy tree planting generally in accordance with Clause 22.04 (Tree Conservation), in addition to a layering of landscaping in areas not encumbered by an easement or decking. While Standard B13 encourages the retention of trees, the trees on site were considered to be of low retention value by the applicant's consulting arborist and therefore it is considered a more positive site outcome would be the removal of such trees and the ability to allow for the replanting of more suitable canopy tree species.

Tree protection measures placed as conditions on the planning permit will ensure neighbouring trees are viably retained and protected.

For the above reasons, the proposed development will provide a positive landscaping outcome for the site and surrounds, as neighbouring trees will be protected and ample landscaping opportunities exist allowing for the planting of canopy trees and layering of vegetation in accordance with the policy objectives of Clause 22.04 (Tree Conservation).

**Clause 52.06 (Car Parking)**

The proposed development meets the majority of the requirements of Clause 52.06 in regard to the provision of car parking and access arrangements.

The proposed development however does not comply with the following design standards for car parking:

*Standard 1: Accessways*

Design Standard 1 of Clause 52.06-8 lists a number of requirements for accessways including that accessways must have a corner splay or area at least 50 per cent clear of visual obstructions to provide a clear view of pedestrians on the footpath of the frontage road. The development proposes the construction of a 1.2 metre high front fence within the sight line triangle of the driveway to both dwellings. To ensure the development provides for a clear view of pedestrians on the footpath when vehicles are attempting to exit the site, a condition has been placed upon the permit requiring all objects (including landscaping) where within the sight line triangle to be a maximum height of 0.9 metres. When combined with the condition recommended by the Transport Engineers requiring a reduction to the height of fencing within the frontage to 900mm, this condition will ensure the development provides safe access and egress arrangements for vehicles and will allow the proposal to achieve compliance with Design Standard 1 of Clause 52.06.

### **9.1.1** (cont)

#### *Standard 2: Car Parking Spaces*

Design Standard 2 of Clause 52.06-8 lists a number of requirements for car parking spaces, including that where parking spaces are provided in tandem an additional 500mm in length must be provided between each space. This has not been provided by the current proposal. To ensure compliance with the standard, a condition has been placed upon the permit requiring the open car parking spaces to each dwelling to be set back a further 500mm from the northern façade of each garage, to ensure adequate space has been provided for car parking to each dwelling.

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

Objecting parties also raised concern to increases in traffic, the potential for traffic conflict during construction, amenity impacts and impacts on infrastructure.

Council's Transport Engineer has stated the addition of one (1) dwelling on the site can be accommodated without adverse impacts to traffic within the area. Although one (1) on-street car parking space will be lost as a result of the relocation of the crossover, this is considered to be acceptable. There will be no net loss to car parking within the area due to the provision of two uncovered spaces within the frontage.

In relation to the potential for traffic conflict during construction, it is considered the submission of a construction management plan would be beneficial for the development, to ensure adverse amenity impacts and traffic congestion during the construction phase are minimised. The submission of a construction management plan, to be approved prior to the commencement of development, has therefore been placed as a condition on the planning permit.

Residents of the property at 4 Parkmore Road Forest Hill, the site adjacent to the subject site to the east, objected to the development on grounds relating to privacy and natural light, particularly due to the number and location of windows and building height. The proposal complies with Standard B22, therefore overlooking is not considered to be of concern. In relation to overshadowing, the applicant submitted further shadow diagrams for 1pm and 2pm, revealing shadows cast at 2pm are no greater than shadows cast by the existing boundary fence. Furthermore, conditions placed upon the permit requiring changes to the first floor built form of Dwelling 2 will increase solar access to these residents.

No significant impacts to existing infrastructure are foreseen as a result of the proposed development. Council's Asset Engineer has no concern with the proposal, however has recommended conditions be placed upon the permit ensuring appropriate stormwater drainage connections and the construction of works within Council assets are undertaken with relevant approvals.

#### **CONCLUSION**

The proposal for the construction of two (2) double storey dwellings is an acceptable response that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the General Residential Zone, Schedule 1 and Clause 55 (ResCode).

The proposal satisfies the relevant decision guidelines in terms of providing residential development in an appropriate location that complies with all objectives of Res Code and respects the existing and preferred neighbourhood character while providing adequate landscaping opportunities to strengthen the garden suburban setting unique to the area.

A total of twenty-two (22) 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 and a Notice of Decision to Grant a Permit issue subject to conditions.

**9.1.2 25 Holland Road, Blackburn South (Lot 1 TP 599873)– Use and development of land for a child care centre and display of business identification signage**

FILE NUMBER: WH/2015/1126  
ATTACHMENT

**SUMMARY**

*This application was advertised, and a total of 69 objections from 64 objector properties were received. The objections raised issues with neighbourhood character, amenity impacts, commercial uses and traffic and parking. A Consultation Forum was held on Tuesday, 22 March 2016 chaired by an independent facilitator, 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/2015/1126 for 25 Holland Road, BLACKBURN SOUTH (LOT 1 TP 599873) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the use and development of land for a child care centre 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 25 Holland Road, BLACKBURN SOUTH (LOT 1 TP 599873) for the use and development of land for a child care centre, subject to the following conditions:**
  - 1. Before the development starts, or any trees or vegetation removed, amended plans (three copies in A1 size and one copy reduced to A3 size) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to 1:100 scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:**
    - a) Removal of the proposed signage.**
    - b) Relocation of the waste and bin storage in the frontage to be wholly located within the basement car park, plus revised plans demonstrating sufficient headroom clearance for the required waste truck.**
    - c) Provision of a pedestrian connection between the car parking spaces located in the frontage of the property to the pedestrian pathway along the southern boundary to ensure safe and efficient pedestrian movements to the satisfaction of the Responsible Authority.**

### 9.1.2

(cont)

- d) **Detailed materials and finishes schedule including colour samples for the development. The development must provide a mix of materials and finishes to provide for variation and articulation and be visually compatible with the surrounding neighbourhood incorporating the following:**
  - i. **Feature 'Sycon' Matrix Wall Cladding in paint finish Dulux Colorbond 'Dune' be replaced with timber or similar cladding.**
  - ii. **Feature 'Sycon' Matrix Wall Cladding in paint finish Dulux Colorbond 'Manor Red' to be of a muted tone in conjunction with the changes required by Condition 1.d) i.**
  - iii. **Acoustic fencing to be of residential materials and design on the eastern and southern elevations where facing residential allotments.**
- e) **The Ground Floor Plan generally in accordance with the plans submitted for comment prepared by The Ellis Group Architects, dated 01.03.16, showing the following:**
  - i. **Children's Rooms 01, 02 and 03 setback 3.5 metres from the northern boundary.**
  - ii. **Wash rooms that service Rooms 01-02 and 03-04 setback 3 metres from the northern boundary.**
  - iii. **Building to be setback a minimum of 2 metres from the southern boundary.**
- f) **The First Floor Plan generally in accordance with the plans submitted for comment prepared by The Ellis Group Architects, dated 01.03.16, relocating the first floor 1 metre towards the northern boundary.**
- g) **The Basement Floor Plan generally in accordance with the plans submitted for comment prepared by The Ellis Group Architects, dated 01.03.16, showing the following:**
  - i. **The available sight line distances at the access driveways are to be in accordance with Clause 52.06 of the Whitehorse Planning Scheme.**
  - ii. **The vertical headroom at the entry point and throughout the car park is to be a minimum of 2.2m and is to be demonstrated by the provision of a longitudinal section.**
  - iii. **Further information regarding the proposed lockable tilt up gate to show supporting columns and clearance from Parking Space 6.**
  - iv. **Provide an additional reverse parking space at a midpoint location within the basement car park next to the disabled Space 9.**
  - v. **The location of columns within the car park are to be designed in accordance with Clause 52.06-8 of the Whitehorse Planning Scheme and the proposed wheel stops to be located as per AS 2890.1 and not to be located within the clear zone for parked vehicles.**
  - vi. **All proposed parking bays abutting an obstruction such as a wall are to be designed in accordance with section 2.4 of AS 2890.1.**
  - vii. **Pedestrian pathway indicated through the use of different paving materials or paint delineation to ensure safe and efficient pedestrian movements from car parking spaces to the entrance points to the satisfaction of the Responsible Authority.**
  - viii. **Air conditioning condensers are to be accommodated within the basement to accord with the findings of the report prepared by Acoustic Control dated 17 December 2015.**
  - ix. **Bin storage to be accommodated within the basement to accord with Condition 1.b).**

**9.1.2**  
(cont)

***Changes to the extent of the basement may be made to incorporate these changes with no reduction to overall number of car parks and no encroachment greater than 10% to retained trees and trees on adjoining properties.***

- h) All sustainability features required pursuant to the approved ESD Assessment in accordance with Condition 6, including the following:***
- i. Commitment to VOC limits, such as those in line with the limits set by Green Star Multi-Unit Residential 2009.***
  - ii. Commitment to controlling all lift, service & car park area lighting with occupancy sensors &/or timers.***
  - iii. Commitment to controlling all lift & service area ventilation with occupancy sensors & timers.***
  - iv. Commitment to controlling perimeter daylight staff spaces and children's rooms with daylight & occupancy sensors. It is recommended that there is a time-delay programmed for spaces for prolonged occupancies such as children's rooms.***
  - v. Inclusion of the associated COP and EER values associated with the 5 star heating & cooling system performance commitments specified in STEPS. These values must be consistent with AS/NZS 3823.2-2011.***
  - vi. Improve potable water efficiency by adjusting the efficiency of water fixtures to be at minimum:***
    - Urinals to be  $\geq$  5 Star WELS.***
    - Shower heads to be min. 3 Star WELS 6.0-7.5 L/minute plus aeration device.***
  - vii. Features are to be visually shown and when features cannot be shown a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.) is to be included, incorporating the following:***
    - 20 kL rainwater collection from all roof area (760 m<sup>2</sup>) for all toilet flushing and irrigation***
    - All operable windows, doors & vents, preferably in plans and elevation drawings.***
    - SDS 1.05 - All west and north facing windows with an area  $\geq$  1 m<sup>2</sup> to have provision for 50% exterior shading.***
    - Rainwater tanks (RWT) location & capacity.***
  - viii. Roof area connected to the Rain Water Tank.***
  - ix. Rain Water Tank end uses (i.e. toilet flushing, irrigation).***
  - x. Include an annotation of the timber species intended for use as cladding, fencing, decking or other outdoor timber, noting that unsustainably harvested imported timbers (such as Merbau, Oregon, Western Red Cedar, Meranti, Luan, Teak etc.) must not be used.***
  - xi. Include operational waste provisions for garden, recycling and landfill waste collection.***
- i) Tree Management Plan in accordance with Condition 5.***
- j) The locations of Tree Protection Zones described in condition 5, with all nominated trees clearly identified and numbered on both site and landscape plans, and a summary of the requirements of Conditions 10 and 11 to be annotated on the development and landscape plans.***

**9.1.2**  
(cont)

- k) *Parking Management Plan in accordance with Condition 7.***
- l) *An updated Waste Management Plan in accordance Condition 1. b).***
- m) *Landscape Plan in accordance with Condition 3, including the following:***
  - i. *Removal of Tree 10 and replacement with two canopy trees capable of growing in excess of 12 metres in the frontage.***
  - ii. *Removal of Trees 26, 27 and 33 and replacement with two canopy trees capable of growing in excess of 12 metres in the rear.***
  - iii. *The planting within and around the perimeter of the site is to comprise trees and shrubs with all trees to be located within mulched garden beds.***
  - iv. *All new trees must be planted at a minimum height of 1.5 metres.***
  - v. *Revised location of the synthetic turf to ensure compliance with Condition 1.m) iii.***
  - vi. *Specifications of the synthetic turf to demonstrate a level of permeability to the satisfaction of the Responsible Authority.***

***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 must 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) *A survey of all existing vegetation, abutting street trees, natural features and vegetation.***
  - b) *Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.***
  - c) *No trees are to be planted within the easement.***
  - d) *Planting within and around the perimeter of the site comprising trees and shrubs capable of:***
    - i. *Providing a complete garden scheme,***
    - ii. *Softening the building bulk,***
    - iii. *Providing some upper canopy for landscape perspective,***
  - e) *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.***
  - f) *The proposed design features such as paths, paving, lawn and mulch.***
  - g) *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 addition to the building is occupied.***

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

**9.1.2**  
(cont)

4. ***The garden/play areas shown on the endorsed plan must only be used as gardens/play areas and must be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.***
  
5. ***No building or works must be commenced (and no vegetation shall be removed) until a Tree Management Plan (TMP) prepared by a suitably qualified arborist has been submitted to and endorsed by the Responsible Authority. The plan must show:***
  - a) ***Details of how all trees retained on site will be protected pre, during and post construction works.***
  - b) ***Detailed comments regarding health and structural condition.***
  - c) ***Canopy management, protection and pruning (where required).***
  - d) ***Potential impacts to the trees.***
  - e) ***Construction methods for the proposed landscaping works.***
  - f) ***How tree roots will be protected.***
  - g) ***TPZ fencing, mulching and irrigation requirements (where possible throughout the development process).***

***All of the above must be to the satisfaction of the Responsible Authority. Once approved the Tree Management Plan becomes part of the endorsed documents of this permit.***

6. ***Prior to the commencement of any demolition, buildings or works on the land, an Environmentally Sustainable Design (ESD) Management Plan that was submitted with the application must be amended to include the following:***
  - a) ***Indoor environment quality***
  - b) ***Energy efficiency***
  - c) ***Water resources***
  - d) ***Stormwater management***
  - e) ***Building materials***
  - f) ***Transport***
  - g) ***Waste Management***
  - h) ***Urban Ecology***
  - i) ***Innovation***
  - j) ***On-going site management***

***Once submitted and approved to the satisfaction of the Responsible Authority, the ESD Management Plan will form part of the endorsed plans under this permit.***

***The requirements of the ESD Management Plan must be demonstrated on the plans and elevations submitted for endorsement, and the requirements of this plan must be implemented by the building manager, owners and occupiers of the site when constructing and fitting out the residential building, and for the duration of the building's operation in accordance with this permit, to the satisfaction of the Responsible Authority.***

**9.1.2**  
(cont)

7. ***Prior to the commencement of buildings and works on the site, the owner must prepare a Car Parking Management Plan detailing the management of the use of car parking on site to the satisfaction of the Responsible Authority. The Car Parking Management Plan must provide for but not be limited to:***
- a) ***Management of the use of the car park for staff during the course of the day;***
  - b) ***Details of how the management plan will be distributed to staff and parents to ensure all are aware of the document and parking arrangements;***
  - c) ***Provision of designated car parking spaces for use of parents;***
  - d) ***Method of identifying car parking spaces for patrons;***
  - e) ***Details of security to be provided within the car park particularly outside of normal business hours.***
  - f) ***Details of the management of the use of the car park for staff and users during special events.***

***Once submitted to and approved by the Responsible Authority the Car Parking Management Plan will form part of the documents endorsed as part of this planning permit.***

8. ***Prior to the commencement of works on the site, the owner shall prepare an amended Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site to the satisfaction of the Responsible Authority. The Waste Management Plan must provide for:***
- a) ***The method of collection of garbage and recyclables for the use;***
  - b) ***Designation of methods of collection including the need to provide for private services;***
  - c) ***Appropriate areas of bin storage on site to be accommodated within the basement;***
  - d) ***Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;***
  - e) ***Litter management.***

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

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

***This plan is to be to the satisfaction of the Responsible Authority and must be prepared in accordance with the City of Whitehorse Construction Management Plan Guidelines.***

***Once submitted to and approved by the Responsible Authority the Construction Management Plan will form part of the documents endorsed as part of this planning permit.***

**9.1.2**  
(cont)

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

10. *Prior to commencement of any building or demolition works on the land, a Tree Protection Zones (TPZs) must be established on the subject site (and nature strip if required) and maintained during, and until completion of, all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:*

a) *Tree Protection Zone distances:*

- i. Tree 4 (Callistemon sp.) – 3.4 metre radius from the centre of the tree base.*
- ii. Tree 5 (Eucalyptus melliodora)– 4.6 metre radius from the centre of the tree base.*
- iii. Tree 6 (Allocasuarina) – 2.9 metre radius from the centre of the tree base.*
- iv. Tree 7 (Eucalyptus rubida) – 6.0 metre radius from the centre of the tree base.*
- v. Tree 8 (Eucalyptus sp.) – 2.1 metre radius from the centre of the tree base.*
- vi. Tree 13 (Callistemon) – 3.6 metre radius from the centre of the tree base.*
- vii. Tree 14 (Eucalyptus sp.) – 4.1 metre radius from the centre of the tree base.*
- viii. Tree 15 (Eucalyptus sideroxylon) – 4.8 metre radius from the centre of the tree base.*
- ix. Tree 16 (Eucalyptus polyanthemos) – 4.8 metre radius from the centre of the tree base.*
- x. Tree 17 (Eucalyptus leucoxylon) – 6.2 metre radius from the centre of the tree base.*
- xi. Tree 18 (Callistemon) – 2.0 metre radius from the centre of the tree base.*
- xii. Tree 19 (Eucalyptus nicholii) – 3.4 metre radius from the centre of the tree base.*
- xiii. Tree 20 (Eucalyptus obliqua) – 6.2 metre radius from the centre of the tree base.*
- xiv. Tree 32 (Corymbia ficifolia) – 4.3 metre radius from the centre of the tree base.*
- xv. Tree 35 (Eucalyptus rubida) – 9.8 metre radius from the centre of the tree base.*

**9.1.2**  
(cont)

- b) Tree Protection Zone measures are to be established in accordance with Australian Standard 4970-2009 and are to include the following:**
- i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.**
  - ii. Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.**
  - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary provide watering/irrigation within the TPZ, prior and during any works performed.**
  - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.**
  - v. All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.**
  - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.**
  - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.**
  - viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorized person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.**
- 10. During construction of any buildings, or during other works, the following tree protection requirements are to be adhered to, to the satisfaction of the Responsible Authority:**
- a) The childproof front fence where within the TPZ of Tree 4 and the high paling fence where within the TPZs of Trees 4 to 10, 13 to 20, 26, 32 and 35 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 greater than 40mm in diameter are to be cut or damaged. If any roots greater than 40mm in diameter are located within a posthole, the hole is to be filled in and re-located to so that the root(s) is not affected. There must to be no strip footings used for the construction of the fences where within the TPZs of these Trees.**
  - b) For Trees 4 to 10, 13 to 20, 26, 32 and 35 no roots greater than 40mm in diameter are to be cut or damaged during any part of the construction process.**
- 11. Unless with the prior written consent of the Responsible Authority, not more than 118 children and 24 staff are permitted on the premises at any one time.**
- 12. Unless with the prior written consent of the Responsible Authority, the hours of operation include:**
- Monday to Friday 7.00am to 6.00pm**
- 13. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.**

**9.1.2**  
(cont)

14. *The car parking areas and access ways as shown on the endorsed plans shall be formed to such levels so that they may be used in accordance with the plan, and shall be properly constructed, surfaced, drained and line-marked (where applicable). The car park and driveways shall be maintained to the satisfaction of the Responsible Authority.*
15. *Before occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:*
  - a) *Constructed to the satisfaction of the Responsible Authority.*
  - b) *Properly formed to such levels that they can be used in accordance with the plans.*
  - c) *Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.*
  - d) *Drained to the satisfaction of the Responsible Authority.*
  - e) *Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.*
  - f) *In accordance with any Council adopted guidelines for the construction of car parks.*
  - g) *Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.*
16. *The amenity of the area shall not be detrimentally affected by the use or development, through:*
  - a) *Transportation of materials, goods or commodities to or from the land;*
  - b) *Appearance of any building, works or materials;*
  - c) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil;*
  - d) *Presence of vermin; and*
  - e) *In any other way.*
17. *Alarms must be directly connected to a security service and must not produce noise beyond the premises.*
18. *No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts or playing of music.*
19. *All external lights must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.*
20. *Adequate provision, to the satisfaction of the Responsible Authority, must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles. All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must, to the satisfaction of the Responsible, be kept in a storage area screened from view. All bins and receptacles must be maintained, to the satisfaction of the Responsible Authority, in a clean and tidy condition and free from offensive odour.*
21. *All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.*

**9.1.2**  
(cont)

- 22. Detailed plans and computations for stormwater on-site detention (if required) and connection to the legal point of discharge must be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register) and submitted for approval by Responsible Authority prior to the commencement of any works.**
- 23. Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.**
- 24. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.**
- 25. The Applicant/Owner shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**
- 26. The existing street tree shall not be removed or damaged except with the written consent of the Responsible Authority (see Permit Notes).**
- 27. 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.**
  - c) The use is not commenced within one (1) year from the completion of the development.**

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

**9.1.2**  
(cont)

**Permit Notes:**

- A. Contact Council's ParksWide Department on 9262 6289 to arrange for the removal of the street tree (*Lophostemon confertus*) to accommodate the proposed crossover.**
  - B. Soil erosion control measures must be adopted at all times to the satisfaction of the Relevant Authority during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with the EPA (Environment Protection Authority) Victoria "Environmental Guidelines for Major Construction Sites". The works during and after construction must comply with the above guidelines and in potentially high erosion areas a detailed plan may be required to indicate proposed measures and methodology.**
  - C. The property owner/ builder is to obtain the relevant permits and consents from Council in relation to asset protection, drainage works in easements and works in the road reserve prior to the commencement of any works.**
  - D. All stormwater drainage within the development site and associated with the building(s) (except for an on-site detention system and connection to the nominated legal point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s), in accordance with the provisions of the Building Regulations (2006) section 610.**
  - E. The surface treatment and design of all crossovers and driveways shall be of materials submitted to and approved by the Responsible Authority and must be constructed in accordance with the submitted details.**
  - F. No alteration to existing interface levels will be permitted other than to maintain or introduce adequate and consistent road reserve crossfall and longitudinal fall all to the satisfaction of the Responsible Authority.**
  - G. Access to the development must be resolved within the development site. No provision for access and/or Disability Discrimination Act (DDA) compliance will be permitted external to the site being within any adjacent road reserve, right of way, reservation or other land owned managed by the Responsible Authority as may be applicable.**
  - H. The proposed vehicle crossing must adhere to Whitehorse Council's – Vehicle Crossing General Specifications.**
  - I. Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be financed by the developer.**
  - J. Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be approved by the Responsible Authority prior to endorsement of the plans.**
  - K. The applicant must ensure the structural stability of the existing Council stormwater pipe within the easement at 27 Holland Road Blackburn South.**
- C. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.**

**9.1.2**  
 (cont)

MELWAYS REFERENCE 61 K2

Applicant:	Holland Road Holdings Pty Ltd C/- Terrain Consulting Group	
Zoning:	Neighbourhood Residential Zone – Schedule 3	
Overlays:	None	
Relevant Clauses:	Clause 11	Settlement
	Clause 12	Environment and Landscape Values
	Clause 15	Built Environment and Heritage
	Clause 19	Infrastructure
	Clause 21.05	Environment
	Clause 21.08	Infrastructure
	Clause 22.02	Visual Amenity and Advertising Signs
	Clause 22.03	Residential Development
	Clause 22.04	Tree Conservation
	Clause 22.05	Non-residential uses in residential areas
	Clause 32.09	Neighbourhood Residential Zone – Schedule 3
	Clause 52.05	Advertising Signs
	Clause 52.06	Car Parking
	Clause 65	Decision Guidelines
Ward:	Central	



	Subject site	46 Objector Properties (20 outside of map)	 <b>North</b>
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## **9.1.2** (cont)

### **BACKGROUND**

#### **History**

There are no previous planning applications for this site.

After public notice, draft amended plans were received on 31 March 2016. Although these draft plans were not formally submitted, they will be referenced as a guide for recommended conditions. However, the assessment is still based on exhibited plans, dated January 2016. The plans proposed modifications to the basement car park in response to Council's Transport Engineering comments, modifications to the bin storage in response to Council's Waste Engineering comments and the setback to the south has been increased through shifting the building closer to the northern boundary.

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

The subject site is located on the eastern side of Holland Road, Blackburn South, approximately 280 metres south of the intersection with Canterbury Road. The site has a frontage of 21.34 metres to Holland Road, a depth of 94.67 metres along the northern boundary and 94.65 metres along the southern boundary with a site area of 2,020 square metres. The site is not subject to any easements and no covenants are registered on title.

The site currently contains a single storey weatherboard dwelling and carport that is set back approximately 18.5 metres from Holland Road and accessed by a bitumen driveway that runs parallel to the southern boundary of the site with the crossover located close to the site's south western corner. There are a number of existing mature trees around the perimeter of the site.

The subject site abuts seven properties that are generally residential in nature. To the south are four properties including one that is being developed for three town houses, two single storey brick dwellings and a double storey dwelling. To the east are two properties that each contain a single storey brick dwelling. To the north is the Evangelical Chinese Church, the portion of the site closest to the subject site is predominately car parking with landscaping along the boundary and a single storey weatherboard building that is approximately 26 metres from the common boundary. Across Holland Road to the west is a medium density development comprising four single storey dwellings.

#### **Planning Controls**

##### State Planning Policy Framework

An objective of Clause 10 (Operation of the State Planning Policy Framework) suggests planning should address social needs by addressing aspects of economic, environmental and social well-being affected by land use and development. Responsible authorities should integrate assessment of policies and issues surrounding conflicting objectives in favour of net community benefit.

Clause 11 (Settlement) aims to ensure that planning facilitates investment in social facilities. This is supported by Clause 11.02-1 (Supply of urban land) that aims to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational and institutional and other community uses and Clause 11.04-4 (Liveable communities and neighbourhoods) that aims to create healthy and active neighbourhoods through planning for future social infrastructure.

Clause 15 (Built Environment and Heritage) states that planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context and should create quality built environments that support the social, cultural, economic and environmental wellbeing of communities, cities and towns.

**9.1.2**  
(cont)

Clause 19 (Infrastructure) states that planning is to recognise social needs, by enabling appropriate land for a range of accessible community resources such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities. Planning should be guided by social and physical infrastructure, which can be provided in an efficient, equitable, accessible and timely way. Clause 19.02-4 (Distribution of Social and Cultural Infrastructure) supports this objective by requiring fairer distribution of, and access to, social infrastructure.

Municipal Strategic Statement

Clause 21.06 (Housing) of the Municipal Strategic Statement considers the compatibility of residential and non-residential uses and aims to ensure buildings for non-residential uses are designed to integrate with and respect the surrounding neighbourhood character and to ensure non-residential uses do not cause detriment to the community or amenity of the surrounding area. It is policy that all non-residential use and development applications comply with Clause 22.05 (Non-Residential Uses in Residential Areas).

Clause 21.08 (Infrastructure) of the Municipal Strategic Statement identifies that non-residential traffic travelling on residential streets should be appropriately minimised and managed to ensure reduction of through traffic.

Local Policy

Clause 22.02 (Visual amenity and advertising signs) sets out Council's policy to ensure that the scale and nature of signage is appropriate to the role and character of its surrounds. It is policy that in residential areas the quantity of signs is encouraged to be kept to a practical minimum, with a maximum height of 2 metres and area of 2 square metres to minimise visual intrusion into the residential streetscape and reduce detriment to the amenity of abutting residential properties.

Clause 22.03 (Residential Development) applies to all applications for development within the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use and Priority Development Zones. The objectives of this policy include to ensure development contributes to the preferred neighbourhood character and provides adequate gardens and vegetation.

Clause 22.04 (Tree Conservation) considers the importance of tree conservation in the City of Whitehorse and how it represents a significant determinant of neighbourhood character. The Policy includes a number of performance standards in relation to tree retention and regeneration. One of the key objectives of the policy is to identify techniques to assist in the successful co-existence of trees and new buildings or works.

Clause 22.05 (Non-Residential Uses in Residential Areas) sets out Council's Policy with respect to non-residential uses serving the needs of the local community in residential areas. The Policy has the objective to avoid the concentration of non-residential uses where the amenity of the residential area will be detrimentally affected.

The Policy includes a number of performance standards in relation to location, building design, car parking, landscaping and amenity, which are considered to satisfy the policy objectives, listed above.

### **9.1.2**

(cont)

#### Zone

The site is located within a Neighbourhood Residential Zone. The use of the site for a Child Care Centre is not listed in the Table of Uses. Any use not listed in Sections 1 and 3 of the Table of Uses is assessed as a Section 2 Use and requires a planning permit to operate.

Pursuant to Clause 32.09-7, a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-1.

#### Car Parking Provisions

Clause 52.06-1 of the Planning Scheme details specific car parking requirements for a new use. Pursuant to Clause 52.06-2, prior to a new use commencing, the number of car parking spaces under Clause 52.06-3 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.

Clause 52.06-5 requires 0.22 spaces per child for the use of a child care centre. If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is rounded down to the nearest whole number.

A permit application under this Clause was not required as the applicant has provided 25 car parking spaces, meeting the required 25.96 spaces required under the Scheme.

#### Advertising Sign Provisions

In accordance with Clause 32.09-12 of the Neighbourhood Residential Zone the advertising sign requirements are located in Category 3 of Clause 52.05 (Advertising Signs).

In accordance with Clause 52.05-9 (Category 3 – High Amenity Areas) a planning permit is required to display a Business Identification Sign.

### **PROPOSAL**

The application proposes the use and development of the land for a Child Care Centre, and display of Business Identification Signage. The existing house and outbuildings would be demolished and a purpose built facility constructed. The proposal involves the following:

- Facility to accommodate 118 child care places.
- The new building is double storey with car parking located in the frontage and in a basement level.
- Provision of six car parking spaces in the frontage and nineteen car parking spaces in a basement car park including one disabled car parking space.
- The ground floor has a front setback of 21.63 metres from Holland Road, varying side setbacks with minimums of 3.5 metres and 1 metre from the northern and southern boundaries respectively, and a rear setback of 26.04 metres.
- The second storey is setback 23.13 metres from Holland Road, 6.27 metres from the northern boundary, 2.6 metres from the southern boundary and a rear setback of 55 metres.
- Ground floor proposes 7 child care rooms, kitchen, laundry and office, reception area and amenities; the first floor comprises a meeting room, staff room, planning room, office, storage and amenities.
- It is proposed to have 24 staff on site, inclusive of a cook and manager.
- Operating hours are proposed between 7.00am to 6.00pm Monday to Friday.
- Access via a proposed crossover with a width of 6.4 metres centrally located on the site, the existing crossover is to be reinstated.
- The Business Identification Signage will be mounted on the front fence. The signage will be 2.0m wide and 1.2 metres high and will identify the centre, including the relevant contact details. No illumination is proposed.

## 9.1.2

(cont)

### CONSULTATION

#### Public Notice

The application was advertised by mail to the adjoining and nearby property owners and occupiers and by erecting a notice on the Holland Road frontage. Following the advertising period 69 objections were received. The issues raised are summarised as follows:

#### Neighbourhood Character

- Commercial building in a residential area different to the neighbourhood and out of character with the neighbourhood.
- Bulk and massing of the development and the car parking in the frontage will dominate the streetscape and is out of character with the neighbourhood.
- Proposed signage is out of character and intrusive within the residential nature of the neighbourhood.
- Waste bin storage in the frontage is not characteristic of the residential area.
- Removal of significant trees from the frontage and side setbacks.

#### Traffic and Car Parking

- Too much traffic and congestion in Holland Road already particularly with other uses nearby (Evangelistic Chinese Church, Starfish Child Care Centre, Orchard Grove PS, Aurora Deaf School).
- Access/egress from private properties dangerous at the moment and will be further hampered.
- Increased traffic will impact on the safety of motorists, pedestrians and cyclists.
- Will force traffic into local streets and increase on street car parking.
- The street is not wide and is heavily used by residents and other users.
- Dangerous corner with Canterbury Road.
- Inadequate on-site parking provided for the proposal.
- Car parking layout is impractical and children cannot enter/exit the centre safely.
- Waste vehicle cannot gain access to the site and collection of waste will cause congestion.
- Nowhere for contractors to park during construction.

#### Amenity Impacts

- Visual amenity issues associated with double storey and basement development.
- Visual bulk to the southern interface.
- Increased pollution in terms of noise from children, garage door, machinery, parking, traffic etc. and light from headlights of cars entering/exiting.
- Overlooking issues.
- Appropriate acoustic fencing will be required.

#### Commercial and Future Use

- Already many child care centres in the area, no need for an additional one.
- Increased commercial uses in residential area.
- Future use of a commercial building in a residential area.
- Strain on existing utilities and Council services, namely waste.

## 9.1.2 (cont)

### Other Issues

- Canopy trees in the rear are a risk to children.

### Non-planning matters

- Negative impact on surrounding property values.
- Taking business away from home run child care businesses.

### **Consultation Forum**

A Consultation Forum was held on 20 January 2016, chaired by an independent facilitator. It was recorded that fifty-four people attended the forum. The attendees discussed the summary points under the main themes of concerns raised in their objections.

Additional discussion focused on the issues of traffic including congestion, on street car parking and safety, visual impact of the built form and the issue of canopy trees that may be removed. No resolution of the issues occurred.

### **Referrals**

#### **External**

No external referrals were required in accordance with Section 55 of the *Planning and Environment Act 1987*.

#### **Internal**

##### Transport Engineer

Council's Transport Engineers have reviewed the plans and do not object to the proposal subject to conditions.

Council's Transport Engineering Team have advised that it is unlikely the proposal will have a significant impact upon the local road network or nearby intersections.

Following the advertising period, an addendum to the traffic report was submitted to provide further information regarding the issue of the traffic impact along Holland Road and is summarised below:

- Traffic surveys were undertaken during Wednesday 10<sup>th</sup> February 2016, 7.45am to 8.45am and 4.45pm to 5.45pm.
- Holland Road has a collector function even though it is not classified as one.
- Existing peak hourly mid-block traffic volumes along Holland Road are moderately low for a local street with a collector function.
- In both the morning and afternoon peak periods, traffic flow along Holland Road, in the vicinity of the subject site, are biased in the southbound direction.
- The level of traffic generation caused by the proposal is moderately low.
- Traffic from the Childcare Centre is expected to be evenly distributed to the north and south of the centre along Holland Road.

Council's Transport Engineering Department reviewed the addendum and commented that they concur with the Traffic Impact Assessment and have indicated that the proposal is unlikely to have any significant impact upon the local road network.

**9.1.2**  
(cont)

Waste Engineer

Council's Waste Engineer has identified some issues with the proposed Waste Management Plan including the number of bins proposed and the space available to accommodate the additional bins needed.

A further Waste Management Plan was submitted to Council on 31 March 2016 and the extent of waste to be accommodated in the frontage was extended.

Due to the extent of waste located within the frontage, it will form a condition of permit that the waste be incorporated within the basement, therefore removed from the frontage. An updated Waste Management Plan will be required, as well as new plans showing sufficient headroom clearance for the waste truck.

Assets Engineer

The proposal has been reviewed by Council's Assets and Drainage Engineer, who raised no concerns with the proposal, subject to conditions.

Planning Arborist

Council's Planning Arborist has reviewed the submitted plans and has no issue to the granting of a planning permit subject to standard and specific conditions of permit that ensure any encroachment of trees to be retained on site and on adjoining properties are protected.

Council's Planning Arborist reviewed the structure of the trees to be retained on site, their tendency to drop limbs and health. The removal of four trees on site was recommended for the following reasons:

**Tree 10:** The health of this tree is fair to poor and structure poor. *Betula pendula* - Silver Birch does not have a tendency to drop limbs when good in health. When they go into decline they become brittle and dead branches can fail. The health of this tree is declining and has some dead limbs throughout the canopy and therefore could drop limbs.

**Tree 26:** The health of this tree is fair to poor and structure fair. Six limb failures were counted on this tree, this was based on branch stubs and scars left on the tree. The failures are estimated to range between 20mm-40mm in diameter. *Corymbia citriodora* – Lemon Scented Gum does have a tendency to drop limbs. Considering its health is declining, from a safety perspective removal is recommended.

**Tree 27:** The health and structure of this tree is fair, however the canopy is thinning. Two limb failures were counted on this tree, this was based on branch stubs left on the tree. The failures are estimated to range between 60mm-120mm in diameter. *Eucalyptus sideroxylon* - Red Ironbark does have a tendency to drop limbs, however this is mostly associated with included bark in branch attachments. Considering the canopy is thinning, and one of the failures was approximately 120mm in diameter, from a safety perspective removal is recommended.

**Tree 33:** The health of this tree is poor and structure fair to poor. Three limb failures were counted on this tree and are still hanging on their branch stubs. The failures are estimated to range between 20mm-50mm in diameter. The *Allocasuarina* species does not have a tendency to drop limbs. Considering its health is declining, from a safety perspective removal maybe the best option.

The retention of Trees 32, 34 and 35 was recommended in conjunction with a Tree Management Plan.

## 9.1.2

(cont)

### ESD Advisor

Council's ESD Advisor has assessed the ESDMP and plans and has outlined a number of changes required on the development plans, the ESD Management Plan and the Sustainable Design Scorecard to ensure consistency across the documents and compliance with Council's Environmentally Sustainable Design standards. These have been included as conditions of permit.

### ParksWide

Council's ParksWide Department commented that the street tree may be removed subject to the payment of an amenity value. This is to be arranged between the applicant and Council's ParksWide Department if a planning permit were to be issued.

### Health

Council's Environmental Health Officer has no objections to the proposal subject to the following:

- Food Act Registration is required; and
- A detailed floor plan of the kitchen will be required as part of the registration.

## **DISCUSSION**

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

In broad terms, state policy recognises the importance of planning for social and physical infrastructure that enables it to be provided in a way that is efficient, equitable and timely. Policy also provides that planning is to recognise social needs by providing land for a range of accessible community facilities. A purpose of the Neighbourhood Residential Zone also recognises that educational, recreational, religious, community and a limited range of other non-residential uses that serve local community needs are appropriate, provided they occur in appropriate locations.

Facilities like childcare centres are a type of community facility and social infrastructure and it is important that they establish in urban areas in appropriate locations. The site is well suited to accommodate the proposed use. It is located within an established urban area, the area of the allotment lends itself to a non-residential use and it has a non-residential interface to the north. The site is also located within 300 metres of Canterbury Road.

The Municipal Strategic Statement at Clause 21.06 (Housing) requires development to contribute to the preferred neighbourhood character of the precinct. Non-residential uses are to integrate with the built form and character of the surrounding residential environment. Objective 2 under Clause 22.03-2 states that it is policy to ensure development contributes to the preferred neighbourhood character where specified. The applicable precinct in Clause 22.03 is the Bush Suburban 3 Precinct. The preferred character statement for this precinct is described as follows:

*The low scale, pitched roof dwellings will sit within established garden settings that contain substantial vegetation including native and exotic canopy trees. The dominance of remnant indigenous eucalypts is retained and enhanced.*

*New buildings will occasionally be built to one side boundary, however the rhythm of dwelling spacing appears regular from the street. In areas where timber predominates, new buildings utilise complementary materials. The impression of the streetscape will be of informality and openness due to a frequent lack of front fencing or low, unobtrusive fences, and the landscaped setting.*

*The landscape character of the area will be enhanced through the planting and growth of new vegetation, including large shrubs and tall canopy trees.*

**9.1.2**  
(cont)

The proposed development incorporates retention of existing trees, generous front, side and rear setbacks to cater for future tree growth and a building with a well setback upper floor which nestles appropriately into its neighbourhood and has regard for adjoining properties. The proposal through built form and setback to Holland Road provides an appropriate transition from the Evangelistic Chinese Church to the north to the residential allotments to the south.

The layout incorporates variable complementary front setbacks and is setback off all side boundaries. It will form a condition of permit that the cladding be of a more residential nature, like timber cladding or similar, to ensure that the visual compatibility of the purpose built facility integrates well with the surrounding properties.

It is also useful to consider the development in terms of Clause 32.08-6 and the specific requirements of the Schedule to the Neighbourhood Residential Zone. Site coverage of the development at 34.2% is significantly less than that allowable for a residential development (40%) and the permeable area at 53% is higher than the minimum of 40% required. There are no walls proposed on boundaries in line with the varied standard and the minimum side setback requirements of 1 metre from one side boundary and 3 metres from the other side boundary have been met in both the advertised plans and plans submitted for comment. The rear setback of the centre far exceeds the required 5 metres, providing in excess of 25 metres.

The front fence provided exceeds 1 metre however the proposed 1.5 metre high childproof powder coated flat bar fence is considered appropriate within the surrounding context.

**Clause 22.05 (Non-Residential Uses in Residential Areas)**

An objective of Council's Non-Residential Uses in Residential Areas Policy is to make provision for services and facilities demanded by local communities in a way that does not detract from the amenity of the area. This purpose built Child Care Centre will provide a new and accessible facility, which will serve the needs of the local community. Permit conditions relating to an improved parking layout, waste contained within the basement, landscaping, construction management and parking management of the site will respond to concerns about unreasonable impacts on the amenity of the surrounding area.

The Policy also aims to avoid the concentration of non-residential uses where it would have off-site effects which are detrimental to residential amenity. This application proposes a site which is sufficiently large to provide for a modern purpose built child-care centre which will contain its activities on site. The site abuts a non-residential use to the north, the Evangelistic Chinese Church, and is located close to existing schools and child care facilities in the area. The proposal does not isolate residential properties between non-residential uses.

It is considered that the agglomeration of community facilities support the policy basis of providing net community benefit and are compatible with the role and function of the street and surrounding area.

It should also be noted that it is not uncommon for child care facilities to be located in local residential streets in metropolitan Melbourne within walking distance of the local community.

The subject site has good locational attributes to accommodate a child care centre, located close to other community uses and social infrastructure. The site is conveniently located close to the Blackburn South Shopping Centre, less than 400 metres northwest. This centre is designated as a large neighbourhood centre on a wide main road that is located on a bus route. It is important to note that it is less common for child care centres to be located within commercial centres and that residential areas are more suited to a child care centre use.

### 9.1.2 (cont)

Holland Road has a collector road function and traverses north south from Canterbury Road to the controlled intersection on Burwood Highway. While non-residential uses are encouraged to be on corner sites abutting Road Zones Category 1 and 2, this is not an explicit requirement. It is considered that the sites location on Holland Road, with the above mentioned connections to roads in a Road Zone Category 1 provide an appropriate context for this community use.

The applicants outlined in their application that the existing child care centre on the corner of Canterbury Road and Holland Road has a waiting list, demonstrating that the proposal is in a location where there is a demonstrated need for this service.

The policy aims to ensure that the design, scale and appearance of premises used for non-residential uses reflect the residential character of the area and have a minimal visual impact on the streetscape. The proposal complies with this aspect of the proposal; the scale of the proposed building generally reflects existing residential buildings. It is predominantly a single storey building with a two storey section well setback from the front façade to minimise its visual impact on the streetscape. The height, scale and massing of the development is an appropriate design response to the site and its context.

The setback to the proposed ground floor is 21.63 metres from the site frontage. This setback provides a transition from the building on the site to the north, setback 25.25 metres, and to the dwellings under construction to the south, setback approximately 8 metres.

It is considered that with conditions to provide a 2 metre setback from the southern boundary at ground floor and providing an additional 1 metre setback from the southern boundary on first floor the development provides adequate space for landscape buffers and open spaces to minimise impacts towards adjoining properties. The conditional removal of the waste storage from the frontage, and the large setback to the rear will allow for upper canopy tree planting opportunities. It is considered that the Tree Management Plan required as a condition of this recommendation will ensure that the trees recommended for retention are retained and maintained to an acceptable level. This is consistent with the requirement for landscape buffers to ensure that the streetscape character and amenity of abutting residential properties is maintained.

The location of the use is appropriate to the role and function of the road networks and adequate provision is made for onsite staff and visitor car parking. Holland Road has direct arterial road connections to both Canterbury Road and Burwood Highway. It is identified that Holland Road provides a collector road function, and the current peak hourly mid-block traffic volumes along Holland Road is considered moderately low for a road with a collector function. Therefore, it is not envisaged that there would be an adverse impact to traffic in the area.

The number of car parks provided satisfies Clause 52.06-5 of the planning scheme. An adequate number of staff car parks are provided which will reduce any opportunity to park on the street. Car spaces for dropping off and collecting children are provided on site. Whilst this parking area is provided, and the objective is met, it will be a condition of this recommendation that a Parking Management Plan be submitted.

The policy requires non-residential uses to be discouraged if they will cause nuisance to nearby residential properties by way of noise, traffic, lighting or loss of security. This is covered in the Amenity section of this report.

**9.1.2**  
(cont)

**Car Parking and Traffic**

The proposed car parking layout is considered satisfactory, subject to conditions to provide an additional turning space within the car park and for all car parking spaces to comply with the Australian Standard. These modifications are considered minor in nature, and have already been demonstrated on the plans submitted for comment. A permit condition to ensure the provision of a pedestrian connection between the car parking spaces located in the frontage of the property and the pedestrian pathway to the entrance of the building has been included to enhance the legibility of the car parking area. A disabled car space is also available within the basement.

A major concern of the objectors relates to increases in traffic in Holland Road and the surrounding streets, and the current levels of parking in the area. In accordance with Clause 52.06-9 Council must consider (where relevant) various issues relating to acceptability of the proposal. In relation to the role and function of nearby roads and the ease and safety with which vehicles gain access to the subject site, the subject site provides a double width crossover that allows access and egress to the site. The existing issue of access and egress for private properties in Holland Road cannot be considered in this application. The conditional provision of the turning bay will also allow ease of access and egress following drop off and pick up.

The provision of landscaping within the frontage has also been provided, with adequate space for the retention of Tree 9 and planting of screen vegetation and additional canopy trees along the northern and southern boundaries. The transition from the car park to the north, servicing the Evangelical Chinese Church, to the driveway of the unit development to the south is adequately addressed with the balance of vegetation and car parking in the frontage of the subject site.

In order to facilitate security measures outside daylight saving hours, a security light can be provided for the car parks as well as lighting for the basement car park. The management of the car park, details of car parking spaces for parents and details of security will be required to be submitted as part of the Parking Management Plan. Furthermore, Council must consider the design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters. It will be a condition of this recommendation that the areas set aside for car parking will be appropriately identified and line marked. Paving and drainage are considerations for engineering and are included as conditions on any permit granted.

Council must also consider the amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians. The surveys undertaken by the applicant's traffic consultant demonstrates that the expected level of traffic generation will be moderately low; this has been confirmed by Council's Transport Engineers.

It is noted that the morning and afternoon drop off and pick up will occur over longer periods of time resulting in relatively low and extended peak period. Survey results also indicate that while the existing traffic in Holland Road is biased in a southbound direction, the proposed centres catchment will result in traffic evenly distributing to the north and south along Holland Road.

The consultant's report concludes by stating that the level of traffic generated by the proposal is not considered to be excessive given the current moderately low level of traffic for a local street with a collector function. Council's Transport Engineers have agreed with the consultant's assessment, and commented that these traffic movements will not have a significant impact on Holland Road.

**9.1.2**  
(cont)

Council must also consider whether the layout of car spaces and accessways are consistent with the relevant Australian Standard for car parking. Council's Transport Engineers have advised that subject to conditions in accordance with the plans submitted for comment, the proposal is compliant with Australian Standards.

**Use**

Within the State and Local Planning Policy Framework and within the purpose of the Neighbourhood Residential Zone provisions, there is support for the provision of community facilities which serve the needs of the community. It has also been long established in the numerous decisions of the Victorian Civil and Administrative Tribunal that a child care centre is an appropriate use in a residential area.

Overall it is considered that the subject site is suitable for the proposed use because of its size and location. The presence of the Evangelistic Chinese Church on the abutting property to the north demonstrates that community facilities are acceptable uses in a residential area. The church also provides an appropriate interface for the proposed use of the land for child care. The child care centre in turn provides an appropriate transition from the non-residential use to the north to the residential uses to the south.

**Amenity**

It is recognised that noise may be considered an issue associated with child care centres, and a 118 place centre may cause an increase in noise levels, particularly from the outdoor playground areas. It is considered that child care centres are appropriate within residential areas, and therefore the noise generated from such a use is considered reasonable in a residential environment. The Victorian Civil and Administrative Tribunal have consistently considered the sound of children playing within a residential area as an acceptable level of noise.

It is noted that the proposal includes the provision of a 2.4 metre high acoustic fence along the east and south boundaries at the residential interfaces of the site. This will provide an acoustic buffer to outdoor play areas. It will form a condition of permit that the design detail of the acoustic fencing on the residential side of the fencing be submitted and approved by the Responsible Authority to ensure it is of a residential nature in terms of materiality.

During the construction phase of the development, noise, dust, construction operating hours and management of construction vehicles will need to be managed appropriately. In relation to operating hours, there will be an expectation that such hours adhere to EPA regulations. It will be a condition of any approval given that a comprehensive Construction Management Plan be prepared and submitted to Council for endorsement prior to any demolition or construction works commencing.

Limits on business operating hours are proposed under a condition of any approval given. The proposed hours of operation take into account the impacts on amenity of adjoining and nearby landowners and are typical of child care centres. Any future changes to business operating hours will require the further written consent of Council.

The potential for overlooking has also been considered under this proposal and while not strictly applicable to this application the proposal would satisfactorily address overlooking in accordance with Standard B22 (Overlooking) of the Whitehorse Planning Scheme, if applied.

**9.1.2**  
(cont)

**Landscaping**

As previously discussed, Council's Planning Arborist has assessed the health and structure of all trees on site and has advised that the removal and replacement of Tree 10, 26, 27 and 33. This recommendation requires the replanting of four canopy trees, two in the front and two in the rear, that are capable of growing in excess of 12 metres to replace the trees to be removed.

The retention of Trees 32, 34 and 35, in the rear, in conjunction with a Tree Management Plan will ensure that the mature canopy trees on site, that can be retained, will be retained and maintained in the future. The recommendation also ensures that the synthetic turf as proposed on the Landscape Concept Plan be reduced to provide mulched garden beds around proposed and existing trees, ensuring their long term viability.

As previously discussed there is adequate spacing around the building to accommodate screen planting and substantial planting within the frontage.

**Advertising Signage**

A permit condition will require the removal of the signage from the frontage as insufficient information has been provided to support this part of the application. The applicants have indicated that the details of the signage are unresolved and that a further planning permit application for signage will be made once this has been resolved.

**Other**

Non-planning considerations raised by the Objectors have included the devaluation of land and economic threat to existing businesses. The Planning Scheme is silent on Council assessing them as a planning concern and does not provide direction on these matters and is therefore not relevant to planning assessment.

The existing traffic implications generated by the Evangelical Chinese Church is not relevant to the assessment of this application. The required information regarding traffic generation has been provided, reviewed and supported by Council's Transport Engineering Department.

Objections also raised the perceived need for additional child care centres and non-compliance with the regulations; this is not a planning consideration and is based on market demand. It is considered that Council's role in this application is to determine the use and development of the proposal and its appropriateness to the subject site. Council has no jurisdiction to determine the compliance of the proposal as it relates to the National Education and Care Services Act 2010 and Regulations 2011.

**9.1.2**  
(cont)

**CONCLUSION**

The application proposes use and development for a child care centre and display of business identification signage.

An assessment of the application against the State Planning Policy Framework and Local Planning Policy Framework, including Council's Non-Residential Uses in Residential Areas policy, concludes that this proposal is highly compliant with relevant objectives, provisions and criteria. It is also noted that, pursuant to the objectives of the Neighbourhood Residential Zone, the application is a good example of providing, in appropriate locations, educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

The application was advertised and 69 objections from 64 objector properties have been received. All issues raised have been considered in this report. Subject to conditions related to traffic management, modifications to the car parking layout, modifications to the location of bin storage, modifications to the built form and landscaping, it is considered that the proposal will adequately satisfy the intent of Council's Non-Residential Uses in Residential Areas Policy and the requirements of the Whitehorse Planning Scheme.

It is recommended that the application be approved and a Notice of Decision to Grant a Permit issued subject to a number of conditions.

## 9.2 INFRASTRUCTURE

### 9.2.1 Tender Evaluation Report – CCTV and Security Systems Maintenance Services

FILE NUMBER: SF16/88

#### SUMMARY

*This report considers tenders received for the provision of CCTV and Security Systems Maintenance Services. The current contract expires on 31<sup>st</sup> May 2016. This contract covers maintenance of security equipment and incorporates previously untendered security alarm monitoring and security guard services.*

- Part 1 – Maintenance of security equipment (CCTV, Access Control, Alarms)
- Part 2 – Security monitoring and security guard services

*This report recommends the establishment of a preferred supplier panel of specialist security system technicians and the acceptance of tenders received from Safe Security Systems Unit trust trading as Safe Security Systems Pty Ltd, Centec Security Group Pty Ltd for Part 1 of the contract and Stradbroke Security Consultants Pty Ltd for Part 2 of the contract. The contract will be based on a schedule of rates for labour and materials for a fixed 3 year term commencing on 1<sup>st</sup> June 2016 with a 1 x 2 year extension option, subject to satisfactory performance.*

#### RECOMMENDATION

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

1. **Accept the tender and sign the formal contract document for Contract 15026 for CCTV and Security Systems Maintenance Services on a schedule of rates basis, for the initial term of 3 years commencing on 1<sup>st</sup> June 2016 from:**

***Part 1 - Safe Security Systems Unit trust trading as Safe Security Systems Pty Ltd, (ABN 37713082659), of 11 Dairy Drive, Coburg North VIC 3058, and Centec Security Group Pty Ltd, of Unit 2, 27 Ascot Vale Road, Flemington 3031 (ABN 67 070 567 261), at an estimated total cost over 3 years of \$612,108.00 including GST;***

***Part 2 – Stradbroke Security Consultants Pty Ltd, (ABN 59 064 154 007), of Unit 6, 2-6 Apollo Court, Blackburn VIC 3130, at an estimated cost over 3 years of \$173,771 including GST.***

2. **Authorise the Chief Executive Officer to award an extension 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.**

#### BACKGROUND

Council has responsibilities for 34 buildings with remotely monitored security alarm systems. There are 16 sites with CCTV systems including extensive CCTV coverage of public open space precincts which are monitored by Victoria Police such as Box Hill Mall, Box Hill Gardens Precinct and Mitcham Mall Car Park. There are 12 high profile buildings fitted with electronic swipe access control. In total there are 54 sites which require specialised technical expertise to ensure all security systems are maintained and fully functional at all times. Some sites have multiple security systems in place such as the Box Hill Town Hall which has an alarm, CCTV and a Security swipe system installed.

The intent of this contract is to provide Council with a preferred supplier panel comprised of price competitive, competent contractors capable of providing Council with electronic security maintenance, installations, remote security alarm monitoring and security guard services to all of its sites on a 24 hours per day, 7 days per week, 52 weeks a year basis.

### **9.2.1** (cont)

The contract has been established in 2 parts.

Part 1 provides for the supply installation and regular preventative maintenance of CCTV and electronic security systems.

Part 2 provides for a remote security alarm system monitoring service 24 hours per day via an accredited off site control room and provision of access to security guard services. These include security patrol attendance for out of hours alarm events, regular night patrols, staff escort services, and temporary static guard engagements.

Tenderers were able to tender for Part 1 only, Part 2 only or both Parts 1 and 2.

The panel will be utilised to attend to reactive service calls and maintenance including, but not limited to activities such as:

- Intruder alarm system faults and programming
- Swipe and keypad access control issues
- CCTV
- Video intercoms
- Duress alarms
- Automated gates

The panel will be utilised to manage rolling programmed works including maintenance to systems as per the manufacturer recommendations for service intervals:

- Intruder alarm system maintenance;
- Swipe and keypad access control maintenance
- CCTV cleaning and maintenance
- Video intercom maintenance
- Voltage checks on all battery backed up systems
- Duress button testing
- Local siren and control room communication checks

The current contract expires on 31st May 2016. The proposed term of the contract is 3 years to commence on 1<sup>st</sup> June 2016 with an option to extend the contract for a further 2 years at Council's discretion.

### **DISCUSSION**

Tenders were advertised in The Age newspaper on Saturday 19<sup>th</sup> March 2016 and closed on Friday 8<sup>th</sup> April 2016. Thirteen companies submitted tenders for this contract.

The tenders were evaluated against the following criteria:

- The Tendered rates
- Demonstrated industry experience and capability to service the types of CCTV and Security Systems assets currently installed throughout Whitehorse as detailed in: Tender Schedule 2.2
- Management and reporting / invoicing systems and
- Available Resources (evidence of capacity)

Occupational Health & Safety and Equal Employment Opportunity (EEO) were assessed on a Pass / Fail basis.

### **9.2.1** (cont)

Tenderers were required to submit schedules of rates for labour and materials, for the delivery of reactive and planned electronic security maintenance services. Rates were also requested for a range of security alarm monitoring and security guard services which have previously been engaged via an informal arrangement. Separate rates were sought for each year of the initial 3 year term. The mechanism for year 4 and 5 should Council exercise its option to extend the contact beyond the initial 3 year term will be calculate by CPI (Melbourne All Groups Index Numbers).

A comprehensive analysis of the tenders received for Part 1 and Part 2 of the contract has been undertaken to determine the estimated cost to Council over the 3 year initial contract term. Figures were based on workload estimates for reactive and planned maintenance programs then multiplied by the rates for labour and materials submitted by each of the tenderers.

Following a preliminary assessment against the nominated evaluation criteria, interviews were held with representatives showing the 3 highest initial evaluation scores, on Wednesday 15<sup>th</sup> April 2016 at the Whitehorse Operations Depot.

Thirteen tenders were received for Part 1. The tenders submitted by Safe Security Systems Unit trust trading as Safe Security Systems Pty Ltd and Centec Security Group Pty Ltd are best placed to meet Council's specified requirements and represent the best overall value for Part 1 of the contract.

Safe Security Systems is the current provider of electronic security maintenance services to Council and has successfully serviced all of Council's specification requirements under the previous contract. Centec Security group have previously been engaged for some consultancy advice to Whitehorse Council in relation to our new state of the art security access control system. Centec also provide similar maintenance and installation services to other local government authorities and demonstrated the capacity to meet Council's contract requirements.

Nine tenders were received for Part 2 of the contract. The tender submitted by Stradbroke Security Consultants Pty Ltd was assessed to best meet Council's specification requirements and represents the best outcome for Part 2. Stradbroke Security is the current provider of security monitoring services to Council and has successfully provided the full range of services detailed in the specification for this contract in recent years via an informal agreement.

The three recommended companies have been proven to be well credentialed and equipped with regard to safe methods of work and OH&S procedures.

### **CONSULTATION**

External referee checks have confirmed the capability and capacity of Safe Security Systems Unit trust trading as Safe Security Systems Pty Ltd, Centec Security Group Pty Ltd and Stradbroke Security Consultants Pty Ltd to meet Council's expectations for this contract. An independent business viability assessment has confirmed that the recommended tenderers have the financial resources to fulfil their individual obligations under this contract.

Facilities Maintenance Department have also consulted with other key Council departments and staff regarding the Contract specification and the evaluation of the tenderers.

**9.2.1**  
 (cont)

**FINANCIAL IMPLICATIONS**

For the purposes of estimating the funding requirements for this contract the tenderers with the highest total points score for Part 1 and Part 2 of the contract have been utilised in the Table below. The estimated expenditure for the initial 3 year term of the contract is consistent with current expenditure Council wide.

	<b>Budget Ex GST</b>	<b>Expenditure</b>
Funds for this contract will be drawn from the following accounts : <ul style="list-style-type: none"> <li>• Facilities Maintenance Operational Budgets</li> <li>• Facilities Maintenance Capital Budgets</li> <li>• Other Departmental Operational Budgets</li> <li>• Other Departmental Capital budgets</li> </ul>		
Part 1 – Security Maintenance Services	\$556,461	
Part 2 – Security Monitoring and Security Guard services	\$157,974	
<b>*Est total funding</b>	<b>\$714,435</b>	
<b>Year 1 (2016/17)</b>	<b>\$238,145</b>	
<b>Year 2 (2017/18)</b>	<b>\$238,145</b>	
<b>Year 3 (2018/19)</b>	<b>\$238,145</b>	
<b>Est total funding</b>	<b>\$714,435</b>	
Preferred tenderers' estimated contract cost (Parts 1 & 2)		<b>\$785,879</b>
Less GST		\$71,444
<b>Estimated net cost to Council</b>		<b>\$714,435</b>

\*Rates in the above table are based on the successful tenderer who chose not to increase rates in years 2 & 3.

\*The estimated expenditure amounts were based on previous spending under this contract.

\*Security Monitoring and Security Guard Services will be made up of several operational accounts, across several departments as per current arrangements.

## **9.3 HUMAN SERVICES**

### **9.3.1 Tender Evaluation Contract 15024 - Aqualink Pool Plant Maintenance Services**

FILE NUMBER: SF16/60

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#### **SUMMARY**

*To consider tenders received for the Aqualink (Nunawading and Box Hill) Pool Plant Maintenance and to recommend the acceptance of the tender received from Roejen Services Pty Ltd as Trustee for Roejen Services Unit Trust, for a schedule of prices contract.*

#### **RECOMMENDATION**

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

- 1. Accept the tender and sign the formal contract document for Contract 15024 for Aqualink Pool Plant Maintenance Services received from Roejen Services Pty Ltd as Trustee for Roejen Services Unit Trust (ABN 30 273 382 860), of Unit 11-993 North Rd, Murrumbeena on a schedule of rates basis commencing on 1 July 2016 for a period of 3 years.***
- 2. Authorise the Chief Executive Officer to award extensions of this contract, subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term for a further 2 x 1 year period.***

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#### **BACKGROUND**

Aqualink Nunawading is located at Fraser Place, Forest Hill. The Centre has approximately 565,000 visitations per annum. Aqualink Box Hill is located at Surrey Drive, Box Hill. The Centre has approximately 950,000 visitations per annum.

Both Aqualinks are high patronage Council venues that provide a range of aquatic and dry leisure facilities, activities and programs for the community. The aquatic facilities within the Aqualinks are heavily utilised, therefore plant room servicing and maintenance must be maintained to a high standard to ensure continuity with Centre operations.

#### **DISCUSSION**

The Tender was advertised on Saturday, 6<sup>th</sup> February 2016 in The Age newspaper and closed on Tuesday, 1<sup>st</sup> March 2016 at 3pm. Three companies made contact and completed site visits at both Aqualink facilities, and two tenders were received for the Aqualink Pool Plant Maintenance tender.

The Tenders were evaluated against the following criteria:

- Financial Benefit
- Experience delivering pool plant maintenance in similar sized Aquatic Facilities
- Quality of service and reporting
- Experience in maintaining an asset register for all pool plant & equipment

Tenderers were also evaluated on a PASS/FAIL basis for the adequacy of their OH&S and Equal Opportunity policies as well as their business viability. Reference checks were completed for the two tenderers.

**9.3.1**  
(cont)

Roejen Services Pty Ltd are the current pool plant maintenance contractor and have maintained the plant facilities of both Centres for the past 3 years which has involved programmed maintenance of circulation and heat pumps, filters, mechanical switchboards, make up systems, dosing units, heat exchangers and general plant equipment. Roejen Services Pty Ltd also respond to reactive maintenance and provide parts replacements as required. In that time they have developed a good relationship with Council and demonstrated a high level of expertise in servicing and reporting which has led to an overall improvement in the Centre's operations.

Roejen Services Pty Ltd is a reputable company that specialises in maintaining and servicing large aquatic facilities throughout Australia and have been operating within the aquatic leisure industry for over 27 years.

The tender received from Roejen Services Pty Ltd is considered to be the most beneficial to Council based on the evaluation criteria and provide the best value for money for this Contract. The preferred tenderer's business viability has been considered.

**CONSULTATION**

Consultation was undertaken with Centre staff involved in the supervision of the Contract. Thorough reference checks of the tenderers and site visits were undertaken.

**FINANCIAL IMPLICATIONS**

The Aqualink Pool Plant Maintenance Services contract is for a 3 year period with 2 x 1 year options at Council's discretion.

The methodology used for evaluating the tenders was based on applying the estimated number of hours in providing a monthly service, responding to reactive call outs, and scheduled maintenance for a typical 12 month period.

Over the last two financial years, the cost of the pool plant maintenance services including materials at the Aqualinks has been approximately \$106,675 per annum (GST incl). An appropriate allocation has been made within the 2016/17 budget to cover these costs.

### 9.3.2 Draft Elgar Park Master Plan

FILE NUMBER: PR07/20  
ATTACHMENTS

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#### **SUMMARY**

*A Draft Elgar Park Master Plan has been developed. The draft plan proposes a number of upgrades to Elgar Park to be undertaken over the coming years to ensure it continues to cater for the needs of the growing sports and community groups using the park. This report recommends that the Draft Elgar Park Master Plan be endorsed for release for further community comment.*

#### **RECOMMENDATION**

***That Council endorse the Draft Elgar Park Master Plan (Attachment 3a) for release for community comment.***

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#### **BACKGROUND**

The Whitehorse Open Space Strategy (2007) recommends the preparation of a new Master Plan to guide future developments at Elgar Park as a high priority project.

Consultants, Aspect Studios, were appointed in 2013 to assist Council in preparing the new Master Plan. Background work included a new level and feature survey, services location and geotechnical testing. An extensive consultation process was also undertaken. Further work on potential pavilion location and size was also completed. This detailed planning and feasibility work as well as extensive consultation has led to the preparation of a comprehensive Draft Master Plan for Council's consideration.

The Draft Elgar Park Master Plan identified a number of key issues and offers actions for future development at the site:

**Issue A: Change room facilities inadequate for the needs of existing sports clubs;** There is insufficient provision of male and female change rooms for most of the sports clubs using Elgar Park. Both pavilions are in poor condition and their layout is no longer fit for purpose. Clubs based at Elgar Park, particularly hockey, intensively use sports fields across weekends / weeknights and have a combined membership of over 1000.

**Action-**Develop two new multi-use pavilions with change rooms, storage spaces, functional kitchens/kiosks, large programme/social spaces for use by a variety of community and sports groups. (Refer to Actions 1 and 4 in Draft Master Plan). Refer also to the discussion section of this report for more detail. This action has commenced with a design process underway for North Pavilion redevelopment.

**Issue B: Improvements can be made to provide better use of ovals;** Existing sports ovals could be improved to better match the needs of existing user groups.

**Action-**The North West Oval could be improved by the provision of storage space for groundsman equipment and by future upgrades for additional use with fencing and lighting. Much of this work can be undertaken as part of Council's existing capital works upgrade program. The South West/East Ovals could be moved in a northwest direction creating a greater buffer near Elgar Road. A new irrigation system and fencing between goals and car parking could also be provided. (Refer to Actions 5 and 20).

### 9.3.2

(cont)

**Issue C: Potential use of a programmable synthetic sports field;** The North East Oval is used for junior cricket. There is potential for this area to be developed as a flexible programmable space for multiple sports code training and matches.

**Action-** Designate the North East Oval as a future space for a programmed multiple sports code training and matches while maintaining current uses. A significant amount of business planning is required to consider the future development and management of this facility. (Refer to Action 3 in Draft Master Plan). Refer also to the discussion section of this report for more detail.

**Issue D: Hockey Pitch needs improvement;** Improve the fall, grades and condition of the existing hockey pitch.

**Action-** The existing Hockey pitch synthetic turf surface has been replaced by the Elgar Park Regional Hockey Association and will improve this venue significantly. Council has provided significant additional funds, technical support and project management support to this project. (Refer to Action 2 in Draft Master Plan).

**Issue E: Cricket Training Nets in poor condition/location;** Existing cricket practice nets need improvement. A pedestrian path passes in front of the nets.

**Action-** Redevelopment of the pedestrian path into a shared use path and its relocation behind new cricket training nets will enable better use and improve safety. (Refer to Actions 6 and 13 in Draft Master Plan).

**Issue F: Car parking and pedestrian safety;** Car parking capacity associated with the various sports activities is poor. Pedestrian safety is a potential issue with the busy access road serving buildings and sports fields.

**Action-** Development of new car park areas in the North East and South East in association with the future North East Oval conversion as well as formal road line marking of car spaces and provision of traffic management devices (crossing points, signage) to improve; safety, vehicle movement and car parking opportunities. (Refer to Actions 9,10,11,14 in Draft Master Plan).

**Issue G: Poor visual appearance/parking near Elgar Road;** Informal car parking in the South East of the park near Elgar Road and the Miniature Steam Rail service area creates a poor visual appearance in an area that is an important visual gateway for the municipality.

**Action-** Relocate the South East Oval further toward the North West allowing better car parking opportunities and develop a visually appealing park and road margin. (Refer to Action 22 in Draft Master Plan).

**Issue H: Koonung Creek Trail Improvements;** Conflict between park users along the shared path of the Koonung Creek Trail.

**Action-** Undertake a safety audit to improve sightlines and develop appropriate signage to manage shared use behaviour. (Refer to Action 12 in Draft Master Plan).

**Issue I: Bushy Creek Trail Rationalisation;** The route of the Bushy Creek bicycle trail connecting to the Koonung Trail is unclear. Cyclists often use the minor path from Belmore Road through the native vegetation area squeezing past the playground area.

**Action-** Reroute and upgrade the path as a shared use path from Elgar Road past the Southern Ovals to the Koonung Trail. Reclassify the path beside the playground to pedestrian only. Improve way finding signage. (Refer to Action 13 in Draft Master Plan).

### 9.3.2

(cont)

**Issue J: Internal path connections;** Some additional paths and path improvements are required to enhance use of Elgar Park.

**Action-** Relocation of several paths, formalising parts of paths subject to erosion with insitu concrete or cement **stabilisation**. (Refer to Actions 12,13,14 in Draft Master Plan).

**Issue K: Bushy Creek Crossing Point;** Some informal cut through paths are occurring between the paths each side Bushy Creek damaging native vegetation areas.

**Action-** Long term development of a timber bridge to allow creek crossing and reduce cut through path **damage** in discussion with Melbourne Water. (Refer to Action 15 in Draft Master Plan).

**Issue L: Major Signage Replacement;** Better park signage is needed to better direct visitors coming to the park for sporting fixtures.

**Action-** Develop new major sign structures at key entrances and other locations. (Refer to Action 16 in Draft Master Plan).

**Issue M: Play space & BBQ;** The playground next to the Miniature Steam Railway is a popular play and picnic location for large groups in association with the railway run days.

**Action-** An upgrade of the play equipment occurred in 2015.

**Issue N: Public Toilets;** The existing toilet facilities near the Miniature Steam Railway are adequate at present.

**Action-** Future replacement of the public toilets once they reach the end of their useful life. (Refer to Action 17 in Draft Master Plan).

**Issue O: Park Furniture;** Current park furniture is older and its style is inconsistent.

**Action-** Establish a consistent style and use of park furniture. (Refer to Action 18 in Draft Master Plan).

**Issue P: Amenity Nodes;** There are few amenity areas for users of the Koonung Creek Trail.

**Action-** Establish amenity nodes with water supplies, seating areas as well as possible fitness equipment near the Koonung Creek Trail. (Refer to Action 20 in Draft Master Plan).

**Issue Q: Miniature Steam Railway Improvements;** The miniature steam railway has a number of buildings it owns and leases the land it uses from Council. Train run days are very popular, some small improvements, such as extending the height of fencing, is required to enhance this activity.

**Action-** Undertake works to improve the use of this facility. (Refer to Action 21 in Draft Master Plan).

**Issue R: Elgar Road/Belmore Road Landscaping;** There is a poor visual appearance in an area that is an important visual gateway for the municipality.

**Action-** Additional planting of trees and shrubs. (Refer to Actions 5,20,22 in Draft Master Plan).

### 9.3.2

(cont)

**Issue S: Vegetation Management Strategy;** Some opportunity to improve the quality of the native vegetation area exists.

**Action-** Develop a vegetation management strategy to manage vegetation, weed removal, revegetation and habitat provision to improve the areas ecological values. (Refer to Action 23 in Draft Master Plan).

**Issue T: Bushy Creek Flooding Rectification;** In high flow events Bushy Creek overflows before reaching the junction of the Koonung Creek and nearby flood retarding area.

**Action-** Liaise with Melbourne Water to rectify flooding. (Refer to Action 24 in Draft Master Plan).

**Issue U: Future Long Term Use of St John Ambulance Hall;** St John Ambulance provide first aid services and training to the Whitehorse Community and sporting groups. St John Ambulance's use of the building in Elgar Park is for indoor training purposes and is not reliant on Elgar Park's location.

**Action-** Council will work actively to explore other options for St John Ambulance, potentially facilitating relocation to a more suitable central location near transport hubs, allowing the site to be developed as additional car parking. (Refer to Action 8 in Draft Master Plan). Refer also to the discussion section of this report for more detail.

## DISCUSSION

A copy of the Draft Elgar Park Master Plan is attached (Attachment 3a).

The Draft Master Plan was developed based on the consultative process and resolving the issues highlighted earlier. Overall the Master Plan seeks to improve the operation of existing sports and community activities located in Elgar Park by confirming the location of future asset upgrades (location of sports pavilions, car parking, playground, paths and sports fields and encouraging the multi-use of the new or upgraded assets).

A number of the suggested actions require significant investment or a change to existing conditions and also involve some consideration of alternative recreation uses; these are highlighted in more detailed discussion below;

**Issue A: Change room facilities inadequate for the needs of existing sports clubs;** (Refer to Actions 1 and 4 in Draft Master Plan).

At present there is insufficient provision and poor condition of change rooms for all existing community and sports club facilities.

The Elgar Park Regional Hockey Association (EPRHA) has over 680 playing members and has ongoing problems with current pavilion facilities that do not provide secure facilities for the mix of junior/senior and female/male users who are often scheduled to play after one another. In summer competition EPRHA currently has access to one toilet/shower for 60 mixed gender players and no change facilities.

Three cricket clubs use Elgar Park Ovals they being; Box Hill North Super Kings (150 members), Mont Albert (170+ members) and Surrey Hills. Box Hill Ultimate Frisbee (25 players) also uses the Elgar Park Facilities. In winter Box Hill North Football Club (90+ players) use facilities. The 2 existing pavilions used by most of the sports groups are aging and not fit for purpose with insufficient storage, social, meeting space and change facilities.

### 9.3.2 (cont)

Opportunity exists to develop two new pavilions that provide, change room opportunities for teams during, before and after scheduled fixtures that can take place concurrently. Storage, medical, community and club social activities will also be provided for. Kitchens, kiosks, umpires rooms and viewing areas that relate to the adjacent sports fields will also be provided. Potential additional change rooms could be added around the structure if needed in the future.

From a landscape perspective the concentration of two buildings at one central location is beneficial. The proposed North and South Pavilions would be located either side of the central access road allowing effective and safe pedestrian movement to adjacent sports activity areas.

#### **Issue C: Potential use of a programmable synthetic sports field;** (Refer to Action 3 in Draft Master Plan).

The EPRHA provided a detailed submission on current and future needs in an early submission. EPRHA has capacity issues at its single Elgar Park Hockey Pitch. It uses other venues for training and matches (in 2014 82 or 25% of "home" matches were played off site). Use of other venues costs the EPHRA \$6,300 in lost revenue and \$8,500 in external field hire per annum. Additional partners (Old Xavierians and Old Carey Hockey Clubs) are keen to join EPRHA and secure a home base. The Former Kew and Box Hill Hockey Clubs have now merged into the KBH Brumbies Hockey Club.

Council Officers have identified potential operational and participation benefits from the provision of a multi-code synthetic sports field surface. A synthetic multi-use sports field could accommodate the existing junior cricket activities, pre-season training for various codes, temporarily relocated clubs who are waiting for pavilion or ground repairs or redevelopment. Also the programming of short term competitions such as five aside soccer, AFL 9s, additional hockey fixtures or other sports such as lacrosse or touch rugby would be of benefit to the wider Whitehorse sporting community.

During the first round consultative process Koonung Comets Basketball Club (KCBC) and the Eley Park Table Tennis Club both wrote to Council suggesting the development of an indoor sports centre. KCBC uses local schools as game venues for its 610 members and has suggested they fund a minimum 3 court basketball centre on the North East sports oval.

The location of an indoor sports centre is not as site dependant as an opportunity to co-locate a sport ground at Elgar Park. The KCBC indicated that, at an earlier meeting, it tried to partner with Koonung High School to build court facilities, however funding was not available. Given the KCBC have indicated they have the funds to develop a facility they could look to partner with Koonung High School or others to develop a venue elsewhere. It is a similar outcome for any proposed table tennis venue.

One of the strengths of Elgar Park is its large open space and location of 5 sports fields used for outdoor competitive sports. From a landscape perspective Elgar Park is an important visual gateway to the city. The development of a large indoor facility would be more intrusive than a fenced synthetic field.

The development of a second synthetic pitch with additional playing space and fencing surrounding it for use by other codes, as well as greater use of a new north pavilion, would provide substantial savings as opposed to, in the future, establishing a second synthetic field elsewhere in Whitehorse.

The North East Oval is well suited to an intensively used programme space due to the distance from residential properties and the development of the North pavilion. Further work, in particular detailed business case development for the multi sports code synthetic field is needed.

### **9.3.2**

(cont)

Additional car parking could also be developed around the newly fenced Northeast oval edge near Elgar Road.

#### **Issue U: Future Long Term Use of St John Ambulance Hall;**

(Refer to Action 8 in Draft Master Plan).

The St John Ambulance building is to be retained and continue to operate as an important community service. The activities undertaken within the building however are not dependent on Elgar Park and Council will work actively with St John Ambulance in investigating opportunities to relocate their training to another suitable location. This would make the building area available to complement the sporting activities of the park.

### **CONSULTATION**

An extensive community consultation process has been undertaken so far in the preparation of this document. This included; face to face interviews with key stakeholders, a residential survey, site signage and advertising in the Whitehorse Leader as well as a community consultation meeting held onsite. Written submissions were also received. In total 88 written submissions were received. Notably submissions from the Elgar Park Regional Hockey Association, the Koonung Comets Basketball Club and also a Table Tennis Club who requested use of the North East Oval.

Once the Draft Elgar Park Master Plan is endorsed for release for community comment, it is intended to undertake another consultation process to engage with the local community and key stakeholders about the future directions suggested in the Draft Master Plan. The following consultation methods are planned:

- A targeted mail out to residents and other stakeholders who have expressed an interest in the project, including a copy of the Draft Master Plan and inviting comment.
- A general mail out to all residents and businesses within a 200m radius of the Park advising them that the Draft Master Plan is available, how to view or obtain a copy of the plan, and dates for public consultation meetings.
- Make the Draft Master Plan available for download from Council's website and available for viewing at all customer service centres.
- A wide advertising process to advise of the Draft Master Plan and how people can have their say, including; a media release, advertising in the Whitehorse Leader and signs erected within the park.

It is intended that the consultation period will last one month. Following this all feedback will be considered and changes made to the document as appropriate. Councillors will then be provided with an updated plan for consideration and adoption.

**9.3.2**  
(cont)

**FINANCIAL IMPLICATIONS**

The Draft Master Plan contains short, medium and long term projects that will impact on Council's Capital and Recurrent budgets. Short term projects are proposed from years 1-7, medium term projects are proposed from year 8-20 and long term projects are proposed for beyond 20 years.

Initial indicative costs for short term projects are estimated at \$6 Million most of which is directed towards the development of 2 pavilions which are currently listed in the 5 year capital works program. Detailed costing will be developed as part of Council's Capital Works Budget process.

These cost estimates are preliminary only and are subject to a detailed design process which will identify more specifically what the cost of each component will be.

Implementation of the Master Plan is dependent on decisions Council would make each financial year and within a staged Capital Works program within the wider context of other City-wide projects and issues impacting on the budget.

Funding opportunities may be available from either State or Federal government for a number of the key projects identified in the Draft Master Plan. These would need to be assessed on an individual basis at the time of implementation of the project.

A clear explanation of the cost estimates provisional nature, Council budget process and future funding opportunities will be provided in the draft master plan.

**POLICY IMPLICATIONS**

The development of a new Master Plan for Elgar Park is a recommendation of the Whitehorse Open Space Strategy (2007).

### 9.3.3 Whitehorse Reconciliation Action Plan 2016-2018

FILE NUMBER:SF09/289  
ATTACHMENTS

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#### **SUMMARY**

*This report presents the Whitehorse Reconciliation Action Plan 2016-2018 for Council adoption after previously endorsing the draft policy for the purpose of undertaking further community consultation, through a public exhibition process.*

#### **RECOMMENDATION**

***That Council adopts the Whitehorse Reconciliation Action Plan 2016-2018.***

---

#### **BACKGROUND**

Councils' commitment to the Reconciliation agenda is tangibly demonstrated through the development of this and ensuing Reconciliation Policy and Action Plans. The most recent Reconciliation Action Plan 2016-2018 (Attachment 4a), is the fourth Plan to be presented to Council and further illustrates Council's commitment to Reconciliation.

The Plan is guided by the *Council Vision, Council Plan* and the *Whitehorse Municipal Health and Wellbeing Plan* and the environments for Health Framework which details how the natural, economic, built and social realms have an impact on the health and wellbeing of the community

The Whitehorse Reconciliation Advisory Committee, chaired by Councillor Bill Bennett has overseen the development of this Plan and the implementation of the prior Plan. The Committee comprises of representatives from Indigenous residents and Elders, Indigenous service providers, community support groups, community representatives and Council Officers.

This Plan builds upon and further develops the previous Reconciliation Action Plan by strengthening and expanding partnerships with Indigenous Elders, leaders, organisations and key stakeholders and provides an updated framework for action.

#### **DISCUSSION**

A Reconciliation Action Plan is the statement of what a particular organisation will set out to achieve and identifies and prioritises its actions, in order to assist that organisation in its contribution to Indigenous equality.

The latest Whitehorse Aboriginal Reconciliation Plan 2016-2018 demonstrates an enhanced awareness of and commitment to, addressing the physical, social, historical and cultural barriers that may exclude people from an Indigenous background, who live, work and visit the City of Whitehorse.

These priority areas will be further explored as part of a yearly planning cycle and will be prioritised on a yearly basis in regard to emerging issues, priorities and available funding. In addition, work that is already being undertaken and will be further built on and developed. The thematic areas detailed below represent progress in the journey towards Reconciliation for the City of Whitehorse:

- Relationships
- Respect
- Opportunities

### **9.3.3**

(cont)

#### **CONSULTATION**

A major component of the development process for the Plan was community consultation, which included engagement with Indigenous Australians, Council, the Whitehorse community, local organisations and peak bodies.

Council officers worked with Karen Milward (a local Indigenous consultant) to ensure that as many Aboriginal people as possible were able to have input into the Plan. The methodology employed included:

- Workshops held in November 2015 with the Whitehorse Reconciliation Working Group,
- Follow up meeting with the new Reconciliation Advisory Committee in Feb 2016
- Consultation meetings with Council officers
- Meetings with the Wurundjeri Tribe and Land Compensation Cultural Heritage Council
- Consultation with Aboriginal community members, Aboriginal organisations and services
- Consultation session with the broader Whitehorse community.
- Discussions at the Whitehorse Spring Festival
- An on line survey

In addition, the Plan was placed on public exhibition so as to gain additional community feedback into the Plan. This feedback and subsequent action is contained in Attachment 4b. Written feedback was received from:

- Two Whitehorse Reconciliation Advisory Committee members;
- One Whitehorse Interfaith Network member; and
- One community member

In addition, verbal feedback was given by a number of people which was extremely positive and in the main only minor changes have been suggested to enhance and strengthen the Plan, rather than to change its intent and purpose.

#### **FINANCIAL IMPLICATIONS**

The financial cost to Council, in regard to the development of the updated Plan was approximately \$15,000.

Council will also commit considerable financial resources to developing yearly action plans to specifically respond to priorities in the Plan during its life. This is in addition to the financial resources allocated to the employment of the Diversity Officer, who coordinated the redevelopment of the Plan and who will also lead future initiatives falling out of the Plan. In addition, the Community Development Unit will also explore all external funding opportunities

#### **POLICY IMPLICATIONS**

All Strategic Plans developed at Whitehorse City Council are connected through the consistent planning process that is undertaken and they also align with the Vision Statement, Values and Objectives within the Council Plan. The Reconciliation Action Plan aims to address the inequalities of the Whitehorse Indigenous community and further progress towards Reconciliation through adhering to these principles.

## **9.4 CORPORATE SERVICES**

### **9.4.1 2015-2016 Quarterly Performance Report – Quarter 3 (January to March 2016)**

FILE NUMBER: 16/58828  
ATTACHMENT

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#### **SUMMARY**

*The purpose of this report is to brief the Council on performance against the Council Plan 2013-2017 and the Annual Budget 2015-2016 for the third quarter (January-March 2016).*

#### **RECOMMENDATION**

***That Council note the quarterly performance report ending 31 March 2016 as per Attachment 5.***

---

#### **BACKGROUND**

This report reviews Council performance against the Council Plan and the Annual Budget, pursuant to sections 131(3)(a) and 138 of the *Local Government Act 1989*.

The financial section of this report has been prepared on an accrual basis to ensure accurate matching of income and expenditure, both operating and capital, for the year to date ending 31 March 2016. Further, the report is prepared on the basis of year to date, year-end projection, cash and key balance sheet items and analysing trends against budget.

#### **DISCUSSION**

##### **Performance against Council Plan**

The 2015-2016 Annual Action Plan identified 22 initiatives to implement the Strategic Objectives in the Council Plan. As at the end of the second quarter, 16 of these initiatives are in progress, one is deferred, and five are complete.

Highlights for the quarter included:

- Completing a draft Whitehorse Cycling Strategy for Council consideration.
- Completing a review of the condition of all private buildings on Council land.
- Completing the building concept design for Bennettswood Reserve Pavilion.
- Completing the refurbishment of the Blackburn Lake Sanctuary Visitors Centre.
- Commencing construction of the Livingstone Pavilion and the Whitehorse Recycling and Waste Centre pit canopy.
- Provision of expert advice to Planning Panel hearings regarding heritage controls and tree protection controls.
- Completing the Traffic Art project.

##### **Performance against Annual Budget**

The year to date underlying result at 31 March is favourable to budget by \$5.040m.

The end of year projected underlying result at 31 March is forecast to be a surplus of \$21.903m, \$2.983m favourable to the full year budget.

The capital works report reflects expenditure to the end of March of \$25.48m compared to a year to date forecast of \$26.72m. The year to date result represents 66% of the total capital works program. The current year end capital works program forecast, including carry over projects, is \$38.65m.

## 9.4.2 Supplementary Valuation Return: January to April 2016

FILE NUMBER: SF14/549

### SUMMARY

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

### RECOMMENDATION

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

- 1. Note and accept the supplementary valuations undertaken during the period commencing 01 January to 30 April 2016.***
- 2. Authorise the rate records being adjusted to take account of the supplementary valuations returned.***

### BACKGROUND

Item 1.11 of the Schedule of Powers contained within the Chief Executive Officer's Instrument of Delegation adopted by Council on 18 May 2015 states the following:

*"The delegate must not determine the issue, take the action or do the act or thing if the issue, action, act or thing is an issue, action, act or thing which involves:*

- The return of the general valuation and any supplementary valuations."*

This report relates to supplementary valuations undertaken by Council in accordance with the *Valuation of Land Act 1960* for the period from 01 January 2016 to 30 April 2016.

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

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

Five supplementary valuation batches were completed between 01 January 2016 and 30 April 2016. Refer Table #1

Table # 1: Supplementary Valuation Batches completed between 01 January 2016 and 30 April 2016

<b>Supplementary Valuation Reference (Batch #)</b>	<b>Number of Assessments</b>	<b>SITE VALUE</b>	<b>C.I.V.</b>	<b>N.A.V.</b>
WH14.25	30	\$ 60,683,500	\$ 99,854,000	\$ 5,354,475
WH14.26	307	\$ 88,014,500	\$198,104,500	\$10,628,850
WH14.27	35	\$ 12,892,000	\$ 15,137,000	\$ 761,850
WH14.28	18	\$ 4,828,400	\$ 9,881,000	\$ 1,457,300
WH14.29	69	\$ 5,205,000	\$ 21,060,000	\$ 1,579,500
Supplementary Valuations Total	440	\$171,623,400	\$344,036,500	\$19,781,975

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

**9.4.2**  
 (cont)

**CONSULTATION**

The legislative requirement for Council to complete supplementary valuations is contained within the *Valuation of Land Act 1960*.

All supplementary valuations contained in this report have been undertaken in accordance with the 2014 Valuation Best Practice guidelines and have been certified by the Valuer-General's office as being suitable for use by Council.

**FINANCIAL IMPLICATIONS**

The total change to the Capital Improved Value (CIV) caused by the supplementary valuations undertaken is an increase of \$70,931,500.

This change in CIV has resulted in an additional \$24,440 of supplementary rate income.

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

Table #2: Valuation Totals as at 01 January 2016

<b>BREAKDOWN</b>	<b>Number of Assessments</b>	<b>SITE VALUE</b>	<b>C.I.V.</b>	<b>N.A.V.</b>
Rateable	70,319	\$32,419,884,400	\$48,455,209,500	\$ 2,544,142,575
Non-Rateable	1,081	\$2,442,686,500	\$2,845,635,500	\$165,705,400
<i>Municipal Total</i>	<i>71,400</i>	<i>\$34,862,570,900</i>	<i>\$51,300,845,000</i>	<i>\$2,709,847,975</i>

Table#3 Change to valuation totals due to supplementary valuations from 01 January 2016 to 30 April 2016

<b>Supplementary Valuations</b>	<b>Assessments within Supplementary Valuation Batches</b>	<b>Change to Site Value</b>	<b>Change to CIV</b>	<b>Change to NAV</b>
	440	\$1,164,100	\$70,931,500	\$4,715,100

Table #4: Valuation Totals as at 30 April 2016

<b>NEW BREAKDOWN</b>	<b>Number of Assessments</b>	<b>SITE VALUE</b>	<b>C.I.V.</b>	<b>N.A.V.</b>
New Rateable	70,361	\$32,414,307,500	\$48,510,975,000	\$ 2,547,985,025
New Non Rateable	1,079	\$2,449,427,500	\$2,860,801,500	\$166,578,050
<i>New Municipal Total</i>	<i>71,440</i>	<i>\$34,863,735,000</i>	<i>\$51,371,776,500</i>	<i>\$2,714,563,075</i>

### 9.4.3 Council Owned Land

FILE NUMBER: PF05/43139  
ATTACHMENT

#### SUMMARY

*Section 189 of the Local Government Act 1989 restricts Council's power to sell Council owned land. Council at its meeting of 15 March 2016 noted that the Council owned land known as 517-521 Station Street, Box Hill has been identified by Council as being underutilised and is an appropriate site for redevelopment. Council resolved to give public notice in accordance with Section 189 of the Local Government Act 1989 of its intention to sell the land. Council is also required in accordance with Section 223 of the Local Government Act 1989 to consider any written submissions and is required to hear any verbal submissions made in conjunction with written submissions. Seven (7) submissions were received and two parties spoke in support of their written submission.*

#### RECOMMENDATION

***That Council:***

- 1. Having completed the public notice process in accordance with sections 189 and 223 of the Local Government Act 1989 and having received and considered seven (7) submissions and heard from two (2) of the submitters regarding their submission, Council now resolves to sell the land known as 517-521 Station Street, Box Hill with the title description of Volume 4304 Folio 747, Volume 5967 Folio 292, Volume 6765 Folio 805, Volume 7923 Folio 192, Volume 8664 Folio 765 (lot 1 only), Volume 8673 Folio 843, Volume 8962 Folio 343, Volume 9807 Folio 979 and Volume 8150 Folio 700,***
- 2. Resolve to sell the land known as 517-521 Station Street, Box Hill to the successful proponent pursuant to a Public Procurement Process for a price not less than a price established by an independent valuation report obtained by Council and dated 28 April 2016.***
- 3. Advise the submitters of Council's decision as per Section 223 (d) (ii) of the Local Government Act 1989.***

---

#### BACKGROUND

A public notice advertising Council's intention to sell was displayed in The Age newspaper on Saturday 19 March 2016, the advertising of the public notice was undertaken in accordance with Section 189 of the *Local Government Act 1989*.

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

***(Refer Attachment 6a. 'Public Notice dated 19 March 2016')***

Council received seven (7) written submissions during the twenty-eight (28) day submission period and two (2) submitters requested to speak at Council's Special Committee meeting held on Monday 9 May 2016.

All submissions were referred to the Ordinary meeting of Council held on Monday 16 May 2016 for further consideration and for final decision.

### 9.4.3

(cont)

#### DISCUSSION

Section 189 of the *Local Government Act 1989* requires all Victorian councils to:

- consult ratepayers and residents on any proposal to sell or exchange land;
- give ratepayers and residents an opportunity to have their views heard; and
- have a current valuation for the land that is proposed for sale or exchange.

The public notice advertised on 19 March 2016 advised the community of Council's intention to sell 517-521 Station Street, Box Hill (the Subject Property) via a public procurement process with the following key sale terms:

*"The Proposal is for Council to sell the Land (AKA the Subject Property) to the successful proponent pursuant to a public procurement process, on the following terms:*

1. *the price shall be no less than the valuation of the Land held by Council;*
2. *the deposit payable under the contract of sale will be 20% of the price;*
3. *the sale will be conditional on the purchaser procuring a combined planning scheme amendment to rezone the Land to Mixed Use Zone and an environmental audit overlay, and a planning permit for the development of the Land in accordance with agreed concept plans (together 'Planning Approval'), pursuant to section 96A of the Planning and Environment Act 1987 (P&E Act), within 16 months from the day of sale;*
4. *settlement will be due on the date that is 30 days after the issue of the Planning Approval;*
5. *the purchaser must lease back to Council that part of the Land used as a car park and childcare, for a term expiring on the later of 9 months after settlement of the contract of sale and 31 December 2017, and for a rent of \$1 for the term;*
6. *as a condition of sale, the purchaser must enter into an agreement pursuant to section 173 of the P&E Act in respect of the Land to be registered on the title to the Land, which will, amongst other things, require the purchaser to:*
  - 6.1 *develop the Land in accordance with the planning permit;*
  - 6.2 *substantially commence the Project within 3 years from settlement of the contract of sale (subject to any extensions granted);*
  - 6.3 *practically complete the Project within 7 years from settlement of the contract of sale (subject to any extensions granted); and*
  - 6.4 *covenant to use a specified part of the Land for childcare (at least 80 places) until at least 5 years after completion of the childcare facility space.*

### 9.4.3

(cont)

*In reference to the existing public car parking, Council proposes to provide alternate Council owned public car parking in a location nearby."*

As mentioned above prior to resolving to sell land Council is compelled, in accordance with Section 189 of the *Local Government Act 1989*, to assess the market value of the land proposed for sale.

The market value assessment needs to be undertaken by a qualified Valuer in accordance with Section 13DA(2) of the *Valuation of Land Act 1960*.

Given the key sale terms contained within the public notice and because of the high market value associated with the Subject Property, two independent valuations were undertaken; a "primary" valuation and a "check" valuation.

Council's Property & Rates Department appointed independent valuation firms; MSV Property Consultants (MSV) and Property Dynamics Independent Property Consultants (Property Dynamics).

Both MSV and Property Dynamics provided Council with independent valuation reports and variance between the two valuation figures was well below the industry accepted variance of ten (10%) per cent.

It is recommended by Council's Manager of Property & Rates Department that Council rely on the valuation report prepared by Property Dynamics as the "primary" valuation and the MSV report as the "check" valuation.

### CONSULTATION

The consultation timetable for 517-521 Station Street, Box Hill included the following dates:

Statutory advertisements (Public Notice):	The Age Saturday 19 March 2016
Closing date for submissions	Wednesday 20 April 2016
Meeting to hear submissions	Monday 9 May 2016

*Site Plan displayed in Public Notice:*



**9.4.3**  
 (cont)

**Public submissions**

The following seven (7) written submissions were received:

No.	Name	Summary of Submission
1	Mr. William Orange	<ul style="list-style-type: none"> <li>Existing trees including what is thought to be a Kurrajong tree brought by seed from Portland</li> <li>Disused well located on site</li> <li>Retention of existing trees within any proposed development</li> <li>Compel a future developer to contribute toward alternate car parking</li> </ul>
2	Mr. Sean Kirwan	<ul style="list-style-type: none"> <li>Risk of serious car accidents on Station Street</li> <li>Regular traffic blockages around Alexander Road and Canterbury Road</li> <li>The old brickworks in an inappropriate place for public car parking</li> </ul>
3	Ms. Gillean Puddy	<ul style="list-style-type: none"> <li>Box Hill is a regional centre</li> <li>Existing parking is insufficient for people wishing to use services such as visiting doctors and specialists, Town Hall functions, Centrelink, shopping, library and children's services</li> <li>Epworth hospital now caters for many local people and vast numbers of country people</li> <li>Severe shortage of parking which needs to be addressed immediately</li> </ul>
4	Mr. Howard Tankey	<ul style="list-style-type: none"> <li>The concept of having high intensity development-preferably a mix of residential, education and recreation-near major transport hubs makes perfect sense</li> <li>Change needs to be explained empathetically and thoroughly</li> <li>The building should have car parking spaces equivalent to the existing car park, as easily accessible as the existing space and at a similar cost</li> <li>The car parking available to the tenants should be quite separate, inaccessible to the casual car parker, and limited along the lines of residential developments closer to the city</li> </ul>
5	Ms. Anne Tan	<ul style="list-style-type: none"> <li>Concerned about the infrastructure surrounding Box Hill Central</li> <li>The number of apartments and the lack of public infrastructure is absolutely concerning</li> <li>Believes that Council should address downstream impacts before issuing building permits</li> <li>Congestion and the lack of parking are a consequence of the issuing of building permits</li> <li>No tangible improvement to the infrastructure within the vicinity of Box Hill Central area</li> <li>The sale of the car park adds to frustration</li> <li>The parking issue hurts nearby businesses as it discourages customers from visiting restaurants or shops</li> </ul>
6	Mr. Bruce Smith	<ul style="list-style-type: none"> <li>Parking in the Box Hill shopping district is becoming difficult</li> <li>Council's decision to halve the parking requirements of new residential apartments to discourage car ownership is flawed</li> </ul>
7	Ms. Marta Pirnat	<ul style="list-style-type: none"> <li>Has been using the car park for the past 20 years</li> <li>Selling of this car park makes no sense</li> <li>Where are people going to park in the future?</li> <li>Infrastructure is not meeting demand</li> </ul>

### 9.4.3

(cont)

Two submitters, namely Mr. Orange and Ms. Pirnat, requested to be heard in support of their submission.

***(Refer to attachment 6b an 'Extract of Minutes' of the Special Committee meeting held on Monday 9 May 2016.)***

In addition to the public consultation undertaken in accordance with the LGA, Council has undertaken the following:

- Prior to the Expression of Interest (EOI) process a November 2015 mail-out to approximately 190 surrounding businesses and nearby residents;
- An extensive marketing campaign associated with the EOI which involved a large on site board and both print and internet advertising;
- A March 2016 mail-out to approximately 190 surrounding businesses and nearby residents; and
- The Mayor announced in Council's Whitehorse Leader column dated 2 May 2016 that the proposed multi-deck car park would be located in Harrow Street and would provide over 300 public car spaces. NB: This commitment is conditional on Council resolving to proceed with the sale.

Both mail-outs mentioned above contained the following:

*"At no point will there be a reduction in the number of public car spaces available in this part of central Box Hill"*

Additionally, Key Sale Term #5 contained within the 19 March 2016 Public Notice states the following:

*"the purchaser must lease back to Council that part of the Land used as a car park and childcare, for a term expiring on the later of 9 months after settlement of the contract of sale and 31 December 2017, and for a rent of \$1 for the term."*

The one reason why this Key Sale Term was included was that if Council resolved to sell this term would ensure that central Box Hill did not incur a short-term loss of car parking during construction of the alternative car parking space.

As demonstrated above Council has given multiple commitments that if the proposal to sell is adopted by Council that alternate Council owned car parking comprising over 300 spaces will be provided.

Prior to identifying the Harrow Street site as the location for the proposed multi-deck car park traffic studies were undertaken by independent traffic consultants and independent town planning advice was sought to ensure that any proposal complied with Council's approved 'Box Hill Transit City Activity Centre Structure Plan 2007'.

Additionally, Council has undertaken preliminary design work which indicates that the proposed multi-deck car park could accommodate up to three hundred and eighty one (381) car spaces which significantly exceeds the combined total of the 163 car spaces currently located on Cambridge Street and the 112 car spaces lost at Harrow Street due to the construction foot-print of the proposed multi-deck.

If Council were to resolve to sell the Subject Property and construct the Harrow Street multi-deck it would result in a potential car parking net gain of 106 spaces in central Box Hill.

Council's 2016/17 draft budget contains a funding allocation to complete more detailed design studies for the Harrow Street car park if Council resolves to sell the Subject Property.

**9.4.3**  
(cont)

It is important to note that the current Harrow Street car park, known as 526 Station Street, Box Hill, is zoned Public Use – Schedule 6 (Local Government) under the Whitehorse Planning Scheme and is located approximately seventy (70) metres east of the Subject Property.

As the proposed multi deck car park will be constructed by Council, a planning permit will not be required.

It is proposed, however, to still undertake consultation with the surrounding community on the design and construction of the car park. This consultation will include sending notices to surrounding properties and facilitating a drop in session where the residents can view the plans and discuss the proposal with Council officers. Feedback received from the community will be taken into consideration in finalising the design.

Additionally, one public submission made reference to the trees located on the Subject Property, in response Council engaged an independent Arborist to advise Council on the trees and their advice included the following:

*“..... two specimens were identified as significantly older than the surrounding trees.....*

*Given that both trees are evident and well established.....it is probable that the trees are over 65 years old.*

*While both trees are relatively old, neither is of an exceptional age that would meet the ‘Particularly Old’ criterion of the significant tree register. Furthermore, both trees have attributes that would disqualify them from significant tree listing.”*

Refer “Tree Location Plan” below.

The two trees identified as significantly older than the surrounding trees are as follows:

- Tree #4: An English Oak tree; and
- Tree #5: a Kurrajong tree.

As discussed above both trees have attributes that would disqualify them from significant tree listing and these attributes are as follows:

- The English Oak tree exhibits poor health and is in a state of decline; and
- The Kurrajong tree has a poor structure, largely owing to a significant trunk cavity.

### 9.4.3

(cont)

“Tree Location Plan”



It is important to note aerial photography confirms that the trees currently located on the childcare site at 517 Station Street were not present when the site was an at grade car park up to the mid-1980s; this indicates that the trees were planted post the construction of the childcare centre in circa 1986.

Additionally, Council is advised that the Subject Property is not subject to a Vegetation Protection Overlay under the Whitehorse Planning Scheme and that the “Whitehorse City Council Community Local Law 2014” does not prevent the removal of trees.

To assist with statutory processes contained within Section 189 of the *Local Government Act 1989* the following external consultants have been engaged directly:

- Maddocks Lawyers
- HWL Ebsworth Lawyers
- Property Dynamics Independent Property Consultants (Valuers)
- MSV Property Consultants (Valuers)
- GTA Consultants (Traffic & Car Parking)
- Homeswood Consulting Pty Ltd (Arborist)

#### FINANCIAL IMPLICATIONS

Full compliance with the statutory process contained within the *Local Government Act 1989* including the two valuation reports and the publication of the public notice is approximately \$20,000 + GST.

NB: GST is payable on any sale proceeds.

#### POLICY IMPLICATIONS

Nil

#### **9.4.4 Delegations from Council to Positions within the Organisation**

FILE NUMBER: SF10/1028  
ATTACHMENT

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##### **SUMMARY**

*The purpose of this report is to recommend approval of a new Instrument of Delegation from Council to various positions in the organisation.*

##### **RECOMMENDATION**

***That Council adopt the attached Instrument of Delegation to various positions in the organisation.***

---

##### **BACKGROUND**

Section 98 of the *Local Government Act 1989* (the Act) provides that a Council may, by Instrument of Delegation, delegate to a member of staff, any power, duty or function of the Council under the Act or any other Act, other than some powers (such as the adoption of the budget) which are reserved for a Council decision. The delegations are made to the position rather than to the staff member occupying the position.

Delegations are essential to enable Council staff to carry out operational duties particularly in areas which involve enforcement, such as town planning, local laws, environmental health, animal management and parking control. Delegations must, by law, also be available for public inspection, so it is essential they are updated regularly.

##### **DISCUSSION**

At its meeting on 21 September 2015, as a result of amendments to various Acts and Regulations, Council adopted a revised delegation to various positions in the organisation.

Since then, there have been further legislative amendments. It is therefore appropriate to adopt a revised Instrument of Delegation to particular organisational roles under various Acts and Regulations where the delegation must be direct from the Council rather than as a sub-delegation from the Chief Executive Officer (CEO).

The proposed delegation (Attachment 7) reflects:

- a) The *Rail Safety Act 2006* has been re-named the *Rail Safety (Local Operations) Act 2006*;
- b) The *Planning and Environment Regulations 2005* have been replaced by the *Planning and Environment Regulations 2015*;
- c) The *Planning and Environment (Fees) Further Interim Regulations 2013* are now the *Planning and Environment (Fees) Interim Regulations 2014*;
- d) The *Road Management (Works and Infrastructure) Regulations 2005* have been replaced by the *Road Management (Works and Infrastructure) Regulations 2015*; and
- e) Changes to some position titles in the organisation; and
- f) Changes to titles of State Government departments and agencies as a result of recent re-structuring.

##### **CONSULTATION**

All relevant Managers and General Managers were consulted in the updating of the proposed delegations.

##### **FINANCIAL IMPLICATIONS**

There are no financial implications.

**9.4.5 Delegated Decisions – March 2016**

FILE NUMBER: SF13/1527#02

*The following activity was undertaken by officers under delegated authority during March 2016.*

**RECOMMENDATION**

***That the report of decisions made by officers under Instruments of Delegation for the month of March 2016 be noted.***

DELEGATION	FUNCTION	Number for March 2015	Number for March 2016
Planning and Environment Act 1987  Telecommunications Act 1997 Subdivision Act 1988 Gaming Control Act 1991	- Delegated decisions	121	122
	- Strategic Planning Decisions	Nil	1
		Nil	Nil
		45	
		Nil	Nil
Building Act 1993	Dispensations & applications to Building Control Commission	76	53
Liquor Control Reform Act 1998	Objections and prosecutions	1	2
Food Act 1984	- Food Act orders	3	1
Public Health & Wellbeing Act 2008	- Improvement / prohibition notices	Nil	Nil
Local Government Act 1989	Temporary road closures	6	8
Other delegations	CEO signed contracts between \$150,000 - \$500,000	2	1
	Property Sales and leases	5	6
	Documents to which Council seal affixed	Nil	Nil
	Vendor Payments	1354	1239
	Parking Amendments	8	6
	Parking Infringements written off (not able to be collected)	406	213

Details of each delegation are outlined on the following pages.

**DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS MARCH 2016**

*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.*

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
502	22-05-16	Application Lapsed	1A/580-584 Canterbury Rd, Vermont	Morack	Amendment to Planning Permit WH/2015/502 (issued for change of use to restricted recreation facility (personal training studio) and display of signage) comprising the display of additional business identification signage	Permit Amendment
696	07-05-16	Application Lapsed	150 Canterbury Rd, Blackburn South	Central	Use and development of the land for a medical centre, alteration of access to a road in a Road Zone Category 1, and a reduction in the car parking requirements of Clause 52.06	Residential (Other)
267	29-05-16	Council NOD Issued	62 Burwood Hwy, Burwood	Riversdale	Alterations and additions to convenience restaurant, signage, reconfiguration of the existing car park and reduction in car parking requirements	Business
244	29-05-16	Delegate Approval - S72 Amendment	18 South Pde, Blackburn	Central	Amendment to endorsed plans to permit WH/2014/244 to substitute the Dwelling 3 garage for a carport	Permit Amendment
246	18-05-16	Delegate Approval - S72 Amendment	1 Beacon St, Vermont South	Morack	Construction of two double storey dwellings	Permit Amendment
490	23-05-16	Delegate Approval - S72 Amendment	347-351 Burwood Hwy, Forest Hill	Morack	Use and development for a Childcare Centre	Permit Amendment
493	09-05-16	Delegate Approval - S72 Amendment	1 Burnett St, Mitcham	Springfield	Construction of a double storey dwelling to the rear of an existing dwelling	Permit Amendment
587	30-05-16	Delegate Approval - S72 Amendment	2 Karwitha St, Vermont	Morack	4 lot subdivision	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
743	18-05-16	Delegate Approval - S72 Amendment	17 Fisher St, Forest Hill	Springfield	Amendment to Planning Permit WH/2014/743 (Issued for the construction of two (2) double storey dwellings) for modifications to the layout of Dwelling 2 and deletion of Condition 1(a)	Permit Amendment
812	22-05-16	Delegate Approval - S72 Amendment	2A Mathilde Rd, Surrey Hills	Riversdale	Amendment to endorsed plans including decreased finished floor levels, new window, modified landscaping, building facade and new retaining walls	Permit Amendment
942	31-05-16	Delegate Approval - S72 Amendment	2 Elland Ave, Box Hill	Elgar	105 lot subdivision	Permit Amendment
1004	15-05-16	Delegate Approval - S72 Amendment	3/180-184 Whitehorse Rd, Blackburn	Central	Amendment to Planning Permit WH/2011/1004 issued for Change of use to Education Centre (tertiary institution) and display of advertising signage to increase student numbers and provide additional parking on another site	Permit Amendment
1203	31-05-16	Delegate Approval - S72 Amendment	2 Erasmus St, Surrey Hills	Riversdale	Construction of two (2) double storey dwellings	Permit Amendment
14298	18-05-16	Delegate Approval - S72 Amendment	641-643 Burwood Hwy, Vermont South	Morack	Use and Development of a Four Storey Medical Centre with Ancillary Pharmacy	Permit Amendment
14907	21-05-16	Delegate Approval - S72 Amendment	64-66 Morack Rd, Vermont South	Morack	Use of land for agriculture (community garden) and associated buildings and works	Permit Amendment
282	15-05-16	Delegate NOD Issued	1/8 Regal Crt, Vermont South	Morack	Change of use to indoor recreation facility (dancing school)	Residential (Other)
342	23-05-16	Delegate NOD Issued	585 Whitehorse Rd, Mitcham	Springfield	Construction of a three storey building including 12 dwellings, reduction of car parking requirements and alteration of access to a road in a Road Zone (Category 1)	Multiple Dwellings

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
539	29-05-16	Delegate NOD Issued	14 Wridgway Ave, Burwood	Riversdale	Construction four double storey dwellings	Multiple Dwellings
586	30-05-16	Delegate NOD Issued	47 Percy St, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
671	15-05-16	Delegate NOD Issued	89 Holland Rd, Blackburn South	Central	Construction of two double storey dwellings	Multiple Dwellings
690	30-05-16	Delegate NOD Issued	159-171 Rooks Rd, Vermont	Springfield	Change of use to an education centre (motor cycle training and licensing)	Industrial
697	10-05-16	Delegate NOD Issued	13 Cyril St, Box Hill South	Riversdale	Construction of two dwellings	Multiple Dwellings
703	30-05-16	Delegate NOD Issued	368 Burwood Hwy, Burwood	Riversdale	Construction of a four (4) storey apartment building comprising 24 dwellings	Multiple Dwellings
777	17-05-16	Delegate NOD Issued	22 Frank St, Box Hill South	Riversdale	Construction of two dwellings (one double storey dwelling and one single storey dwelling)	Multiple Dwellings
781	17-05-16	Delegate NOD Issued	13 Rothsay Ave, Burwood	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
860	10-05-16	Delegate NOD Issued	7 Unley Crt, Vermont	Morack	Construction of one (1) double storey dwelling to the rear of an existing dwelling	Multiple Dwellings
882	08-05-16	Delegate NOD Issued	6 McDowall St, Mitcham	Springfield	Proposed double storey dwelling	Single Dwelling < 300m <sup>2</sup>
910	10-05-16	Delegate NOD Issued	2/8 Glen Ebor Ave, Blackburn	Central	Extension to the existing dwelling (including verandah)	Residential (Other)
947	18-05-16	Delegate NOD Issued	1 Williamson Rd, Mont Albert North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
954	10-05-16	Delegate NOD Issued	32 Indra Rd, Blackburn South	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
966	30-05-16	Delegate NOD Issued	18 Lilac Crt, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
1082	29-05-16	Delegate NOD Issued	41 McDowall St, Mitcham	Springfield	Construction of five double storey units	Multiple Dwellings
1156	15-05-16	Delegate NOD Issued	20 Vine St, Blackburn	Central	Construction of a four (4) storey building, comprising 17 dwellings plus one level of basement parking	Multiple Dwellings

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
7	31-05-16	Delegate Permit Issued	27 Manniche Ave, Mont AlbertNorth	Elgar	Construction of two double storey dwellings and tree removal	Multiple Dwellings
8	30-05-16	Delegate Permit Issued	Ground 353 Whitehorse Rd, Nunawading	Springfield	Use of land for medical centre (for seven (7) practitioners), reduction of standard car parking requirements under Clause 52.06 and alteration of access to a Road in a Road Zone Category 1	Residential (Other)
10	09-05-16	Delegate Permit Issued	190-192 Whitehorse Rd, Blackburn	Central	Reduction in statutory car parking requirements	Business
31	10-05-16	Delegate Permit Issued	Shop 1/517 Whitehorse Rd, Mitcham	Springfield	Use of the land for a restricted recreation facility (pilates studio)	Business
36	04-05-16	Delegate Permit Issued	22 Forster St, Mitcham	Springfield	Four Lot subdivision	Subdivision
48	08-05-16	Delegate Permit Issued	4 Shady Grv, Nunawading	Springfield	Five lot subdivision	Subdivision
54	30-05-16	Delegate Permit Issued	19 Wellington Rd, Box Hill	Elgar	27 lot subdivision	Subdivision
55	01-05-16	Delegate Permit Issued	53 Lenna St, Burwood East	Riversdale	2 lot subdivision	Subdivision
60	29-05-16	Delegate Permit Issued	712-714 Station St, Box Hill	Elgar	Install four internally illuminated business identification signs	Advertising Sign
69	11-05-16	Delegate Permit Issued	62 Windsor Cres, Surrey Hills	Elgar	Creation of easement	Other
70	16-05-16	Delegate Permit Issued	628 Whitehorse Rd, Mitcham	Springfield	3 lot subdivision	Subdivision
83	24-05-16	Delegate Permit Issued	56 Gardenia St, Blackburn	Central	The removal of trees	Special Landscape Area
88	03-05-16	Delegate Permit Issued	4 Station St, Blackburn	Central	24 lot subdivision	Subdivision
92	30-05-16	Delegate Permit Issued	20 Poplar St, Box Hill	Elgar	43 lot subdivision	Subdivision
95	16-05-16	Delegate Permit Issued	1/28 Burnt St, Nunawading	Springfield	3 lot subdivision	Subdivision
96	17-05-16	Delegate Permit Issued	22 Vernal Ave, Mitcham	Springfield	3 lot subdivision	Subdivision

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
97	01-05-16	Delegate Permit Issued	106 Elgar Rd, Box Hill South	Riversdale	2 lot subdivision	Subdivision
103	01-05-16	Delegate Permit Issued	28 Kett St, Nunawading	Springfield	2 lot subdivision	Subdivision
112	03-05-16	Delegate Permit Issued	31 Churinga Ave, Mitcham	Springfield	2 lot subdivision	Subdivision
113	24-05-16	Delegate Permit Issued	660 Canterbury Rd, Vermont	Morack	4 lot subdivision	Subdivision
114	01-05-16	Delegate Permit Issued	1/49 Burnett St, Mitcham	Springfield	2 lot subdivision	Subdivision
116	03-05-16	Delegate Permit Issued	52 Goodwin St, Blackburn	Central	2 lot subdivision	Subdivision
122	08-05-16	Delegate Permit Issued	1/57 Springfield Rd, Box Hill North	Elgar	2 lot subdivision	Subdivision
124	02-05-16	Delegate Permit Issued	8 Sheehans Rd, Blackburn	Central	Pruning of one (1) tree	VicSmart - General Application
125	04-05-16	Delegate Permit Issued	46 Nicholi Wlk, Vermont South	Morack	Re-pave existing carport hard surfacing and enlarge existing decking in a Heritage Overlay	VicSmart - General Application
128	04-05-16	Delegate Permit Issued	48-50 South Pde, Blackburn	Central	Construct a double storey dwelling on a lot with a Special Building Overlay	VicSmart - General Application
129	29-05-16	Delegate Permit Issued	27 Holland Rd, Blackburn South	Central	3 lot subdivision	Subdivision
142	08-05-16	Delegate Permit Issued	58 Belgravia Ave, Mont Albert North	Elgar	4 lot subdivision	Subdivision
143	08-05-16	Delegate Permit Issued	28 Waratah Ave, Burwood	Riversdale	2 lot subdivision	Subdivision
147	11-05-16	Delegate Permit Issued	18 Central Rd, Blackburn	Central	Removal of one (1) tree	VicSmart - General Application
151	18-05-16	Delegate Permit Issued	62 Churchill St, Mont Albert	Elgar	Construction of a domestic swimming pool and spa and associated mechanical and safety equipment	VicSmart - General Application
153	11-05-16	Delegate Permit Issued	64 Rosstrevor Cres, Mitcham	Springfield	Removal of one tree	VicSmart - General Application
154	10-05-16	Delegate Permit Issued	23 Dalmor Ave, Mitcham	Springfield	Removal of tree 18 in an SLO6	VicSmart - General Application

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
157	15-05-16	Delegate Permit Issued	1-4/96 Canterbury Rd, Blackburn South	Central	Propose to reduce the number of car parking spaces required under clause 52.06	VicSmart - General Application
159	17-05-16	Delegate Permit Issued	667 Whitehorse Rd, Mitcham	Springfield	4 lot subdivision	Subdivision
160	17-05-16	Delegate Permit Issued	1 Edith Ave, Nunawading	Springfield	2 lot subdivision	Subdivision
161	17-05-16	Delegate Permit Issued	453 Canterbury Rd, Vermont	Springfield	2 lot subdivision	Subdivision
165	24-05-16	Delegate Permit Issued	29 Richmond St, Blackburn South	Riversdale	5 lot subdivision	Subdivision
168	21-05-16	Delegate Permit Issued	42 Valda Ave, Mont AlbertNorth	Elgar	Removal of one tree	VicSmart - General Application
174	31-05-16	Delegate Permit Issued	103-107 Koonung Rd, Blackburn North	Central	Advertising Signage	Advertising Sign
176	29-05-16	Delegate Permit Issued	72 Scott St, Vermont	Springfield	Construction of a double storey dwelling	Single Dwelling < 300m2
177	24-05-16	Delegate Permit Issued	1/3 Stafford St, Blackburn South	Central	2 lot subdivision	Subdivision
179	24-05-16	Delegate Permit Issued	47 Nicholson St, Nunawading	Springfield	2 lot subdivision	Subdivision
180	24-05-16	Delegate Permit Issued	434 Station St, Box Hill	Elgar	Construction of a front fence in a Special Building Overlay	VicSmart - General Application
181	29-05-16	Delegate Permit Issued	1/2 Penllyne Ave, Vermont	Morack	Removal of one (1) tree within the Significant Landscape Overlay	VicSmart - General Application
185	29-05-16	Delegate Permit Issued	14 Goodwin St, Blackburn	Central	2 lot subdivision	Subdivision
188	23-05-16	Delegate Permit Issued	73 Edinburgh Rd, Blackburn South	Central	2 lot subdivision	Subdivision
190	23-05-16	Delegate Permit Issued	20 Gordon Cres, Blackburn	Central	Construction of a front fence within 4 metres of protected tree	VicSmart - General Application
215	31-05-16	Delegate Permit Issued	15 Clydesdale St, Box Hill	Elgar	Buildings and works to externally paint the dwelling, outbuilding and front fence	VicSmart - General Application
217	30-05-16	Delegate Permit Issued	2 Toogoods Rise Box Hill North	Elgar	Two lot subdivision	Subdivision

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
218	30-05-16	Delegate Permit Issued	122 Jolimont Rd, Vermont	Morack	Two lot subdivision	Subdivision
219	31-05-16	Delegate Permit Issued	382 Elgar Rd, Box Hill	Elgar	Two lot subdivision	Subdivision
289	31-05-16	Delegate Permit Issued	13 Puerta St, Burwood	Riversdale	Construction of four double storey dwellings	Multiple Dwellings
452	24-05-16	Delegate Permit Issued	474 Belmore Rd, Mont AlbertNorth	Elgar	Construction of two double storey dwellings and alterations to a Road in a Road Zone Category 1	Multiple Dwellings
492	22-05-16	Delegate Permit Issued	52 Clyde St, Box Hill North	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
548	10-05-16	Delegate Permit Issued	41 Esdale St, Blackburn	Central	Construction of three double storey dwellings	Multiple Dwellings
616	10-05-16	Delegate Permit Issued	57 Koonung Rd, Blackburn North	Central	Construction of two double storey semi-detached dwellings and subdivision	Multiple Dwellings
734	09-05-16	Delegate Permit Issued	1/24 Donald St, Blackburn South	Central	3 lot subdivision	Subdivision
766	04-05-16	Delegate Permit Issued	53 Beaver St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
813	10-05-16	Delegate Permit Issued	5A Koroit St, Nunawading	Springfield	Construction of three double storey dwellings	Multiple Dwellings
817	10-05-16	Delegate Permit Issued	34 Margaret St, Box Hill	Elgar	Construction of two double storey dwellings	Multiple Dwellings
839	09-05-16	Delegate Permit Issued	896 Station St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
899	18-05-16	Delegate Permit Issued	121-123 Terrara Rd, Vermont South	Morack	2 lot subdivision	Subdivision
900	29-05-16	Delegate Permit Issued	56-60 Rutland Rd, Box Hill	Elgar	Buildings and works to construct a fourth storey comprising a meeting room and roof deck	Business

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
944	31-05-16	Delegate Permit Issued	58 Laurel Grv, SouthBlackburn	Central	Buildings and works comprising alterations and additions to an existing dwelling, the construction of a domestic swimming pool and the removal of vegetation within a Significant Landscape Overlay- Schedule 2	Special Landscape Area
946	09-05-16	Delegate Permit Issued	175 Springfield Rd, Blackburn North	Central	Construction of two dwellings on a lot	Multiple Dwellings
959	09-05-16	Delegate Permit Issued	103 Nelson Rd, Box Hill North	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
996	30-05-16	Delegate Permit Issued	3 Cromwell Crt, Blackburn	Springfield	Construction of two double storey dwellings with removal of one tree	Multiple Dwellings
1017	16-05-16	Delegate Permit Issued	25 Henwood St, Blackburn South	Central	Construction of a double storey dwelling and removal of trees	Special Landscape Area
1024	09-05-16	Delegate Permit Issued	7 Stott St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
1047	29-05-16	Delegate Permit Issued	160 Central Rd, Nunawading	Springfield	Buildings and works to construct a shed and removal of two (2) trees	Special Landscape Area
1098	30-05-16	Delegate Permit Issued	31 Graham Place Box Hill	Elgar	Construction of two (2) double storey dwellings	Multiple Dwellings
1106	29-05-16	Delegate Permit Issued	895-899 Whitehorse Rd, Box Hill	Elgar	Display of illuminated business identification signage	Advertising Sign
1135	24-05-16	Delegate Permit Issued	14 Ferris Ave, Box Hill North	Elgar	2 lot subdivision	Subdivision
1178	10-05-16	Delegate Permit Issued	1/4 Haros Ave, Nunawading	Springfield	Extension of existing dwelling over common property and on a lot less than 500m2	Single Dwelling < 300m2
65	31-05-16	Delegate Refusal Issued	18 Corrigan St, Burwood	Riversdale	Construction of a double storey dwelling to the rear of the existing double storey dwelling	Multiple Dwellings
446	08-05-16	Delegate Refusal Issued	1 Barcelona St, Box Hill	Elgar	Construction of four double storey dwellings	Multiple Dwellings
859	30-05-16	Delegate Refusal Issued	9 Esta St, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
878	30-05-16	Delegate Refusal Issued	27 Box Hill Cres, Mont AlbertNorth	Elgar	Construction of three double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
952	16-05-16	Delegate Refusal Issued	1 Queen St, Blackburn	Central	Amendment to WH/2011/952 ( issued for Construction of a five storey apartment building comprising 77 dwellings with basement car parking) to delete of one of two car stackers to the lower basement, amendments to traffic impact report and a reduction in the parking requirements of Clause 52.06	Permit Amendment
972	10-05-16	Delegate Refusal Issued	41 Quarry Rd, Mitcham	Springfield	Buildings and works to construct two (2) double storey dwellings and tree removal	Multiple Dwellings
1177	30-05-16	Delegate Refusal Issued	41A Foch St, Box Hill South	Riversdale	Construction of a double storey dwelling	Multiple Dwellings
51	10-05-16	No Permit Required	17 Illowra Wlk, Blackburn South	Central	Open verandah	Single Dwelling < 300m2
61	10-05-16	No Permit Required	98/100 Station St, Burwood	Riversdale	Building and works to build a colourbond verandah	Residential (Other)
195	30-05-16	No Permit Required	9 McKeon Rd, Mitcham	Springfield	Reduction in car parking	Business
190	23-05-16	Withdrawn	2 Efron St, Nunawading	Springfield	Amendment to permit WH/2010/190 to relocate car parking for Dwelling 1, increase the size and height of the upper level, altered external facade and internal rearrangement for Dwelling 2	Permit Amendment
532	10-05-16	Withdrawn	21 Whitehorse Rd, Blackburn	Central	Construction of four dwellings with basement parking and alteration of access to a Road Zone, Category 1	Multiple Dwellings
572	30-05-16	Withdrawn	36 Cadorna St, Box Hill South	Riversdale	Construction of three double storey dwellings	Permit Amendment
1016	16-05-16	Withdrawn	1/58 Lexton Rd, Box Hill North	Elgar	Change of use to an indoor recreation facility (Swim School)	Industrial
1137	22-05-16	Withdrawn	18 Scottsdale St, Surrey Hills	Riversdale	Construction of one new dwelling to the rear of the existing dwelling	Multiple Dwellings

**BUILDING DISPENSATIONS/APPLICATIONS MARCH 2016**

Address	Date	Ward	Result
1/252 Middleborough Road, BLACKBURN SOUTH	0-03-16	Central	Amendment Approved R414
1/252 Middleborough Road, BLACKBURN SOUTH	22-03-16	Central	Consent Granted
6 Kathleen Street, BLACKBURN NORTH	08-03-16	Central	Consent Granted R409
16 Henwood Street, FOREST HILL	23-03-16	Central	Consent Refused R415, R411
16 Wimmera Street, BOX HILL NORTH	10-03-16	Elgar	Consent Granted R421, R414, R409
17 Lawford Street, BOX HILL NORTH	07-03-16	Elgar	Consent Granted R409, R417
2/110 Windsor Crescent, SURREY HILLS	22-03-16	Elgar	Consent Granted R420
26 Peter Street, BOX HILL NORTH	09-03-16	Elgar	Consent Granted R427 R424
26 Peter Street, BOX HILL NORTH	09-03-16	Elgar	Consent Granted
434 Station Street, BOX HILL	29-03-16	Elgar	Consent Granted R427, R424
44 Barcelona Street, BOX HILL	03-03-16	Elgar	Consent Granted R421
53 Victoria Crescent, MONT ALBERT	22-03-16	Elgar	Consent Granted R424
98 Rostrevor Parade, MONT ALBERT NORTH	15-03-16	Elgar	Consent Granted R414
16 Wimmera Street, BOX HILL NORTH	10-03-16	Elgar	Consent Refused R408
6 Kefford Court, MONT ALBERT NORTH	23-03-16	Elgar	Consent Refused R414
725 Canterbury Road, SURREY HILLS	10-03-16	Elgar	Consent Refused R409
78 Shannon Street, BOX HILL NORTH	24-03-16	Elgar	Consent Refused R424
47 Husband Road, FOREST HILL	03-03-16	Morack	Amendment Approved R409
9 McClares Road, VERMONT	10-03-16	Morack	Amendment Approved R409
1 Felgate Parade, VERMONT SOUTH	08-03-16	Morack	Consent Granted R409
1B Canowindra Close, VERMONT SOUTH	08-03-16	Morack	Consent Granted R414
2 Dehaviland Avenue, FOREST HILL	16-03-16	Morack	Consent Granted R415
27 Stanley Road, VERMONT SOUTH	24-03-16	Morack	Consent Granted R415
4 Paul Road, FOREST HILL	29-03-16	Morack	Consent Granted R414
6 McArthur Road, VERMONT	22-03-16	Morack	Consent Granted R409
6 Ranfurlie Road, FOREST HILL	01-03-16	Morack	Consent Granted R409, R415
4 Paul Road, FOREST HILL	29-03-16	Morack	Consent Refused R409
2 Hiddleston Avenue, BOX HILL SOUTH	17-03-16	Riversdale	Amendment Approved R409
54 Boisdale Street, SURREY HILLS	18-03-16	Riversdale	Amendment Approved R409
8 Carver Street, BURWOOD EAST	30-03-16	Riversdale	Amendment Approved R417
1/20 Pheasant Street, BURWOOD	22-03-16	Riversdale	Consent Granted R411, R415, R415
130 Broughton Road, SURREY HILLS	15-03-16	Riversdale	Consent Granted
31 Goold Street, BURWOOD	03-03-16	Riversdale	Consent Granted R424
51 Jenner Street, BLACKBURN SOUTH	15-03-16	Riversdale	Consent Granted R409
1/3 Ripon Court, FOREST HILL	01-03-16	Springfield	Consent Granted R414, R411
16 Adele Street, VERMONT	08-03-16	Springfield	Consent Granted R411, R414
2/3 Ripon Court, FOREST HILL	01-03-16	Springfield	Consent Granted R414, R411
27 Barbara Street, VERMONT	03-03-16	Springfield	Consent Granted R414
3 O'Shannessy Street, NUNAWADING	10-03-16	Springfield	Consent Granted R424
57 Menin Road, FOREST HILL	22-03-16	Springfield	Consent Granted R426
6 Forster Street, MITCHAM	07-03-16	Springfield	Consent Granted R414
8 Brae Grove, NUNAWADING	11-03-16	Springfield	Consent Granted R411

**DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – MARCH 2016**  
*Under the Planning and Environment Act 1987*

Decision Date	Act Section	Decision	Street Address	Ward	Proposal	Reference
23-03-16	22 and 23(1)(b)	Delegate Approval	217 and 219-223 Burwood Highway, Burwood East	Riversdale and Morack	Thirteen (13) late submissions have been received for Amendment C182. The late submissions are subsequent to Council considering submissions arising from exhibition of the amendment at its meeting on 1 February 2016. Under delegation, the late submissions have been considered and referred to the independent Planning Panel that has been appointed to consider the amendment and the submissions already referred to the Panel.	Amendment C182

**REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION MARCH 2016**

Contract	Service
15017	Cartage and Disposal of Concrete from Whitehorse Recycling and Waste Centre

**REGISTER OF PROPERTY DOCUMENTS EXECUTED MARCH 2016**

Property Address	Document Type	Document Detail
<b>Land Transfers</b>		
Rear 3 Begonia Street, Box Hill South	Transfer of Land	Road discontinuance. Section 207D Local Government Act 1989
<b>Fire Services Property Levy (FSPL)</b>		
Property Address	Document Type	Document Detail
80 Surrey Road, Blackburn North		Changed from Residential to Commercial
387 Canterbury Road, Forest Hill		Changed from Residential to Commercial
<b>Rateability Changes (Section 154 of the Local Government Act 1989)</b>		
Property Address	Rateability Change	Details
103 Victoria Crescent, Mont Albert		Former Box Hill Tafe property sold
<b>Confidentiality Agreement</b>		
Council Owned Land Box Hill EOI Process	Deed of Confidentiality	As per Probity Requirements
Council Owned Land Box Hill EOI Process	Deed of Confidentiality	As per Probity Requirements

**REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – MARCH 2016**

Nil

**PARKING RESTRICTIONS APPROVED BY DELEGATION MARCH 2016**

**Address:** Jolimont Road Forest Hill: from Matheson Road to 18m east of Matheson Road – south side

**Previously:** 1 'Unrestricted' parking space

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

**Address:** Wolseley Crescent, Blackburn: from Blackburn Road to 53m west of Central Road – north side

**Previously:** 20 'Unrestricted' parking spaces

**Now:** 20 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

**Address:** Neil Court, Blackburn South: from Eley Road to 7 Neil Court – east side

**Previously:** 5 'Unrestricted' parking spaces

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

**Address:** Central Road, Nunawading: from Brenda Court to 35m west of Brenda Court – north side

**Previously:** 2 'Unrestricted' parking spaces

**Now:** 2 'No Stopping' parking spaces

**Address:** Brunswick Road, Mitcham: from Purches Street to Denman Street – south side

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

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

**Address:** Trent Street, Mont Albert: from Grace Street to 73m south of Grace Street – west side

**Previously:** 10 '2-Minute, 8-9.15am & 3-4pm, School Days' parking spaces

**Now:** 10 'No Parking, 8-9.15am & 3-4pm, School Days' parking spaces

**VENDOR PAYMENT SUMMARY – SUMS PAID DURING MARCH 2016**

<b>Date</b>	<b>Total Issued</b>	<b>Payments (direct debit, cheques or electronic funds transfer)</b>	<b>Transaction Type EFT/CHQ/DD</b>
01.03.16	\$2,323.20	1	EFT
01.03.16	\$711.40	1	EFC
03.03.16	\$18,788.12	28	CHQ
03.03.16	\$8,609.93	19	EFC
03.03.16	\$730,768.79	49	EFT
10.03.16	\$29,190.43	1	EFT
10.03.16	\$5,176.10	4	EFC
10.03.16	\$218,812.88	86	CHQ
10.03.16	\$2,980,906.67	354	EFT
17.03.16	\$4,999.55	10	EFC
17.03.16	\$325,918.98	39	EFT
17.03.16	\$32,354.69	51	CHQ
21.03.16	\$751.00	1	EFC
24.03.16	\$8,393.10	18	EFC
24.03.16	\$112,040.20	39	CHQ
24.03.16	\$6,929,884.00	1	EFT
24.03.16	\$390,495.26	56	EFT
24.03.16	\$8,940.91	1	EFT
31.03.16	\$3,846.05	8	EFC
31.03.16	\$22,731.91	31	CHQ
31.03.16	\$6,240,335.76	441	EFT
<b>Monthly Leases</b>	\$73,000.00		DD
<b>GROSS</b>	\$18,148,978.93	1239	
<b>CANCELLED PAYMENTS</b>	-\$7,574.53	-12	
<b>NETT</b>	\$18,141,404.40	1227	

**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)

**RECOMMENDATION**

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

**10.2 Recommendations from the Special Committee of Council  
Meeting of 9 May 2016.**

**10.2.1 Amendment to Victorian Planning Provisions re Place of Worship re  
electronic signage within residential zones abutting Road Zone Category 1.**

Moved by Cr Davenport, Seconded by Cr Ellis

*That Council writes to the Minister for Planning seeking that clause 52.05 of the Victorian Planning Provisions (VPPs) is amended to allow Places of Worship to seek planning permission for electronic signage within residential zones where they abut a Road Zone Category 1.*

**CARRIED**

**10.2.2 Victoria Walks – Walking Advocacy Group**

Moved by Cr Harris, Seconded by Cr Massoud

*That Council becomes an official supporter of Victoria Walks, a walking advocacy group established by VicHealth in 2009 for the 2016/2017 Financial Year, with the decision to be reviewed at the end of the 2016/2017 Financial Year.*

**CARRIED**

**10.2.3 Whitehorse – Shoaxing – Reaffirmation of the current Friendship Exchange  
Agreement**

Moved by Cr Bennett, Seconded by Cr Ellis

***That Council:***

- 1. Council Authorises the Mayor to sign a reaffirmation of the current Friendship Exchange Agreement.***
- 2. The signed document be presented at the Shaoxing Friendship Conference for ratification by the Mayor of Shaoxing.***

**CARRIED UNANIMOUSLY**

**RECOMMENDATION**

***That the recommendations from the Special Committee of Council Meeting of 9 May 2016 Items 10.2.1 to 10.2.3 (inclusive) be received and adopted.***

**10.3 Record of Assembly of Councillors**

<b>Meeting Date</b>	<b>Matter/s Discussed</b>	<b>Councillors Present</b>	<b>Officers Present</b>	<b>Disclosures of Conflict of Interest</b>	<b>Councillor /Officer attendance following disclosure</b>
<b>18-04-16</b> 5.00-6.00pm	<b>Meeting With Shaun Leane, MP</b> <ul style="list-style-type: none"> <li>Residential Zones Review</li> <li>Landfill Levy</li> <li>Box Hill to Ringwood Rail Trail</li> <li>Blackburn Station</li> <li>Junction Road Land</li> <li>Healesville Freeway Reserve</li> <li>Updates from Council</li> <li>Major Projects Update</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Ellis Cr Massoud Cr Munroe Cr Stennett	N Duff, T Wilkinson, P Warner, J Green, P Smith, S Freud, A. De Fazio	Nil	Nil
<b>18-04-16</b> 6.30-7.00pm	<b>Councillor Informal Briefing Session</b> <ul style="list-style-type: none"> <li>Council Agenda 18 April 2016</li> <li>9.3.2 Council Owned Land</li> <li>Update on VicRoads review of School Crossing Supervisor Program</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Munroe Cr Stennett	N Duff, T Wilkinson, P Warner, J Green, P Smith, S Freud, A De Fazio J Russell	Nil	Nil
<b>28-04-16</b> 7.30-9.30pm	<b>City of Whitehorse Bicycle Advisory Committee</b> <ul style="list-style-type: none"> <li>Draft Whitehorse Cycling Strategy 2016</li> </ul>	Cr Munroe	I Goodes L McGuinness	Nil	Nil
<b>02-05-16</b> 6.30-8.45pm	<b>Strategic Planning Session</b> <ul style="list-style-type: none"> <li>Councillor Code of Conduct Briefing</li> <li>Draft Box Hill Affordable Housing Project Expressions of Interest</li> <li>Draft Elgar Park Master Plan</li> <li>Childcare Safe Standards</li> <li>Capital Works</li> <li>City Revaluation Update</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Munroe Cr Stennett	N Duff, T Wilkinson, (AGMI) I Kostopoulos J Green, P Smith, S Freud, A De Fazio J Russell D Seddon J White B Morrison S McGarth T Johnson N Rogers D Logan T Peak	Nil	Nil

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
<b>09-05-16</b> 6.30-10.00pm	<b>Councillor Briefing Session</b> <ul style="list-style-type: none"> <li>• Quarterly Performance Report 2016</li> <li>• Council Lease</li> <li>• Proposed Sale of Land known as 517-521 Station Street Box Hill – Briefing of Statutory Process</li> <li>• Affordable Housing Project – Agreement</li> <li>• Special Committee Agenda/Other Business</li> <li>• Draft Council Agenda 16 May 2016</li> </ul>	Cr Daw (Mayor & Chairperson), Cr Bennett, Cr Carr, Cr Chong AM, Cr Davenport, Cr Ellis, Cr Harris OAM, Cr Massoud, Cr Munroe, Cr Stennett	N Duff, J Green, (AGMI) I Kostopoulos, T Wilkinson, P Smith, S Freud, D Logan, A De Fazio, J Russell, K Marriott, P McAleer, B Morrison, D Seddon, M McArthur, S Dixon, T Peak	Nil	Nil

**RECOMMENDATION**

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

**11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE**

**RECOMMENDATION**

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

**12 CONFIDENTIAL REPORTS**

**12.1 Council Lease**

**13 CLOSE MEETING**